

CodeNext to code nixed: Adler, council members abandon code rewrite

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CodeNext was all but bulldozed into rubble Wednesday after Austin Mayor Steve Adler abruptly called for a halt to the comprehensive rewrite of the city's land development code.

The over-budget project has endured numerous delays, but it was the divisive rhetoric surrounding CodeNext that appears to have doomed it. Since the first draft of the revised land-use rules was released in early 2017, CodeNext has laid bare the ideological differences between pro-density urbanists and neighborhood preservationists, who have sniped at one another for months in public meetings and through social media.

"The need to revise this land development code is greater than ever before," Adler wrote Wednesday in a 1,500-word post to the City Council's online message board. "Yet, it is becoming increasingly apparent that the CodeNext process, so divisive and poisoned, will not get us to a better place."

CodeNext also spotlighted divisions among council members, who are nearly in lockstep when it comes to championing progressive and liberal ideals but were essentially riven into two camps when it comes to CodeNext.

In Adler's post, he noted that CodeNext did not have "sufficient consensus" from the council, even though previous votes related to the project showed it was likely to eventually pass by a 7-4 ratio.

The mayor's public change of heart on CodeNext caught several council members by surprise.

"This is a surprising but welcome change of heart," Council Member Alison Alter, who represents Northwest Austin, told the American-Statesman.

The four members of the council's pro-density wing — Greg Casar, Jimmy Flannigan, Delia Garza and Sabino "Pio" Renteria — appeared to have had some advance notice about Adler's stunning post. Within two hours of Adler's post popping up at 12:47 p.m., the four council members had posted a proposed resolution to halt CodeNext that included a time stamp of 10:35 a.m.

"I didn't even know a resolution was out there," said Council Member Leslie Pool, who called for a halt to CodeNext in October.

Flannigan announced the resolution online as well.

“Our last few council meetings were focused on the process moving forward,” Flannigan wrote on the council’s message board. “Due to the various disruptions, the council hit many impasses. However, we reject the giving in to cynicism. We have worked too hard and too long to leave our neighbors and constituents with a broken code. But we no longer see a path forward contained within the CodeNext process.”

That resolution will come before the City Council on Aug. 9, a date that appears likely to be carved into CodeNext’s tombstone.

Flannigan’s resolution calls for recently hired City Manager Spencer Cronk to lead the next round of rezoning efforts. It is unclear what form those might take, and a city spokeswoman said Wednesday the city will continue to work on CodeNext until ordered to stop.

“If the city is just going to start over with the same thing, that is going to be a really big mistake,” said Fred Lewis, who as head of Community Not Commodity pushed a petition and then led a successful legal challenge to put CodeNext and future zoning changes to a vote of Austin residents. “We don’t need CodeNext by another name.”

All told, the city has spent more than \$8 million paying California-based consultant Opticos and subcontractors to help develop three drafts of proposed land-use rules and resulting zoning maps. City staffers also spent countless hours huddled at One Texas Center, where the Planning and Zoning Department parsed the proposed code and debated various amendments to it.

Numerous advocacy groups and city commissions also spent great amounts of time reviewing the dense drafts, including a final version that totaled nearly 1,600 pages.

“They have my deep appreciation,” Pool said. “It was hard work and against considerable headwinds, and we should not fault them for their efforts.”

CodeNext’s original intent was to revise Austin’s now 34-year-old land development code and implement recommendations tied to the city’s 2012 comprehensive master plan, Imagine Austin, which called for hubs of density connected by mass transit, among many other changes.

The first CodeNext draft, released in 2017, drew the ire of neighborhood groups in the central city when residents of such established neighborhoods as Bouldin Creek and Travis Heights saw their neighborhoods draped with so-called transect zones, designed to increase housing density near major streets.

Efforts to halt CodeNext continued to grow even as neighborhood preservationists won concessions in succeeding drafts.

CodeNext opponents ultimately gathered 31,000 signatures to force a vote on a petition ordinance regarding the project. The City Council attempted to avoid an election by refusing to put the petition ordinance on the November general election ballot, but CodeNext opponents filed suit and in mid-July, Travis County state District Judge Orlanda Naranjo overturned the council’s decision.

Counting out CodeNext?

On Wednesday, Austin Mayor Steve Adler and a group of City Council members suggested it might be time to abandon CodeNext. Here's a brief recap of the controversial project:

2012: When Austin leaders decided a land-use code rewrite would be central to the Imagine Austin plan. That rewrite became CodeNext.

\$8 million: City's cost to employ consultant Opticos Design Inc. Original contract was for \$2 million and was amended five times.

18 months: Projected time needed to rewrite the city's then-30-year-old zoning code after an October 2014 council vote set the overhaul's scope.

1,574: Pages making up CodeNext 3.0, the final draft, released Feb. 12. This draft was more than 200 pages longer than the city's existing land-use code.