



BOARD/COMMISSION RECOMMENDATION

Hispanic/Latino Quality of Life Resource Advisory Commission

Recommendation Number: 20191217-007d: Disparate Impact Analysis of the Land Development Code Revision and Community Engagement Plan

WHEREAS, City Manager Cronk directed staff to produce a draft land code revision and accompanying maps within a 3 month process without intentional community engagement nor community planning efforts; and

WHEREAS, City Council held only one public hearing on December 7, 2019 before voting to approve the first reading of the new land development code; and

WHEREAS, City staff, consultants and experts have not presented any evidence that the additional housing capacity proposed would support true affordability for those below 60% MFI – and especially for those below 30% MFI - including low-income families and seniors attempting to age in place; and

WHEREAS, concerns about affordability and displacement impact communities of color and low-income communities the most, considering the historically inequitable investments by public and private sectors, as well as a history of systemic racism; and

WHEREAS, Mayor Pro Tem Delia Garza has proposed an equity overlay that, if adopted, would limit developers' ability to tear down existing multifamily housing to build bigger, more expensive units - which could help mitigate displacement; and

WHEREAS, although Council directed on May 2nd that staff should avoid upzoning areas "currently or susceptible to gentrification," the consultant-generated "Envision Capacity" data shows some of the largest numbers of increased zoning capacity in the Eastern crescent, in areas with predominantly Latinx populations; and

WHEREAS, bonuses and high-capacity zoning categories have been proposed in undeveloped parcels in or immediately adjacent to low-income communities of color, but the new capacity for those units—including the income-restricted units—would be far more expensive than what the median family income in those areas could afford, therefore having a gentrifying effect; and

WHEREAS, no preservation, protection or conservation program initiative has been proposed by City staff for areas where gentrification of Latinxs, African-Americans and low-income residents in general has been widely documented or noted as a threat in the *Uprooted* Study; and

WHEREAS, a lawsuit has been filed against the City of Austin, City Council members, and City Manager Cronk claiming the City has not followed the Texas Local Government Code during the process of revising the land code by not providing notice or protest rights to landowners; and

WHEREAS, the City of Austin Equity Office has adopted a framework for addressing equity within policy planning that includes knowing the history; reviewing and monitoring the data; engaging the community; advancing racial equity; and analyzing unintended consequences; and

WHEREAS, equity is a core anchor of the City of Austin Strategic Direction 2023, which codifies the state of emergency for Austin's communities of color across the "Economic Opportunity and Affordability" outcome area, and in particular in City Council's selected "Top 10 Indicators," which prioritize racially equitable impact within Homelessness and Housing;

NOW, THEREFORE IT BE RESOLVED that the Hispanic/Latino Quality of Life Resource Advisory Commission requests that the Austin City Council:

- 1) Direct and provide budget for a comprehensive Equity and Disparate Impact Analysis of the Land Development Code Revision and its process; and
- 2) Direct and provide budget for an intentional, accessible engagement process with communities and neighborhoods identified as at risk for gentrification and displacement. The engagement should:
 - be performed by culturally responsive contractors identified by the Equity Office; and
 - ensure individuals understand what the new code will mean for them and their neighbors; and
 - provide the neighborhoods opportunity to identify strategies they feel are best able to ensure the new code will serve them and ensure they are able to remain housed.

The analysis should be directed by the Equity Office, and receive full participation from associated departments, as required.

Date of Approval: December 17, 2019

Record of the vote: 6-0. Motion to adopt by Vice Chair Erazo, Commissioner Garcia second. Voting in favor were Chair Afifi, Commissioner Solis, Commissioner Garay, and Commissioner Zuniga. Commissioner Ayala, Commissioner Peña, Commissioner Flay, and Commissioner Salas were absent.

Attest: _____

Amanda Jasso, Staff Liaison, Hispanic/Latino Quality of Life Resource Advisory Commission