

Code NEXT Listening Sessions

Questions and Answers

Comment #	Date Received	Source	Question	Response
1	9/23/2013	Bowie Listening Session	How do other priority programs tie into this process? For example, water and transportation	Each of the eight priority programs in Imagine Austin has an interdisciplinary team of City employees representing all affected departments. All of the priority program teams are providing input into the Code revision process. Significant work on implementing Imagine Austin is already underway and is summarized in the <a href="#">2013 Imagine Austin Annual Report</a> .
2	9/23/2013	Bowie Listening Session	How can we facilitate the use of non-standard systems such as rainwater harvesting and low-impact development?	The City has an interdepartmental team (including Watershed Protection, Austin Water, and Planning & Development Review) which is evaluating how to further promote the use of innovative methods of stormwater treatment and other forms of low-impact development. The team will work with public stakeholders to finalize recommendations for future updates to the Environmental Criteria Manual or amendments to the Watershed Protection Ordinance, which is part of the Land Development Code. For more information, go to <a href="http://www.austintexas.gov/page/watershed-protection-ordinance-0">www.austintexas.gov/page/watershed-protection-ordinance-0</a> or <a href="http://www.amlegal.com/library/tx/austintech.shtml">www.amlegal.com/library/tx/austintech.shtml</a>
3	9/24/2013	Kealing Listening Session	How can the new code encourage sustainability / low-impact development (ex. permeable, porous paving) for both residential and commercial?	
4	9/23/2013	Bowie Listening Session	What is the point of accelerating growth when the city doesn't have the capacity...traffic/infrastructure?	Growth in Austin, and Texas in general, is being driven by many economic factors. Austin has grown steadily over its lifetime and is now the 11th largest city in the country while many other central Texas cities are growing even faster than Austin. The City is planning for sustainable growth in the Imagine Austin comprehensive plan by identifying areas where future growth can be best accommodated which provides a foundation for prioritizing future investments in transportation, utilities, and other public infrastructure.

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5	9/23/2013	Bowie Listening Session	This needs to be sustainable for current residents. Take care of people aging in place. Taxes too high. Not enough affordable housing for disappearing middle class.	Affordability, sustainability, and accommodating a diverse population are all major elements of the Imagine Austin comprehensive plan. The new Code will be evaluated for its impacts before it is presented to the City Council for adoption.
6	9/23/2013	Bowie Listening Session	Will properties be rezoned like in neighborhood plans?	Extensive Community Character Analysis, study of existing zoning and neighborhood plans will be conducted before any decisions are made regarding zoning. While some areas might change, there is no requirement that changes happen across the city. Zoning changes will only occur after working with the community through the process.  Any rezoning must be reviewed by the Planning Commission and approved by the City Council, following notice to residents, property owners and neighborhood organizations and public hearings.
7	9/23/2013	Bowie Listening Session	How can there be incentives in code rewrite for better development for sustainability, preservation as far as impervious cover? Example more green initiatives, historic preservation	One of the Imagine Austin priority program teams, the Green Infrastructure Priority Program Implementation Team, is investigating this issue and will identify opportunities for encouraging more sustainable development. Historic preservation is addressed in the existing Code, and the existing regulations will be evaluated for effectiveness and consistency with best practices.
8	9/23/2013	Bowie Listening Session	How can the LDC rewrite impact affordability? What are specific examples?	While affordability is affected by many factors besides the Code, the Code can impact affordability through the types of housing that it allows and the processes that it requires for approval of permits. By allowing a diversity of housing types in appropriate locations, the Code can help increase the supply and choices of housing available. For example, accessory apartments in single-family residential areas can provide a low-cost form of housing for young adults or retirees as well as rental income for the property owner. A more simple and efficient approval process for permits can save time and money for the builder and therefore lead to lower costs for the home buyer.
9	9/23/2013	Bowie Listening Session	How can we better address affordability through supply?	

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10	9/25/2013	Lanier Listening Session	Can the Code encourage and accommodate housing choices?	
11	9/25/2013	Lanier Listening Session	Without subsidies how can we ensure that more people with different incomes can live in Central Austin?	
12	9/23/2013	Bowie Listening Session	Concerned about overlap between listening and diagnosis. How was the length of the process determined? Why is it so long?	CodeNEXT is divided into four phases: Listening and Understanding, Diagnosis, Draft Code; and Code Adoption. Each of these provides ample opportunity for input and review which takes time. The listening phase was designed to allow maximum opportunities for Austinites to be involved and have a voice in the final product. The first phase of the project is to listen to the community's concerns while also analyzing the existing Code in comparison with best practices from other areas. There will be public input opportunities throughout the entire process.
13	9/23/2013	Bowie Listening Session	How to balance sustainability and affordability	The code revision process will include an assessment of the impacts of the proposed regulations using a computer simulation model called Envision Tomorrow. This tool will help in analyzing and understanding the tradeoffs between different community values and city policies, and will assist in formulating a Code that provides an appropriate balance between sustainability and affordability.
14	9/23/2013	Bowie Listening Session	How will city get meaningful public input on such a technical and complex document?	While many code issues are technical, the code also reflects community values and aspirations which form the foundation for the new code. The consulting team will take this input and prepare a draft Code that addresses the issues and concerns raised by the public. The hope is to make the code simpler so that it can be more easily understood by everyone who uses it.
15	9/23/2013	Bowie Listening Session	Is the code already written; are these meetings only for show? Reference - reverse angle parking	Writing of the Code will not begin until late 2014. The code rewrite is a multi-year process that depends on community input.

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16	9/23/2013	Bowie Listening Session	Bike Plan. Transportation Plan. Very confusing. The plans are conflicting and confusing. Too many. How do you plan to address conflicting regulations? Neighborhood Plans, Corridor Plan, all the multi Master Plans	The eight priority programs guiding the implementation of Imagine Austin aim to align the City's major policy objectives to ensure that they work together to achieve a consistent result. The Code revision process will evaluate existing development regulations to identify inconsistencies between provisions and propose changes to implement the goals identified during the CodeNext process and Imagine Austin. Master plans such as the bicycle plan and the transportation plan are based on the Imagine Austin comprehensive plan but provide more detailed guidance for implementing City facilities and services.
17	9/23/2013	Bowie Listening Session	How can we guarantee that transportation is considered during the process?	One of the Imagine Austin priority programs is to invest in a compact and connected Austin. To implement this objective it is critical that land use and transportation are considered together in the new Code. Well-designed people-oriented places can accommodate motor vehicles while also encouraging walking, bicycling, and transit. During the Code revision process the portions of the Code dealing with transportation issues will be evaluated for their effects on land use policies. Similarly, portions dealing with land use will be evaluated for their effects on transportation policies.
18	9/24/2013	Kealing Listening Session	How will the Land Development Code fit with transportation plans?	
19	9/23/2013	Bowie Listening Session	What is the difference between apartment types and why are they allowed in SF-2?	Apartments are not presently allowed in the SF-2 district. They are allowed in the MF-1 to MF-6 districts. In the present Code different apartment types are distinguished mostly in terms of density and building height.
20	9/23/2013	Bowie Listening Session	What are the considerations for code amendment and how does the amendment process work?	The new Code will contain a process for how amendments will be considered. The specifics of the new amendment process will be determined as the code rewrite progresses. At present, all Land Development Code amendments must be reviewed by the Planning Commission and approved by the City Council after public hearings and notification of nearby residents, property owners and neighborhood organizations.
21	9/24/2013	Kealing Listening Session	How is the amendment process going to improve?	
22	9/24/2013	Kealing Listening Session	How do we ensure that our code will be flexible to allow changes over the next 30 years?	Just as the Imagine Austin Comprehensive Plan contains provisions for an annual progress report, a five-year appraisal, and a ten-year major update, an evaluation process can be created for the new Code so that it is reassessed at regular intervals and kept up to date to address changing conditions.

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23	9/23/2013	Bowie Listening Session	Why isn't the current LDC followed? It seems that the City and Council grant special privileges to certain people/developers - This is an issue of fairness? (No wonder we need to rewrite the code - it isn't followed)	The current code is followed. However, because the code has been amended repeatedly over the last 30 years, sometimes without adequate coordination, there are many conflicting and confusing provisions that make understanding and interpreting the code difficult. There will always be competing interests in land development, and the Code will attempt to provide a reasonable balance between the rights of the property owner and the rights of the public. Our hope is that by better defining what is allowed to be developed, the expectations of developers and residents will be better understood, conflicts can be reduced, and the need for variances and special considerations can be minimized. The Code will also contain procedures for reconciling conflicts when they do inevitably occur.
24	9/23/2013	Bowie Listening Session	How will process deal with competing interests? Developers vs. neighborhoods. State owned property vs. city interests	
25	9/23/2013	Bowie Listening Session	How do we develop and revise our code so it is usable, understandable, and fair, while addressing exceptions that put the neighborhoods on the defensive? I.e. PUDS, flag lots, easements	
26	9/25/2013	Lanier Listening Session	Imagine Austin contains conflicting goals such as compact and connected on a site w/ heritage trees. How do you envision we navigate conflicting goals/agendas in the finer details of a new code?	Any high-level document, such as Imagine Austin, will have some conflicting policies. As we translate these into more detailed code provisions we will have to identify the balance between these conflicting policies. The key is for the code to clearly and consistently define priorities. In defining these we will use the input from the community and best practices from around the country as the basis for our recommendations.
27	9/23/2013	Bowie Listening Session	Can the LDC align with the 10-1 districts to address neighborhood issues?	10-1 district representation for City Council members will begin early 2015, before the Code revision is ready for adoption in 2016. Though the Code will apply citywide, the Community Character Analysis and code process will allow different approaches for different parts of town. After Council districts are implemented, all Council members will be involved in defining how the Code affects their district.

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28	9/24/2013	Kealing Listening Session	Can district zoning commissions that put decisions closer to home work better than a citywide zoning commission?	The CodeNext process will study different approaches to improve the planning process. This and other ideas will be explored as CodeNEXT progresses.
29	9/24/2013	Kealing Listening Session	Is it possible to require neighborhoods to amend each of their neighborhood plans to assume their populations will double in 20 years and decide where the density will go (within their neighborhood)?	
30	9/24/2013	Kealing Listening Session	How will the adopted neighborhood plans, geographical corridor plans, TOD plans be combined or incorporated into the new City Code including the Imagine Austin Plan?	
31	9/24/2013	Kealing Listening Session	How do neighborhood plans fit in?	
32	9/24/2013	Kealing Listening Session	What is the relationship between neighborhood plans, the Code and Imagine Austin?	
33	9/25/2013	Lanier Listening Session	How is the new code going to respect/follow existing neighborhood plans?	
34	9/23/2013	Bowie Listening Session	Can neighborhood plans be integrated into the code revision?	

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35	9/24/2013	Kealing Listening Session	How will places like Mueller and Domain be handled? (master planned developments)	Master planned developments like Mueller and the Domain have special zoning regulations that apply only to their particular property. It has not been determined how these developments will be treated in the new Code; however, any rezoning must be reviewed by the Planning Commission and approved by the City Council, following notice to residents, property owners and neighborhood organizations and public hearings.
36	9/24/2013	Kealing Listening Session	How can we assure the new code is easy to understand and implement and incorporates community values from Imagine Austin?	One of the goals of the CodeNEXT project is to create a document that is simpler and easier to understand. Improved formatting, reorganization, elimination of redundant and conflicting provisions, and more use of graphics are anticipated so that users can more easily determine what rules apply to a specific property
37	9/24/2013	Kealing Listening Session	How can the complexity be stripped from the LDC? Can we develop a more user friendly, flexible, lighter, more predictable LDC?	
38	9/24/2013	Kealing Listening Session	Development should not require consultants and lobbyists. Will it be simple?	
39	9/25/2013	Lanier Listening Session	Will there be an online code resource that's easy to use? i.e. adding a porch it tells you/shows graphically what is allowed. Shows also zone designation, GIS info, etc.	
40	9/24/2013	Kealing Listening Session	How can we ensure equitable application of compatibility standards in all neighborhoods?	
41	9/24/2013	Kealing Listening Session	How is compatibility defined in successful development codes?	The transition between residential neighborhoods and more intense commercial development is one of the top issues of concern in the community and will be a central component of the new Code. The existing compatibility standards as well as other best practices used to manage this transition in other cities will be examined as part of the revision process. Compatibility standards may vary from neighborhood to neighborhood based on the community character and desires of the neighborhood. Our current compatibility standards apply the same solution in all contexts. It may be beneficial to consider compatibility standards that vary according to context and take into account the different character and desires for different areas of the city.

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42	9/24/2013	Kealing Listening Session	How can the city guarantee that when the new city code is adopted every element in the code is enforced?	Many of the challenges with interpretation and enforcement of our code are related to the complexity and conflicting provisions found throughout the LDC. A major goal of CodeNEXT is creating a code that is simpler and easier to use and that is more easily understood and enforced. In addition the work program for CodeNEXT will include an assessment of staffing needs to effectively implement the new Code and the preparation of training manuals to ensure that staff is fully informed on the new regulations.
43	9/24/2013	Kealing Listening Session	How will the public input continue to be received, and the public involved after the "listening phase" is complete?	The Listening and Understanding phase of the project consists of many different approaches to gathering public input. This includes the large public meetings such as the listening sessions, stakeholder interviews, surveys, meetings with small groups, Speak Up Austin, and others. Public input will not end after this phase but will continue to be received throughout the process. The website, <a href="http://www.austintexas.gov/codenext">www.austintexas.gov/codenext</a> , will be updated frequently, as will the Facebook and Twitter sites. Citizens can also record their concerns on SpeakUpAustin and the City's 311 messaging system. Staff will also conduct additional outreach to groups which may not have been represented at the public listening sessions.
44	9/24/2013	Kealing Listening Session	How can we ensure this process is responsive to citizen input and not a backroom process?	CodeNEXT includes an extensive citizen engagement process to solicit the involvement of a broad constituency of Austin residents who use and are affected by the Code. There will be numerous avenues for participation in the process, and the hope is that we can prepare a new Code that respects and protects the interests of all Austinites.
45	9/24/2013	Kealing Listening Session	How are non-English speakers and those not digitally connected being reached out to?	Overview materials are being translated into Spanish and Spanish language interpreters are in attendance at major public meetings. In addition, we are setting up an innovative program to build ongoing participation and leadership activities in traditionally under-represented communities. We are also contacting organizations not currently involved in City planning efforts as well as key community leaders to get involved in the process in meaningful ways.
46			How can the city get feedback and participation from non-typical code users?	

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47	9/25/2013	Lanier Listening Session	How do we get more diverse participation?	
48	9/25/2013	Lanier Listening Session	How do we have a transparent and comprehensive and accountable process that will represent the vulnerable and disengaged populations?	
49	9/24/2013	Kealing Listening Session	How do we ensure in this process that the input represents the entire city and not just those who come to meetings?	The city is committed to seeking out input from all sectors of the community and to utilizing that input to create a development code that fosters the Imagine Austin vision for a compact and connected community.
50	9/24/2013	Kealing Listening Session	How do we make sure that the rewrite process pursues the common good rather than the squeaky wheels' desires?	
51	9/24/2013	Kealing Listening Session	Special Interests. How do we keep special interests from bogging down the entire process?	
52			How can the rewrite process allow neighborhood flexibility?	An important part of the Code revision process is a Community Character Analysis which will attempt to identify the unique community characteristics that exist in Austin's diverse neighborhoods. This analysis will form a knowledge base for making decisions about what land development tools are most appropriate for different portions of the city. Our current code is largely based on prohibiting "bad" things from happening but sometimes has the unintended consequence of also prohibiting "good" things. Our goal is create a development code that clearly identifies and encourages the right type of development and limits the wrong type.
53	9/25/2013	Lanier Listening Session	How can the code encourage flexibility, affordability, and collaborative design (supportive staff input) while recognizing the need to protect existing residents?	
54	9/24/2013	Kealing Listening Session	How will the code address diversity and income diversity of all Austin's neighborhoods?	While affordability is affected by many factors besides the Code, the Code can impact affordability through the types of housing that it allows and the processes that it requires for approval of permits. By allowing a diversity of housing types in appropriate locations, the Code can help increase the supply and choices of housing available.

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55	9/24/2013	Kealing Listening Session	How will the new Code protect Austinites in the east who have lived here their whole lives?	
56	9/25/2013	Lanier Listening Session	How are we preserving the culture and history of Austin's neighborhoods in the new code?	As mentioned above, an important part of the Code revision process is a Community Character Analysis which will attempt to identify the unique community characteristics that exist in Austin's diverse neighborhoods. This analysis will form a knowledge base for making decisions about what land development tools are most appropriate for different portions of the city. Historic preservation is addressed in the existing Code, and the existing regulations will be evaluated for effectiveness and consistency with best practices.
57	9/24/2013	Kealing Listening Session	Will the modeling and scenario building in the code revision process project impact on sustainability indicators developed in Imagine Austin?	Yes. Sustainability indicators are built into the Envision Tomorrow model so that impacts can be measured.
58	9/25/2013	Lanier Listening Session	How do we maintain local control, such as deed restrictions, precedence, and valid petition rights?	Deed restrictions and valid petition rights are authorized under State law and will not be affected by the Code revision. Precedence is a principle under which a property should be treated in a similar manner to how similar properties have been in the past. One of the goals of CodeNEXT is to understand the history behind certain provisions in the existing Code so that the relevance of these provisions can be evaluated and dealt with appropriately.
59	9/25/2013	Lanier Listening Session	How do we educate the public to make it easier to go through the process?	Once a new Code is adopted there will need to be an extensive education process for the community, users of the code, and city staff. It is hoped that the permitting processes will be simplified and easier to understand for applicants, staff, and interested parties alike.
60	9/25/2013	Lanier Listening Session	What are the percentage goals in new built housing for affordable housing based on MFI - particularly at the 30% MFI level?	The new Code will explore various options for creating affordable housing, but there are no specific numerical goals for affordable housing.

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61	9/25/2013	Lanier Listening Session	How will the code promote infill development?	The starting point for CodeNEXT is the Imagine Austin vision and its focus on the creation of a compact and connected community. CodeNEXT will look closely at our existing regulations such as street widths, minimum lot sizes, and allowable housing types and will identify ways to encourage more diversity of housing and more compact and connected subdivisions.
62	9/25/2013	Lanier Listening Session	How can we make new (greenfield) subdivisions use less space & more walkable e.g. more row houses, narrower streets (like Mueller).	
63	9/25/2013	Lanier Listening Session	How do you address the following concerns with middle-density housing? Quality of construction, consistency of maintenance, visual compatibility with adjacent homes, tax increases on upzoned property that pressure existing owners or tenants.	All of these are valid concerns, but they cannot all be addressed by the Land Development Code itself. Quality of construction is addressed in the Building Code, and the consistency of maintenance is addressed through the Property Maintenance Code. The Land Development Code can address visual compatibility with adjacent homes to a degree through site development regulations and design standards. Our current code does this through our Compatibility standards but these do little other than requires setbacks, screening and height limitations. A more designed-based approach to compatibility could enhance these aspects of compatibility. Tax increases on upzoned property are under the jurisdiction of the County Appraisal District based on increases in market value.

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64	9/25/2013	Lanier Listening Session	Why do we think tall buildings and a few skinny trees is a good idea?	We don't. The Imagine Austin plan calls for a compact and connected city, which may mean taller buildings in some cases, but it also promotes the creation of special urban places where people love to gather and the protection and enhancement of Austin's urban forest and other green infrastructure.
65	9/25/2013	Lanier Listening Session	How will the LDC affect areas of the community that will be annexed in the future?	Most of the Code provisions will apply to areas as they are annexed into the city limits. Certain provisions related to subdivision development such as street standards, block lengths, and lot sizes apply to areas within 5 miles of the city limits in what is known as the extraterritorial jurisdiction or ETJ.
66	9/25/2013	Lanier Listening Session	How can changing the LDC improve development patterns throughout the city?	The new Code will be designed to implement the principles contained in the Imagine Austin comprehensive plan, which calls for a compact and connected city that respects the natural environment and established neighborhoods. The Code is one of the main tools for implementing this vision because it regulates what can be built, where it can be built, and how large it can be. One of the reasons for the selection of the Opticos Design consultant team is their focus on design-based codes which can create a more direct link between a development code and the physical and visual form of development.
67	9/25/2013	Lanier Listening Session	How can we build trust between citizens and the City?	One way to build trust is to have an open, transparent process in which all groups and individuals have an opportunity to provide input into the Code revision. Through the Listening Sessions and on-going public input opportunities we are attempting to involve as many groups as possible, to document all comments received, and to explain how comments received are considered when the new Code is prepared.

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68	9/25/2013	Lanier Listening Session	Can the Code ensure that communities are designed to meet the needs of the entire spectrum of ages?	Imagine Austin calls for a city of complete communities which will "provide environments that support children at every stage of their development, young adults beginning their professional lives and families, and senior aging gracefully in the neighborhoods where they raised their families." The Code can help implement this vision by encouraging the development of compact, connected, mixed-use, walkable neighborhoods that provide essential goods and services within a reasonable distance of all residents regardless of age.
69	9/25/2013	Lanier Listening Session	How do we simplify and streamline the plan and make it accessible to everyone while respecting existing neighborhood plans and differences?	One of the elements of CodeNEXT will be a community character analysis which will attempt to identify the unique and similar characteristics of different neighborhoods so that appropriate regulations can be developed. The existing neighborhood plans will be a major component of this analysis. We hope to simplify the Code by treating similar issues in a consistent manner across the city while allowing for local differences that are applicable to particular neighborhoods.
70	9/25/2013	Lanier Listening Session	How can we make sure new developments contribute positively to Austin's existing neighborhoods? Contributions...esthetics, walkability, family friendly, transit, energy efficiency, park space, setbacks & noise.	One of the guiding principles behind the new Code will be to make it easier to develop the types of communities that Imagine Austin encourages. This may involve a more design-based focus on development regulations, building incentives into the Code or simply removing some of the barriers in the existing Code. The Code will also focus upon the transitional areas between residential and commercial districts to ensure that new development respects existing neighborhoods
71	9/25/2013	Lanier Listening Session	How will this information we are sharing tonight be aggregated & prioritized?	Information from the listening sessions is being posted on the website ( <a href="http://www.austintexas.gov/codenext">www.austintexas.gov/codenext</a> ). The consultant team is organizing and analyzing the input received from these meetings and other sources and will prepare a report entitled Listening to the Community. This report will be presented to Code Advisory Group, the Planning Commission and City Council and along with the Code Diagnosis developed by the consultant team will be used to identify areas of the Code that need to be retained, modified, or eliminated.

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72	9/25/2013	Lanier Listening Session	What is form based code?	A form-based code is an alternative to conventional zoning which emphasizes the form and scale of buildings and their placement along public roadways. There is a common misperception that Form-based codes do not regulate land use which is incorrect. Form-based codes do address land use but place greater emphasis on the physical “form” of development. For more information, see <a href="http://www.formbasedcodes.org/what-are-form-based-codes">www.formbasedcodes.org/what-are-form-based-codes</a> .
73	9/25/2013	Lanier Listening Session	When is the Code Next meeting scheduled? Can someone representing Code Next come speak at our neighborhood meeting? If so, who do I contact?	The next public meeting is scheduled for October 24, 2013 from 8:15-9:30 am at St. David’s Church, 301 E. 8 <sup>th</sup> Street in downtown Austin. Additional public meetings will be held at later phases of the project. We will post the schedule of these meetings on the website, <a href="http://www.austintexas.gov/codeNEXT">www.austintexas.gov/codeNEXT</a> , and will send out notification to everyone on our mailing list. We will be glad to speak at neighborhood meetings throughout the process. Please contact Darrick Nicholas at 512-974-1236 or <a href="#">via email</a> to arrange a speaker.
74	9/25/2013	Lanier Listening Session	How do we make streets smaller? Safer for bike/ped traffic , more <u>lively</u> .	The Code revision will examine the relationship between development on private property and the adjacent streets and sidewalks. In addition, the City staff is currently reviewing the street standards in the Transportation Criteria Manual with the objective of promoting the design of complete streets which are safer, more attractive, and accessible to all.
75	9/25/2013	Lanier Listening Session	When will we see a change in the code? So it's easier to understand.	It is anticipated that the new Code will be presented to City Council by fall of 2016.