

Motion Sheet

**Suggested Script: *Read the following from the dais:***

**Motion No. 1:** I move to amend Part 2, Subsection 2.5.2 of the draft ordinance by: 1) deleting the option in B.2 that a developer may make donations for affordable housing; 2) requiring in B. that a developer provide contract commitments and performance guarantees and 3) adding a new paragraph C. that allows the council to waive the requirements of Section 2.5.3 and Section 2.5.4 in extraordinary circumstances.

The exact ordinance language is as follows:

**2.5.2. Requirements for Exceeding Baseline.** Development in a PUD with residential uses may exceed the baseline established under Section 1.3.3 (Baseline for Determining Development Bonuses) for maximum height, maximum floor area ratio, and maximum building coverage if:

- A. the application for PUD zoning includes a report approved by the Director of the Neighborhood Housing and Community Development Department establishing the prevailing level of affordability of housing in the vicinity of the PUD, expressed as a percentage of median family income in the Austin metropolitan statistical area; ~~and~~
- B. ~~T[he]~~ developer shall ~~[either:]~~
  - ~~[1-]~~ provide[s] contract commitments and performance guarantees that provide affordable housing meeting or exceeding the requirements of Section 2.5.3 (Requirements for Rental Housing) and Section 2.5.4 (Requirements for Ownership Housing).~~[;-or]~~
  - ~~[2-]~~ makes donations for affordable housing under Section 2.5.5~~[6]~~ (Alternative Affordable Housing Options).
- C. The council may waive the requirements of Section 2.5.3 (Requirements for Rental Housing) and Section 2.5.4 (Requirements for Ownership Housing) in extraordinary circumstances. In that case, developers would make donations for affordable housing as described in Section 2.5.5.

CM Tovo  
October 3, 2013  
Agenda Item #96

**Motion No. 2:** I move to amend Part 2, Subsection 2.5.3 by adding a new paragraph D. and Subsection 2.5.4 by adding a new paragraph C., both paragraphs stating as follows:

“If the Council finds that the prevailing level of affordability of housing in the vicinity of the PUD is lower than the level applicable under Paragraph A, the Council may establish a lesser percentage of the median family income in the Austin metropolitan statistical area.”

**Motion No. 3:** I move to amend Part 2, Subsection 2.5.5 so that this subsection is applicable only to those developers that receive a waiver in Section 2.5.2.C.

The exact ordinance language is as follows:

**2.5.5[6] Alternative Affordable Housing Options.** Development that has received a waiver referred to in Section 2.5.2.C. [within a PUD] may exceed baseline standards [as provided in Section 2.5.2.B.2 (Requirements for Exceeding Baseline)] if the developer:

- A. donates to the Austin Housing Finance Corporation land within the PUD that is appropriate and sufficient to develop 20 percent of the residential habitable square footage planned for the PUD, as determined by the Director of the Neighborhood Housing and Community Development Department; or
- B. subject to approval by the city council, donates the amount established under Section 2.5.6[7] (In Lieu Donation) for each square foot of bonus square footage above baseline [of climate controlled space within the PUD to a] to the Affordable Housing Trust [Assistance] Fund to be used for producing or financing affordable housing, as determined by the Director of the Neighborhood Housing and Community Development Department.