

§ 25-2-563 - MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY (MF-4), ~~AND~~
MULTIFAMILY RESIDENCE HIGH DENSITY (MF-5), AND MULTIFAMILY RESIDENCE
HIGHEST DENSITY (MF-6) -DISTRICT REGULATIONS.

- (A) This section applies in a multifamily residence moderate-high density (MF-4), ~~or~~ multifamily residence high density (MF-5), or multifamily residence highest density (MF-6) district.
- (B) The minimum site area for each dwelling unit is:
- (1) 800 square feet, for an efficiency dwelling unit;
 - (2) 1,000 square feet, for a one bedroom dwelling unit; and
 - (3) 1,200 square feet, for a dwelling unit with two or more bedrooms.

Source: Sections 13-2-642 and 13-2-643; Ord. 990225-70; Ord. 031211-11; Ord. 20111215-096.

NEW SUBSECTION:

§ 25-2-56X - MULTIFAMILY RESIDENCE HIGHEST DENSITY (MF-6) DISTRICT
REGULATIONS.

This subsection applies to a residential use in multifamily residence highest density (MF-6) district that complies with the requirements in Subsection (B).

- (A) The following site area and parking requirements apply:
- (1) the minimum site area requirement is zero;
 - (2) the floor area ratio is unlimited;
 - (3) the minimum off-street parking requirement is 60 percent of the prescribed by Appendix A (Tables of Off-Street Parking and Loading Requirements); and
 - (4) the maximum height is 120 feet.
- (B) The site area and parking requirements in Subsection (A) apply if the use meets the affordability requirements of this subsection.
- (1) For owner-occupied units, ten percent of the units in the building or development shall be reserved as affordable for ownership and occupancy by households earning no more than 80 percent of the current Annual Median Family Income for the City of Austin Metropolitan Statistical Area, for not less than 99 years from the date of sale of each ownership unit to an income eligible buyer. Affordable Ownership units must:
 - a) Be sold to an income eligible household at 80 percent or below median family income;
 - b) Include resale restrictions that require that resale of the affordable unit must be to a household at 80 percent of or below median family income;
 - c) Contain restrictions that will cap the equity gain to the homeowner that can be realized upon resale of the affordable unit. The resale formula will be set by the director of the Neighborhood Housing and Community Development Department, and may change from time to time; and
 - d) Contain a Right of First Refusal to the Austin Housing Finance Corporation (AHFC) or other entity designated by the City.

(2) For rental units, ten percent of the units in the building or development shall be reserved as affordable for occupancy by households earning no more than 60 percent of the current Annual Median Family Income for the City of Austin Metropolitan Statistical Area, for not less than 40 years from the date the first certificate of occupancy is issued.

(3) Each development with required affordability shall be subject to a restrictive covenant using a form approved by the Director of Neighborhood Housing and Community Development (NHCD) and Landowner at the time of the sale or development and recorded in the official public records of the county where the Affordable Development is located.

(C) Notwithstanding the requirements stated in Subsection (B)(1) and (B)(2), at least one unit must be reserved as affordable.

	MF-2	MF-3	MF-4	MF-5	MF-6	
MINIMUM LOT SIZE (square feet):	8,000	8,000	8,000	8,000	8,000	—
MINIMUM LOT WIDTH:	50	50	50	50	50	—
MAXIMUM DWELLING UNITS PER LOT:	*	**	***	***	***	—
MAXIMUM HEIGHT:	40 or 3 stories	40	60	60	90	—
MINIMUM SETBACKS:						
FRONT YARD:	25	25	15	15	15	—
STREET SIDE YARD:	15	15	15	15	15	—
INTERIOR SIDE YARD:	5	5	5	5	5	—
REAR YARD:	10	10	10	10	10	—
MAXIMUM BUILDING COVERAGE:	50%	55%	60%	60%	70%	—
MAXIMUM IMPERVIOUS COVER:	60%	65%	70%	70%	80%	—
MAXIMUM FLOOR AREA RATIO	—	.75:1	.75:1	1:1	1:1	—

* See Section 25-2-561 (Multifamily Residence Low Density District Regulations).

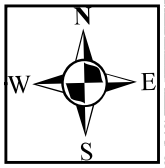
** See Section 25-2-562 (Multifamily Residence Medium Density District Regulations).

*** See Section 25-2-563 (Multifamily Residence Moderate-High Density and Multifamily Residence High Density District Regulations).

DRAFT

PROPOSED MF-6 BONUS

	Existing MF-6	Proposed MF-6	MF-6 With bonus	VMU
MINIMUM LOT SIZE (square feet):	8,000	8,000	8,000	Base district
MINIMUM LOT WIDTH:	50	50	50	Base district
MAXIMUM DWELLING UNITS PER LOT:	–	54/acre	–	–
MAXIMUM HEIGHT:	90	90	120	Base district
MINIMUM SETBACKS:				
FRONT YARD:	15	15	15	–
STREET SIDE YARD:	15	15	15	–
INTERIOR SIDE YARD:	5	5	5	–
REAR YARD:	10	10	10	Base district
MAXIMUM BUILDING COVERAGE:	70%	70%	70%	–
MAXIMUM IMPERVIOUS COVER:	80%	80%	80%	Base district
MAXIMUM FLOOR AREA RATIO	–	1:1	–	–
PARKING	Appendix A	Appendix A	60% of Appendix A	60% of Appendix A
ON-SITE AFFORDABLE HOUSING	NA	NA	REQUIRED: Owner: 10% @ 80% MFI for 99 Rental: 10% @ 60% MFI for 40 years	REQUIRED: Owner: 5% @ 80% MFI for 99 years + 5% @ 100% MFI for 99 years Rental: 10% @ 80% MFI for 40 years



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Legend

 MF6_sites

RESOLUTION NO. 20151015-053

WHEREAS, the Imagine Austin Comprehensive Plan identifies affordable housing as a necessary resource “to grow Austin’s economy and provide its workforce with places to live that are safe, convenient, and located close to job centers, good schools, retail, and services,” [Imagine Austin, Page 194]; and

WHEREAS, Imagine Austin calls upon the City to develop “new goals, targets, and strategies to promote the distribution of affordable housing in all parts of the city, including incentives for affordable housing in new developments and for the preservation of existing rental units,” [Imagine Austin, Page 202]; and

WHEREAS, the vertical mixed use development bonus program, which requires on-site production of affordable units, has resulted in the generation of more than 300 affordable units geographically dispersed throughout the city and has stimulated the development of thousands of infill residential units; and

WHEREAS, while the VMU program has been successful in generating on-site units, the implementation of the program has been stymied by the existence of Multifamily Residence Highest Density (MF-6) district zoning, which affords entitlements similar or essentially equivalent to those permitted under the Vertical Mixed Use (VMU) combining district density bonus program without the need to generate affordable housing; **NOW, THEREFORE,**

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

The City Council initiates a code amendment to adjust the requirements of Multifamily Residence Highest Density (MF-6) district zoning to incorporate a density bonus program consistent with the intent of the Vertical Mixed Use (VMU) overlay.

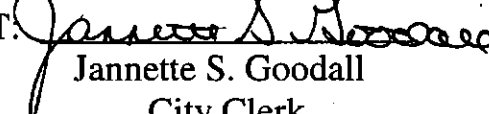
BE IT FURTHER RESOLVED:

The City Manager is directed to work with the Planning Commission, the Community Development Commission, and other stakeholders in developing the specific requirements of the MF-6 density bonus program. To assist in starting the dialogue, the City Manager should prepare an ordinance for review and consideration that requires the provision of on-site affordable housing in exchange for achieving higher site development standards in excess of those established at a designated development baseline (for example, the development standards that can be achieved under Multifamily Residence Medium Density (MF-3) district zoning).

BE IT FURTHER RESOLVED:

Recognizing the need for immediate affordable housing relief, the City Manager is directed to bring forward this code amendment for council consideration within 120 days. The new program may serve as interim regulations until the CodeNEXT process is completed and the new Land Development Code is adopted.

ADOPTED: October 15, 2015

ATTEST. 
Jannette S. Goodall
City Clerk

Item# 5a – On a proposed amendment to create a new density bonus for the MF-6 zoning district:

A motion for the Community Development Committee (CDC) to make recommendations on the proposed amendment to create a new density bonus for the MF-6 zoning district was made by Commissioner Paup, seconded by Commissioner McGhee, and was approved by a vote of 8-1, with Commissioner Dailey voting Nay, and Commissioners Crawford, McHorse, Noyola, Villalobos and Zamora absent. Aye votes were cast by Commissioners Deshotel, Fadelu, Hinely, McGhee, Paup, Rivera, Singer and Taylor.

Recommendations included the following “friendly amendments” to the MF-6 proposed amendments:

- The CDC recommends that in order for a developer to earn the density bonus, 10% of the units should be affordable, and that these units should include, to the greatest degree possible, a “proportional mix” of all units in the development (i.e., 10% of studios, 1, 2, and 3 bedroom units built should be designated as affordable).
- The income eligibility for home ownership should be set at 60% MFI, rather than 80%.