

RESOLUTION NO.

WHEREAS, a stated goal of the Downtown Austin Plan is to increase the number of residents living downtown; and

WHEREAS, the Imagine Austin Comprehensive Plan points out that building codes designed solely for new construction lead to expensive retrofits for existing buildings, discouraging the sustainable practice of adaptive reuse; and

WHEREAS, the Downtown Mixed Use (DMU) Zoning District is intended to be applied to development that includes any combination of office, retail, commercial, and residential uses, is compatible with the downtown area, and may be used as a transition between the downtown area and surrounding districts; and

WHEREAS, residential use is the least intense of the uses allowed in DMU zoning districts; and

WHEREAS, one effect of certain site development regulations, as applied to residential uses in DMU zoning is that existing, legally built commercial structures cannot easily transition to residential use, instead requiring expensive and time-consuming variances from the Board of Adjustment; **NOW, THEREFORE**,

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

The City Council initiates amendments to City Code Title 25 and directs the City Manager to work with stakeholders and to prepare code amendments to make it easier to transition existing structures from commercial use to residential use such that:

1. a broader range of residential uses are allowed in the DMU zoning district;
2. Subchapter F is not applicable in the DMU zoning district; and
3. Article 4 of Subchapter C of Chapter 25-2, is amended to allow greater opportunities for residential uses in the DMU zoning district.

These code amendments should include, but not be limited to, rear setbacks, building height, and allowable interior space for an accessory unit and should be brought to Council within 120 days.

ADOPTED: _____, 2014 **ATTEST:** _____
Jannette S. Goodall
City Clerk