

Approved

November 19, 2015 City Council Meeting

Agenda Item #92

Mayor Pro Tem Tovo Motion Sheet

Late Backup

Suggested Script to be read from the dais:

I move to amend Part 4 of the draft Code amendment that is currently in backup by modifying 2.5.5.B. so that a developer may, subject to council approval, have the option of paying either all or a portion of the fee amount established under Section 2.5.6 to meet its affordable housing requirement. I also move to amend Part 4 of the draft Code amendment that is currently in backup by adding a new paragraph D to 2.5.5 that would provide that any alternative affordable housing project approved by council expires 36 months after the date of approval. The Code language in Part 4 of the Code amendment, with these two amendments, would read as follows:

2.5.5. Alternative Affordable Housing Options.

~~[Development within a PUD may exceed baseline standards as provided in Section 2.5.2.[B.2] (Requirements for Exceeding Baseline) if the developer:]~~ A developer of a residential project may request an exception to the contract commitments and performance guarantees in Section 2.5.3 (Requirements for Rental Housing) and Section 2.5.4 (Requirements for Ownership Housing) as follows:

- A. Subject to approval by the Director of the Neighborhood Housing and Community Development Department, the developer may provide [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. S[s]ubject to approval by the city council, the developer may provide [donates] all or a portion of the amount established under Section 2.5.6 (In Lieu Donation) for each square foot of bonus square footage above baseline to the Affordable Housing Trust Fund to be used for producing or financing affordable housing, as determined by the Director of the Neighborhood Housing and Community Development Department.

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- C. A request to pay a fee in lieu to meet all or a portion of the residential affordability requirement in Section 2.5.2.B must be submitted in writing to the Director of Neighborhood Housing and Community Development Department, must include supporting documentation sufficient to demonstrate the infeasibility of compliance with Section 2.5.2.B., and must be approved by city council as provided in 2.5.5.B above.
- D. Council approval of any alternative affordable housing project shall expire 36 months after the date of approval.

This motion sheet has been provided to the City Clerk and has been distributed on the dais.