



Density Bonus 90 (DB90) Applicant Guide

Austin Housing

Effective Date: August 1, 2026



Table of Contents

Contact Information	1
Overview	2
Program Requirements	3
Affordability Levels	3
Chapter 4-18	4
Residential Redevelopment	5
Bonuses Offered	6
Application and Certification Process	7
1. Apply to Austin Housing	7
2. Application Review	8
3. Prequalification Letter	8
4. Land Use Restrictions Agreement	8
5. Certification Letter	8
6. Site Permit	8
Design Requirements and Site Plan Review	9
Other City Requirements and Regulations	9
Project Closeout	10
Income Limits, Rent Rates, and Sales Prices	10
Monitoring and Compliance	10



Contact Information

Thank you for your interest in providing affordable housing through the DB90 program.

For questions about the information contained in this guide, please contact Austin Housing staff at HousingIncentives@austintexas.gov or 512-974-3100.

Information on other programs may be found on the [Development Incentives Webpage](#).

Please note: This guide does not include information for tenants seeking to apply for affordable units. These units are not owned or leased by the City of Austin, and any questions about rental applications for affordable units should be directed to the property's management.



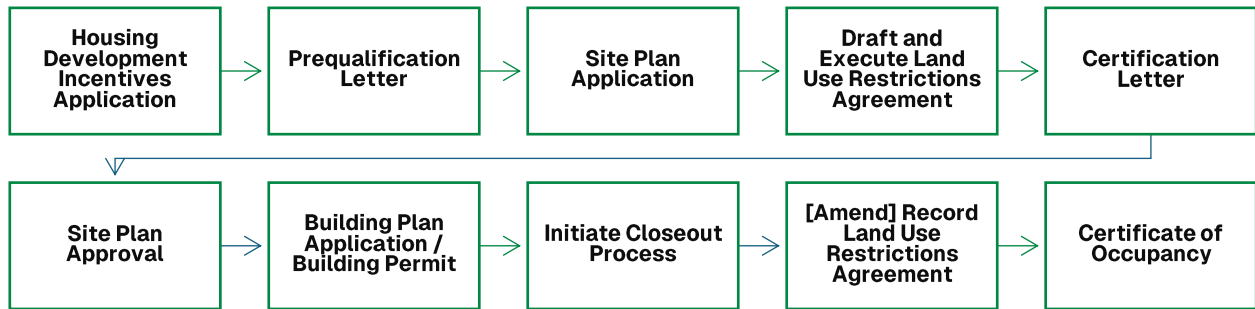
Overview

The [Density Bonus 90 \(DB90\) combining district and density bonus program](#) was created to allow for a voluntary affordable housing incentive program on certain sites within the City of Austin. DB90 allows residential uses on sites with certain commercial base zoning districts, modifies compatibility requirements, and grants additional height in exchange for income-restricted housing.

IMPORTANT: Beginning June 1, 2026, no new zoning applications are allowed to be submitted to Austin Planning for -DB90 combining district zoning. Sites with existing -DB90 combining district zoning may apply to and participate in the DB90 density bonus program. (See [Ordinance No. 20260521-056](#).) Owners interested in the DB90 program are encouraged to review the replacement Citywide Density Bonus Program 30 (-DBC30).

The DB90 program is subject to [Chapter § 4-18](#) of City Code which has specific order of process requirements, amended [through Ordinance No. 20260521-036](#). **Figure 1** shows the order of process for DB90 applications. For proposed developments on a site with -DB90 combining district zoning that intend to utilize the development bonus, applicants must submit a [Housing Development Incentives Application](#). Austin Housing staff will review the application to ensure the project proposal meets the program requirements for affordability and redevelopment (if applicable). If the proposed development meets the requirements of the DB90 program and Chapter 4-18, Austin Housing staff will issue a Prequalification Letter allowing the applicant to submit a site plan application. During the site plan, the applicant must execute a Land Use Restrictions Agreement which, once fully executed, will result in the issuance of a Certification Letter. This Certification Letter will confirm the proposed development's eligibility for the DB90 density bonus. First-time applicants should review this guide thoroughly before applying.

Figure 1. Chapter 4-18 Process Order



Required Zoning

Only Developments on sites with existing -DB90 combining district zoning are allowed to participate in the DB90 density bonus program. Applications for development on sites without -DB90 combining district zoning will be rejected.

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Program Requirements

Affordability Levels

The required amount of on-site affordable housing will vary based on the housing tenure and, for rental developments, on the proposed affordability level of the income-restricted units.

- Rental (affordable for 40 years from date of Certificate of Occupancy)
 - 12% of units at or below 60% MFI; or
 - 10% of units at or below 50% MFI
- Ownership (affordable for 99 years from date of Certificate of Occupancy)
 - 12% of units at or below 80% MFI; or

- Fee-in-lieu equivalent to 100% of required on-site units, with per-unit fee rate established by annual fee schedule

Chapter 4-18

All affordable units must meet the following standards established by [Chapter § 4-18](#):

- The bedroom count for affordable units shall be comparable to the bedroom count for market-rate units.
 - When calculating this requirement, applicants must determine the proportion of each bedroom type within the overall development. To determine how many affordable units of each bedroom type to provide, the applicant must then multiply this proportion by the required number of affordable units in the development. If this produces a decimal, the applicant may either round up or down to the nearest number as long as at least one unit is provided and the overall set-aside requirement is met.
 - For the purposes of bedroom count comparison, efficiency units are classified as a distinct bedroom type, and may not be used in place of one-bedroom units.
 - Applicants may submit a request to count two-bedroom or three-bedroom units as two or three one-bedroom or efficiency affordable units.
 - Example: a 100-unit development contains 20 efficiency units (20%) and 80 1-bedroom units (80%). The development is required to set aside 12 affordable units. The development may provide 2 efficiencies and 10 1-bedroom units, or 3 efficiencies and 9 1-bedroom units. Affordable units must include interior components that are functionally equivalent to market-rate units.
- Affordable units must include interior components that are functionally equivalent to market-rate units.
- Affordable units must be dispersed throughout the residential units.
- Affordable units must have equal access and use of on-site amenities, common areas, and parking facilities.



- Affordable units must have shared access routes with market-rate units.
- Discrimination on the basis of an individual's source of income is prohibited.
- Affordable units are limited in use as a Type 2 or Type 3 short-term rental.
- Affordable units must be available for occupancy concurrently with market-rate units. For a multi-phase development, applicants must submit a development phasing plan to demonstrate compliance with this requirement.
- Applicants shall prepare and follow an affirmative marketing and outreach plan for the affordable units in a form approved by Austin Housing.
- All affordable units must include a tenant lease addendum approved by Austin Housing.
- All units must be leased or sold at no more than the maximum price published annually by Austin Housing.

All affordability requirements must be memorialized in a contractual agreement that will be executed by the applicant/property owner and the City prior to certification. This process is described below in Application and Certification Process.

Residential Redevelopment

The residential redevelopment requirements only apply to a property that is rezoned Density Bonus 90 (DB90) combining district and the rezoning application was submitted on or after October 1, 2024. If the rezoning was initiated in Part 5 of Ordinance No. 20240229-073, then these requirements take effect only for rezonings submitted after December 31, 2024.

Any application for property which includes certain existing multifamily residential uses will be required to meet [certain redevelopment requirements](#) (Division 1, Article 2 of Chapter 4-18 and, when applicable, Section § 4-18-32(A)(2)-(5)). Please note that the unit replacement requirement in Section § 4-18-32(A)(1) does not apply.

Applicants who trigger this requirement will be required to provide a current rent roll, or the most current rent roll available dating back 12 months.



Applicants will be required to provide all current tenants with notice and information about the proposed development, relocation benefits (equal to four months of rent and fees as well as a fixed payment for moving expenses consistent with the federal Uniform Relocation Act), an option to lease a comparable unit for a minimum of 12 months following completion of redevelopment, the ability to terminate an existing lease without penalty, and a return of security deposits.

The rights of a tenant to terminate their lease, receive payment of relocation benefits, and receive their security deposit begin when the notice required by City Code Sections [§ 25-1-712](#) and [§ 4-18-32](#) are provided to tenants of a pending demolition. An applicant must provide this notice to all tenants at least 120 days prior to approval of the demolition permit. Tenants must receive full payment of the relocation benefits required by § 4-18-32 prior to approval of a demolition permit. Tenants may terminate their lease without penalty at any point upon receipt of notice. Security deposits must be returned to tenants by the earlier of 60 days following the tenant's moveout date or the date required by the tenant's lease.

The requirements for tenant notice and relocation assistance will be reviewed for and enforced during the incentive application, site plan application, and building permit application for demolition. The requirements for right of return will be enforced at project close out.

Bonuses Offered

The DB90 program offers additional height and density to a certified development. The specific bonuses offered through the program, which supersede certain existing more restrictive requirements that may apply to the property when in conflict, are:

- 30 feet of additional height up to 90 feet total
- Residential uses permitted
- Certain additional uses permitted in general office (GO) and limited office (LO) base zoning districts, to include:
 - Consumer convenience services
 - Food sales
 - General retail sales (convenience or general)
 - Restaurant (limited or general) without drive-in service



- Compatibility modified per [§ 25-2-654 \(H\)](#)
- Certain base zoning requirements waived:
 - Minimum site area requirements (if applicable)
 - Maximum floor area ratio (FAR)
 - Maximum building coverage
 - Maximum number of stories
 - Minimum street yard setback and interior yard setback
 - Minimum front yard setback; provided, however, that if the right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the centerline of the street to ensure adequate Fire Department access.

Application and Certification Process

Important: A site plan application *cannot* be submitted to Development Services until a DB90 application is submitted and Austin Housing staff have issued a Prequalification Letter.

Applicants may request a pre-submittal meeting with Austin Housing staff prior to submission of a Housing Development Incentives Application. To request a meeting, please email HousingIncentives@austintexas.gov with the subject line “Pre-Submittal Meeting Request – DB90 – Project *ADDRESS*”.

Austin Housing must ensure that a proposed development meets the requirements of the DB90 program, and Austin Housing must issue a Prequalification Letter before a development permit application can be submitted to Austin Development Services.

Applicants should submit a Housing Development Incentives Application at least two weeks before intending to submit a site plan application.

First-time applicants should thoroughly review the DB90 requirements and certification process described in this guide before applying.

1. Apply to Austin Housing

Applicants for DB90 should submit an application to Austin Housing using the [Housing Development Incentives Application](#).



2. Application Review

Upon receipt, Austin Housing staff will acknowledge your application and make every effort to provide initial comments within 5-10 business days.

Initial comments may address ineligible affordability proposals, missing attachments, clarity on site details, or other questions as needed to verify program eligibility.

3. Prequalification Letter

Once all review comments have been addressed and the project proposal meets the program requirements for affordability, including plans for redevelopment (if applicable), Austin Housing staff will issue a Prequalification Letter to the applicant/property owner.

4. Land Use Restrictions Agreement

Applicants must enter into a binding Land Use Restrictions Agreement prior to receiving a Certification Letter. Austin Housing staff will request details necessary for the drafting and execution of this agreement. The form of the agreement is a standard form approved by Austin Law and must be agreed to in order to participate in the program.

5. Certification Letter

Once all review comments have been satisfied and an agreement has been executed, Austin Housing staff will issue a Certification Letter. The Certification Letter will confirm the development's eligibility for DB90. The Certification Letter also serves as final evidence that the proposed development meets the program requirements.

6. Site Permit

Once received, the applicant should provide the signed Certification Letter to all permitting and review departments to demonstrate that all program requirements have been met and that the project is eligible to receive the site permit. **A site development permit cannot be approved until a Land Use Restrictions Agreement is fully executed and a Certification Letter has been issued.**



Design Requirements and Site Plan Review

Applicants must receive a signed DB90 Prequalification Letter from Austin Housing before submitting an application for a site plan that relies on the DB90 entitlements. Once the Land Use Restrictions Agreement is executed, a Certification Letter will be issued which verifies that the proposed development is eligible for the entitlements of the DB90 program.

A certification letter does not confirm that a proposed development meets other applicable design and development standards, including the program's mixed-use design standards. These requirements will be addressed during the permitting process. **Applicants with questions or concerns about project design are highly encouraged to [schedule a pre-application meeting with the Development Services Department](#) prior to submitting a site plan application.**

The requirements of the DB90 program must be met within the building which receives the bonuses offered by the program. Bonuses cannot be applied to a separate structure.

Other City Requirements and Regulations

This guide provides an overview of affordable housing requirements for DB90; however, other requirements and regulations may apply to proposed development. Austin Housing staff can connect you with the appropriate contact for any questions you may have. Some common questions, and the Department best suited to address them, are below:

- For general permitting and Land Development Code questions, please schedule a meeting at the Permitting and Development Center.
- For applicants with a substantially complete plan set seeking a pre-application meeting to address project design, please reach out to Austin Development Services.
- For questions about permitted uses within the -DB90 combining district, please reach out to the [Land Use Assistance](#) in Austin Development Services.

Project Closeout

After an applicant has executed a Land Use Restrictions Agreement and received a Certification Letter, they are able to receive a site development permit. Once building permits have been approved, Austin Housing staff will apply an administrative hold which will prevent the project from scheduling final inspections and obtaining a Certificate of Occupancy. In order to clear the administrative holds, applicants are responsible for completing the following:

- Provide an architect letter verifying the final constructed details of the development
- Amending the executed Land Use Restrictions Agreement, if necessary
- Recording the Land Use Restrictions Agreement and providing an electronic copy of that recorded instrument to Austin Housing staff
- Payment of any owed fee-in-lieu
- Verification that any redevelopment requirements of the project have been satisfied (i.e., right of return for the previously displaced tenants)

These elements can take time to complete. **Applicants are encouraged to begin the closeout process at least two months before final inspections need to be scheduled.**

Income Limits, Rent Rates, and Sales Prices

Projects developed through the DB90 density bonus program are required to use the Income Limits, Rent Rates, and Sales Prices set by Austin Housing. This information is updated annually and is posted on the [Income and Rent Limits webpage](#).

Monitoring and Compliance

Owners of projects developed through the DB90 density bonus program must participate in monitoring and compliance functions conducted by City of Austin (or appointed contractor) throughout the duration of the required affordability period.