

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C2O-2007-015

Description:

Conduct a public hearing and consider an ordinance amending Section 25-2 of the City Code to create a neighborhood planning tool to utilize affordable housing incentives for single-family development.

Departmental Comments:

On January 31, 2008, the City Council approved an ordinance to amend Section 25-2 of the City Code to provide development incentives to increase the amount of affordable housing for downtown, multi-family and single-family development within the City's zoning jurisdiction. The amendment was based on recommendations by the Affordable Housing Incentives Task Force (AHITF).

On February 28, 2008, the City Council approved a resolution directing the City Manager to process a code amendment to clarify and modify Section 25-2-1605 of the City Code to create a neighborhood planning tool to utilize the affordable housing incentives for single-family development.

The proposed code amendment would create a new tool that could be adopted as part of the neighborhood planning process. If included in an adopted neighborhood plan, the option would create incentives for the construction of affordable housing, as part of the City of Austin's S.M.A.R.T. Housing program, in SF-2 and SF-3 zoned land.

By moving the section from 25-2-780 to 25-2-1605, the following preamble will be in effect

ARTICLE 8. ADDITIONAL REQUIREMENTS FOR CERTAIN DISTRICTS. § 25-2-1601 APPLICABILITY.

A section in this article applies to a NP combining district or a designated portion of a district only if the ordinance establishing the district provides for applicability in accordance with Section 25-2-1406 (Ordinance Requirements).

Staff Recommendation:

Staff recommends the proposed Code amendment.

Sub-Committee Action:

March 18, 2008: The Codes and Ordinances subcommittee of the Planning Commission forwarded it on the full Planning Commission for discussion and action. (Vote: 5-0).

Planning Commission Action:

May 13, 2008: Approved by the Planning Commission 9-0. However a notification error required it to be re-presented to the Planning Commission.

June 24, 2008: Approved by the Planning Commission 9-0, on consent.

Prior Council Action:

June 22, 2006 - Council directed the City Manager to assemble an Affordable Housing Incentives Task Force. June 7, 2007 - The City Council approved a resolution amending the S.M.A.R.T. Housing Initiative Policy to incorporate staff recommendations to enhance policy and programs in response to recommendations presented by the Affordable Housing Incentives Task Force Report. November 8, 2007 - The City Council directed the City Manager to forward recommendations of the AHITF regarding incentives for downtown, multi-family and single-family development to boards and commissions for review and recommendation.

January 31, 2008 - The City Council approved an amendment to Chapter 25-2 of the City Code relating to affordable housing development incentives. February 28, 2008 - Council approved a resolution directing the City Manager to process a code amendment to clarify and modify Section 25-2-1605 of the City Code to create a neighborhood planning tool to utilize the affordable housing incentives for single-family development.

July 22, 2008 - The City Council set a public hearing to consider an amendment to Chapter 25-2 of the City Code relating to the applicability of development incentives for affordable housing. Date and time: August 7, 2008, 6:00 p.m at Austin City Hall, 301 W. Second Street, Austin, TX.

City Council Date and Action:

August 7, 2008: The amendment is scheduled for action by City Council on August 7 2008.

Ordinance Readings:

1st

2nd

3rd

Ordinance Number:

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updated: 7/30/2008

§ ~~25-2-780~~ 1605 AFFORDABLE HOUSING.

(A) A provision in this section applies only if:

(1) the director of the Neighborhood Housing and Community Development Department certifies that the development complies with the City's S.M.A.R.T. Housing Program; and

(2) ten percent or more of the dwelling units are reserved for a period of not less than 20 years for rental or purchase by an occupant whose gross household income does not exceed 60 percent of the median family income for the Austin metropolitan statistical area.

(B) This subsection applies in a single family residence standard lot (SF-2) district or single family residence (SF-3) district.

(1) The maximum impervious cover is 50 percent if the director of the Watershed Protection and Development Review Department determines that the development will not result in additional identifiable adverse flooding on other property.

(2) A noncomplying structure may be replaced with a new structure if the new structure does not increase the existing degree of noncompliance with yard setbacks.

(C) This subsection applies to a duplex residential use.

(1) The minimum lot area is 5,750 square feet.

(2) The maximum impervious cover is 50 percent if the director of the Watershed Protection and Development Review Department determines that the development will not result in additional identifiable adverse flooding on other property.

(3) A maximum of eight bedrooms are permitted.

(D) This subsection applies to a two family residential use.

(1) The minimum lot area is 5,750 square feet.

(2) The maximum impervious cover is 50 percent if the director of the Watershed Protection and Development Review Department determines that the development will not result in additional identifiable adverse flooding on other property.

(3) The second dwelling unit may not exceed a gross floor area of 850 square feet. All of the allowed gross floor area may be on the second story, if any. The gross floor area limitation does not apply to a lot with 7,000 or more square feet of area.

(E) This subsection applies to a secondary apartment special use.

(1) The maximum impervious cover is 50 percent if the director of the Watershed Protection and Development Review Department determines that the development will not result in additional identifiable adverse flooding on other property.

(2) The second dwelling unit may not exceed a gross floor area of 850 square feet. All of the allowed gross floor area may be on the second story, if any. The gross floor area limitation does not apply to a lot with 7,000 or more square feet of area.

RESOLUTION NO. 20080228-058

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

The City Manager is directed to process an amendment to the City Code to clarify and modify Section 25-2-1605 to create a neighborhood planning tool to utilize affordable housing incentives for single-family development.

ADOPTED: February 28, 2008

ATTEST:


Shirley A. Gentry
City Clerk