



MEMORANDUM

TO: Mayor and Council

FROM: Gregory I. Guernsey, AICP
Director, Planning and Zoning Department

RE: CodeNEXT Update

DATE: 24 May 2016

Introduction

Greetings from the CodeNEXT team. We would like to provide additional information regarding several items that arose at the Council Work Session on Tuesday May 3rd.

I. Code Prescriptions – General Information

In advance of releasing the draft Land Development Code (Code) for public review in January 2017, Austin residents have the opportunity to engage with and inform the project through four “Code Prescriptions.” The Code Prescriptions were created to stimulate discussion on public feedback on a number of important and challenging issues facing Austin. The Code Prescription topics are:

- Natural and Built Environment (released March 7) focusing on how the Code can better reflect a balancing of our public values including environmental protection, redevelopment, new growth, and livability.
- Household Affordability (released May 2) focusing on how the City can better address affordability issues with a revised Code by providing flexibility to build more affordable housing options and reduce regulatory barriers to promote housing that is affordable to more people.
- Mobility (to be released July) which will focus on how the Code can improve mobility choice through coordination of land use and transportation as well as refining roadway designs to better fit the context of an area.

- [Fiscal Health](#) (to be released September) which will focus on the relationship between the Code, development patterns, and the city's infrastructure as well as how the Code can support the City's Capital Improvement Program, and vice versa.

To help continue to the prescriptions in a comprehensive manner, staff from multiple departments have and will help in the development of the prescriptions. The prescriptions thus are able to reflect the perspectives of numerous City departments. In addition, several members of the CodeNEXT Advisory Group (CAG) have helped provide input into each prescription.

II. Code Prescriptions – Feedback Opportunities

In addition to helping create the Code Prescriptions, the CAG plays a key role in outreach and feedback for the Code Prescriptions. First, they host public comment sessions where the community is invited to provide their feedback on the code prescriptions. Second, the CAG deliberates and provide staff with comprehensive feedback on the prescriptions. For a complete list of CAG members, please see Appendix A.

Additional feedback opportunities are provided to the public, such as:

- [The CodeNEXT Roadshow](#) - Staff and CAG members go to community groups to solicit public feedback upon request.
- [Reddit/AMA](#) (Ask Me Anything) - An online event where the public can ask questions and staff will provide real-time answers.
- [Community walks](#) - The next walk, for the Household Affordability Code Prescription, will be held on May 14 at 9:00 and starts at Zilker Elementary School.
- [SpeakUp Austin](#) – Feedback can be provided for each of the prescription papers on the SpeakUp website.

III. Code Prescriptions -- Responding to Feedback

A question arising from the Work Session concerned how the CodeNEXT team has and will track and document feedback regarding the four Code Prescriptions. All the feedback will be consolidated into a single electronic (PDF) document, which will accompany the Code Prescription online. City staff will, also produce a feedback summary document for each Code Prescription.

Staff will not be issuing revised versions of the Code Prescriptions. The Code Prescriptions are not “end products” in and of themselves, but rather vehicles to promote discussion of key issues that the new Land Development Code will address. The draft code that will be released to the public for review and feedback in January 2017 will not be drawn directly from the Code Prescriptions, but instead will be informed by the Prescriptions and the feedback to them. Another reason not to issue revisions to each Code Prescription is because no single code recommendation can be finalized until it is considered in the broader context of the code as a whole. For example, a recommendation contained with the first Code Prescription (Natural and Built Environment) should not be revised and “finalized” until we have made our way through all the issues in the remaining Code Prescriptions.

Though City Staff will not be issuing revised versions of each Code Prescription, we will through our feedback summary documents summarize the nature of feedback we have received on all significant code recommendations. These documents will in essence be a “here’s what was said” and “here’s what we heard” account of the Prescriptions. As we approach the end of the Code Prescription sequence later in 2016, we will, to the extent possible, try to indicate any revised recommendations based on feedback received and information gained through the Prescription process.

IV. Code Prescriptions – Consultant Participation

As noted above, the Code Prescriptions are created and written by City staff from various departments, with input and participation from members of the Code Advisory Group. While the CodeNEXT consultants (Opticos and its sub-consultants) review and provide input on each of the Prescriptions to ensure accuracy and consistency with draft Code elements, they are not the authors of the Prescriptions. All of the feedback on the Prescriptions from any source (the public, Code Advisory Group, etc.) will be summarized and provided to the Consultants and all City staff members responsible for generating and reviewing draft code elements.

V. CodeNEXT Budget Question

At the Work Session, a question was raised about how a portion of the CodeNEXT funding was being utilized, specifically \$250,000 included in the Planning and Zoning Department’s budget to enhance public engagement. That funding has (and will be) used as follows:

- Additional consultant team members and services at the “Sound Check” event in November 2015, including local design firms McCann/Adams Studio and Taniguchi Architects, economics consultants ECONorthwest, English-Spanish translation services, and others.
- Hiring a Public Information Specialist to augment CodeNEXT resources devoted to communications, as well as public engagement and participation.
- Expenses associated with large public engagement events (e.g., facility rentals, refreshments, audio equipment, etc.).
- Consultant services specific to public engagement.

VI. Council Discussions Regarding Policy Trade-Offs

The May 3rd Work Session provided the City Council with an opportunity to hear a summary of the “Natural and Built Environment” Code Prescription. Similar sessions are scheduled as follows:

- June 20 (Household Affordability).

- August 30 (Mobility)
- October 18 (Fiscal Health)

The Council raised the question of how and when might be best to have the serious discussion of the issues and trade-offs identified by the Prescription. We are recommending these discussions occur after all four Prescriptions have been presented to Council. This will allow the Council to discuss those issues and trade-offs in the broad context of the entire code rather than in isolated “pockets” where only a handful of issues are considered. Staff suggests that these sessions might work best as half-day special-called meetings. Staff could kick off these sessions by providing an overview of all four Code Prescriptions.

Mention has been made of conducting these special discussion sessions as a joint meeting of the City Council and the Code Advisory Group. Staff believes this would be a positive environment for discussions – melding the expertise of the Advisory Group with the broad perspective of Council. Staff will certainly work to make such a series of joint sessions possible if it is the will of Council.

Conclusion

Feel free to follow up with me if you have any additional questions or concerns regarding CodeNEXT or the topics discussed at the Work Session on May 3rd.

cc: Marc Ott, City Manager
Assistant City Managers
Matthew Lewis, Planning and Zoning Department
Jim Robertson, Planning and Zoning Department
Planning Commissioners
Zoning and Platting Commissioners
Code Advisory Group Members

Appendix A

CodeNEXT Advisory Group Members

- Jim Duncan - nominated by Mayor Adler
- Jose Valera - nominated by Mayor Adler
- Nuria Zaragoza - nominated by Mayor Pro Tem Tovo
- Dr. Elizabeth Mueller - nominated by Councilmember Houston
- Vacant - Councilmember Garza
- Melissa Beeland - nominated by Councilmember Renteria
- Farzad Mashhood - nominated by Councilmember Casar
- Eleanor McKinney - nominated by Councilmember Kitchen
- Guy Dudley - nominated by Councilmember Zimmerman
- Kevin Wier - nominated by Councilmember Pool
- Melissa Neslund - nominated by Councilmember Troxclair
- Roger Borgelt - nominated by Councilmember Gallo
- Susan Moffat - nominated by City of Austin/AISD Board of Trustees/Travis County Commissioners Court Joint Committee
- Dave Sullivan - nominated by Planning & Neighborhoods Council Committee
- Lauren Ice - nominated by Open Space, Environment and Sustainability Council Committee
- Mandy De Mayo - nominated by Housing & Community Development Council Committee
- Terry Mitchell - nominated by Mobility Committee
- Dr. Richard Heyman - nominated by Economic Opportunity Committee