

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 25-2 OF THE CITY CODE TO
CREATE NEW ZONING DISTRICTS AND NEW DENSITY BONUS PROGRAM
RELATING TO DEVELOPMENT IN AN AREA DESCRIBED AS THE SOUTH
CENTRAL WATERFRONT.**

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

PART 1. Subsection (F) of City Code Section 25-2-32 (*Zoning Districts and Map Codes*) is amended to add new combining districts that read as follows:

(F) Combining districts and map codes are as follows:

(22) South Central WaterfrontSCW

(23) density bonus SCW DBSCW

PART 2. Division 6 (*Combining and Overlay Districts*), Article 2, Subchapter A of City Code Chapter 25-2 is amended to add a new Section 25-2-183 to read:

**§ 25-2-183 SOUTH CENTRAL WATERFRONT (SCW) COMBINING DISTRICT
PURPOSE AND BOUNDARIES.**

(A) The purpose of the South Central Waterfront (SCW) combining district is to prioritize walkability, diversity in use, and enhance multi-modal connectivity to housing, employment, recreation, and public transportation facilities, achievable through alternative development regulations.

(B) The boundaries of the SCW district are identified in Appendix I (*South Central Waterfront Combining District & Density Bonus Program*) of this chapter.

PART 3. Division 5 (*Combining and Overlay Districts*), Article 3, Subchapter C of City Code Chapter 25-2 is amended to add a new Section 25-2-654 to read:

**§ 25-2-654 SOUTH CENTRAL WATERFRONT (SCW) COMBINING DISTRICT
REGULATIONS.**

(A) This section applies to a property with SCW zoning.

(B) This section governs over a conflicting provision of this title or other ordinance unless the conflicting provision is more restrictive.

(C) A SCW combining district may not be combined with any of the following zoning districts:

- (1) planned unit development (PUD);
- (2) public (P);
- (3) transit oriented development (TOD);
- (4) planned development area (PDA); or
- (5) equitable transit-oriented development (ETOD).

(D) A property with SCW zoning may be developed in accordance with Appendix I (*South Central Waterfront Combining District & Density Bonus Program*), which establishes:

- (1) permitted, permitted with conditions, and conditional uses;
- (2) site development regulations, including maximum and minimum development parameters; and
- (3) requirements for street, streetscape, and other public area improvements.

PART 4. Section 25-2-181 (*Density Bonus Combining District Purpose*) of City Code is amended to add a new Subsection (D) to read:

§ 25-2-181 DENSITY BONUS COMBINING DISTRICT PURPOSE.

(D) DBSCW Combining District allows for modified site development regulations and compatibility standards, increased floor-to-area ratio, and building height, in exchange for income-restricted housing and other community benefits.

PART 5. Division 5 (*Combining and Overlay Districts*), Article 3, Subchapter C of City Code Chapter 25-2 is amended to add a new Section 25-2-655 to read:

§ 25-2-655 DENSITY BONUS SCW (DBSCW) COMBINING DISTRICT REGULATIONS.

- (A) This section applies to a property with DBSCW zoning.
- (B) This section governs over a conflicting provision of this title or other ordinance unless the conflicting provision is less restrictive.

(C) To utilize the density bonus program described in Appendix I (*South Central Waterfront Combining District & Density Bonus Program*), the site's zoning must include DBSCW.

(D) Density bonus SCW (DBSCW) combining district may only be combined with South Central Waterfront (SCW) combining district.

(E) An applicant must comply with Article 2 (*Density Bonus and Incentive Programs*) of Chapter 4-18 before applying for a building permit or site plan that relies on increased floor-to-area ratio or other development incentives in the density bonus program described in Appendix I (*South Central Waterfront Combining District & Density Bonus Program*).

PART 6. The City Manager shall establish a program to manage monies allocated as Infrastructure and Community Impact Benefits fee generated by the density bonus program of the *South Central Waterfront Combining District & Density Bonus Program*.

PART 7. The City Council prioritizes the Affordable Housing fee generated by the density bonus program described in the *South Central Waterfront Combining District & Density Bonus Program* for:

(A) preservation of affordable housing; and

(B) permanent supportive housing for low barrier approaches for the persons experiencing homelessness.

PART 8. The Director of the Housing Department may expend up to 30 percent of the affordable housing fees generated by the *South Central Waterfront Combining District & Density Bonus Program* for supporting on-site affordable condominium ownership, including the payment of condominium owner association fees and other ongoing expenses associated with condominium ownership.

Commented [MS1]: Planning Commission Recommendation.

PART 9. The Director of the Housing Department shall allocate the affordable housing fees generated by the *South Central Waterfront Combining District & Density Bonus Program* within the vicinity of Lady Bird Lake to the North, East Ben White Boulevard to the South, I-35 to the East, and Mopac Expressway to the West, and to the areas located within a one-half mile of a Capital Metro rail stop or one-fourth mile of a Capital Metro bus stop.

Commented [MS2]: Planning Commission Recommendation.

PART 10. Chapter 25-2 (*Zoning*) is amended to add a new Appendix I (*South Central Waterfront Combining District & Density Bonus Program*) attached to this ordinance as Exhibit "A".

PART 11. A use that is prohibited under Section 25-2-654 (*South Central Waterfront (SCW) Combining District Regulations*) may continue in the same manner until (1) the city council specifically requires by ordinance the immediate discontinuation of the use; or (2) the use is ‘discontinued’ as defined by City Code for 180 consecutive days.

PART 12. The city council initiates zoning, rezoning, and any necessary neighborhood plan amendments for eligible properties located in the SCW district, authorizes the city manager to process zoning, rezoning, and neighborhood plan amendments applications, to recommend appropriate zoning, rezoning, and neighborhood plan amendments, and returns cases for city council consideration within 18 months of the effective date of this ordinance.

PART 13. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____, 2024 § _____
Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Myrna Rios
City Attorney City Clerk