

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.

- 30 (C) A SCW combining district may not be combined with any of the following zoning
31 districts:
- 32 (1) planned unit development (PUD);
 - 33 (2) public (P);
 - 34 (3) transit oriented development (TOD);
 - 35 (4) planned development area (PDA); or
 - 36 (5) equitable transit-oriented development (ETOD).

- 37 (D) A property with SCW zoning may be developed in accordance with Appendix I
38 (*South Central Waterfront Combining District & Density Bonus Program*), which
39 establishes:
- 40 (1) permitted, permitted with conditions, and conditional uses;
 - 41 (2) site development regulations, including maximum and minimum
42 development parameters; and
 - 43 (3) requirements for street, streetscape, and other public area improvements.

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

46 **§ 25-2-181 DENSITY BONUS COMBINING DISTRICT PURPOSE.**

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

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

52 **§ 25-2-655 DENSITY BONUS SCW (DBSCW) COMBINING DISTRICT**
53 **REGULATIONS.**

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

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

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

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

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

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

73 (A) preservation of affordable housing; and

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

76 **PART 8.** The Director of the Housing Department shall allocate the affordable housing
77 fees generated by the *South Central Waterfront Combining District & Density Bonus*
78 *Program* within the vicinity of Lady Bird Lake to the North, East Ben White Boulevard
79 to the South, I-35 to the East, and Mopac Expressway to the West, and to the areas
80 located within a one-half mile of a Capital Metro rail stop or one-fourth mile of a Capital
81 Metro bus stop.

Commented [MS1]: Planning Commission Recommendation.
30 percent allocation for on-site affordable condominium ownership.
Staff does not recommend this amendment.

82 **PART 9.** Chapter 25-2 (*Zoning*) is amended to add a new Appendix I (*South Central*
83 *Waterfront Combining District & Density Bonus Program*) attached to this ordinance as
84 Exhibit “A”.

Commented [MS2]: Planning Commission Recommendation.
Staff recommends this amendment.

85 **PART 10.** A use that is prohibited under Section 25-2-654 (*South Central Waterfront*
86 *(SCW) Combining District Regulations*) may continue in the same manner until (1) the
87 city council specifically requires by ordinance the immediate discontinuation of the use;
88 or (2) the use is ‘discontinued’ as defined by City Code for 180 consecutive days.

89 **PART 11.** The city council initiates zoning, rezoning, and any necessary neighborhood
90 plan amendments for eligible properties located in the SCW district, authorizes the city

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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 12. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____, 2024 § _____
 § _____

Kirk Watson
Mayor

APPROVED: _____

ATTEST: _____

Anne L. Morgan
City Attorney

Myrna Rios
City Clerk

