

RESOLUTION NO. 20211209-056

WHEREAS, under the Land Development Code, residential development is not currently allowed in many of the commercial zoning districts in Austin; and

WHEREAS, City Council adopted the Austin Housing Strategic Blueprint (the Blueprint) in 2017 which called for 135,000 housing units by 2028, with 60,000 of those units at or below 80 percent of the median family income (MFI); and

WHEREAS, in the proposed Land Development Code Revision, residential uses were allowed in more zoning districts than in current city code; and

WHEREAS, allowing housing in more places provides the opportunity for increased housing supply in Austin; and

WHEREAS, in its 2018 report, the Planning Commission Mapping Working Group indicated that allowing mixed use in commercial zoning could lead to about 46,324 housing units in new capacity; **NOW, THEREFORE,**

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

The City Council initiates amendments to the Land Development Code, codified in City Code Title 25, to allow residential uses in General Commercial Services (CS), Commercial Liquor Sales (CS-1), Community Commercial (GR), Neighborhood Commercial (LR), General Office (GO), and Limited Office (LO) zoning districts, subject to participation in a voluntary affordable housing incentive program.

BE IT FURTHER RESOLVED:

In developing the proposed amendments, the City Manager is directed to:

1. Require at least 10 percent of the rental units be affordable to households at 60 percent MFI for at least 40 years;
2. Require at least 10 percent of the homeownership units be affordable to households at 80 percent MFI for at least 99 years;
3. Authorize residential uses in all parcels located in the listed zoning districts except when subject to a regulating plan which prohibits residential uses on the particular parcel, subject to compliance with affordability requirements, site development regulations, parking requirements, and design standards similar to those design standards currently applicable to Vertical Mixed Use Buildings;
4. To the extent feasible, provide an incentive for ground floor retail by increasing height by 5-10 feet to accommodate the higher ceiling on the first floor when the project contains commercial uses on the ground floor and provides residential dwelling units on all upper floors;
5. Identify options for a “right to return” policy for art workshops and galleries, theater, and other creative spaces that have operated for more than 10 years on a particular site. The policy would give preference to those creative businesses within the new development and would enable them to access space of comparable size and cost so as to continue their mission and/or business.
6. Retain existing requirements of Chapter 25-2, Subchapter C, Article 10 (*Compatibility*); and
7. Extend the residential use option to all parcels in the listed zoning districts without requiring a zoning change or other discretionary approval from a city commission or city council. A property owner

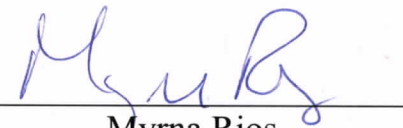
shall be allowed to use this program in addition to any other existing affordable housing bonus programs.

BE IT FURTHER RESOLVED:

In addition to applicable procedures required for consideration of code amendments to Title 25, the City Manager is directed to present the proposed amendments to the Housing and Planning Committee before bringing a proposed draft to Council for consideration.

ADOPTED: December 9, 2021

ATTEST:



Myrna Rios
Interim City Clerk