

# Austin's Downtown Density Bonus Program

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**A brief overview and Design Commission's Role**











Austin Skyline c. 2000





**Austin's development  
patterns were changing  
via CURE**



# Central Urban Redevelopment Combining District (CURE) before DDBP:

Modifies site development  
standards



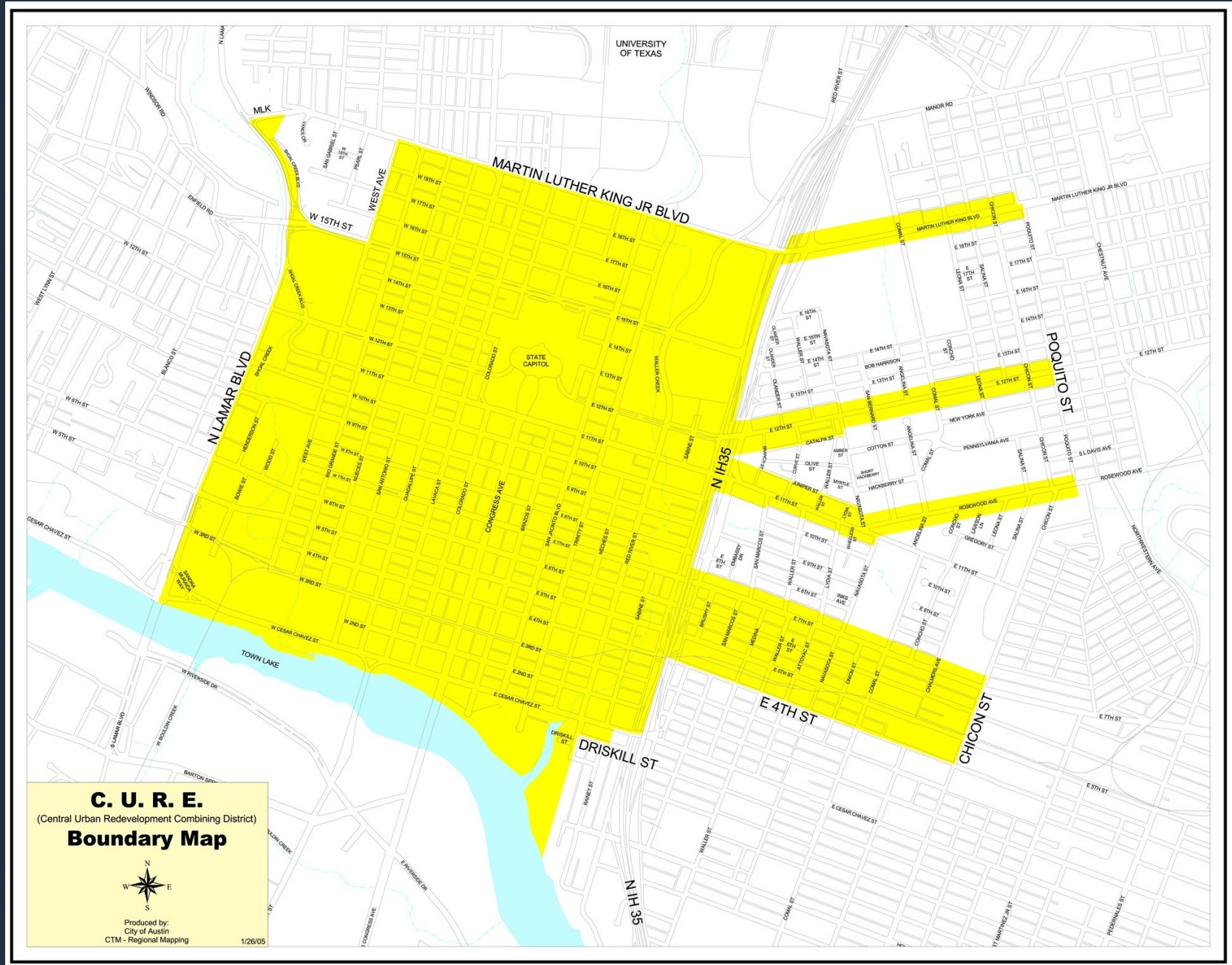
Modifies height and floor-to-  
area (FAR) ratios



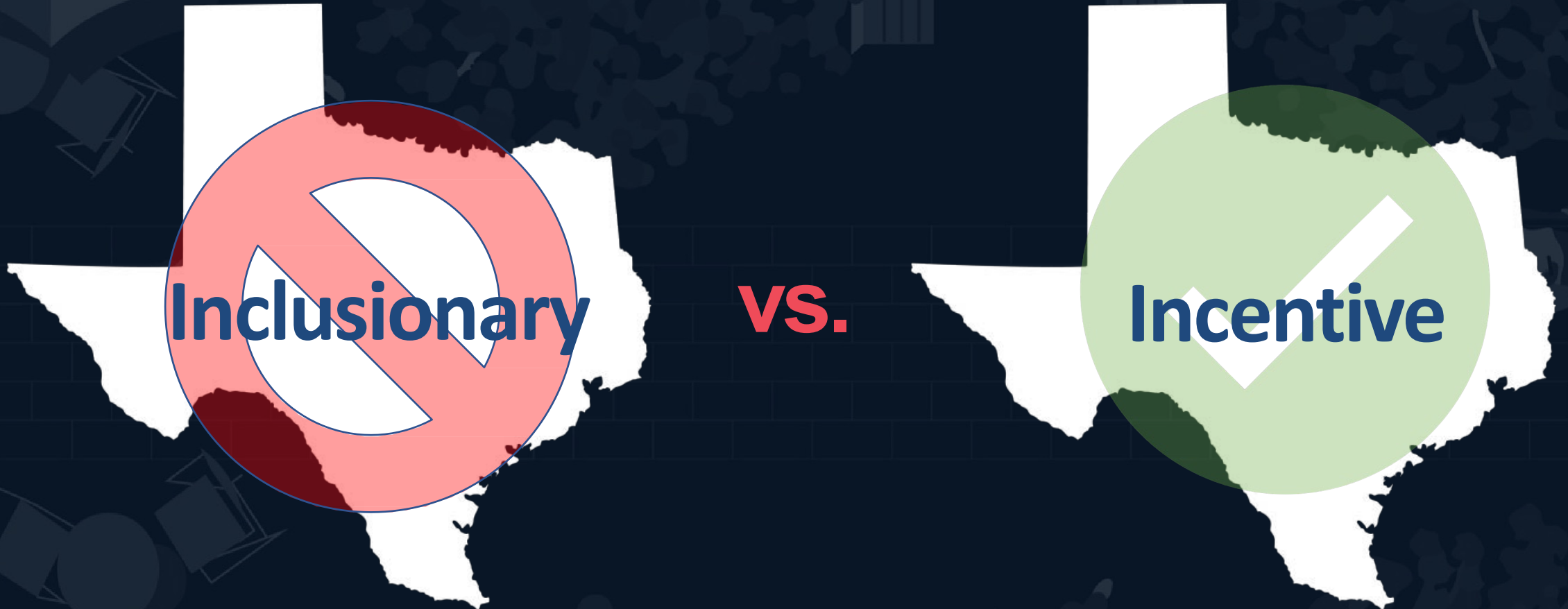
Modifies offsite parking  
and maneuvering



Modifies signage,  
landscaping, and screening



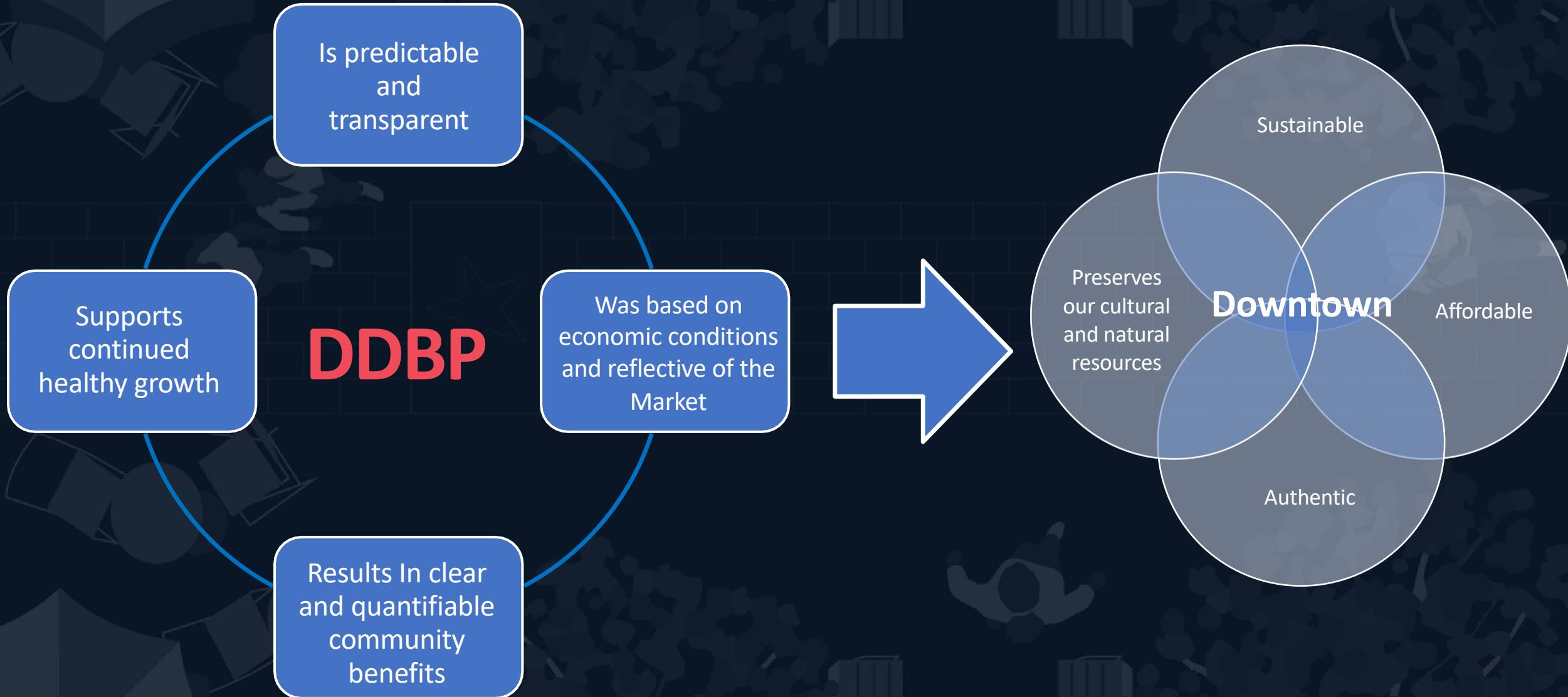
# Inclusionary vs. Incentive Zoning



Mandatory zoning regulations requiring that a certain number of affordable units are included in developments as a condition of development approval

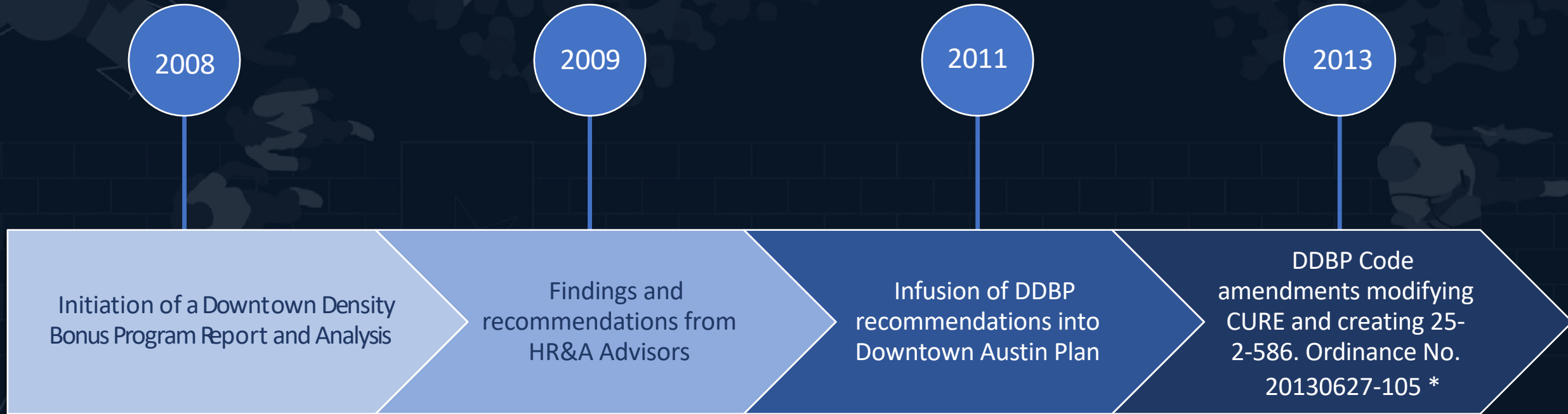
A voluntary zoning regulation (or program) in which, an incentive such as a relaxation in zoning restrictions are offered to a developer in exchange for providing public benefits

# 2008 City Council direction





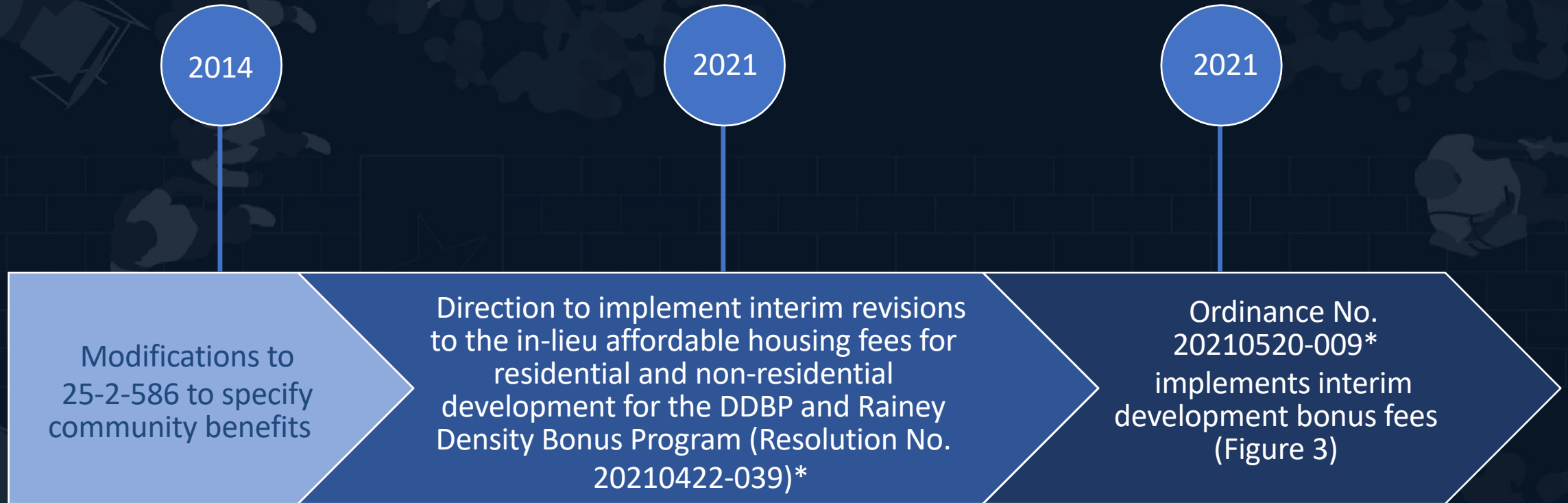
# City Council direction



\* 2013 Ordinance established initial development conus fees that were in use until May 2021



# City Council direction



\* Move revised fees to the City Fee Schedule so they can be updated more effectively; Modify 25-2-586 (B)(6); and Update the fee-in-lieu analysis provided by EcoNorthwest to reflect current market conditions and existing zones of the Downtown Density Bonus Program area

# Interim development bonus fees

## Exhibit A

### Downtown Density Bonus Affordable Housing In-Lieu Fee Table

Development Type	Downtown District	Development Bonus Fee (\$/Sq. Ft. Bonus Area)
Residential	Rainey Street District	\$5/ Sq. Ft. Bonus Area
Residential properties with CBD zoning	All Districts other than Rainey Street District	\$12/ Sq. Ft. Bonus Area
Residential properties with zoning other than CBD	All Districts other than Rainey Street District	\$10/ Sq. Ft. Bonus Area
Commercial properties with CBD zoning	All Districts	\$18/ Sq. Ft. Bonus Area
Commercial properties with zoning other than CBD	All Districts	\$12/ Sq. Ft. Bonus Area

Adopted under Ordinance No.  
20210520-009

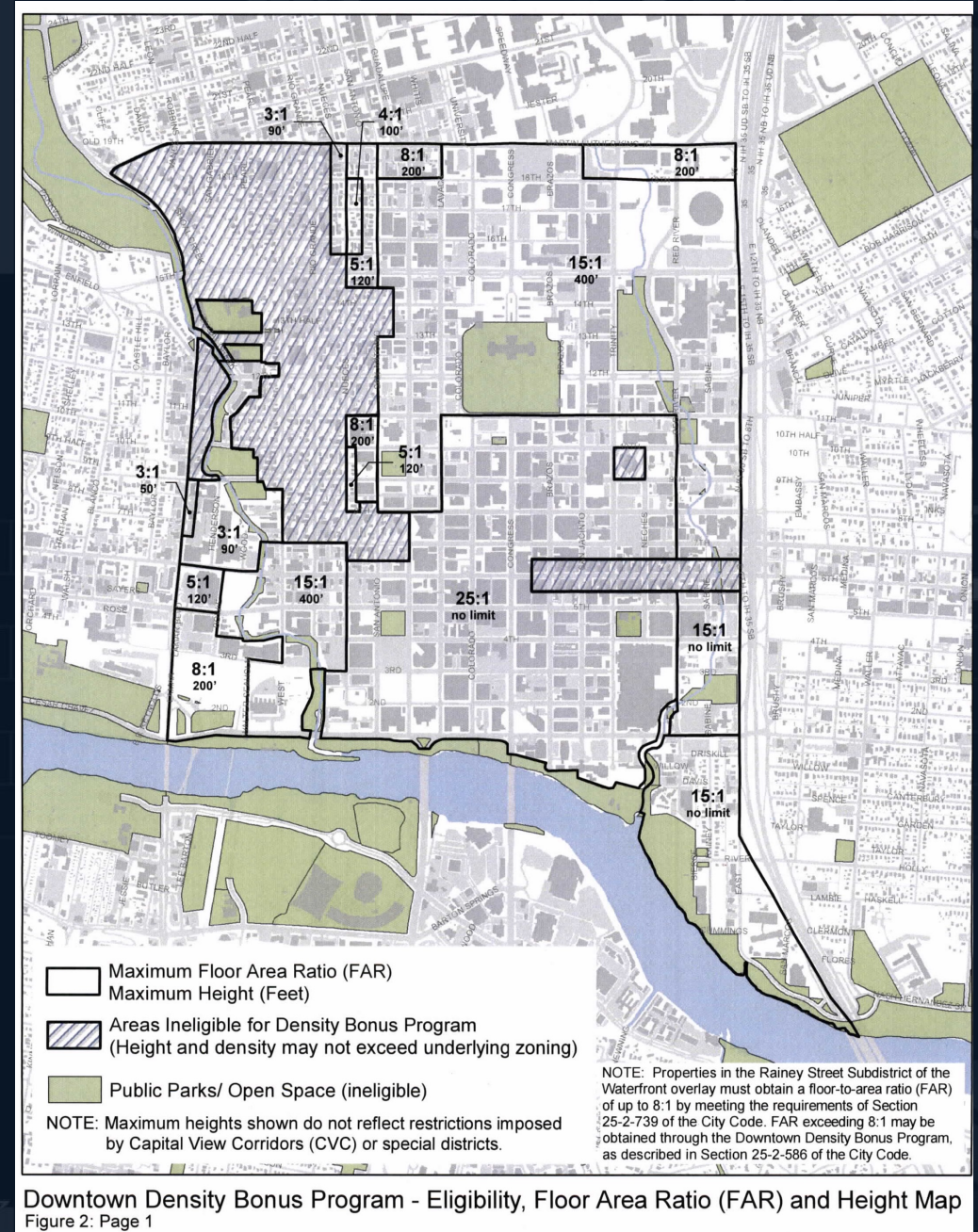




# **Overview of 25-2-586 and role of Design Commission**

# Most properties eligible for density bonuses 25-2-586 (B)(3)

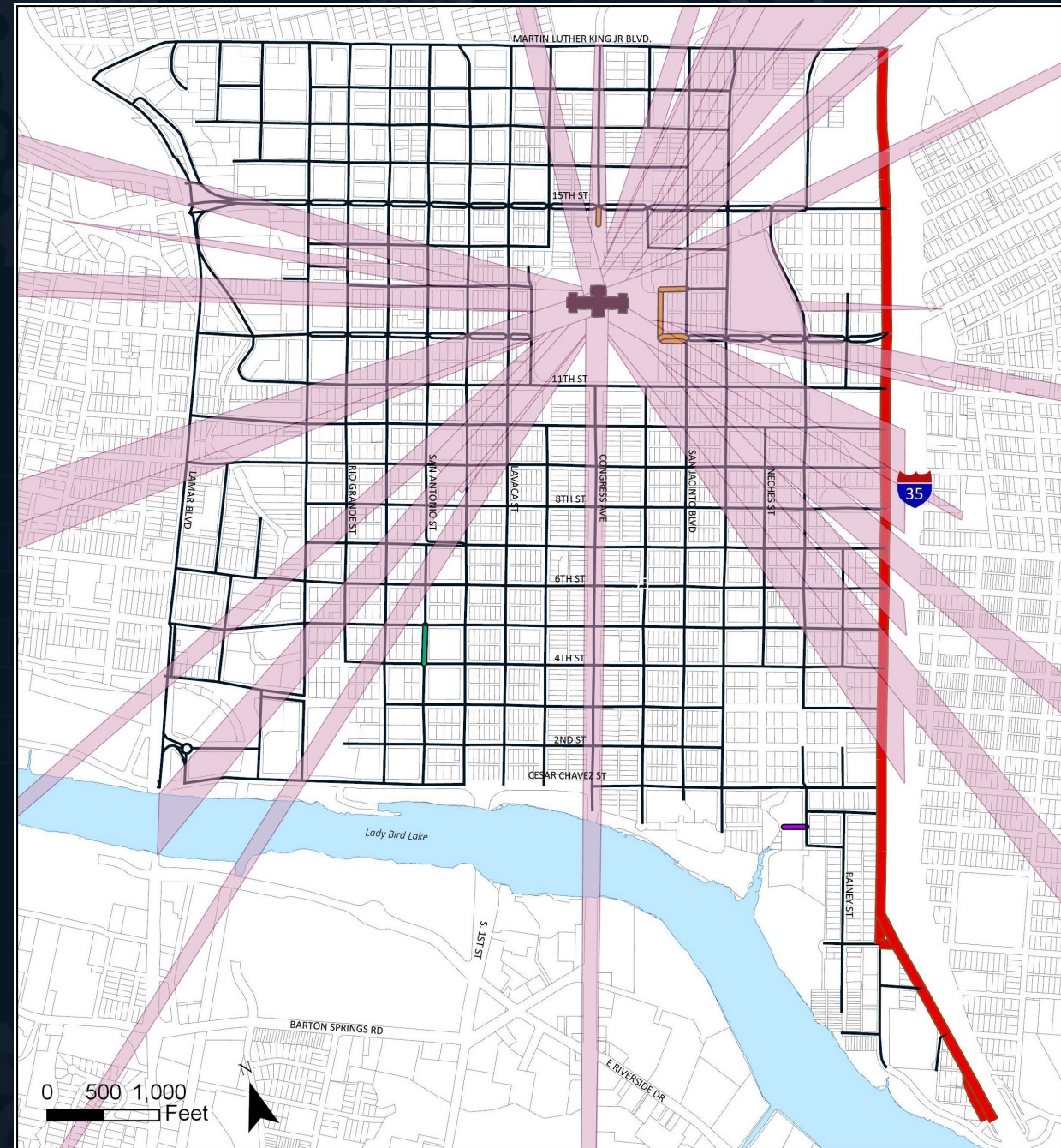
- Not all properties can take advantage of density bonuses.
- Certain districts limit height for non-CBD properties.
- Other factors can limit height:
  - Capital View Corridors
  - Capital Dominance
  - Compatibility Standards





# Most properties eligible for density bonuses 25-2-586 (B)(3)

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- Other factors can limit height:
  - Capital View Corridors
  - Capital Dominance
  - Compatibility Standards



# Program Requirements 25-2-586 (C)

## (1) Gatekeeper Requirements.

- (a) To receive bonus area, the director must determine that the project substantially complies with the Urban Design Guidelines.
  - (i) The applicant must submit to the director a schematic level site plan, building elevations, and other drawings, simulations or other documents necessary to fully describe the urban design character of the project and relationship of the project to its surroundings.
  - (ii) The Design Commission shall evaluate and make recommendations regarding whether the project complies with the Urban Design Guidelines and the director shall consider comments and recommendations of the Design Commission.



# Program Requirements 25-2-586 (C)(1)(a)(i)-(ii)

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Administrative process

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(ii) The **Design Commission shall evaluate and make recommendations** regarding whether the project **complies with the Urban Design Guidelines** and the director shall consider comments and recommendations of the Design Commission.

Role of  
DC

\* Emphasis by Staff

# Program Requirements 25-2-586 (C)(1)(a)(ii)

(ii) The Design Commission shall evaluate and make recommendations regarding whether the project complies with the Urban Design Guidelines and the director shall consider comments and recommendations of the Design Commission.

A few things to note and consider:

1. The Code does not grant the Commission the ability to approve/disapprove projects.
2. *Compliance* and *substantial compliance* are not defined in the Code.
3. The Code requires the Commission to evaluate and make recommendations.
4. A finding of compliance/non-compliance with the UDG is forwarded to Staff.
5. Staff is required to consider the Commission's comments and recommendations.
6. When a finding of non-compliance is rendered, Staff relies on the following from the Commission:
  - a) Identification of specific guidelines where the project is lacking
  - b) A recommendation on what the Commission feels would constitute compliance



# Program Requirements 25-2-586 (C)(1)(a)(ii)

(ii) The Design Commission shall evaluate and make recommendations regarding whether the project complies with the Urban Design Guidelines and the director shall consider comments and recommendations of the Design Commission.

A few things to note and consider:

7. The Commission may discuss items/issues outside of the UDG, however, to assist Staff to evaluate the project for substantial compliance, the Commission's is required to formulate their recommendation on the UDG.
8. Future updates to the UDG, and therefore guidelines, cannot supersede Code.
9. When a finding is not reached by the Commission, staff cannot consider the recommendation.



# **Application of community benefits to DDBP projects**



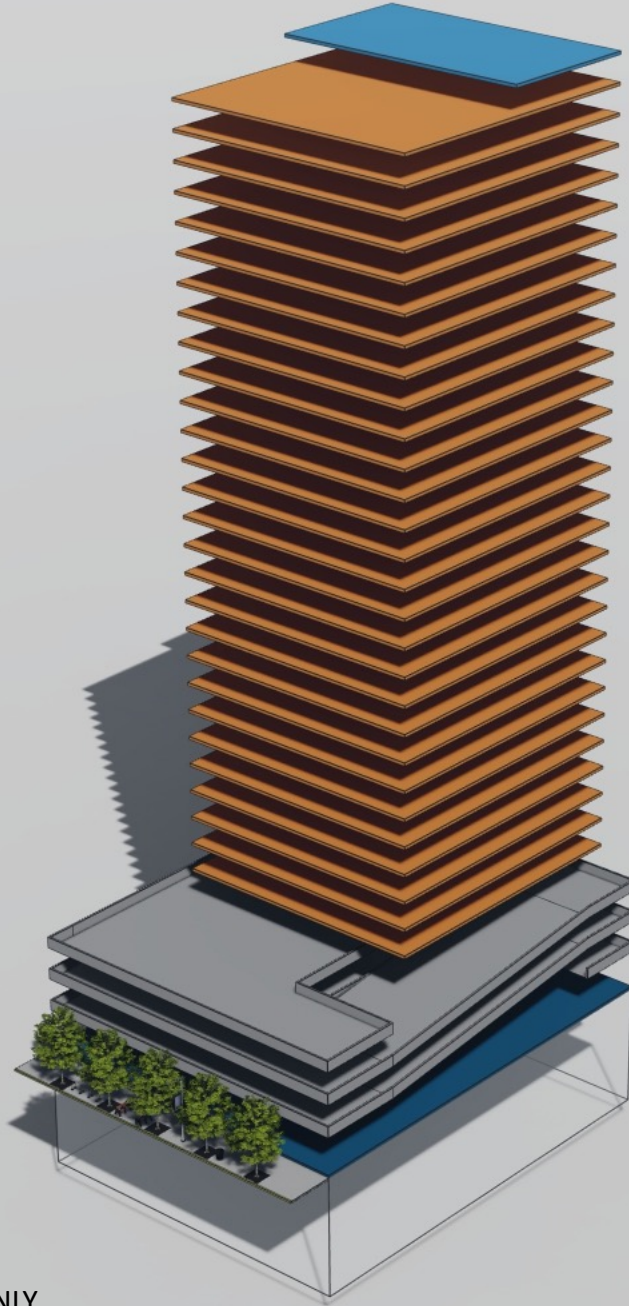
# Program Requirements 25-2-586 (C)(2)(a)-(d)

- (2) After the director determines the applicant meets the gatekeeper requirements, the applicant shall provide sufficient written information so that the director can determine:
- (a) the site's primary entitlement;
  - (b) the amount of bonus area that the applicant is requesting;
  - (c) the total dollar amount the applicant will pay if the applicant chooses to obtain the entire bonus area exclusively by paying a development bonus fee, and the amount of the fee to be dedicated to each community benefit; and,
  - (d) the community benefits the applicant proposes to provide to obtain bonus area if the bonus area will not be obtained exclusively by paying a development bonus fee.

# Downtown Density Bonus Program

Project assumptions:

- Zoned CBD
- Mixed-use
- Located within the 25:1 FAR DDBP District

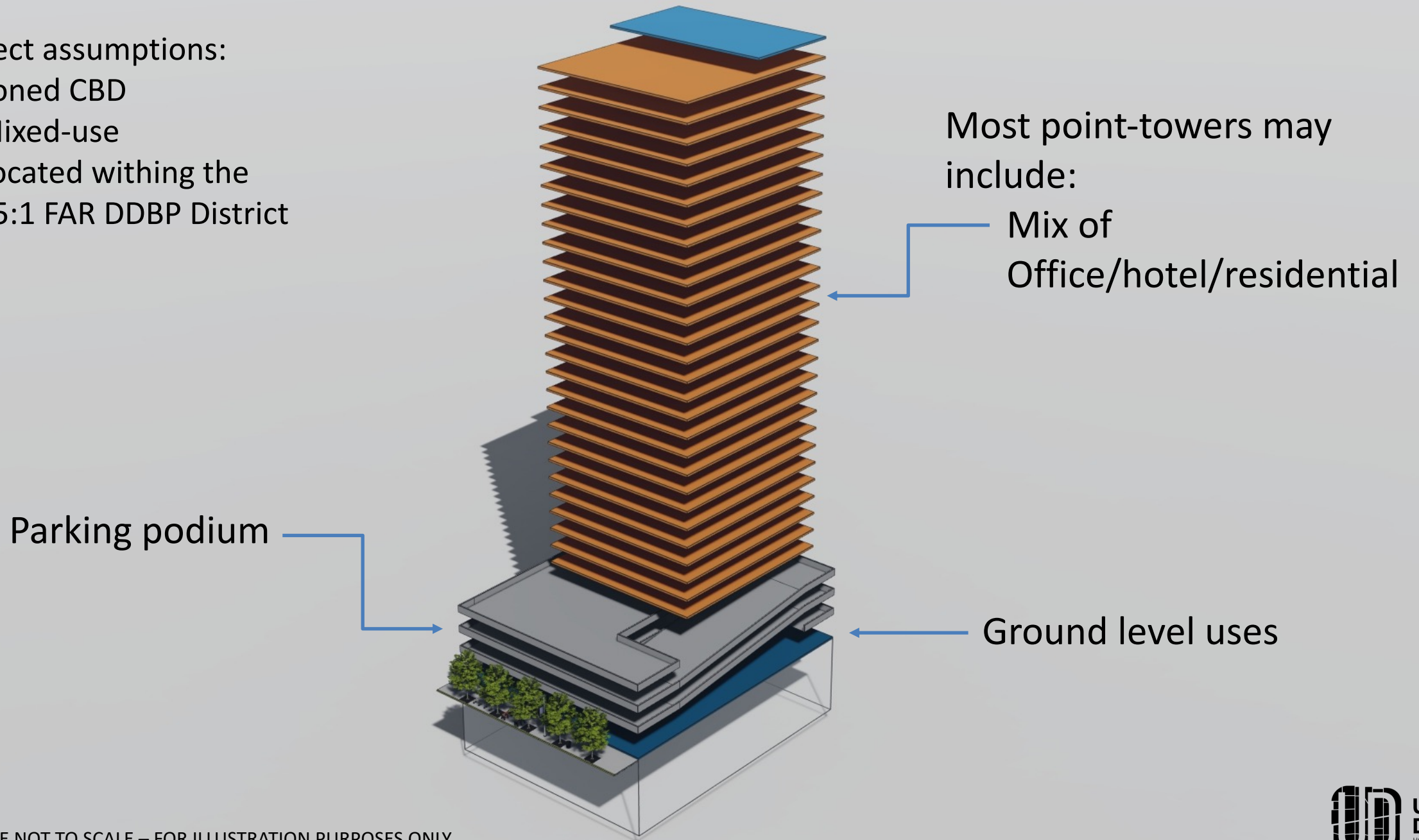


NOTE: IMAGE NOT TO SCALE – FOR ILLUSTRATION PURPOSES ONLY



Project assumptions:

- Zoned CBD
- Mixed-use
- Located withing the 25:1 FAR DDBP District



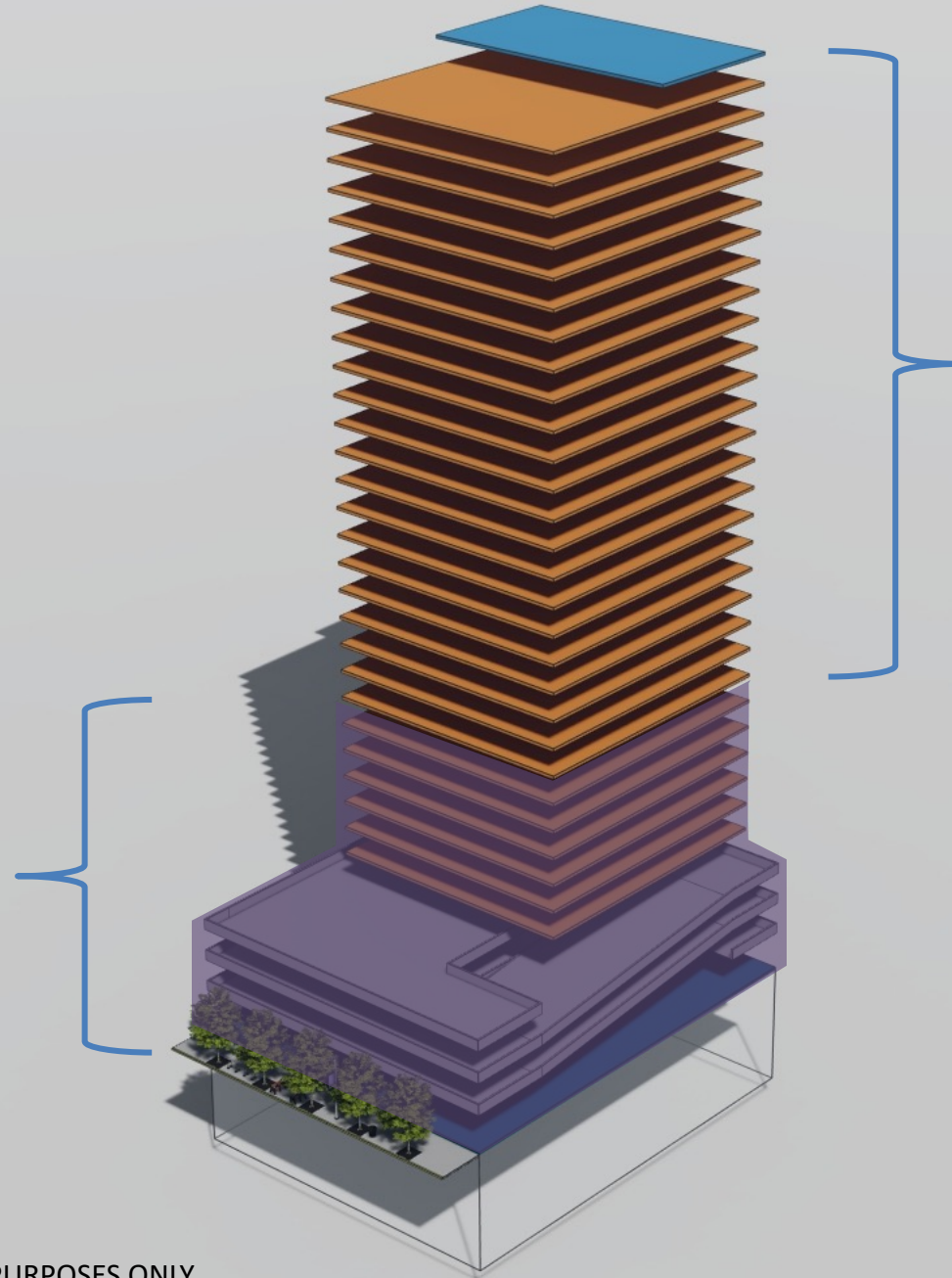
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## Project assumptions:

- Zoned CBD
- Mixed-use
- Located within the 25:1 FAR DDBP District

### Base entitlements:

- 8:1 FAR
- Unlimited height



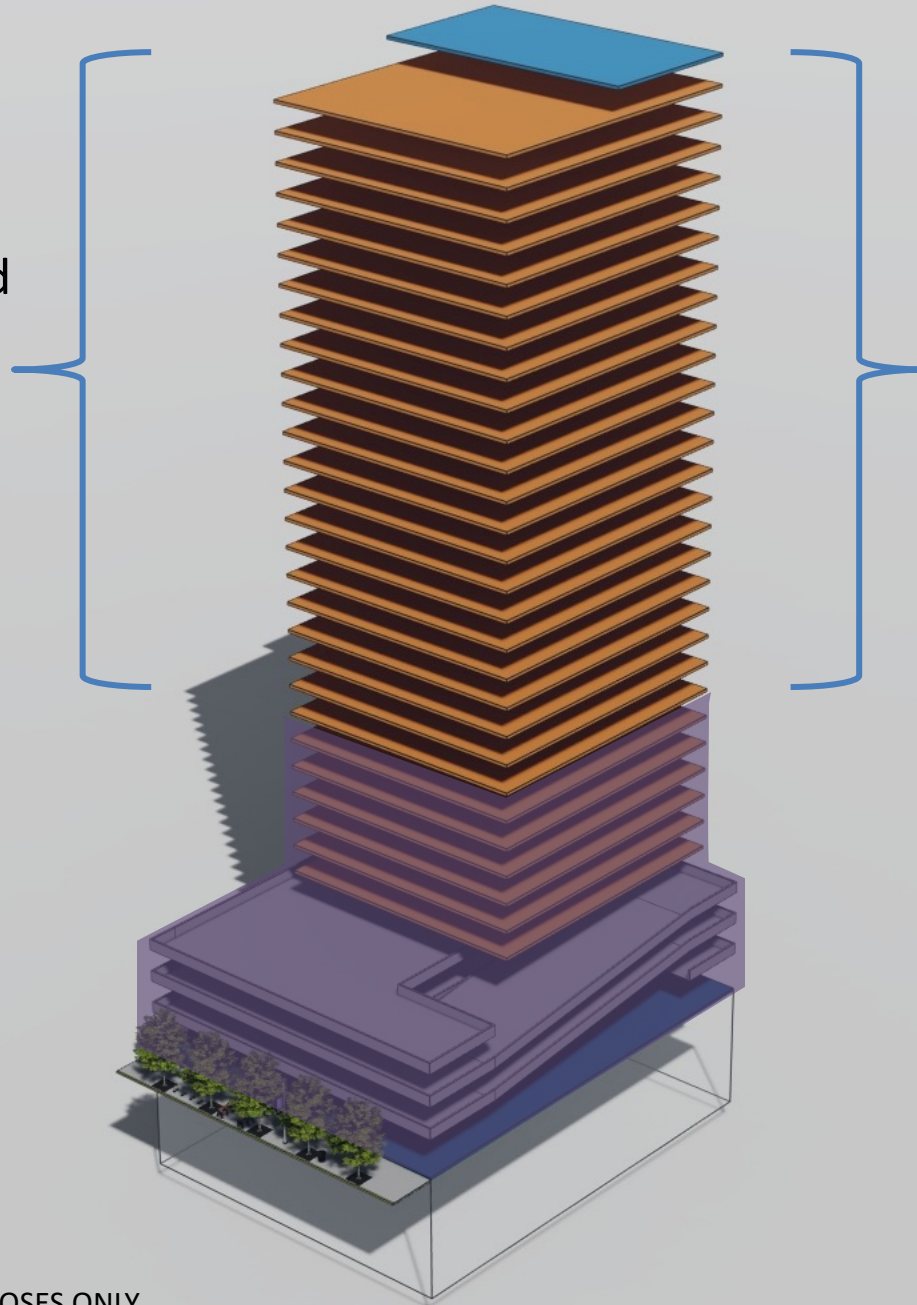
### DDBP administrative entitlements 25-2-586:

- Up to 25:1 FAR
- Unlimited height

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Community benefits required  
to achieve bonus FAR per  
25-2-586 (E)(1)-(12)



DDBP administrative  
Entitlements for bonus area:

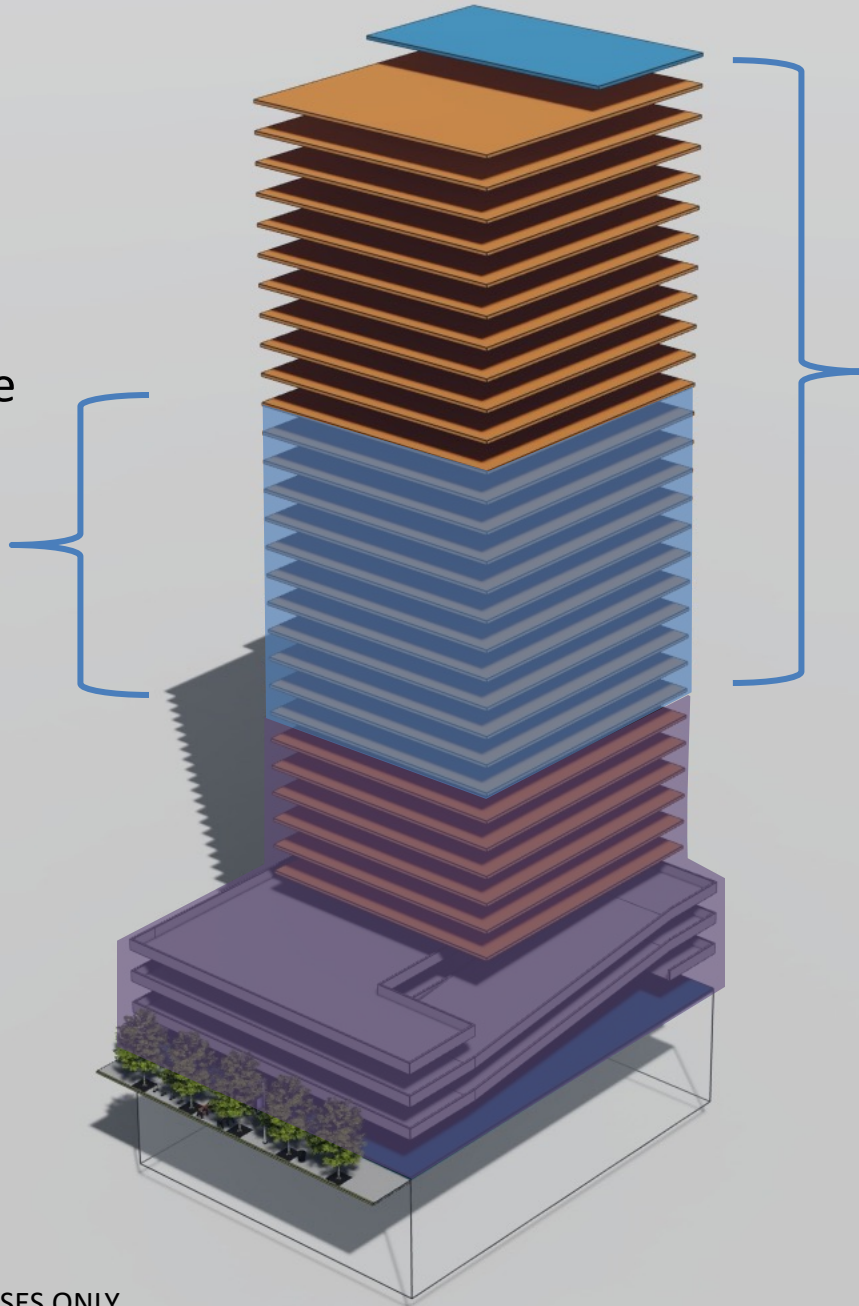
- Up to 25:1 FAR
- Unlimited height

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50% of bonus area  
community benefits are  
required to go toward  
affordable housing:

- On-site units
- Fee-in-lieu

25-2-586 (E)(1)(b)(i)



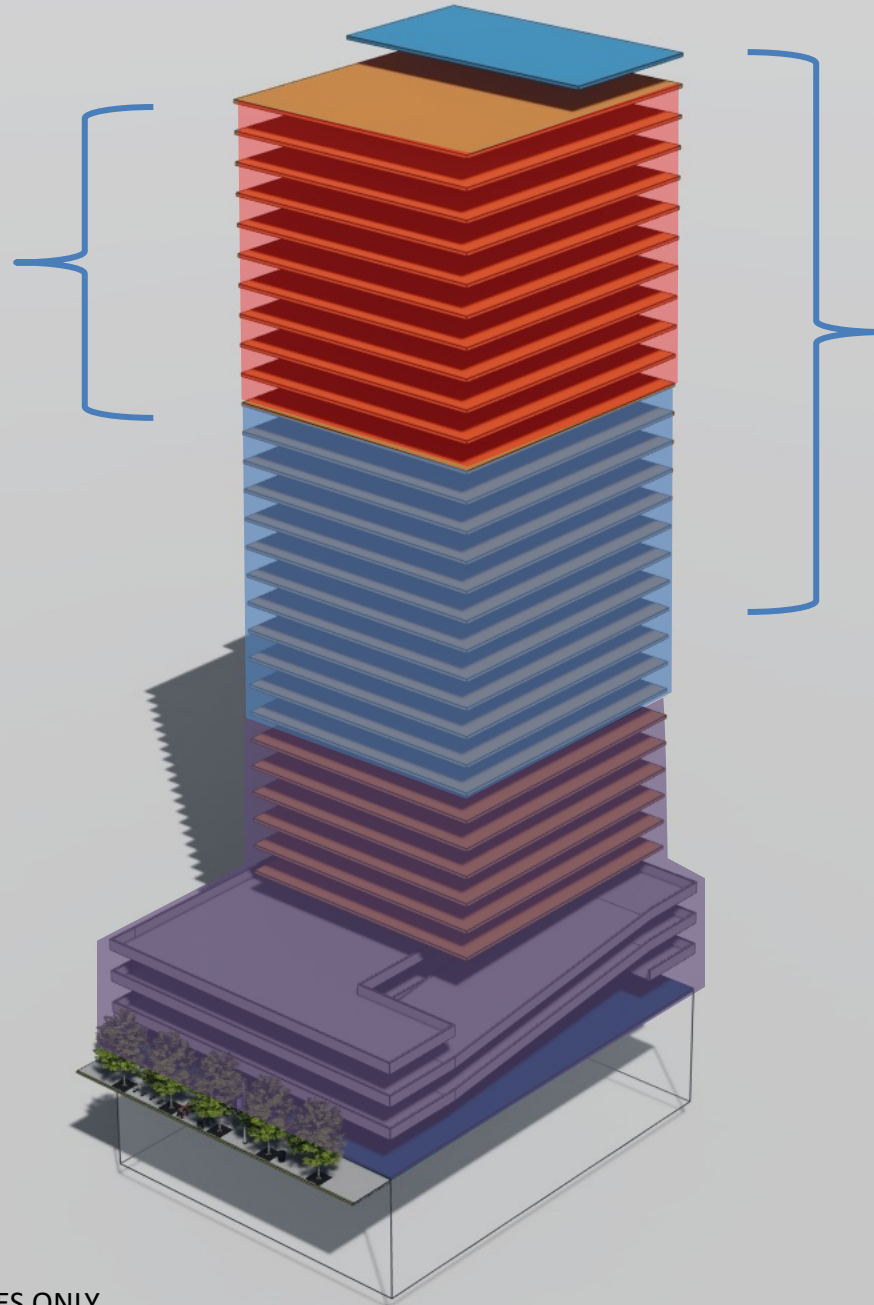
DDBP administrative  
Entitlements for bonus area:

- Up to 25:1 FAR
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Remaining 50% of bonus area  
can be met with any of the  
community benefits under  
25-2-586 (E)(1)-(12) including  
on-site AH units or AH FIL



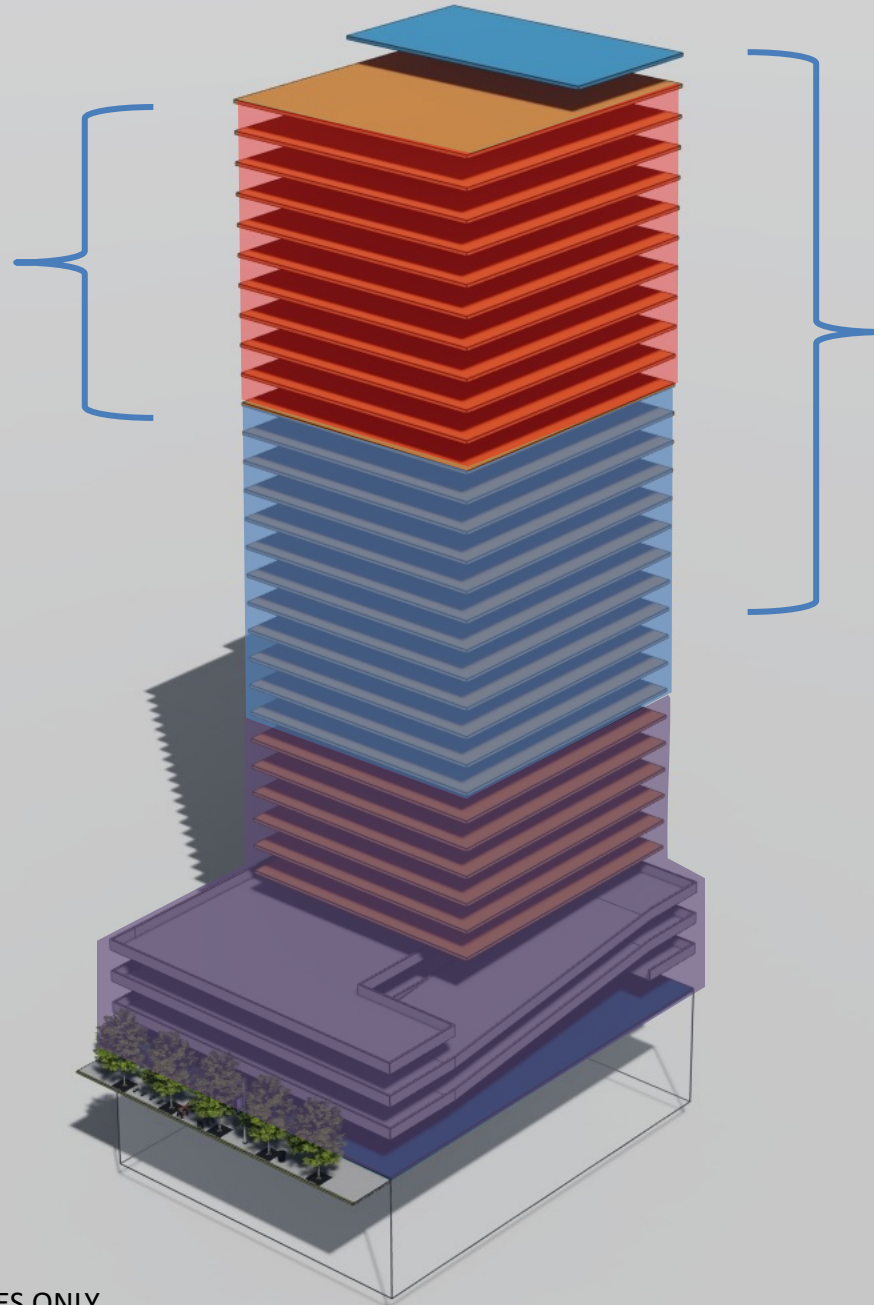
DDBP administrative  
Entitlements for bonus area:

- Up to 25:1 FAR
- Unlimited height

NOTE: IMAGE NOT TO SCALE – FOR ILLUSTRATION PURPOSES ONLY

All community benefits incorporated grant bonus area beyond the base entitlements. “Formulas” for granting bonus area can be found in Ordinance No. 20140227-054.

Staff uses these formulas to determine how much bonus area can be granted by community benefit.



DDBP administrative  
Entitlements for bonus area:

- Up to 25:1 FAR
- Unlimited height

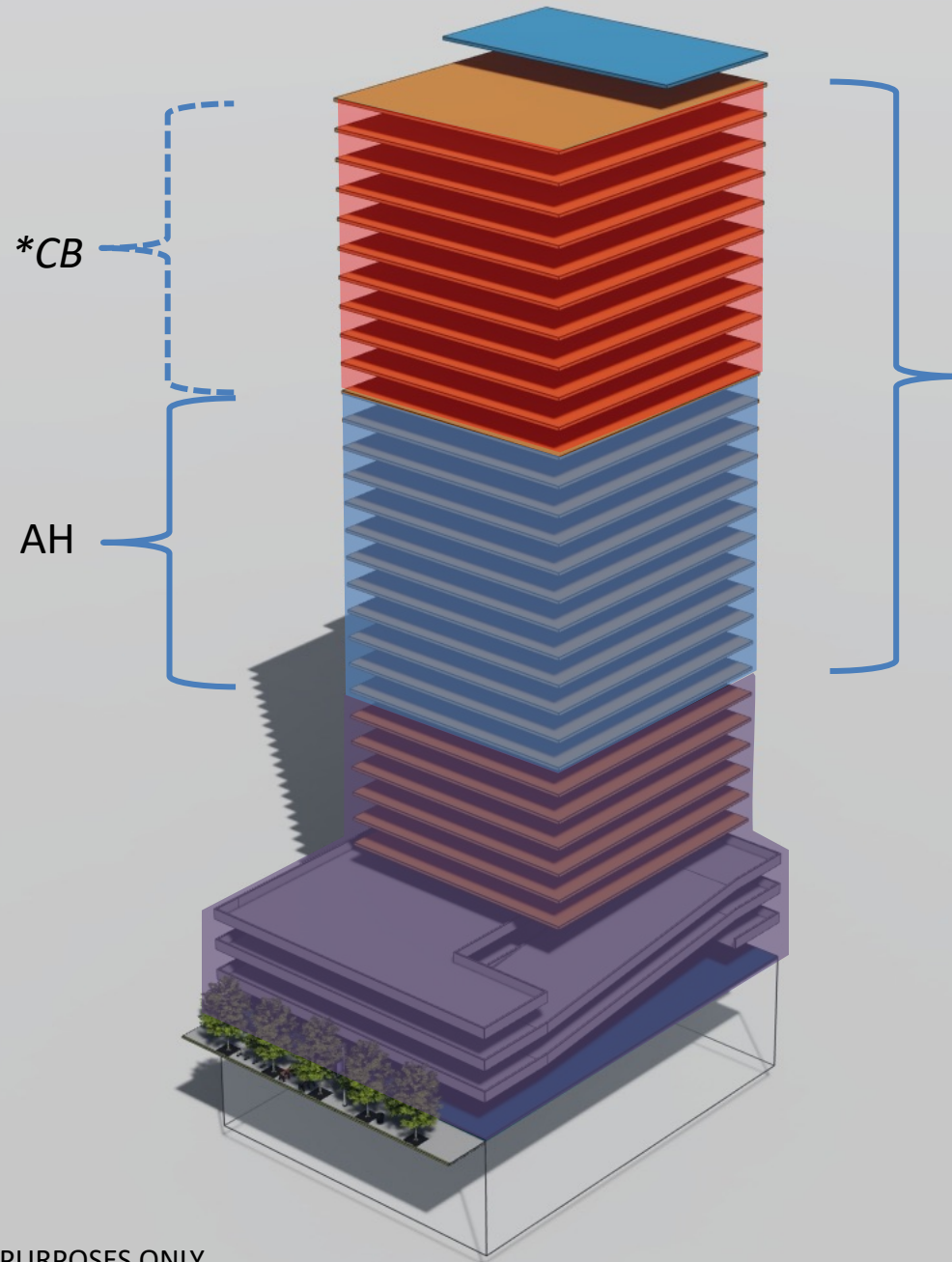
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# Example

Applicant provides total square footage of affordable housing community benefits including all on-site units or proposed FIL contributions up to 50%.

*\*Note: An applicant may choose to use the AH community benefit to achieve 100% of bonus area.*



Applicant provides total square footage of bonus area (BA).

Total BA = AH + CB (Community Benefits)

NOTE: IMAGE NOT TO SCALE – FOR ILLUSTRATION PURPOSES ONLY





**Staff relies on the Commission's evaluation and recommendation to consider a DDBP request and come to a finding of substantial compliance with the Urban Design Guidelines.**





**URBAN  
DESIGN**  
HOUSING & PLANNING

**QUESTIONS?**