



AIA Austin

October 14, 2016

The Honorable Mayor Adler
Honorable City Council Members
Code Advisory Group Members
City of Austin CodeNEXT Staff

RE: CodeNEXT Code Prescription Paper #3 – Mobility Code Prescription

Dear Mayor, Council Members, CAG Members, and CodeNEXT Staff,

AIA Austin's membership represents over 1,000 local architects, designers, and allied industry members that result in unmatched experience and expertise in issues related to the built environment. Our members care deeply about our community and are very knowledgeable of the development problems we are currently facing. We are in general acceptance with many of these prescriptions, however the lack of information regarding their implementation and administration is concerning. To this end, we offer the following responses to the Mobility Code Prescription paper.

AUTO CENTRIC CITY TO A MULTI-MODAL REGION

Plan for density along transit corridors

- Prescription: CodeNEXT will address density along transit corridors in two main ways. First, the Code will include transect zones with the medium-to-high-level densities necessary to support transit. Second, these zones will need to be applied within station areas of high-capacity transit corridors.

Response: It's unclear what is considered a "transit corridor" (Imagine Austin Corridors, Core Transit Corridors?) as referenced in this paper. A specific goal of the Strategic Mobility Plan should be to plan a comprehensive network of transit corridors so that no parcel of land in the urban core is located outside of a 1/4 mile "walkshed". This would allow all land within the urban core to be zoned T3 or higher, and would result in the much needed additional housing that also is at a transit-supportive density. This will only be successful if coordinated with Cap Metro's Transit Plan, which is not mentioned. TOD zoning features should be standardized to the greatest extent, which should allow for a simple, efficient way for new TOD's to be implemented if transit ridership levels and development patterns support it.



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We agree with densifying corridors, but requiring remodels to pay for public improvements will burden small local businesses, which are the identity of our community. This will also undoubtedly require the rezoning of certain properties and therefore affect a neighborhood's FLUM. How will this be implemented?

Austin Strategic Mobility Plan

- Prescription: The Austin Transportation Department is currently updating the City transportation plan, called the Austin Strategic Mobility Plan (ASMP). The ASMP will cover a 10+ year timeframe and will update and define our City transportation needs moving forward instead of looking backward. By pulling multiple mobility programs and plans into one integrated approach to planning for all modes, the ASMP will provide a comprehensive vision of the strategies, programs, projects, and metrics needed to create a safe and efficient 21st century transportation network.

Response: The approach to integrate city mobility plans is a good one, but it's important that the authors of the ASMP constantly reference Imagine Austin to ensure our mobility plan is in the spirit of our comprehensive plan. The IA priority of compact and connected would necessarily require a new way to measure a successful transportation network; ASMP should move away from the outdated/harmful measure of LOS, and toward a more progressive method of VMT reduction. Will the plan be updated every 10 years?

Street Design

- Prescription: Street design standards, including connectivity, will be updated in the new Code to reflect best practices in multi-modal design. It should also support strategically completing the street network by requiring connectivity of existing street stubs and assuring street connectivity is included in new subdivision design and infill projects.

Response: As many of the roads in Austin do not meet the current Complete Streets Policy already in place it is unclear how new street design standards will actually work. We strongly support improved street connectivity as it is vital to achieve a compact and connected community as outlined in Imagine Austin. In addition to requiring connectivity to adjacent public streets, the new code should limit block sizes to a more walkable scale in new subdivisions. While we agree that entirely new streets within new developments should adhere to new street section standards, it's unclear how these standards would be successfully implemented on a per-project basis on existing streets. The requirement to adjust curb lines may only be feasible if a certain minimum street frontage is being redeveloped, because a) disconnected or irregular curb lines along a street seem like a safety issue and would cause confusion, and b) a small business or residence would be disproportionately burdened by this requirement. We strongly



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suggest the continuation of fee-in-lieu practices for redevelopment and infill projects of a small-to-medium scale.

Sidewalk connectivity and quality

- Prescription: Changes to the land development code will eliminate the loopholes leading to sidewalk gaps, including: either removing waivers or making them more restrictive, eliminating the fiscal security exemptions for sidewalks in subdivisions, adding specific requirements to reconstruct noncompliant sidewalks, eliminating language allowing developers to only build sidewalks on one side of a corner lot.

Response: Requiring new sidewalk construction and repair from new development is a positive prescription that should be fully implemented, but the City of Austin should not depend on redevelopment alone to fill in missing sidewalks. The Sidewalk Master Plan should be fully built out through bond measures, Parking Benefit Districts, and previously collected fees-in-lieu.

We also support eliminating the sidewalk fee-in-lieu clause. Since this program has been in place it has drastically reduced the amount of sidewalks being installed, which is does not support the goals of Imagine Austin.

Minimizing curb cuts on a busy street does improve the pedestrian experience, but also increases traffic flow as mentioned. If the goal is a safe and pleasant pedestrian experience, then consolidating curb cuts on a busy road should be coupled with new traffic calming measures (narrower streets which would also allow larger sidewalks, on-street parking, chicanes, etc.). How would a shared access driveway requirement be implemented?

Utilities

- Prescription: The potential conflicts between existing City utility placement standards (and other criteria) and proposed new multi-modal street cross-sections should be addressed for smooth implementation of future private development and public CIP infrastructure investments and maintenance. Context-sensitive solutions and needed to facilitate the mobility and place-making goals of new desired cross-sections and building placement standards, while maintaining the public safety and reliability of utility systems.

Response: What does this alignment process entail? What is the plan to revise the utility standards that are not part of the CodeNEXT process? No valuable feedback can be given without more specifics about how this prescription will actually be implemented.



MITIGATING THE EFFECTS OF CONGESTION

Transportation Demand Management

- Prescription: A TDM toolkit will be required based on certain thresholds and will be an incentive for parking reductions and/or reduction in impact fees in exchange for offering certain community benefits outlined in the toolkit.

Response: TDM as a concept is absolutely the approach we need to take to reduce VMT and have any hope of fighting congestion, however it's unclear whether the proposed TDM toolkits are a requirement or an optional incentive; it may work best as an optional incentive which, if pursued, would waive parking requirements. It's also unclear how this would be enforced and monitored. In general, AIA Austin is opposed to codes or ordinances that would require new enforcement staff, which would add to development costs and thus harm affordability for residents and businesses, unless the benefits clearly outweigh costs. How will the city enforce the unbundling of parking costs from rent or purchase price? Does this mean single family houses will not require parking?

Variances

- Prescription: New code will carry over code requirements that are consistent with Imagine Austin, but will remove variance opportunities that are inconsistent. Variances will be limited and will be more difficult to obtain in order to strengthen the Code's ability to help manage traffic congestion attributed to growth, enhance safe connectivity, and ensure walkability. Additionally, regulations related to changes to site plans and site plan exemptions will be modified to assure changes to mobility are properly reviewed.

Response: It is unclear how this vague general code revision affects mobility. This prescription seems to have been thrown in as an act of housekeeping. Keep in mind that while reducing variances may create more predictability in the code, the lack of flexibility could create an uninspired community.

PARKING

Context-sensitive requirements

- Prescription: Parking requirements will be updated to be sensitive to context. The amount of parking required by a land use depends to a degree on what the land use is, but more importantly, on where that use is located. An office or a restaurant on the edge of the city will require more parking than one downtown that is served by transit and surrounded by residences within walking or bicycling distances.

Response: Context-sensitive parking requirements are a step in the right direction, but a contradiction is brought up in the examples given. On one hand, the amount of parking depends on "where the use is located", but the prescription



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also compares different parking requirements based on targeted end-users (i.e., families with children vs. singles). This suggests there's an argument that all developers should be allowed to interpret their targeted users and make a judgment of how much parking to provide. We support eliminating parking minimums in intensive transect zones, but what about non-transect areas? Transect zones will most likely account for a very small portion of the city. These parking revisions need to be applied in broader areas.

Minimum Requirements

- Prescription: Minimum parking requirements should be eliminated in the more intensive transect zones (T4 through T6), and parking maximums established instead. Developers respond to market demands and will build adequate parking for new developments, so minimums are unnecessary. Providing beyond the current minimums, however, hurts walkability, urban form, and is detrimental to transit. Where the market demands more parking than the maximum, developers should work with the City to identify TDM strategies, such as car or bicycle share and transit enhancements, to meet that demand.

Response: This prescription is very encouraging and should be fully implemented, in addition to a reduction in the parking requirement of lower intensity transects. It is unclear however, how maximum requirements would be determined.

Smart, shared parking

- Prescription: Parking throughout the city is used at different times of the day. Peak demand at an office is often different than the peak demand at the restaurant. Recognizing that these temporal differences mean a lot of unused parking at different times, the code will require in certain contexts that parking be shared between uses to maximize the utility of parking spaces. Parking requirements will be calculated with consideration to the mix of development types. Additionally, the code will also provide an easier mechanism for entering shared parking agreements.

Response: Does this mean the city will facilitate private agreements between businesses? What is the mechanism for shared parking agreements? Once again, this prescription speaks to information that is not provided.

TDM

- Prescription: The demand for parking is really indicative of a demand for travel, but results in the storage of vehicles at great expense. Changes to parking requirements in the LDC should be bolstered by a strong transportation demand management (TDM) program that works to reduce parking demand. This could take the form of a baseline Transportation Demand Management requirement for new development, with an additional TDM menu for developers to choose from to address any additional anticipated demand.



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Response: It is unclear how this will be implemented and managed? See previous response to TDM prescription above. In addition, it should be noted that the single most effective TDM strategy is location efficiency. Essentially, the more housing, office, and retail we can allow to be built in close proximity will provide options to walk or bike to a destination. This TDM strategy is especially important to implement because it requires no additional enforcement or oversight - just allow more dense mixed-use development to occur.

Paid parking in higher intensity transect zones

Prescription: By requiring that parking be paid, the demand for parking can be reduced in the higher intensity transect zones, encouraging more transit use, walking, and bicycling. Because less parking is necessary, more land can be used for public amenities and economically productive uses, making transit, walking, and bicycling more appealing. Parking requirements may also be met by counting available on-street parking when determining the amount of parking available at a site and implementation of strategies to reduce parking demand.

Response: In general agreement with this prescription, but not convinced of its efficacy. Has this worked in the CBD? Seems like people are still willing to pay for parking. Is there are data to support this argument?

TRANSPORTATION AS PART OF AFFORDABILITY

Density bonuses and cash-out programs

Prescription: We can encourage affordable housing along transit corridors through means such as the Density Bonus program or the single family compatibility requirements modification that will achieve household affordability. Other programs, such as separating the cost of housing and parking or offering cash equivalents for unused parking spaces, can also contribute to increasing affordability. Moving away from an auto-oriented Land Development Code will allow for the development of a multi-modal network, which can lower the percent of income spent on transportation and thus improve citywide affordability.

Response: Implying that parking is to blame for the high cost of housing negates the policies that the city has implemented that have contributed to the current shortage of affordable housing. How would a "cash equivalent" program work? A simple reduction or elimination of parking requirements "by-right" will also result in more affordable construction costs, which would conceivably filter down to the residents' bottom line. While these concepts are somewhat helpful at addressing household affordability, the most effective prescription would be to remove the artificial barriers on our local housing supply.



COST OF GROWTH/MAINTENANCE

Impact fees/ Mitigation

Prescription: The new TIA process will be clear, simple, predictable, multi-modal, and reflect best national practices. The scoping of the TIAs should be context-sensitive and evaluate access management, TDM, parking, and impacts to safety. The City envisions implementing a street impact fee program to more effectively have growth pay for itself. Varying impact fee rates may be set by City Council and imposed for developments in different areas of the City, such as outside of activity centers and corridors, to encourage desired development patterns. Implementation of an impact fee ordinance will be a general code amendment and may fall outside of the LDC, but it will impact land use patterns. The City is procuring consultant services to develop a street impact fee program.

Response: *It's a laudable goal to want complete streets, but to further burden small business owners, with a limited budget, to pay proportionally of improvements will only decrease affordability. Further it is unclear how this will actually work.*

SAFETY

Build safety into design

Prescription: We need to incorporate safety into design, in addition to continuing to retrofit less safe infrastructure. We need improved code regulations to require safety and mobility improvements through the development process by utilizing tools such as a mitigation ordinance, street impact fee, and improved TIA processes.

Response: *These strategies have all been mentioned previously in this prescription paper, but without any specificity as to what they entail. We cannot comment on a prescription with no substance.*

Code for walking, bicycling, and transit

Prescription: Creating code that encourages a diverse mix of uses, better connectivity, and densities that support transit ridership can also promote transit, walking, and bicycling. Together with streets designed for slower speeds, these code changes net numerous benefits, including safety.

Response: *These prescriptions do not create safer environments in a vacuum. Without adequate sidewalks and ample crosswalks these code changes will have no effect on pedestrian safety. Signalized crosswalks are in*



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short supply and there is currently no sustainable funding mechanism to pay for them. We will never have a safe community until pedestrians are accounted for. How will the new code incorporate the Vision Zero approach that the City has committed to?

Incorporate safety into review

Prescription: Outside of code, addressing mobility and safety at the time of development will be improved with addition of staff and enhanced processes and procedures that incorporate mobility and safety as part of initial development review.

Response: *What will be reviewed exactly? What are the "enhanced processes and procedures" that are being referred to? This will add another layer of review that will slow the permitting process down even further.*

CONCLUSION

Mapping the code

Prescription: Creating a revised Land Development Code is an important step toward realizing the vision of Imagine Austin. Implementing the code, however, will require mapping the transect zones to specific geographies, which will begin to affect development patterns and many of the transportation issues discussed in this Prescription.

Response: *Many of the prescriptions are limited to the transect zones. This leaves most of the city unchanged and out of luck. It has been referenced many times in various CodeNEXT forums that mapping should be limited to Imagine Austin Centers and Corridors, but this has not been stated as an official decision by staff or the consultants, and it's disturbing to see this reiterated in the conclusion of this paper. While Imagine Austin does make numerous references to growth on Centers and Corridors, it doesn't mean our new code should be limited to those areas. One of the primary benefits of the new code is consistency and clarity, but this mapping approach would only serve to further complicate the process.*

Further, a limited mapping process creates a stark Fair Housing issue; directing new growth on busy corridors and out of the wealthy central neighborhoods is exclusionary by definition. It's imperative to increase the scope of mapping to a broader area. The form-based code should be mapped at least on the entire urban core (roughly the McMansion boundaries). This would allow all of the positive recommendations in the prescriptions to be available to many more Austinites.



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The Imagine Austin Comprehensive Plan calls that we invest in a compacted and connected city, but Austinites will only choose mass transit once it's the cheapest, quickest option. We strongly encourage CodeNEXT to incentivize development towards this goal and to work closely with Cap Metro to create this vision. While several of the prescriptions indicate a good direction the general lack of specificity in this prescription paper is concerning. Without knowing the details of these prescriptions, and how they will be implemented, we are unable to provide full support of all the prescriptions. AIA Austin appreciates the efforts put forth by the CodeNEXT team and looks forward to continuing this conversation to help provide Austinites with better mobility options.

Sincerely,

Jim Susman
AIA Austin 2016 Board President