

## **ORDINANCE AMENDMENT REVIEW SHEET**

**Item:** C20-2013-008 Downtown Density Bonus and CURE Amendments

**Description:** Consider an ordinance amending City Code Chapter 25-2, to: 1) add new code provisions to establish a streamlined Downtown Density Bonus Program; 2) modify the Central Urban Redevelopment (CURE) combining district Code provisions, so that CURE is no longer a means of obtaining additional height and/or density (Floor-to-Area Ratio) in the Downtown Austin Plan area; and 3) repeal code section 25-2-586 (Affordable Housing Incentives in a Central Business District (CBD) or Downtown Mixed Use (DMU) zoning district).

**Proposed Recommendations:** See attached draft ordinance.

**Staff Recommendation:** Staff recommends these amendments.

**Background:** Initiated by Council Resolutions 20130328-031 and 20130509-030

On December 8, 2011, the City Council adopted the Downtown Austin Plan and, among other things, directed the City Manager to develop code amendments that would put in place the Downtown Density Bonus Program as recommended by the Plan (Ordinance No. 20111208-093). On March 28, 2013, the City Council initiated code amendments to codify a “streamlined” Downtown Density Bonus Program (Resolution 20130328-031). On May 9, 2013, the City Council initiated code amendments to amend the CURE combining district so that CURE would no longer be available as a means of achieving additional height or density in the Downtown Austin Plan area (Resolution 20130509-030).

### **Board and Commission Actions**

**Planning Commission:** May 28, 2013 - Briefing; feedback and input on proposed recommendations solicited. No formal action requested.

June 11, 2013 - Unanimously approved on an 8-0 vote (Commissioner Anderson absent), with the following recommendations:

- Have staff codify other community benefits by the end of 2013.
- Recommend recalibrating every three years (rather than staff-recommended five years or as needed).
- Strongly support having the fees be used for permanent supportive housing.
- Broaden definition of affordability to include transportation costs.

**Downtown Commission:** May 16, 2013 - Briefing; feedback and input on proposed recommendations solicited. No formal action requested.

June 19, 2013 - Unanimously approved on an 8-0 vote, with the following recommendations:

- Council should also prohibit the use of PUDs Downtown as a means of obtaining bonus height or FAR.
- Council should direct staff to submit draft code amendments to Council by 12/31/13 codifying the balance of the Community Benefits, including calibrating those benefits.
- Recalibration should be conducted a minimum of every three years (rather than the staff-recommended five years).
- Any project committing to provide on-site affordable housing should also commit to accept Section 8 vouchers.
- Staff should develop and implement a mechanism to monitor projects that commit to provide on-site affordable housing to ensure that those commitments are honored.
- Affordable housing fees generated by this program should be directed to serve households at or below 30% MFI, including those with disabilities, families, and seniors, with a priority on providing housing for the chronically homeless, which can include low-barrier permanent supportive housing.

**Community Development Commission:** May 14, 2013 - Briefing; feedback and input on proposed recommendations solicited. No formal action requested.

**Council Action**

A briefing has been scheduled for June 20, 2013.

A public hearing has been set for June 27, 2013.

**Ordinance Number:** NA

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