

AREAS OF CONCERN TO CONVEY TO COUNCIL REGARDING CODENEXT VERSION 4

A rushed and unfair process

- We have an emotional and financial investment in our homes and neighborhoods that is put at risk by this proposed code. People like stability and community - that will be destroyed by these changes.
- Many people have no idea the degree of upzoning coming to them as they have not studied the 1,366 pages of the proposed code, and staff and city officials are reassuring them that there is no real change from the current code.
- Just like CodeNEXT Version 3, this CodeNEXT Version 4 is rushed and anti-democratic, with little meaningful input from the community.
- The Council can build on years and years of neighborhood planning as done in the past.

Excessive building heights, setbacks, FARs, and impervious cover rules

- There will be radical density proposals including reduced lot sizes, increased building heights, reduced setbacks, increased floor-to-area ratios, and increased impervious cover rules. Any one of them in the hands of a developer next door can change your life.

More localized flooding

- The increases in allowed impervious cover will increase flooding citywide. Staff very carefully says that comparing current allowed impervious cover to CodeNEXT's allowed impervious cover will not cause a significant increase. But they fail to mention the elephant in the room – current existing housing does not come close to using all of the allowance. But when current housing is demolished, builders will build to the max.

Higher taxes

- Increased entitlements through upzoning neighboring lots will raise taxes for homeowners. The investor properties drive up land values based on speculation.
- Properties will definitely see higher appraisals based on new highest and best use analysis. Renters in older units will be some of the first displaced.

Streets will be congested

- If no onsite parking is required for lots within 1/4 mile of corridors and centers or for certain zoning, we will be navigating a gauntlet of parked cars, trash receptacles, oncoming traffic, pedestrians, and cyclists.
- Where will residents find parking for their cars, their guests, and their service

- companies?
- Where do they place their trash, recycle, and compost bins?
 - How will the Austin Fire Department and EMS navigate trucks on jammed streets?

Reduced tree protection

- Larger structures, reduced setbacks and increased impervious cover will result in reduction of our tree canopy.
- Smaller areas of green space will result in fewer large trees that absorb carbon dioxide faster than smaller trees and provide more protection from the heat island effect.
- Transition zones can ask for administrative approval to remove large trees if they interfere with development.

Compatibility standards gutted

- Over the years, carefully crafted compatibility standards have worked well for neighborhoods along commercial corridors. Neighbors and current businesses generally have gotten along. Pressed by redevelopers who want our less costly land, CodeNEXT would take away most of these protections. This will adversely impact people who have relied on the current rules to make their homes. The current rules work and should be kept.

Unsafe for pedestrians and cyclists

- If no onsite parking is required within a 1/4 mile of corridors and centers for streets that have inadequate sidewalks, then pedestrians will be walking on crowded, low visibility streets.
- If the plan is to improve the sidewalks, how long will it take to do so and will the implementation of the new rules be delayed until deficiencies are rectified?
- Cyclists will be more at risk from crowded streets.

Increase in potential for stealth dorms

- Staff has proposed a citywide occupancy limit of 6 unrelated adults per dwelling unit (currently it is 4). These high-occupancy duplexes, sometimes called stealth dorms could result in 12 individuals in a duplex, 24 in a fourplex, and 36 in a six-plex with inadequate parking space and scarce room for trash and recycling bins.

Three units citywide

- Almost every lot in the city that has a house more than 30 years old will be allowed three units.

Redevelopment is favoring high-income residents

- The city has admitted that the maps were drawn by calculating the redevelopment potential of an area. The first step in redevelopment is removing people who live there now. What is the public good that comes from favoring high-income newcomers over people who have invested their lives in our communities?

The more vulnerable will be the first pushed out

- The more vulnerable will be the first pushed out. This includes working families and older people on fixed incomes.
- As higher taxes are passed on by their landlords, many renters will be priced out of modest, older housing.
- Speculators have been buying up older rental housing in anticipation of CodeNEXT. These renters will be displaced quickly, and the housing units will be some of the first demolished.

Transition zone impacts

- Transition zones will destroy neighborhoods. The demolitions won't stop with the two densest zones. The dominos will continue to fall as the intense development makes life unacceptable to those who live here now.

Goodbye to families with children

- Single-family homes will be demolished and replaced with smaller multi-unit rentals for singles providing fewer options for families. This will encourage families with children to leave Austin. In some areas of the city this is already happening leaving Austin Independent School District with smaller numbers of students to fill the schools.
- Last year, the Council ignored the unanimous resolution of the AISD School Board to implement policies to lessen the negative impact of CodeNEXT. The new CodeNEXT still ignores AISD's resolution.

Affordability issues

- For years, the real estate industry has engaged in a propaganda campaign based on the proposition that Austin can build its way to affordable housing. To disprove that nonsense, all we have to do is look around at the demolitions of modest, affordable housing being replaced by million-dollar luxury structures.

- Just recently, city officials admitted that the land code rewrite does not, will not, cannot, and was never intended or expected to create any significant amount of affordable housing.

Questionable housing targets

- The City Council chooses to ignore the city demographer's growth forecast, and it even fabricated a fake housing target based on the regional, instead of city, growth rate. To compound it even more, the Council decided to triple the proposed housing need figure to come up with a housing capacity target of 400,000 units over 10 years. The demographer says the city needs around 80,000 units.
- The staff now says that they set the target so high because many people want to live here. Is that a good reason for displacing those already here? It's nonsense for staff to argue that by mapping to such a target, they are somehow going to change the historic growth trend of 2% per year.

Inadequate and aging water infrastructure

- Adding density without upgrading water line infrastructure will likely reduce flow rates and possibly impair the ability of the fire department to fight fires.

Short-term rentals deplete housing supply

- The draft code would allow more Type 3 short-term rentals. It would allow them to be 25% of all units in MU and MS zones. It has become almost impossible for the city to enforce the rules for both licensed and unlicensed Type 3s. Setting aside all of the quality of life issues for neighbors, this is housing that could otherwise be used to address Austin's housing shortage.

Bars aplenty

- In an effort to increase entertainment districts, by-right expansion of allowed uses will include bars, micro- breweries, and outdoor music venues adjacent to residential.
- Work/live and retail uses with little or no parking requirements will also be increased in residential areas.

Denial of protest rights

- We have a right under state law to protest proposed rezoning of our property and of neighboring property (if a certain percentage within 200 feet protest). These protests require, in Austin, the approval by 9 council members instead of

6. The city says this law does not apply. Let's let the courts will tell us who is right.

A plan to squeeze people out of their cars

- CodeNEXT ignores the reality of people's dependence on cars. No amount of social engineering will change that. It is unrealistic to assume that we will all start taking the bus or walking in 105-degree heat.

Neighborhood plans ignored

- CodeNEXT ignores neighborhood plans that have taken years and over \$10 million to develop. Future Land Use Maps lay out the vision of neighborhoods with plans, and given sufficient resources dedicated by the city, the process will continue to produce good results of density integrated carefully within an area of traditional neighborhoods and with a respectful plan for their shared longevity. We need to go back to this approach to land planning – an approach where all interests are at the table.

Mapping questions

- The Council told the staff to map density around, but not in, the activity centers. The staff did neither. Is this yet another scheme to push density to the urban core?
- The map is filled with examples of spot zoning, which may be illegal.

This is not planning

- It is simply a way to put decisions about growth into the hands of speculators, taking these decisions away from both the city and citizens.
- Planning is what you do if you want to direct growth to certain areas where it is appropriate and at the will of both the city and citizens who have investments in maintaining appropriately compatible land uses in their area.
- This is deregulation. It gives redevelopers a free hand to pick and choose the most desirable sites for luxury housing, and the city gets nothing in return.
- This is a land grab.