

RESOLUTION NO. 20201203-044

WHEREAS, the Imagine Austin Comprehensive Plan envisions an Austin that is livable, with economically integrated communities that provide affordable housing options for residents and families of different backgrounds and different means; and

WHEREAS, mandatory inclusionary zoning programs are proven policy tools that cities across the country use to ensure affordable rental and ownership housing for residents is available by requiring new development to make a certain portion of new units available at affordable levels; and

WHEREAS, the Texas Legislature in 2005 passed, and the governor signed, a law prohibiting local governments from implementing mandatory inclusionary zoning policies that require the provision of affordable housing when developing property; and

WHEREAS, the City Council has adopted plans calling for, and received recommendations in favor of, inclusionary zoning and changes to the state prohibition on inclusionary zoning, including:

- The Imagine Austin Comprehensive Plan, which identifies advocating for a repeal of the state's prohibition on inclusionary zoning as a strategy for supporting the City's ability to accomplish its housing goals;
- The Austin Strategic Housing Blueprint, which describes the state's inclusionary zoning prohibition as one of the "Top Five High Priority Fair Housing Barriers in Austin" and recommends a strategy of

pursuing legislation to repeal that prohibition and allow inclusionary zoning policies;

- The “Uprooted” report that researchers of the University of Texas at Austin produced and delivered to the City Council, which identifies inclusionary zoning as a key tool that local governments around the country use to provide affordable housing;
- The Anti-Displacement Task Force Final Report, which recommends advocating at the state legislature to restore local governments’ ability to implement inclusionary zoning policies; and

WHEREAS, under existing state law, the City has been limited to implementing only voluntary bonus programs that incentivize rather than require provision of affordable housing in new development; and

WHEREAS, while the City Council continues to support measures and policy guidance to incentivize affordable housing in new development whenever the opportunity arises, inclusionary zoning may allow additional opportunities to address the growing housing affordability crisis in our City; and

WHEREAS, research into inclusionary housing policies indicates that mandatory inclusionary zoning programs produce a greater number of affordable homes than voluntary programs; and

WHEREAS, State Representative Gina Hinojosa, who represents central Austin, filed House Bill (HB) 3050 during the 86th Texas Legislative Session to repeal this prohibition on inclusionary zoning, yet the bill never received a hearing; and

WHEREAS, the City Council unanimously adopted Council Resolution 20190328-041 in support of HB 3050; and

WHEREAS, State Representative Gina Hinojosa continues to support inclusionary housing policies, and has reintroduced legislation to repeal the prohibition on inclusionary zoning through HB 84 for the 87th Texas Legislative Session; and

WHEREAS, the City Council has adopted priorities for the 87th Texas Legislative Session that includes support for legislation that allows cities to implement mandatory inclusionary zoning programs; **NOW, THEREFORE,**

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

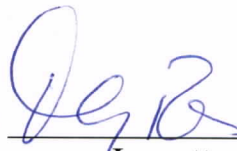
The City Council expresses its strong support for HB 84 and any legislation that would allow cities to implement mandatory inclusionary zoning programs.

BE IT FURTHER RESOLVED:

The City Manager is directed to send a copy of this resolution to the Travis, Williamson, and Hays County delegations of the Texas House and Senate, as well as the Texas Municipal League and the City Councils of peer cities in Texas.

ADOPTED: December 3, 2020

ATTEST:



Jannette S. Goodall
City Clerk