

# AFFORDABILITY UNLOCKED DENSITY BONUS CODE AMENDMENTS



Planning Commission  
April 23, 2019

# TOPICS WE'LL COVER TODAY

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- **Resolution initiating code amendments**
- **Draft code amendments**
- **Visual representations – existing & hypothetical developments**

# COUNCIL RESOLUTION

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# RESOLUTION 20190221-027

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**Purpose: To increase the number of affordable units and most effectively utilize 2018 Affordable Housing Bonds and other public funds and resources**

- Initiates amendments to create a citywide affordable housing program – applies in all commercial & residential zones, overlays, and regulating plan areas
- Specifies affordability requirements, tenant protections, and redevelopment limitations
- Includes detailed list of specific development bonuses and waivers
- Calls for modified site plan process for developments up to 16 units
- Deliverables: draft ordinance, outline of site plan review process, visual representations of examples

# CODE AMENDMENTS

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# AFFORDABILITY REQUIREMENTS

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- 1-2 units: all must be affordable
- More than 2 units: at least 50% of the units must be affordable
- Type 1 Bonus:
  - Rental Units: Average of 60% MFI or below (\$51,600 for 4-person household) for 40 years
    - 20% of all units must serve 50% MFI or below (\$43,000 for a 4-person household)
  - Owner Units: Average of 80% MFI or below (\$68,800 for a 4-person household) for 99 years
  - 25% of affordable units must have 2+ bedrooms
  - Provide just cause eviction & tenant right to organize protections

# AFFORDABILITY REQUIREMENTS

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- **Type 2 Bonus:**
  - **Meets Type 1 requirements and one or more of the following:**
    - **At least 75% of units must be affordable**
    - **10% of the affordable units serve 30% MFI (\$25,800 for a 4-person household)**
    - **50% of affordable units have 2+ bedrooms**
    - **Located within ¼ -mile of Imagine Austin Corridor with transit**

# AFFORDABILITY REQUIREMENTS

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- High percentages of affordable units + deep levels of affordability means the vast majority of participants in this program will be affordable housing providers with subsidies, including:
  - Low Income Housing Tax Credits
  - City of Austin funding (Rental Housing Development Assistance, Ownership Housing Development Assistance) and fee waivers (S.M.A.R.T. Housing)
  - Federal funding
- This program will enable affordable housing providers to build more units in their developments

# REDEVELOPMENT REQUIREMENTS

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- Redevelopment of sites with existing residential units only allowed to access program if:
  - The structure is in serious need of repair & rehab is not practicable
  - Market-rate affordable & subsidized units are replaced one-for-one (including bedrooms)
  - Current tenants get first option to lease
  - New rents are affordable to current tenants
  - Current tenants receive relocation benefits consistent with the federal Uniform Relocation Act

# DEVELOPMENT BONUSES

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- **Waivers:**
  - **Compatibility height & setback requirements (Article 10: Compatibility Standards)**
  - **Floor-to-area ratio limits of base zone (25-2-492: Site Development Regulations)**
  - **Parking requirements - except for ADA parking (25-6, Appendix A: Transportation)**
  - **Subchapter F (Residential Design & Compatibility Standards)**
  - **All restrictions specific to duplexes (including common wall, roof, & front porch regulations) in Section 25-2-773 (Duplex Residential Use)**

# DEVELOPMENT BONUSES

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- Modifications:
  - Max height allowed by base zoning increased by 1.25 (Type 1) or 1.5 (Type 2)
  - Front & rear yard setbacks decreased by 50%
  - Max density increased by 1.5 or up to 6 units (Type 1) or by 2 or up to 8 units (Type 2)

# DEVELOPMENT BONUSES

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- Regulations NOT waived or modified include:
  - Impervious cover limits
  - Maximum building coverage
  - Side yard setbacks
  - Technical codes
  - Americans with Disabilities Act parking requirements

# MODIFIED SITE PLAN REVIEW

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# MODIFIED SITE PLAN REVIEW PROCESS

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- Resolution directed staff to provide outline of modified site plan review process for developments up to 12 units (Type 1) or 16 units (Type 2) that meet the affordability criteria
- Proposal for modified site plan review process will be addressed separately from this draft ordinance

# VISUAL REPRESENTATIONS

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# ARIA GRAND

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- 70-unit rental development at I-35 & Woodland Ave
  - 60 affordable units: 30%, 50%, & 60% MFI
  - 1, 2, & 3 bedroom units
  - 7 units dedicated to Permanent Supportive Housing
  - 9 units accessible to tenants with mobility & sensory disabilities
- Constraints:
  - Compatibility: -10 units
  - Parking: -20 units
  - Zoning: site area requirements necessitated zoning change



# THE WORKS AT PLEASANT VALLEY

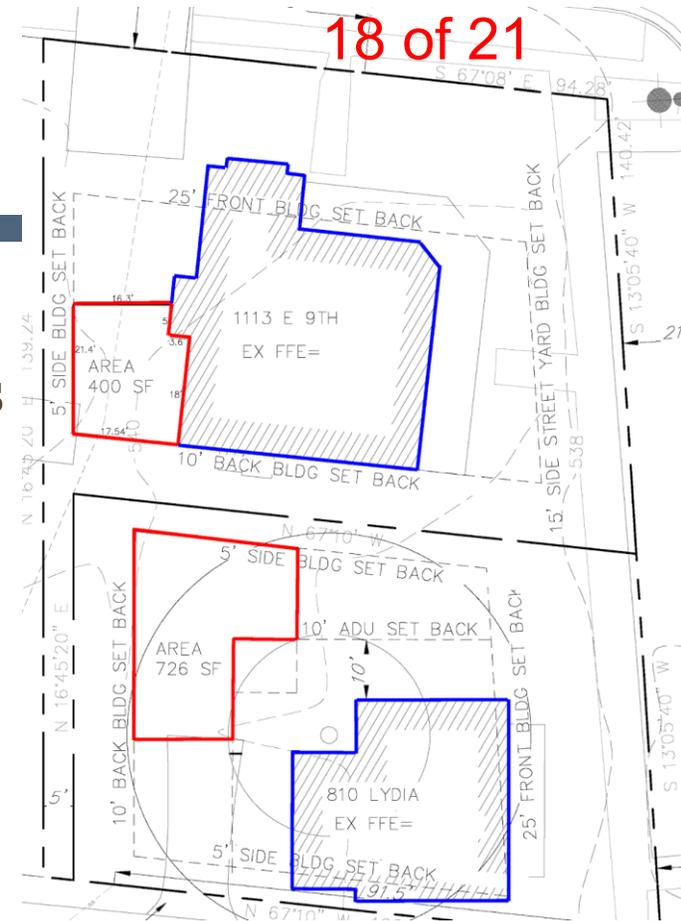
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- 45-unit multifamily rental development at Pleasant Valley Road and Lyons Road
  - Serves single mothers exiting foster care & homeless youth
  - 45 units affordable up to 50% MFI (single & multi-bedroom)
  - 20 units dedicated to Permanent Supportive Housing
- Constraints:
  - Compatibility: -25 units
  - Parking requirements resulted in 45 unused spaces



# JOBE HOUSE

- 4 rental units on E. 9<sup>th</sup> & Lydia Streets
  - 2 existing single family detached homes up to 80% MFI
  - 1 home will be remodeled into a duplex by adding an efficiency up to 30% MFI
  - 1 new ADU up to 50% MFI
- Constraints:
  - SF-3 lot with 2 existing units. Housing provider had sufficient space to add 2 units, but subdivision was required due to dwelling units per lot limit
  - Subdivision process required existing utility lines to be re-routed, because the existing lines would have crossed the new property lines (prohibited under Plumbing Code)



# 4TH & ONION

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- Located in the Plaza Saltillo TOD
  - Granted special waivers for site area requirements, floor to area ratio, compatibility, and modifications to maximum height and parking requirements
  - ~ 57 ownership condo units up to 80% MFI
  - ~ 30% of units will have multiple bedrooms
- Constraints:
  - Small site limited by multiple site development regulations
  - Would have only been able to achieve 19 one-bedroom units without special waivers



Item C-13

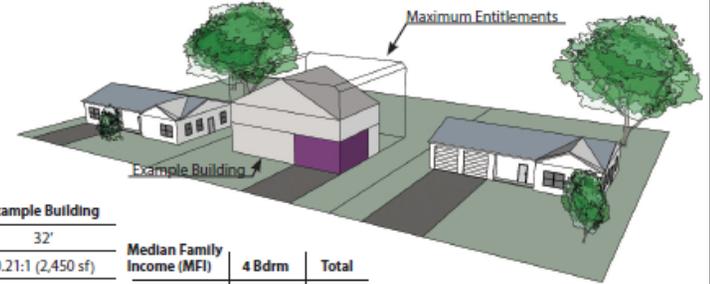
# HYPOTHETICAL EXAMPLES

See handout

## SF-2

Lot Size: 11,760 sf (80' x 147')

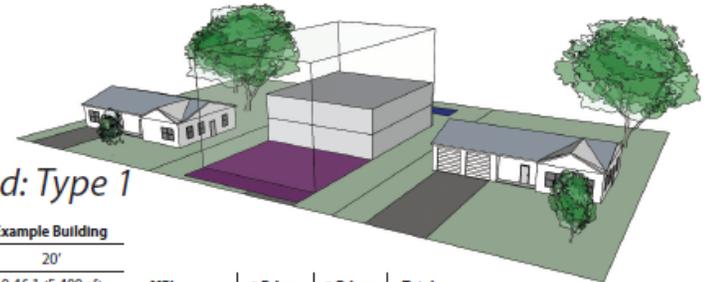
- Parking
- Driveway / Sidewalk
- Water Quality / Dr



### Current Zoning

Specifications	Maximum Entitlements	Example Building
Height	32'	32'
FAR (GFA)	0.4:1 (4,704 sf)	0.21:1 (2,450 sf)
Building Cover	40% (4,704 sf)	12% (1,425 sf)
Impervious Cover	45% (5,292 sf)	18% (2,085 sf)
Units	1	1
Parking	2	2
Setbacks (F/ S/ R)	25' / 5' / 10'	30' / 15' / 88'

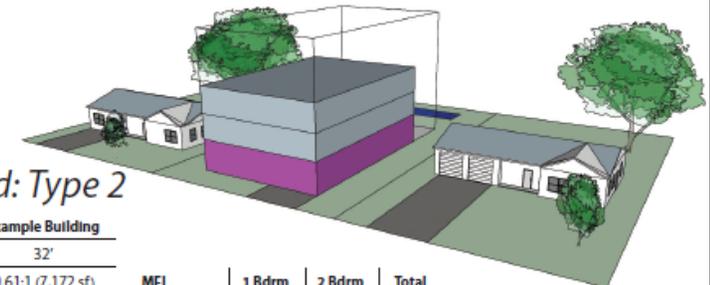
Median Family Income (MFI)	4 Bdrm	Total
30%	0	0
50%	0	0
60%	0	0
Market Rate	1	1
TOTAL	1	1



### Affordability Unlocked: Type 1

Specifications	Maximum Entitlements	Example Building
Height	43.75'	20'
FAR (GFA)	No Limit	0.46:1 (5,400 sf)
Building Cover	40% (4,704 sf)	23% (2,700 sf)
Impervious Cover	45% (5,292 sf)	44% (5,160 sf)
Units	6	6
Parking	None Required	8
Setbacks (F/ S/ R)	12.5' / 5' / 5'	51' / 15' / 42'

MFI	1 Bdrm	2 Bdrm	Total
30%	0	0	0
50%	1	0	1
60%	1	1	2
Market Rate	0	3	3
TOTAL	2	4	6



### Affordability Unlocked: Type 2

Specifications	Maximum Entitlements	Example Building
Height	52.5'	32'
FAR (GFA)	No Limit	0.61:1 (7,172 sf)
Building Cover	40% (4,704 sf)	31% (3,586 sf)
Impervious Cover	45% (5,292 sf)	33% (3,887 sf)
Units	8	8
Parking	None Required	12
Setbacks (F/ S/ R)	12.5' / 5' / 5'	12.5' / 15' / 62'

MFI	1 Bdrm	2 Bdrm	Total
30%	1	0	1
50%	1	0	1
60%	1	3	4
Market Rate	1	1	2
TOTAL	4	4	8

# QUESTIONS / DISCUSSION

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