



# City of Austin

## Recommendation for Action

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**File #:** 26-1715, **Agenda Item #:** 56.

5/21/2026

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### **Posting Language**

Conduct a public hearing and consider an ordinance amending City Code Title 25 (Land Development) to create new zoning districts for a citywide density bonus program that will allow additional height, including more than 30 feet above the base zoning height, modify uses, site development regulations, and compatibility, in exchange for providing affordable housing and other community benefits; will apply to commercial and multifamily base zones; and will replace Density Bonus 90 (DB90) combining district and Vertical Mixed Use (V) building/overlay (VMU). Funding: This item has no fiscal impact.

### **Lead Department**

Austin Planning.

### **Fiscal Note**

This item has no fiscal impact.

### **Prior Council Action:**

In August 2006, City Council adopted Ordinance No. 20060331-068, creating the Vertical Mixed Use Overlay (VMU Overlay) and standards for Vertical Mixed Use Buildings (VMU Building), including a density bonus program.

In February 2024, City Council adopted Ordinance No. 20240229-073, creating the Density Bonus 90 (DB90) combining district.

In May 2024, City Council adopted Ordinance No. 20240516-005, creating the Equitable Transit-Oriented Development Overlay and related combining districts, including a density bonus program.

In August 2024, City Council adopted Ordinance No. 20240829-158, amending DB90 regulations to amend the commercial ground floor requirement, add allowed commercial uses to office base zoning districts, align compatibility screening requirements with amendments to citywide policy, and clarify that provisions of the DB90 program govern over a conflicting provision of the Land Development Code or other ordinance.

In June 2025, City Council approved Resolution No. 20250605-080, directing the City Manager to create a variety of density bonus combining districts, amend as necessary Density Bonus 90 (DB90) and Vertical Mixed Use (V) combining districts to align with the new density bonus districts, and prioritize the creation of new density bonus combining districts and code amendments in coordination with the development of additional phases of the Equitable Transit-Oriented Development Overlay and related combining districts.

### **For More Information:**

Warner Cook, Austin Planning, Warner.Cook@austintexas.gov, (512) 978-1724.

### **Council Committee, Boards and Commission Action:**

April 15, 2026 - Recommended by the Codes and Ordinances Joint Committee.

April 28, 2026 - Recommended by the Planning Commission with changes.

**Additional Backup Information:**

Case No. C20-2024-004.

Following the findings from the 2025 Comprehensive Analysis of Density Bonus Programs, City Council passed Resolution No. 20250605-080, which provided the City Manager with additional direction on how to improve Austin's density bonus programs. Staff began working on new density bonus tools using a tiered structure, applied citywide, that would offer a range of additional heights in exchange for providing income-restricted housing.

Staff's proposed ordinance amends City Code Title 25 (*Land Development*) to create five new density bonus combining districts corresponding to five additional height tiers (no additional height, +15', +30', +45', +60) that:

- in the case of four of the five combining districts, provide additional height;
- allow additional land uses;
- relax site development standards such setbacks, building coverage, maximum floor to area ratio, maximum density, and minimum site area requirements;
- relax compatibility requirements
- require the provision of income-restricted housing,
- set requirements for redevelopment in the case of existing multifamily,
- require other pedestrian-friendly community benefits.

Under Staff's proposed ordinance, the new program would be allowed in many commercial zones. No residential or industrial zones are not proposed for this program. If this ordinance is adopted, no future rezoning applications would be accepted to add the V or DB90 combining districts afterwards, but these two combining districts would remain on properties where they already apply.