

**RESOLUTION NO. 20231019-042**

**WHEREAS**, Austin is experiencing a growing demand for housing and that is contributing in part to the City's current affordability crisis; and

**WHEREAS**, Austin Goodnight Ranch, L.P., received approval to rezone approximately 695 acres of property known as Goodnight Ranch Planned Unit Development ("Goodnight Ranch PUD") pursuant to Ordinance No. 20061116-053, as amended by Ordinance No. 20210930-134; and

**WHEREAS**, Austin Goodnight Ranch, L.P., desires to develop Goodnight Ranch PUD as a master planned mixed-use community with ownership and rental options, including affordable housing; and

**WHEREAS**, development of Goodnight Ranch PUD is ongoing and any delay in obtaining permits through the application and review process will impact the availability of needed affordable ownership and rental units; and

**WHEREAS**, the City's development review and permitting process and complex land development code further presents possibilities of delay to the Goodnight Ranch PUD; and

**WHEREAS**, the City Council has examined numerous short-term and long-term actions to improve Austin's development review and permitting process; and

**WHEREAS**, the City Council desires to encourage Goodnight Ranch PUD development by amending conditions of zoning, and waivers or modifications of City Code requirements, related to the development of Goodnight Ranch PUD; and

**WHEREAS**, the City Council desires to resolve potential development challenges of the Goodnight Ranch PUD in order to provide more housing options in the city; **NOW, THEREFORE**,

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

City Council initiates the rezoning from Planned Unit Development (PUD) district to Planned Unit Development (PUD) district for the property commonly known as the Goodnight Ranch Planned Unit Development (“Goodnight Ranch PUD”), generally located in the vicinity of the east side of Old Lockhart Highway between Nuckols Crossing Road and Capitol View Drive, except the portion of Goodnight Ranch PUD described as Lot 3, Block J, Goodnight Ranch Phase Two East, Section One, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof, recorded in Document No. 202000240, Official Public Records of Travis County, Texas, to amend the conditions of zoning, including waivers or modifications of City Code requirements, related to development processes;

**BE IT FURTHER RESOLVED:**

City Council finds the elements established in Ordinance No. 20061116-053 and Ordinance No. 20210930-134 (“Goodnight Ranch PUD ordinances”) as superior, and except for potential modifications of S.M.A.R.T. Housing requirements related to fee waivers and expedited reviews, sufficient to approve the requested rezoning initiated in this resolution without any additional review or reevaluation under Section 2.4, Subpart B – (*Planned Unit Development Standard*);

**BE IT FURTHER RESOLVED:**

City Council authorizes the City Manager to schedule this rezoning case for public hearing at the Planning Commission without obtaining recommendations by other boards, commissions, and committees, and requests the Planning Commission consider this rezoning case without recommendations from other boards, commissions, or committees;

**BE IT FURTHER RESOLVED:**

City Council authorizes the City Manager to process this rezoning case without payment of any fees related to the rezoning application and rezoning process by Austin Goodnight Ranch, L.P.;

**BE IT FURTHER RESOLVED:**

The City Manager is authorized to process this rezoning case, including requesting modifications of City Code Title 25 and related criteria necessary to accomplish the following:

- (A) Modify Section 25-4-102 (*Expiration of Subdivision Construction Plans*) to extend the expiration date of a subdivision construction plan in the Goodnight Ranch PUD and applying any extension of expiration period to all unexpired subdivision construction plans existing as of the effective date of the rezoning ordinance.
- (B) Modify Section 25-4-62 (*Expiration of Approved Preliminary Plan*) to extend the current seven-year expiration period for a preliminary plan in the Goodnight Ranch PUD and applying any extension of expiration period to all unexpired preliminary plans existing as of the effective date of the rezoning ordinance.



- (C) Modify Section 25-4-61 (*Changes to an Approved Preliminary Plan*) to allow changes to a conservation area, common area, green space, or other open space, as a minor deviation to a preliminary plan if approved by Director of Parks and Recreation Department.
- (D) Modify Section 25-8-121 (*Environmental Resource Inventory Requirement*) to allow the Goodnight Ranch PUD ordinances Exhibit D-1 (CEF Mitigation Plan) in lieu of a required Environmental Resource Inventory (ERI).
- (E) Modify Section 25-8-341 (*Cut Requirements*) to allow a cut depth up to eight feet from four feet.
- (F) Modify Section 25-8-342 (*Fill Requirements*) to allow a fill depth up to eight feet from four feet.
- (G) Establish that a street deed, in lieu of dedication by subdivision plat, may be used by Landowner as defined in the Goodnight Ranch PUD ordinances to dedicate streets within the Goodnight Ranch PUD.
- (H) Develop a memorandum directing development review staff to recognize the Master Engineer's Report with a date to be determined, as demonstrating the Goodnight Ranch PUD compliance with Atlas 14 regulations.
- (I) Modify Chapter 25-7 to allow installation of grate inlets if the inlets are constructed in accordance with the criteria attached to the rezoning ordinance without need for additional submittal or approval from director, except when a deviation from the approved design criteria is requested.
- (J) Development within the Goodnight Ranch PUD shall comply with a Vicinity Plan attached as an exhibit to the rezoning ordinance.

- (K) Modify requirements for fire flow tests for subdivision applications for single family housing.
- (L) Make amendments identified by the City Manager to accomplish the purposes described in this resolution and to amend terms of the Goodnight Ranch PUD ordinances necessary to clarify conditions of zoning.
- (M) Modify S.M.A.R.T. Housing requirements related to fee waivers and expedited reviews applicable to the Goodnight Ranch PUD.
- (N) Explore modifying the requirements of Austin Energy with regard to electric easements within the PUD;

**BE IT FURTHER RESOLVED:**

The City Manager is authorized to process the applications and work in collaboration with Austin Goodnight Ranch, L.P., as the owner of Goodnight Ranch PUD, to recommend appropriate rezoning and amendments to the Goodnight Ranch PUD and take necessary steps to ensure an efficient rezoning process to avoid unnecessary delay and return a rezoning case for City Council consideration on or before January 31, 2024;

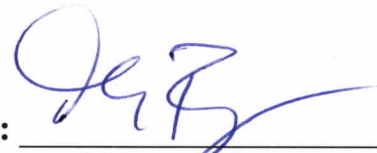
**BE IT FURTHER RESOLVED:**

City Council initiates amendments to City Code Chapter 14-11 (*Use of Right-of-Way*) and directs the City Manager to review the requirements for the License Agreement process described in Chapter 14-11 (*Use of Right-of-Way*) and return with recommendations for Code amendments and ordinance changes, if

necessary, to facilitate the construction of the Onion Creek Metro Park improvements in City right-of-way.

**ADOPTED:** October 19, 2023

**ATTEST:**



Myrna Rios  
City Clerk