

Late Backup

PD RD  
Item #52



**HousingWorks**

AUSTIN

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September 18, 2014

Planning Commission  
City of Austin

**Commissioners:**

HousingWorks has been integrally involved with the CodeNEXT process and urges you to advance the Land Development Code revision through the recommended approach alternative. The code format and organization, the development review process, and the city's development standards need to be refined and reworked, and the consultants' recommended approach will accomplish these challenges. The process should continue forward without disruption or delay.

The City of Austin has three core values related to affordable housing: long-term affordability, deeper affordability, and geographic dispersion. The CodeNEXT process presents a unique opportunity to increase affordability across the City of Austin, in line with the Imagine Austin vision and the City of Austin core values.

We are eager to continue to provide input throughout the CodeNEXT process. As we stated in our response to the June 2014 Code Diagnosis, in order to achieve true affordability, it is imperative that onsite, inclusionary affordable housing policies are implemented across the city and in a range of housing types. If this type of program (development incentives such as increased density and relaxed development standards in exchange for onsite affordability) were implemented in targeted areas across the city, particularly in strategic locations such as TODs and core transit corridors, this would be a significant gain for affordability.

Thank you for your commitment to the City of Austin. If you have any questions, please feel free to contact me or Mandy De Mayo at (512) 454-1444.

Sincerely,

**Frances Ferguson**  
President, Board of Directors



**RECA**

**REAL ESTATE COUNCIL  
OF AUSTIN**

September 29, 2014

Dear Mayor and Council:

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**PRESIDENT**

Ward Tulebo

On behalf of the board of directors and members of the Real Estate Council of Austin, I'm writing to reiterate our support for a truly comprehensive, meaningful and enduring transformation of Austin's land development code and process.

Austin's continued and consistent rapid growth is creating severe challenges to our city's infrastructure, cost of living, tax base and quality of life. We at RECA share the community's vision of an affordable, livable and vital city that works for everyone. To make that vision real, we need to write and implement land use regulations with both flexibility and predictability. We need to create a system that allows for innovation and can scale rapidly to meet the kind of demand we see in Austin's residential and commercial real estate markets right now.

It is no secret that the current Austin code and process are thoroughly broken and falling significantly short of achieving these important objectives. Neither RECA nor many other stakeholders are satisfied with the status quo, and the CodeNEXT initiative has been a critical and welcome effort that brings those stakeholders together with the city's staff and consultants. We urge that we continue down the path that led us here.

The CodeNEXT Team has admirably diagnosed what's wrong with Austin's current code and land-use regulatory environment. Its recommendations for approach alternatives are, in our view, all necessary, and we look forward to developing further clarity around the choices now facing the City Council.

Whichever approach is chosen needs to be one that allows the city to do *all* the work necessary to fix our broken system once and for all and provide for our needs well into the future. We believe in order for a comprehensive rewrite, consistent with Imagine Austin, to be achieved, approach three (3) should be considered and recommended. Austin's built environment is evolving much too quickly for us to view bringing the code up to date and fixing its most egregious problems, as a suitable end result of CodeNEXT. Rather, this effort must position Austin to move forward and allow for new land use strategies that can address our ever-increasing needs for quality sustainable development and compact and connected affordable living.

Most of all, it is imperative that city leaders move forward now and not defer this discussion to some point in the future. There should be no dispute now that we need a new code and process. New members of the 10-1 council will have plenty of opportunity to shape that new code and process once they take office, in consultation with all of their constituents and stakeholders. We look forward to being fully engaged in that work.

Regards,

KC Wells  
Chair



## **ASLA Austin | submitted to CodeNEXT**

### **Code Approach Alternatives and Annotated Outlines Recommendations 9.15.14**

ASLA Austin takes the position that the Imagine Austin goals of compact & connected and nature & city are strongly connected for the creation of places that are vibrant, healthy, and meaningful. By creating and implementing a land development code that successfully integrates the built and natural aspects of our environment, the city can better accommodate population growth, manage its resources, and improve the quality of life for all residents.

To achieve this integration, ASLA Austin recommends that the revision of Austin's Land Development Code be informed by "green" code practices and precedents, such as demonstrated in Seattle's Green Factor and Washington, D.C.'s Green Area Ratio, that have been effective for conserving and enhancing the ecosystem services that support community well-being. The role of green aspects of a code are suggested in the recently released CodeNEXT Approach Alternatives & Annotated Outlines report, but greater attention and expanded consideration would provide a platform for better meeting the city's objectives. Specifically, we recognize five interrelated topics in which Austin's next Land Development Code should include these ideas.

#### **1. Water conservation and management**

As the city becomes more compact, there is the likelihood that there will be increases in impervious cover—rooftops, plazas, streets, sidewalks—which can, in turn, increase stormwater runoff volumes and velocities. In order to lessen the strain on constructed stormwater infrastructure and not exacerbate the risk of flooding, we recommend:

- Establishing watershed-scale requirements for green infrastructure that include minimum amounts of pervious vegetated cover per watershed and consider future build-out conditions.
- Establishing site-scale minimum performance requirements for water collection.
- Requiring onsite water reuse strategies that involve rainwater, graywater, reclaimed water, stormwater, air conditioning condensate, and all other appropriate sources.
- Incentivizing the absolute reductions in existing impervious cover in re-development with a performance-based approach that gives credit for increasing stormwater retention and groundwater recharge.
- Incorporating water collection and distribution green infrastructure as part of the 'Complete Streets' effort to treat stormwater run-off before it enters creeks and lakes.

#### **2. Urban heat island effects and microclimate modification**

Masonry buildings and roads absorb heat and thereby contribute to what is called the urban heat island effect. Glass building facades can also reflect light and contribute to localized higher temperatures. The increased temperatures can discourage pedestrian and bicycle movement. To mitigate these effects and promote outdoor and on-street activity, we recommend:

- Recognizing the importance of a cool, shaded public, and private realm by establishing required minimum performance criteria for microclimate modification—including the preservation of existing shade trees and the use of new shade trees, green walls, shade structures, green roofs, pervious pavement, etc.—to relieve urban heat island effects.

### **3. Infill regulation**

In a city that is becoming more compact and connected, parcels are not only developed, but re-developed. The code should provide instruction on how these transformations can be made. To guide the process, we recommend:

- Encouraging the principles set forth in the Sustainable Sites Initiative, a rating system developed by ASLA, the Lady Bird Wildflower Center of The University of Texas, and the US Botanic Garden.
- Requiring that redevelopment projects (especially in key centers and along major corridors) cluster development in a way that decreases the effective overall impact of impervious cover and, where applicable, enhances groundwater recharge.
- Developing specific and targeted incentives that offset the negative aspects of urban growth—such as increased impervious cover and loss of tree canopy—to maintain neighborhood character and city-wide ecological productivity and integrity.
- Creating standards that are appropriate and customized to development type (i.e. urban infill vs. greenfield; walkable urban, transitional, and drivable suburban.)

### **4. Urban Agriculture**

A necessary feature of a successful compact and connected community is easy access to food. Agriculturally productive parcels—including private gardens, community gardens, and urban agriculture operations—can contribute to the provision of healthy nutritional options across the city. Further, these land uses also contribute to related efforts to live sustainably. For example, they support populations of pollinators and can be used to help manage food waste by providing composting sites. To encourage these benefits, we recommend:

- Incorporating provisions and guidelines in the new code that make urban farms, community gardens, and front- and backyard gardens possible.

### **5. Compatibility**

Increased uses of land in a city that is becoming more compact and connected can result in incompatible (or at least undesired) adjacencies. To mitigate these, we recommend:

- Employing green infrastructure in compatibility setbacks to mitigate impacts of commercial and multifamily zoning on adjacent single-family residential development.

### **Going forward**

A primary consideration for any land development code is that it allows policy intentions to be met. Through its comprehensive plan, the City of Austin has identified a set of objectives that must be balanced carefully and integrated thoughtfully. To help bring about this desired result ASLA Austin recommends:

- Strengthening of the role of specific City entities (including the Office of Sustainability and the Imagine Austin Green Infrastructure Regulatory Team (GIRT)), Boards and Commissions, and other regulatory bodies within the process of forming the new code and in the efficient administration of the code.

- That the groups mentioned in the above item collaborate with the code consultant team in the presentation of a CodeTALK on Nature and the City in Fall of 2014.
- That a key team member, who is a licensed landscape architect in the State of Texas, be designated to ensure that the core green infrastructure and sustainable water priority programs are integrated into the code.

Finally, we recommend that the CodeNEXT process provide a formal mechanism by which ASLA Austin can contribute as an informed stakeholder so that the core nature and city principles adopted in Imagine Austin are carried forward. It is recommended that this partnership continue as the Code evolves to accommodate advances in technology and improvements in technique.



October 6, 2014

Honorable Mayor Leffingwell and Council Members  
City of Austin  
P.O. Box 1088  
Austin, TX 78767

Dear Mayor Leffingwell and Council Members,

As President of the Texas Chapter of the American Society of Landscape Architects (TXASLA), I am sending this letter in support of ASLA Austin's Recommendations for CodeNEXT. Nationally, ASLA's members are promoting and implementing the very same sustainability goals that the Austin hopes to achieve. ASLA's recently issued Green Infrastructure Guidelines and the successful adoptions of Infill green codes in Washington, DC and Seattle, WA are at the vanguard of urban design policies and practices. TXASLA has been actively engaged with the Austin Section's efforts to share our profession's commitment to improving built and natural environments locally.

American  
Society of  
Landscape  
Architects

*Imagine Austin* offers a bold and forward thinking plan for sustainability. The land development code—which is critical for making this shared vision become a reality—must be as ambitious and as thoughtful. We strongly advocate that the priority programs of "Sustainably Managing Our Water Resources" and "Using Green Infrastructure to Protect Environmentally Sensitive Areas" be integrated throughout the revisions made in the CodeNEXT process. Specifically, we recommend a combination of use-, form-, and performance-based codes that address: (1) water conservation and management, (2) the mitigation of urban heat island effects, (3) Infill regulations that minimize loss of pervious ground cover and tree canopy, (4) the promotion of urban agriculture, and (5) use of green buffers to separate incompatible land uses. These actions will help achieve the integration of Nature and City that is a foundational principle in *Imagine Austin*.

TXASLA endorses the recommendations of ASLA Austin:

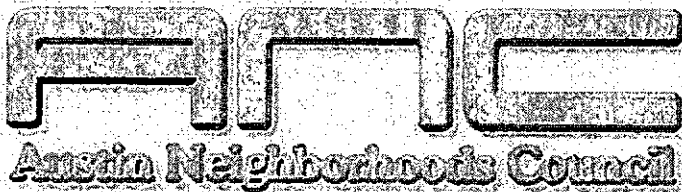
- that the role of specific city entities be strengthened in CodeNEXT such as the Green Infrastructure Regulatory Team and the Environmental Board;
- that ASLA Austin be designated a key stakeholder in the process;
- that the groups mentioned above collaborate on a CodeTALK on the relationships between Nature and City;
- that a key team member, who is a licensed Landscape Architect in the State of Texas, be designated to ensure that the core green infrastructure and sustainable water priority programs are integrated into the code.

Landscape Architects in Texas creatively combine extensive understanding of our regional ecology, responsive insight on our communities' cultures, and demonstrated technical skill for building vibrant and resilient communities. Experiences working with private clients and public stakeholders provide our members with an informed, professional perspective that can contribute to the making of a viable and robust code. We understand that the CodeNEXT process offers a tremendous opportunity to improve the City of Austin. It will also be a model that influences land development discussions in other Texas cities and in communities across the nation. TXASLA and ASLA Austin are motivated and prepared to contribute to this very important endeavor.

Thank you for your consideration,

A handwritten signature in black ink that reads "Timothy May".

Timothy May, PLA—Texas Registration #1227  
TXASLA, Chapter President



October 10, 2014

To Whomever It May Concern:

The Austin Neighborhoods Council Executive Committee cannot support the current Code Approaches Document because of the lack of substantial information. The document contains jargon and ambiguities that lack the specificities for anyone to make a well-advised and educated decision about how the City Council should proceed with supporting the Code Approaches proposed. Even though the consultant team recommends Approach 2, the annotated outline does not specify its difference from Approach 3- what does that really mean? This is why we cannot support a specific approach due to lack of information.

One Code Approach that was never proposed is a combination of Approach 1 and Approach 2, another variation of a hybrid approach. This combination should also be considered, if any consideration is to be acknowledged.

Furthermore, we do not support this current City Council voting on the Code Approach. We have always advocated for the new 10/1 Council to have the ability to choose/vote on the Code Approach, since they will ultimately be the ones to accept and approve the final code. With the lack of information in the Code Approaches document, it seems prudent for the vote on the Code Approach to be postponed until the new City Council is seated. There would be no harm in waiting for more specific information and the new Council's approval.

Let's get things right this time.

Sincerely,

Mary Ingle, ANC President  
Joyce Basciano, ANC VP 1  
David King, ANC VP 2  
Vera Givens, ANC VP 3  
Jolene Kiobassa, ANC Co-Secretary  
Laura Pressley, ANC Co-Secretary  
Mary Eichner, ANC Treasurer  
Melinda Schiera, ANC Co-Communications  
Marion Mlotok, ANC Sector Representative 8

Joan Bartz, Parliamentarian  
Jason Meeker, ANC Sector Representative 1  
Kevin Wier, ANC Sector Representative 2  
Sheryl Cheatham, ANC Sector Representative 3  
Linda Bailey, ANC Sector Representative 4  
Pat King, ANC Sector Representative 10  
Daniel Llanes, ANC Sector Representative 6  
Tom Nuckols, ANC Sector Representative