

Key Adjustments to the South Central Waterfront Combining District and Density Bonus Program

May 20, 2024

The South Central Waterfront Combining District and Density Bonus program underwent a one-month public input process. As a result, feedback was provided by community members, Boards and Commissions, staff, and other stakeholders. Staff consolidated and assessed the feedback to determine recommended adjustments to the draft code for the South Central Waterfront.

The following is a list of the key changes made in the draft code as a result of the discussion, using the following key as the source of the adjustment: Boards and Commissions, Public Input, and/or Staff.

Key: Source of Input



Boards and Commissions









Public



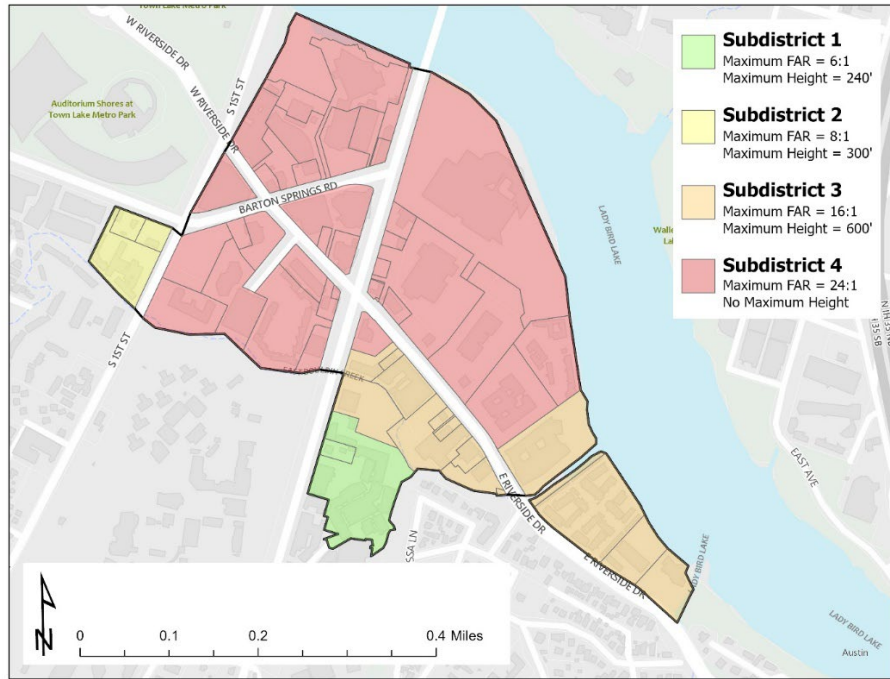
Staff

District Boundary and Subdistricts

Source	Adjustment
	District boundaries were further expanded to include three properties on the western side of the South Central Waterfront. See the updated map for detail. Section 1.2
 	To underscore the commitment to transit-oriented development in the area, the FAR was adjusted to properties near to the proposed Project Connect station on the north side of East Riverside Drive. See the updated map for detail. Section 3.3.2
	Added Public Access Easements over all Internal Circulation Route options. This was an approved recommendation from Urban Transportation Commission. Section Density Bonus 6.3(C)
 	Height limits have been added to Subdistricts 1 through 3. They are: 1 - 240', 2 - 300', 3 - 600'. Subdistrict 4 remains with unlimited height. This adjustment reinforces and improves the density gradient from the closest areas to downtown being the most dense, and for the density to transition down as one moves further away from downtown. Section 3.3.2






Removed Subdistrict 1 (3:1 FAR and 120' max height). Subdistrict map changed per the request of the Planning Commission to match the map below:













Section 3.3.2

Land Use








Source	Adjustment
	<p>Cocktail Lounges above 3,500sf in size will trigger the need for a conditional use permit. The conditional use permit process will better assist in the review and regulation of entertainment / nightlife noise disturbances.</p> <p>Section 2.3.1(C)(4)</p>
 	<p>The Custom Manufacturing land use has been limited to 2,500sf. The limitation will deter larger single-purpose land uses and encourage more flexible development that supports smaller creative businesses.</p> <p>Section 2.3.1(D)(1)</p>

Design



Source	Adjustment
	<p>Shade provisions increased for cantilevered, affixed, and freestanding options. Trees will still be the dominant shade mechanism, but this change allows for strong urban design and diversity in design of the urban space. This is also consistent with activities in other urban areas in the city.</p> <p>Section 2.7(C)</p>
 	<p>Expanded the Internal Circulation Route clear zones for Option 1 to one 15' clear zone and Option 2, 3, and 4 to two 8' clear zones. Expanded the planting zones for Internal Circulation Route Options 2 and 4 to 8' to accommodate for the critical root zone of shade trees. Shade trees are now required of Internal Circulation Route Options 2 and 4, while raingardens are required of Option 3..</p> <p>Section 4.4</p>
 	<p>An additional internal circulation route type with a bicycle lane was added. This addition increases bicycle connectivity within the South Central Waterfront area and facilitates safe separation of cyclists/scooters from pedestrians.</p> <p>Section 4.4.3</p>
 	<p>Removed Flat Deck Parking Garages as a design requirement. This will be explored further as an on-site community benefit or as an amendment to the Building Criteria Manual.</p> <p>Section 3.6.1(C)</p>
  	<p>Projects shall adopt bird friendly design criteria by complying with ST7 Light Pollution Reduction and STEL5 Bird Collision Deterrence standards as a part of achieving a 2-star Austin Energy Green Building rating.</p>

Section Density Bonus 6.2(D)(2)(c)

Community Benefits








Source	Adjustment
	<p>To increase the opportunities to support the creation of the parks identified in the Vision Plan Framework, language has been added to grant the Parks and Recreation Department (PARD) the opportunity to require up to 25% of the property be dedicated as public parkland within the limitations of the amount of the parks fee.</p> <p>Section [Density Bonus] DB 6.4(D)(2) REMOVED</p>
	<p>The Infrastructure Fee-in-Lieu has been changed to the “Infrastructure and Community Impact Benefits” Fee-in-Lieu and language has been added to further support priorities such as incentive agreements for community benefits not fully provided by the Density Bonus Program requirements.</p> <p>Section [Density Bonus] DB 6.4(D)(3)</p>
 	<p>Consistent with other programs in process within the city, an on-site community benefit of Affordable Creative Space at 50% market rent has been added.</p> <p>Section DB 6.5</p>
	<p>City staff are currently in the process of determining effective enforcement mechanisms of some on-site non-residential community benefits. Childcare/adult care services, cultural uses, live music venues, affordable creative spaces, and grocery uses have been set to 0 square feet of bonus area until additional processes and responsible parties are defined. Values of zero are placeholders until a solution can be generated in a future iteration of the program, ideally in 2024.</p> <p>Section South Central Waterfront Bonus Schedule</p>
	<p>Consistent with standard operations for City-subsidized childcare, the Affordable Childcare agreement period has been expanded to 20 years. This is the minimum period required for the City to subsidize affordable childcare.</p> <p>Section DB 6.5(C)(2)(a)</p>
	<p>To align with the values of transit-oriented development and promote access to opportunity, the affordable housing fee area has been expanded to have a southern boundary of Ben White Boulevard. Additionally, properties must be located within 1/2 mile of a rail station or 1/4 mile of a bus stop.</p> <p>Section 6.4.D.1.b.</p>








Process

Source	Adjustment
 	<p>To protect site improvements from being altered without re-review from Planning and ensure on-site community benefits are upheld, Subsection 25-2-586 (D) has been added. This section states, "if the design of a building changes a permit application must be submitted with a new site plan for the Director to review that must comply to UD [Urban Design] Guidelines and Gatekeeper requirements. If this is a change to a community benefit the restricted covenant must be revised."</p> <p>Section DB 6.3(B)</p>

Near-term Future Considerations

Beyond changes made to the Combining District and Density Bonus Program during this phase of the code development process, a number of items have been identified as more immediate next steps for the South Central Waterfront. Highlights of those next steps anticipated by staff are provided below.

Source	Adjustment
	<p>As mentioned in the Community Benefits section above, staff is determining the details of certain non-residential density bonuses and determining compliance processes and checks, and will bring changes back to Council for consideration, ideally in 2024.</p> <p>Future Potential Section: South Central Waterfront Bonus Schedule</p>
  	<p>As the City is examining other funding mechanisms to realize this district, it may inform the distribution of fees for the South Central Waterfront. Staff will explore all financing tools to achieve the vision and may re-examine distribution of fees if needed.</p> <p>Future Potential Section: South Central Waterfront Fee Schedule (in CoA Annual Budget)</p>
	<p>Re-evaluate fees once citywide density bonus study is complete. If the citywide density bonus study impacts SCW, those changes will be reflected early in the life of the Bonus Program.</p> <p>Future Potential Section: South Central Waterfront Fee Schedule (in CoA Annual Budget)</p>
 	<p>As Project Connect's design is further refined in this area, more examples of Transit Supportive Infrastructure will be added.</p> <p>Future Potential Section: DB 6.5 (On-Site Community Benefits)</p>

 	<p>Explore the addition of Transfer of Development Rights. This would allow properties to exchange amount of bonus gained through community benefits.</p> <p>Future Potential Section: To Be Determined</p>
 	<p>Explore opportunities for below-market rent, with adjustments over time, for Council priorities such as affordable child care, affordable creative space, and other community beneficial real estate.</p> <p>Future Potential Section: To Be Determined</p>
	<p>Explore construction code amendment for the South Central Waterfront be similar to those applicable to the Central Business District.</p> <p>Future Potential Section: Land Development Code § 9-2-21</p>
 	<p>Explore flat deck parking as an on-site community benefit or as an amendment to the Building Criteria Manual.</p> <p>Future Potential Section: To Be Determined</p>