

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 25-2 (ZONING) OF THE CITY CODE RELATING TO THE UNIVERSITY NEIGHBORHOOD OVERLAY (UNO).

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

PART 1. Subsection (B) of City Code Section 25-2-756 (*Height*) is amended to read:

(B) This subsection applies in the outer west campus subdistrict.

- (1) In this subsection, HISTORIC PROPERTY means property zoned historic or listed in the City's historic building survey on October 6, 2008.
- (2) Except as provided in Paragraph (3), a structure with a multi-family residential use or group residential use may exceed by 15 feet the maximum height prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*) if:

(a) the structure is located in an area for which the maximum height is at least 50 feet; and

(b) the multi-family residential use or group residential use, for a period of not less than 40 [~~15~~] years from the date a certificate of occupancy is issued, sets aside at least:

- (i) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below [~~less than~~] 60 [~~80~~] percent of the median income in the Austin statistical metropolitan area, as determined by the director of the [~~Austin~~] Neighborhood Housing and Community Development Office; [~~and~~]
- (ii) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below [~~less than~~] 50 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the [~~Austin~~] Neighborhood Housing and Community Development Office; and, [-]

(iii) The applicant:

- 1 1. Pays into the University Neighborhood District Housing
2 Trust Fund a fee of \$0.50 for each square foot of net
3 rentable floor area in the multi-family residential use or
4 group residential use development; or,
5
- 6 2. Provides an additional 10 percent of the dwelling units or
7 bedrooms on the site to house persons whose household
8 income is at or below 50 percent of the median income in
9 the Austin statistical metropolitan area as determined by
10 the director of the Neighborhood Housing and
11 Community Development Office.
12

- 13 (3) A building on a lot that has a common side lot line with a historic property
14 may not exceed by more than 20 feet the maximum building height of the
15 base district in which the historic property is located.
- 16
- 17 (4) The fee in (b)(iii) above will be adjusted annually in accordance with the
18 Consumer Price Index all Urban Consumers, US City Average, All Items
19 (1982-84=100), as published by the Bureau of Labor Statistics of the United
20 States Department of Labor or in accordance with any other similar,
21 applicable standard as defined by the director of the Neighborhood Housing
22 and Community Development Office. The city manager shall annually
23 determine the new fee amounts for each fiscal year, beginning October 1,
24 2014 and report the new fee amounts to the city council.
25

26 **PART 2.** Section 25-2-765 (*Affordable Housing*) of the City Code is amended
27 to read:

28 **§ 25-2-765 AFFORDABLE HOUSING.**

- 29 (A) A multi-family residential use or a group residential use established after
30 September 2, 2013 [~~September 2, 2004~~] must, for a period of not less than
31 40 [~~15~~] years from the date a certificate of occupancy is issued, set aside at
32 least:
 - 33 (1) 10 percent of the dwelling units or bedrooms on the site to house
34 persons whose household income is at or below [~~less than~~] 60 [~~80~~]
35 percent of the median income in the Austin statistical metropolitan
36 area, as determined by the director of the ~~the~~ [~~Austin~~] Neighborhood
37 Housing and Community Development Office; and

1 (2) except as provided in Subsection (B), an additional 10 percent of the
2 dwelling units or bedrooms on the site to house persons whose
3 household income is at or below [~~less than~~] 50 [65] percent of the
4 median income in the Austin statistical metropolitan area, as
5 determined by the director of the [~~Austin~~] Neighborhood Housing and
6 Community Development Office.

7 (B) The University Neighborhood District Housing Trust Fund is established.
8 Instead of complying with Paragraph (A)(2), a person may pay into the fund
9 a fee of \$1.00 [~~0.50~~] for each square foot of net rentable floor area in the
10 multi-family residential use or group residential use development and the fee
11 will be adjusted annually in accordance with the Consumer Price Index all
12 Urban Consumers, US City Average, All Items (1982-84=100), as published
13 by the Bureau of Labor Statistics of the United States Department of Labor
14 or in accordance with any other similar, applicable standard as defined by
15 the director of the Neighborhood Housing and Community Development
16 Office. The city manager shall annually determine the new fee amounts for
17 each fiscal year, beginning October 1, 2014 and report the new fee amounts
18 to the city council.

19 (C) The director of the [~~Austin~~] Neighborhood Housing and Community
20 Development Office may allocate money from the University Neighborhood
21 District Housing Trust Fund for housing development in the university
22 neighborhood overlay district that provides at least 40 [~~40~~] percent of its
23 dwelling units or bedrooms to persons whose household income is at or
24 below [~~less than~~] 50 percent of the median income in the [~~Austin~~] statistical
25 metropolitan area, as determined by the director of the [~~Austin~~]
26 Neighborhood Housing and Community Development Office, for a period of
27 not less than 40 [~~45~~] years from the date a certificate of occupancy is issued.

28 (D) Rents will be established annually by the director of Neighborhood Housing
29 and Community Development Office as follows:

30 (1) Rents for single occupancy rental units for households who are at or
31 below 60 percent of the median family income may not exceed the
32 Low HOME Rent Limit for one bedroom as established annually by
33 the Texas Department of Housing and Community Affairs.

34 (2) Rents for single occupancy rental units for households who are at or
35 below 50 percent median family income households may not exceed
36 the 40 percent Median Family Income HOME Rent Limit for an
37 efficiency as established annually by the Texas Department of
38 Housing and Community Affairs

1 (E [D]) For a hotel/motel use that has an associated condominium residential
2 use, multifamily residential use, group residential use, retirement
3 housing (small site) use, or retirement housing (large site) use, instead
4 of complying with Subsection (A) a person may pay into the
5 University Neighborhood Housing Trust Fund a fee of \$2.00 for each
6 square foot of the combined net square footage of the residential units
7 and the hotel/motel units, if:

- 8 (1) the number of residential units associated with a hotel/motel use does
9 not exceed 40% of the number of hotel/motel units; and
- 10 (2) the net square footage of the residential units does not exceed 45% of
11 the net square footage of hotel/motel units.

12 **PART 3.** This ordinance takes effect on _____, 2013.

13 **PASSED AND APPROVED**

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15
16 §
17 §
18 _____, 2013 § _____
19 Lee Leffingwell
20 Mayor

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23 **APPROVED:** _____ **ATTEST:** _____
24 Karen M. Kennard Jannette S. Goodall
25 City Attorney City Clerk
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