



BATTLE



LINE

Everybody seems to have a reason to hate **CodeNEXT**, Austin's attempt to rewrite the rules that will shape how the city develops for decades to come. After years of planning, millions of dollars spent on consultants, and months more of debate ahead, it remains an open question whether anybody will end up happy with whatever it is that ultimately gets approved.

BY CALEB PRITCHARD

When Idee Kwak came before the Austin City Council last March, she enlisted broken eggs, miniature trees, a hardcore punk rock soundtrack, and thousands of dollars in cash to the cause of sinking a proposed mixed-use development in her neighborhood west of Mopac Boulevard near Spicewood Springs Road.

"The egg symbolizes trust," she began, as a video she shot at home ran on the chamber's several screens. What followed was 15 minutes of perhaps the most unintentionally enjoyable public testimony in the history of democracy.

The video's opening shot is a static close-up of a tarp. As the strings of Stravinsky play in the background, a hand appears onscreen to produce sheet after sheet of paper representing assorted promises made by the city or the project's developer. One after another, accompanied by Kwak's strident monologue, each sheet is placed on the tarp and pelted by an egg. Traffic volumes? Egg. Building heights? Egg. The preservation of trees? Egg.

"This," Kwak tells the council, "is a game of green eggs and sham."

Next comes an overhead shot of what appears to be dozens of hundred-dollar bills—by my count, roughly \$13,000 worth—fanned out across a blood-red tablecloth, representing the developer's greedy ambitions. Meanwhile the *pièce de résistance* of Kwak's presentation isn't on the video but has been set up on a card table just below the council's dais. It's a scale model of the 31-acre site, fitted with scores of tiny plastic trees. A change in music brings the aggressive onslaught of San Francisco-based punk rockers the Nerv, a band more likely to be blasted at your local skate park than, say, employed by a 70-year-old piano teacher beseeching her city's elected representatives to preserve her neighborhood idyll.

"It's a lot less expensive to clear-cut the whole thing," snarls Kwak as two assistants pull out the model's trees one at a time, to demonstrate what the developer might do one day. Soon Kwak herself is ripping out trees by the handful and pitching them onto the floor. The electrifying performance closes with one final, forceful appeal to the council to reject the project. There is no mic drop, but a decent part of the audience nonetheless showers her with applause as she marches away from the podium.

After all that, the council ends up ad-

vancing final approval of the development on an 8-2 vote.

For the uninitiated, the frenzy of Kwak's testimony can only come off as utterly bonkers. Yet veteran observers of Austin municipal politics recognize it as just a particularly flamboyant expression of one of two competing political camps. On one side are the neighborhood preservationists who show up to City Council meetings to stand athwart seemingly any proposed change yelling, "Stop!" Arrayed against them are the urbanists, a faction that skews younger and advocates for density and inclusion over the status quo policies that have made sprawling hellscapes of Houston and Dallas. By virtue of their desire for change, the urbanists are often tarred as developer shills.

These factions have clashed in small-scale showdowns over parking requirements, garage apartments, and those 31 acres in Northwest Hills. Now, however, they're locked in the mother of all battles—with some combatants claiming the very soul of Austin is at stake. This municipal Ragnarok will have lasting repercussions on affordability, traffic, gentrification, climate change, and the city's widening income equality gap.

THE LAST CODE REWRITE WAS IN 1987, WHEN THE GOING RATE FOR A ROOM IN TRAVIS HEIGHTS WAS A COUPLE OF JOINTS PER WEEK.

Zoning, to the vast majority of humanity, is, was, and never will be cool or interesting or otherwise worth a damn. That has never stopped Chris Bradford, a real estate and land-use attorney, from preaching its gospel. He maintained an influential blog called the Austin Contrarian during that medium's heyday in the previous decade. An entire generation of the city's urbanists will tell you that Bradford's articulate and accessible musings on everything from street grids to micro-apartments played a role in their understanding city policies.

"Zoning dramatically affects what your life is going to be like," he tells me over the phone while he's on a business trip in Houston. "It totally establishes what the built environment is going to be."

Much of Austin's urban core was developed before the city adopted its first zoning code in the 1930s, a fact that may account for the central city's appeal. A fine, quirky example is Hyde Park's Ave. B Grocery and Market, a 100-year-old sandwich shop in the middle of a residential area. While it's universally popular, it would be illegal to re-create today due to the strict sorting of zoning categories and land uses the city has adopted over the decades.

"Even if you could make room for that commercial zoning, things like parking requirements would make it infeasible," Bradford tells me with clear disappointment.

From keeping pawn shops out of neighborhoods to mandating how far back from the street that houses have to sit, Austin's zoning code represents its physical genome. Just like in molecular biology, it's complex as hell.

When the council decided to start rewriting the nearly 30-year-old land development code, the effort was christened CodeNEXT, sexy superfluous capitalization and all. It's a sequel

» It's illegal today to build a place like the 100-year-old Ave. B Grocery and Market where it stands, in the midst of a residential neighborhood.



of sorts to the comprehensive plan known as Imagine Austin, which was formally adopted in 2012. That sweeping document—the fruits of extensive public engagement and input from the city's innumerable boards and commissions—is an exhaustive guide to how the city ideally will operate and grow during the next several decades.

To achieve its several lofty goals—a healthier, more affordable, and sustainable city where people drive less and leave a smaller carbon footprint—Imagine Austin calls for a revision of the complex set of rules that have served as the guidebook to Austin's physical development since the city council adopted the last rewrite in 1987. Of course that was when the city had roughly 500,000 fewer people and the going rate for a room in Travis Heights was just a couple of joints per week.

To put it mildly, a few things have changed in Austin since then, including the code itself. Imagine Austin demanded a more thorough overhaul. Trouble is, its marching orders contain seemingly contradictory mandates. Changes must produce a more compact and connected city while also preserving neighborhood character. What's resulted has been drafts of the new code that have managed to let down preservationists and urbanists alike.

Former Mayor Pro Tem Sheryl Cole wrote one of the key ordinances that got the CodeNEXT ball rolling in 2012. One of her advisors at the time was Greg Anderson, now a big wheel at Austin Habitat for Humanity and also a member of the Plan-



WHAT'S NEXT?

WHILE NOTHING'S FINAL YET, THE LATEST DRAFT OF THE NEW CODE:

- >> Aims to make it easier for property owners to make small-scale changes like adding an extra room to a home.
- >> Loosens parking requirements for certain uses, a measure aimed at reducing car dependence and encouraging alternative modes of travel.
- >> Hopes to reduce flooding risks with new rules regulating runoff while at the same time keeping existing environmental rules like the Save Our Springs Ordinance.
- >> Won't change existing, approved neighborhood plans.
- >> Will see its standards change the city incrementally and gradually, over the course of years, if not decades.

ning Commission, the powerful body of council appointees that will weigh in on CodeNEXT before Mayor Steve Adler and company have their say.

Habitat's South Austin headquarters is part-office and part-retail operation that's sort of like a Goodwill store, but for hardware. It's housed in a former Chuck E. Cheese that I visited once in 2000 when it was rented out for a night as the site of a rave. Seventeen years later, in a stark example of our changing city and its changing denizens, I find myself sitting in Anderson's office—festooned as it is with photos of previous city councils and his various community awards—to learn about the heady optimism of CodeNEXT's youth.

"I'll never forget having a meeting with City Manager Marc Ott and Sheryl," he says. "I was writing the draft of this resolution, and Sheryl said, 'So, Marc, how long is this going to take?' Marc answers, 'Probably 30 months.' And Sheryl says, 'Well, let's be conservative about it and say 36 months.'"

CodeNEXT has blown past that three-year ETA and is now on track to be completed by spring 2018, should the city stick to its self-appointed timeline. This fall the council amended its contract with the consultant firm tasked with writing the code, Opticos Design, bringing that company's total haul to \$8.5 million. That may seem paltry compared to this year's \$3.9 billion city budget, but will feel depressingly wasted if it produces a code that harshes everyone's buzz. The frustration is evident on Anderson's face and in his voice. Typically a chipper fellow with a boyish look and a beaming smile, he slumps just a hair when he

reflects on the second draft of CodeNEXT, a document publicly released in September.

"There are major disappointments I have," he says before rattling off a list of technical concepts such as minimum lot sizes, height limits, and compatibility (a tricky set of rules that mandate uniform heights, design, and uses among neighboring buildings). The summary of his beef is that the draft contains too much of the existing code. In fact, the city's Planning Department and Opticos drafted a hybrid code that preserved many of the old rules for large swaths of the city. That document scored a chilly reception from the viewing public, so the team cranked out a second draft that applies a revised spectrum of zoning categories for most of the city, though smaller sections—like transit-oriented developments—will still abide by the current rules. Clocking in at just under 1,400 pages, though, the second draft hardly seemed to fulfill Imagine Austin's directive to "provide clear guidance in a user-friendly format." More to the point, though, the draft falls short of the expectations of a fellow who was intimately involved with the creation of the comprehensive plan.

"It's time to pass a new land development code, but it's also critical that we maintain the original charge of 'revise Austin's development regulations and processes to promote a compact and connected city,'" Anderson explains as he pulls out his book-marked copy of the plan. "Those are the words that CodeNEXT was born from on page 186 of Imagine Austin."

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PHOTO BY CORY RIVADEMAR.

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Indeed, that is the eighth and final “priority program” identified by the plan, and it echoes the first (“Invest in a compact and connected city”), which explains why Anderson and his fellow urbanists swing that phrase around like some mythic municipal cudgel. To them the land development code is a grimoire of great influence. Soaring housing costs, car dependence, and gentrification are substantially driven by the countless little rules that govern what property owners are allowed to do with their own land.

For example, the vast majority of the city of Austin is zoned for single-family houses. Most of those homes sit on lots no smaller than 5,750 square feet, as dictated by the code. That generous allotment of space starts to add up after a few hundred thousand people, forcing new development farther and farther out. As demand ratchets up land values in centrally located neighborhoods, it’s not just traffic that becomes a problem. “That’s exclusionary politics,” says Anderson. “That just says, ‘Hey, you have to come to the table with an obscene amount of money just to play ball and to even think about living in my neighborhood.’”

One solution, he argues, is to allow more units on less land. Along with “compact and connected,” the other alliterative incantation of CodeNEXT is the “missing middle,” those housing types ranging from duplexes, triplexes, and quadplexes up to small apartment buildings that used to proliferate in the urban core before tighter zoning restrictions made them prohibitively difficult or outright illegal to build.

Boiling away to bring this small-scale density to inner-city neighborhoods within the bounds of the current code is David Whitworth, a fellow who runs a mom-and-pop development shop with his wife, Courtney. One muggy fall morning, I hop on a bus and ride from downtown to dig his most recent project just off Burnet Road in Brentwood. Given the reputation that developers have in this town, I was surprised to see that Whitworth wasn’t wearing a gold-rimmed monocle, nor fiendishly twirling his handlebar mustache when I showed up. His only facial hair was the mild bristles one gets from casually skipping a day or two of shaving.

Whitworth shows me his latest work. Where once stood a single shabby bungalow on a 14,000-square-foot lot, he is erecting four separate structures. Two are three-bedroom houses while the other two are classified as accessory dwelling units, the technical term for what are otherwise known as granny flats or garage apartments. However, these ADUs are both two-bedroom structures, don’t appear to differ much from the larger homes they accessorize, and will be marketed as individual residences for sale. This is what the code allows, and Whitworth is happy to take advantage of it. “We are way under capacity in Austin,” he tells me. “We have an artificially low limit on housing capacity.”

The city’s existing code has created that ceiling and is driving up the sales price of new and existing homes. Whitworth paid \$470,000 for the property he’s currently building on and could have expected to shell out \$200,000 more to fix up the aging home sitting on it. Now, he says, the two three-bedroom homes will likely fetch about \$500,000 each while the ADUs will be priced between the upper \$300s and lower \$400s. Still maybe out of reach for schoolteachers or firefighters but certainly an improvement.

Furthermore, the complexity of the current code’s rules have contributed significantly to Whitworth’s costs, which he passes on to the buyer. To fit the four units, he forked over \$100,000 to subdivide the single lot into two, a process that took an entire year. “Essentially that was \$100,000 to take a square and draw a line down the middle of it,” he says with an implied scoff.

After tromping through the muddy construction site to behold the unfinished buildings, we load into his pickup truck to tour some of his previous projects, all of them in North Central Austin, and at least one in which he and his family lived for a spell. Most fall in line with his interest in subdividing lots in order to build additional units. One, however, was a fairly typical two-story house on a typically large lot in Allandale. Because he played it strictly by what the code allowed, there were few permitting loops to jump through and, with nary a fuss nor muss, he built a house that ended up selling for almost \$1 million.

While that was relatively easy money under the current code, Whitworth’s pet projects are five homes in Northfield that would now be—thanks to the reaction to their construction by neighboring preservationists—all but impossible to build. In developing them, Whitworth took ad-

vantage of an option known as small-lot amnesty that a handful of neighborhoods had agreed to allow. He created eight lots by taking what had been three lots and chopping them down to the size that lots had been when surveyed by the original developers of the neighborhood at the turn of the 20th century. The retro lots are now 3,125 square feet, just large enough, after mandatory side setback requirements, to fit a 15-foot-wide, two-story home with a detached studio and garage in the back. “Relatively speaking, they are not expensive houses,” Whitworth tells me as we slowly roll by two of them, whose facades were inspired by a trip he and his wife took to New Orleans. “You get a brand new 3-2.5 with a studio you can rent, for \$430,000.”

Again, not cheap, but closer to a young family’s range than the million-dollar home in Allandale. When he passes through the alley behind two of the skinny homes, Whitworth points out a stroller propped up against a wall. It’s a promising sign in a neighborhood with an elementary school, Dawson, that has had trouble meeting enrollment minimums.

Yet fears that developers would begin pulling down as many houses as possible and replacing them with skinny homes spread through the neighborhood. In 2016 an effort led by preservationists successfully convinced the council to end small-lot amnesty, putting the kibosh on Whitworth’s compact and relatively connected model. Whitworth still sounds wounded by the response. “They’re just houses. They’re not stealth dorms, they’re not McMansions, they’re not even duplexes. They’re single-family, detached, fee-simple homes,” he said. “We are literally making homes illegal.”

CodeNEXT’s latest iteration isn’t likely to salve Whitworth’s disappointment. While the second draft shrinks the minimum lot size standards for much of the city, it’s only a mild diet that stops at 5,000 square feet. With still more revisions to go and more discussions to be had, there’s a chance that could change, but on this muggy morning, Whitworth isn’t optimistic.

“The end result, I’m afraid, isn’t going to bring us the bang for our buck,” he says.

One part of town where developers haven’t had much trouble finding a buck or two in recent years is east of Interstate 35. Where hardly more than 10 years ago Tejano music blasted forth from most every bar

strung between warehouses and old houses along East Sixth Street, you can now find first-class restaurants, hipster honky-tonks, and block after block of brand-new apartments atop trendy ground-floor retail shops. Nearby old bungalows have sucked face with wrecking balls, and in their place now stand garishly modern mini-mansions.

Skyrocketing land values have hit East Austin particularly hard. Neighborhood residents most vulnerable to rising rents and property tax bills—disproportionately Latinos and African-Americans—have been displaced in droves as whiter, wealthier cats take their place. The city's relatively small black population has been hardest hit. According to city demographer Ryan Robinson, "The critical mass and historical heavy concentration of African-American households in East Austin began eroding during the 1980s, and by the mid-1990s, had really begun to break apart."

Whether the current land development code is to blame and whether a new one could turn things around—or at least stanch the flow—are debatable, but it bears recalling that the city's nonwhite residents have perhaps the best excuse to be skeptical of anything that springs forth from Imagine Austin. After all, the city's very first comprehensive plan, enacted in 1928, is the infamous document that effectively decreed that blacks could only live here, and Latinos could only live there, while whites enjoyed the hills and springs and parks and proximity to economic opportunity.

Not long after I rode around North Central Austin with Whitworth, I bike over to talk to Natasha Madison, who is black and heads the East 12th Street Merchants Association. We meet at Rio Rita, a bar-slash-coffee shop that had recently relocated from its original location on East Sixth to quieter and apparently more affordable digs at 12th and Chicon streets. That intersection had long been notorious for its outdoor drug market that, despite the rapid gentrification of the surrounding neighborhoods, doggedly refused to be stamped out. Ultimately, though, it too fell to the onslaught of the middle-class invaders and the increased police affections they bring with them. A former Cricket cellphone store turned into a bougie clothing boutique, whose owner recently raised the wrath of the entire city by painting over an exterior mural featuring several prominent black musicians along with Stevie Ray Vaughan.

Madison's organization is one of the newest members of Evolve Austin, a non-

profit formed to promote the comprehensive plan and, by extension, a final version of CodeNEXT that will meet the Imagine Austin program priorities, including the promotion of a compact and connected city. I was there to ask her why she would support an effort that mirrored historical processes that have had less than stellar benefits for the black community.

"There's just a lot of change that needs to happen," she says. "I want to be an instrumental part of it, and I want to bring more people like myself who care but don't realize we can change the system. We don't have to go with the status quo."

Madison explains that after spending her earliest days in the late '70s at a nudist compound on Manor Road—"I grew up with naked hippie types who were talking about revolution while I was learning to

AN OVERWHELMING MAJORITY OF PUBLIC FEEDBACK ON CODENEXT HAS CENTERED ON WHITER, WEALTHIER NEIGHBORHOODS IN CENTRAL AUSTIN.

walk"—her family moved to several other spots in East Austin during the 1980s, at the time a thriving hub of black commerce. "This is where we had to be for so long. There was a built-in community," she says. "All that's just gone now."

That loss can be traced to gentrification. That gentrification, she suggests, is linked to a paternalistic land development code that disallows various businesses or restricts their number, from bars to pest control services, and didn't give Austin's black community a fighting chance. "I feel like some of the current code inherently builds in this babysitter mentality, like, 'We can't give 'em too much of this because they wouldn't know how to act if they had unadulterated access to make their community how they want to,'" she says.

If she had her druthers, CodeNEXT would allow innovative housing solutions for disadvantaged residents. Harkening back to her hippie heritage, she envisions communal spaces—say, for example, more housing in smaller spaces—where single parents could live side-by-side with elder-

ly neighbors and pool their resources.

Madison, a 40-year-old mother of four, possesses abundant energy and passion—she speaks with her entire arms, which don't so much flail around as they rigidly pivot like bunny rabbit antennae searching for a good signal. She explains that she and her firefighter husband moved from far South Austin to far Northwest Austin to put their children in Round Rock's school district. Yet she's been drawn back to her original neighborhood to do what she can to reverse its fortunes. To save time on her long-haul commute, she ended up renting a place near her childhood digs along East 12th. However, stratospheric home prices and schools starved for resources due to a lack of students ensure she won't be re-establishing permanent roots anytime soon. "I can't live in the neighborhood I grew up in," she says. "I can't raise my kids in this neighborhood if I wanted."

Her mission, as she sees it, is to activate East Austinites who might otherwise lack the motivation or even basic awareness of the CodeNEXT process to participate. As it stands, the city's data show that the overwhelming majority of public feedback has centered on whiter, wealthier neighborhoods in Central Austin, suggesting many residents outside the core aren't as engaged.

"The skepticism is warranted, but it also produces inactivity. And there's no time for that s**t," Madison insists, her antennae catching a crystal-clear signal. "We've got to mobilize and move right now."

While Evolve Austin is indeed moving right now, so too are preservationist interests who oppose the urbanists' quest for a more permissive land development code. Mary Ingle, former president of the Austin Neighborhoods Council, has long been an outspoken opponent of any central city infill that could alter the look and feel of beloved corners of Austin like Hyde Park, Travis Heights, Tarrytown, and Crestview.

In her estimation, the entire CodeNEXT process has been a waste of time and taxpayers' money. The current code, she tells me, is working just fine, and a new one will only rob Austin homeowners of the one thing zoning is designed to provide: predictability. "The city is changing that right from under our feet," Ingle says. "That's the thing that should shake readers up: There's no more predictability."

BATTLE LINES

What will be next door to you?”

By way of a boogeyman, she suggests CodeNEXT could lead to a proliferation of bars in or near neighborhoods. Ingle argues that bars only drive up property values around them, forcing other businesses to shut down to be replaced by more bars. As a professional writer, I personally enjoy this utopian vision of bar ubiquity. However, it's hard to imagine exactly how realistic or sustainable it would be, especially given that we have bars today that aren't replicating like gremlins at a swimming pool.

Of course, one of Central Austin's more attractive features is its handful of neighborhood bars. North of the University of Texas campus, on East 11th Street, and along South First Street, it's easy to find a decent hole in the wall worth walking or biking to. They often sit next to restaurants or retail shops and are beloved institutions.

Chris Bradford, the attorney and blogger, says that neither of the initial CodeNEXT drafts would create more of those sorts of small commercial areas. He also reminds me of a recurring theme: “If you went in and imposed modern parking restrictions on these places, you couldn't build them today.”

Nonetheless Ingle pitches another dart at the assertion that CodeNEXT could positively tip the scales when it comes to solving Austin's affordability crisis. “There's a lot of fake news out there,” she says, dismissively. “Affordability is dependent on the policies of the City Council, and the City Council have not done enough to address the affordable housing issue.”

The council has struggled to get a grip on some of those policies recently. A large number of the members, including Mayor Adler, ran for office in 2014 on the promise of increasing the property tax homestead exemption rate to 20 percent. After three years, they managed to get it up to 8 percent before the city's tight budget this year forced them to balk at steeper revenue cuts. In any case, the homestead exemption primarily benefits homeowners and only assumes a trickle-down effect for the majority of Austinites who rent.

Ingle's opinion about the council's lack of intervention is seconded by developer Ed Wendler, in a sort of backward fashion. Both Wendler and Ingle are board members of Save Our City Austin, the

nonprofit preservationist counterpoint to Evolve Austin. Led by Fred Lewis—the attorney perhaps best known for helping spearhead the effort that transformed the old at-large City Council into a geographically representative body—SOCA counts among its allies the Save Our Springs Alliance and People Organized in Defense of Earth and her Resources (PODER).

“The scary part is Austin *is* affordable for a lot of people,” Wendler tells me over the phone just before emailing along some disturbing U.S. Census figures. From 2010 to 2015, Austin gained 31,380 households whose income exceeded \$75,000. During that same period, the city saw a net loss of 2,674 households earning less than \$50,000.

THE END OF
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MAYBE.

Wendler—whose favorite project he ever worked on delivered 65 high-end houses on top of the Barton Creek watershed (“the best environmental project that's been done in Austin,” he says, boasting of its sustainable design)—worries about the U.S.-wide trend of income inequality playing out in Austin. “I think I'd like to see a city that somehow is a lot more middle class and a lot less divided economically,” he says. “But I don't know how we can do that.”

That profession of futility aside, Wendler hints at possibilities of compromise. Preservationists, he says, might consider yielding on allowable building heights along the city's high-traffic corridors. Outside of downtown, the code-imposed ceiling is 60 feet, a limit that urbanists wouldn't mind seeing relaxed. In exchange, purely neighborhood streets would stay as they are. This notion of packing density along the corridors while preserving the single-family neighborhoods harkens to Adler's so-called Austin Bargain, a proposal he unveiled in his State of the City Address, just before the long-delayed initial CodeNEXT draft dropped in February.

Adopting a new code that enables a residential boom along thoroughfares such as Lamar Boulevard, Burnet Road, Airport Boulevard, and East Riverside Drive “will enable the mixed-income housing supply that creates opportunities for more Austinites to stay in Austin and also to give us the concentration we need to make transit work,” the mayor said.

Any hope that council members would remain united in their viewpoint between the initial draft and the expected final vote this coming April evaporated under the August sun when four members publicly panned CodeNEXT's first iteration. Just before the second draft was released, Greg Casar, Delia Garza, Pio Renteria, and Jimmy Flannigan launched what they dubbed the #FixtheCode #4AllAustinites Campaign, calling for the definitive removal of exclusionary obstacles baked into the existing code.

“We didn't see a significant enough change in this first draft and, in fact, it kind of set up a system where there were still two Austins in a lot of ways,” Garza said at the time. More recently, Casar says he won't be happy until more room for mixed-income housing is made available in the western half of the city.

“We're not talking about on top of canyon land or preserve land, but some of the areas where more powerful folks live,” he says. “We're planning for very little new housing to be built there right now, and that just seems unjust when you look at the amount of housing capacity that's traditionally been planned on top of existing low-income areas and less powerful people.”

The reception for the most recent draft of CodeNEXT, among both urbanists and preservationists, has been tepid at best. Casar, with one of the 11 votes that matter most, shares that attitude. “It just can't be average,” he says. “I'm not going to kill it because it's not perfect, but I will fight it and amend it if we're missing out on obvious opportunities.”

Even if there exists citywide ambivalence towards the most recent iteration of CodeNEXT, the good news is that the seemingly eternal process of its adoption is just a few short months away from reaching some sort of permanent conclusion.

Maybe.

It wouldn't be city politics without she-nanigans, and this time familiar faces are at it again. Since September, longtime political activist (and Bastrop resident)

Linda Curtis began collecting signatures on three petitions. One calls for putting CodeNEXT, should it be approved by the council, to a voter referendum. The other would make it easier for residents to override any council action, and the third would allow billboard companies to replace their conventional signs with LED displays.

That third one kind of sticks out, but there's an easy explanation: Billboard magnate Billy Reagan paid Curtis \$5,000 to circulate that petition. Curtis ended up using the money to establish a political action committee, IndyAustin, to concurrently push the first two petitions. Community Not Commodity is official circulating the CodeNEXT petitions. The notion of extra visible roadside advertising, however, has not yet won that preservationist group's stamp of approval.

At any rate, each of the three petitions will need to garner about 15,000 signatures by December in order to advance to a referendum in early March. If a majority of voters sign off on the CodeNEXT question, the new land development code would face a final vote in November 2018 if the council ends up passing the thing in April.

That bold and convoluted gambit to send CodeNEXT to the electorate—which, perhaps not coincidentally, tends to skew heavily toward whiter, wealthier homeowners in Central and West Austin—is not as visceral as a punk-rock themed, egg-soaked multimedia extravaganza, but it does align with Idee Kwak's modus operandi.

Before writing this story, I cold-call Kwak, whom I know entirely from an outrageous 15-minute video clip and various scraps of social media snark. Turns out, much to my relief, she's far less intense outside of City Hall. She told me how she grew up in New Jersey, just a hop, skip, and jump over the George Washington Bridge from Manhattan. She arrived in Austin in the '80s when her then-husband scored a plum gig as conductor of the Austin Symphony. Despite her interest in politics, she says she hasn't paid attention to CodeNEXT on account of, sincerely, her blood pressure. I tell her, sincerely, I am jealous.

However, when I ask about the motivating spirit of her wild council testimony, she flashes that familiar, furious determination. "I don't get mad often," she explains. "But when I do, I study things and I make sure that however I try to even the score, I don't explode with emotion. Rather, I aim for well-thought-out, well-planned annihilation."

While the final draft of CodeNEXT can still be amended by council members in the months leading up to the scheduled yea-or-nay vote next spring, a document that doesn't inspire urbanists and is being actively undermined by preservationists would appear to face an uphill battle on a limestone cliff.

Funny that a city so proudly progressive is so politically divided when it comes to the best means of fixing economic inequality, atoning for a century and a half of racial injustice, and significantly reducing our local contribution to catastrophic climate change. The comprehensive plan was supposed to lead the way, but an apparent fear of straying from the status quo has put us on the verge of failing a big test.

Imagine that, Austin. AM

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