



**AIA**  
Austin

March 29, 2019

The Honorable Steve Adler, Mayor  
Honorable City Council Members  
City Manager Spencer Cronk

RE: City of Austin Land Development Code Rewrite

Dear Mayor, City Council Members, and City Manager

Like most Austinites, AIA Austin's members care deeply about our community and the way our city accommodates its unprecedented growth. In addition to being engaged citizens, AIA Austin's members also represent an unmatched expertise in issues related to the built environment. During CodeNEXT we organized testing of all three drafts and provided staff with thoughtful feedback. We are excited to restart the code rewrite process and look forward to a Land Development Code that promotes the goals of the Imagine Austin Comprehensive Plan. To this end, this document outlines five recommendations on how to move forward with a Land Development Code rewrite process that will ultimately codify the vision set forth in Imagine Austin.

### **Comprehensive Reform**

Recommendation: The proposed code rewrite should be implemented using a comprehensive approach that calibrates all applicable regulations in such a way as to achieve the desired development.

Background: Over the last 35 years, dozens of incremental code changes have been overlaid on top of one another creating the overly complicated code we have today. By passing policy in this piecemeal manner, the city created an unwieldy document which produces unpredictable results. Our testing of the CodeNEXT drafts reaffirmed that the numerous regulations work in a collective manner such that no one policy could be singled out as the limiting factor to development. Therefore, applying code regulations one by one will not provide a true depiction of their individual impact. Conversely, realizing the full benefits of regulations that intend to provide community benefit can only be achieved with context sensitive coordination and integration. Otherwise, conflicts between these regulations could have an opposite effect.

The American Institute of Architects

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## **Policy Priorities**

Recommendation: We recommend that Council provide specific policy direction on priorities including, but not limited to, Compatibility, Affordability, Design Standards, Flood Mitigation, Housing Density, and Parking.

Background: During the rewrite process there will be certain situations where priorities will oppose one another, like Compatibility and Affordability did in the CodeNEXT Drafts, so the prioritization should also be clear as to which one is to govern. One of the difficulties that planning staff admitted during the CodeNEXT process was a lack of direction, or policy. Despite this, CodeNEXT drafts repeatedly prioritized certain development regulations over others, with no explanation. While Imagine Austin includes Priority Programs, they are presented at such a high-level that codifying them requires interpretation. It is this interpretation, and the lack of transparency of the process, that led to much of the community debate.

## **District Scale Planning**

Recommendation: We strongly recommend a new district scale planning process be included in the approach to rewriting the Land Development Code.

Background: One of the biggest flaws in the CodeNEXT process was the decision to forgo any planning prior to commencing the writing of the draft code. Planning is a fundamental first step to any code reform process. The repercussion of this decision was realized when the community refused to accept the final CodeNEXT draft, with much of the criticism focused around the mapping. Staff mapped the new zoning districts to produce a “status quo” because no planning had been completed beforehand to inform the process. The Imagine Austin Comprehensive Plan provides some citywide planning goals but does not give specific guidance. In 2018 a graduate class from the MIT Urban Studies and Planning Department, working in conjunction with AIA Austin, observed: “In order to effectively plan for complete communities, the City of Austin cannot just look to citywide initiatives such as *Imagine Austin* or *CodeNEXT* and single-development projects. While both processes are necessary, there is a missing scale to planning—the district-scale. District-scale planning takes place in geographies that are large enough to contribute meaningful housing inventory, but small enough to retain a sense of identity”. While Austin has some district scale plans already in place in the form of TODs, NCCDs, and Neighborhood Plans, most are antiquated and preceded Imagine Austin.

## **Public Engagement**

Recommendation: The new approach should include a transparent and educational public process whereby public stakeholders are confident their input is being appropriately evaluated.

Background: CodeNEXT failed, in part, due to a lack of effective public engagement. Staff organized several public events, but most lacked a substantive public input mechanism, or an educational component that clearly demonstrated the necessity of a code rewrite, among other information. For many Austinites, this process is the first time they are seeing a Land Development Code, so education plays an important role in the public engagement process, and members of the community should feel like their voices are being heard. Leveraging local design experts, like AIA Austin, to assist in the educational component could be one solution.

## **Non-Zoning Regulations**

*Recommendation:* We recommend that any new approach include city-led community stakeholder testing of the proposed non-zoning regulations as mandated last year by City Council Resolution No. 20180628-125.

*Background:* During the CodeNEXT process much of the focus was directed towards the zoning regulations and how they affect development. However, our testing revealed that the proposed non-zoning regulations could have even greater impacts on certain types of developments. AIA Austin members, along with many local design professionals, spent countless volunteer hours to test and provide feedback on CodeNEXT and it is our hope that this work will be used to inform the new code rewrite moving forward.

AIA Austin looks forward to supporting a Land Development Code approach that considers the recommendations above to align it with the goals set forth in Imagine Austin. We are committed to remain a key stakeholder among Austin's community leaders and we appreciate the opportunity to participate in this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Hsu". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Hsu, AIA, IIDA  
President, AIA Austin