

RESOLUTION NO.

WHEREAS, in the early 2000's property owners started to request planned unit development (PUD) district zoning for urban infill projects; and

WHEREAS, the City Council at that time found the existing PUD process and regulations were not well suited to addressing urban infill projects; and

WHEREAS, on April 7, 2007, the City Council passed a resolution directing the City Manager to provide staff support to a Council-led stakeholder process to recommend revisions to the PUD sections of the City Code; and

WHEREAS, on June 18, 2008, the City Council passed an ordinance amending the PUD regulations and process; and

WHEREAS, the ordinance passed in 2008 included provisions to address PUD requests for urban infill projects; and

WHEREAS, the intention of PUD zoning is to create superior projects than would not occur using conventional zoning and site development regulations; and

WHEREAS, the superiority elements are typically those that provide greater environmental protections, connectivity, innovative design and affordable housing, and other community benefits in return for additional density and flexible site development regulations; and

WHEREAS, the ordinance includes a baseline determination in a section on density bonus; and

WHEREAS, given the limitations of Texas zoning laws, density bonuses are a way to create or pay for, additional affordable housing; and

WHEREAS, the ordinance requires the construction of affordable housing or the payment of a fee in lieu of construction for PUDs requesting height or floor to area ratios (FAR) above the baseline amount; and

WHEREAS, recently the interpretation of the density bonus section of the ordinance that applies to the affordable housing requirement has been questioned; **NOW, THEREFORE**,

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

The City Council initiates amendments to the PUD section of the City Code such that the affordable housing requirement, and fee in lieu of, are calculated using the amount of building square footage in the proposed PUD that exceeds the baseline height or floor to area ratio.

BE IT FURTHER RESOLVED:

The City Manager is directed to process the Code amendment and to present the proposed amendments to the Community Development Commission for review, in addition to the Code-required Planning Commission review, before placement on the City Council agenda.

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

Jannette S. Goodall
City Clerk