

RESOLUTION NO.

WHEREAS, the City Council adopted the Downtown Austin Plan on December 8, 2011; and

WHEREAS, the Downtown Austin Plan establishes the intent to finalize and adopt a Downtown Density Bonus Program that allows developers and the community to equitably share the benefits of additional height and density above existing regulations; and

WHEREAS, the Affordable Housing Incentives Task Force — composed of developers and affordable housing advocates—recommended and Council adopted the 2008 interim Downtown Density Bonus Program, which provides for density incentives in exchange for community benefits, including affordable housing (City Code Section 25-2-586); and

WHEREAS, for years prior to adoption of the Downtown Austin Plan and in the more than one year since its passage, developers have sought and received Central Urban Redevelopment (C.U.R.E.) Combining District zoning as a means of increasing development entitlements and increasing flexibility for site specific needs while the interim Downtown Density Bonus program remains unutilized; and

WHEREAS, under the Land Development Code, C.U.R.E. zoning allows flexibility in exchange for benefits, including the following:

- development of affordable housing;
- development of small businesses along principal transportation routes serving a neighborhood;

- sustainable redevelopment of residential and commercial properties;
- improvement of natural environment;
- encouragement of high-quality development compatible in design and proportion with neighborhood; and

WHEREAS, the Downtown Density Bonus Program that was included in the final Downtown Plan was intended to continue to provide flexibility to developers while also providing clear priorities for community benefits; and

WHEREAS, the Downtown Austin Plan has yet to be codified; and

WHEREAS, three cases have come before Council for consideration in the time since the Downtown Austin Plan was adopted, with different outcomes related to community benefits provisions; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates Code amendments to codify the portion of the Downtown Density Bonus Program that will replace C.U.R.E. zoning, as referenced in the approved Downtown Austin Plan, and directs the City Manager to (1) prepare the necessary amendments; (2) present the amendments to the Community Development Commission, Downtown Commission, and Planning Commission; and (3) present the amendments to Council for consideration no later than June 6, 2013.

BE IT FURTHER RESOLVED:

The City Council will use the adopted Downtown Austin Plan density bonus program as a guiding principle in reviewing future C.U.R.E. zoning requests when exercising its discretionary zoning authority.

ADOPTED: _____, 2013 **ATTEST:** _____

Jannette S. Goodall
City Clerk

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