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ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2012-011 University Neighborhood Overlay – Affordability

Proposed Language: See attached draft ordinance (***please note*** that the draft ordinance does not contain the two additional amendments recommended by Codes and Ordinances Subcommittee on May 21, 2013).

Staff Recommendation: Staff recommends this amendment.

Background: Initiated by Council Resolution 20091210-044

Description:

Amend the City Land Development Code pertaining to the University Neighborhood Ordinance (UNO) to:

1. Change fee in-lieu to \$1.00 per square foot. Add: and such fee will be adjusted annually in accordance with the Consumer Price Index all Urban Consumers, US City Average, All Items (1982-84 = 100), as published by the Bureau of Labor Statistics of the United States Department of Labor or other appropriate standard as determined by the director of Austin Neighborhood Housing and Community Development.
2. Change dwelling unit to dwelling unit or bedroom.
3. Change 80% MFI to 60% MFI.
4. Change 65% MFI to 50% MFI.
5. Rents will be established annually by the director of the Austin Neighborhood Housing and Community Development Office as follows:
 - a. Single occupancy 60% MFI rents may not exceed the Low HOME Rent Limit for one bedroom as established annually by the Texas Department of Housing and Community Affairs.
 - b. Single occupancy 50% MFI rents may not exceed the 40% MFI HOME Rent Limit for an efficiency as established annually by the Texas Department of Housing and Community Affairs.
6. On site affordability period change from 15 years to 40 years.

Additional Stakeholder recommendations not currently in the proposed ordinance, recommended for approval by Codes and Ordinances Subcommittee on May 21, 2013:

1. Add group residential to affordability requirements when opting into UNO: group residential would be treated as multi-family developments.
2. Increase requirements under Height to include: Pay into the University Neighborhood District Housing Trust Fund a fee of \$0.50 for each square foot of

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net rentable floor area in the multi-family residential use development. This fee would be in addition to providing 10% of the units at 60% MFI and 10% of the units at 50% MFI.

Staff Recommendation:

Staff recommends approval of this amendment. The draft ordinance is attached. The ordinance is a consensus between Staff and stake holders.

Board and Commission Actions

Community Development Commission: May 14, 2013 – Unanimously recommended approval of the two additional proposed amendments, on an 11-0 vote.

Planning Commission Committee on Codes and Ordinances: April 17, 2012 - The Planning Commission Codes and Ordinances, approved this item as amended on a motion by Commissioner Kirk, second by Commissioner Stevens on a vote of 5-0. The rate of payment per square foot of residential conditioned space was recommended to change from \$0.50 to \$1.00 on a motion by Commissioner Stevens, seconded by Commissioner Kirk and a vote of 4-1 (Commissioner Chimenti opposed.)

May 21, 2013 – Unanimously recommended approval to Planning Commission of the two additional proposed amendments, on a 6-0 vote.

Planning Commission – Voted on June 26, 2012 to send this item to City Council. Vote: 7-0.

A public hearing has been set for May 28, 2013.

City Council Action

City Council – A public hearing at City Council has been set for June 6, 2013.

Ordinance Number:

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Neighborhood Housing and Community Development
University Neighborhood Overlay Ordinance Amendments
May 09, 2013

Recommended Code Amendments

1. Change fee in-lieu to \$1.00 per square foot. Add: *and such fee will be adjusted annually in accordance with the Consumer Price Index all Urban Consumers, US City Average, All Items (1982-84 = 100), as published by the Bureau of Labor Statistics of the United States Department of Labor or other appropriate standard as determined by the director of Austin Neighborhood Housing and Community Development.*
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6. On site affordability period change from 15 years to 40 years.

Additional Stakeholder recommendations not currently in the proposed ordinance:

1. Add group residential to affordability requirements when opting into UNO: group residential would be treated as multi-family developments.
2. Increase requirements under Height to include: Pay into the University Neighborhood District Housing Trust Fund a fee of \$0.50 for each square foot of net rentable floor area in the multi-family residential use development. This fee would be in addition to providing 10% of the units at 60% MFI and 10% of the units at 50% MFI.