

ORDINANCE NO. 20090212-070

AN ORDINANCE AMENDING CHAPTER 25-2 (ZONING) OF THE CITY CODE TO REVISE COMPATIBILITY AND AFFORDABILITY REQUIREMENTS FOR TRANSIT ORIENTED DEVELOPMENT DISTRICTS.

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

PART 1. Subsection (F) of Section 25-2-1052 (*Exceptions*) of the City Code is repealed.

PART 2. Subsection (C) of Section 25-2-766.22 (*Adoption of Station Area Plan*) of the City Code is amended to read as follows:

(C) A station area plan:

- (1) establishes the permitted and conditional uses;
- (2) prescribes site development regulations, including maximum and minimum development parameters;
- (3) prescribes requirements for street, streetscape, and other public area improvements;
- (4) may modify or waive an identified requirement of this title;
- (5) may establish standards for administrative modification of the station area plan;
- (6) may change the location of or omit a gateway, midway, or transition zone depicted on Appendix D (*Transit Oriented District Boundaries And Zones*);
- (7) outside a community preservation and revitalization zone, shall include a housing affordability analysis and feasibility review that describes potential strategies for achieving a goal of:
 - (a) at least 25 percent of new housing in each TOD to serve households at the following income levels: home ownership opportunities for households at or below 80 percent of median family income and rental housing opportunities for households at or below 60 percent of median family income;
 - (b) for home ownership residential units, a goal of providing 10 percent of the units to households with an income of not more than 70 to 80 percent of

median family income, 10 percent of the units to households with an income of not more than 60 to 70 percent of median family income, and five percent of the units to households with an income of not more than 60 percent of median family income; or

- (c) for rental residential units, a goal of providing 10 percent of the units to households with an income of not more than 40 to 60 percent of median family income, 10 percent of the units to households with an income of not more than 30 to 40 percent of median family income, and five percent of the units to households with an income of not more than 30 percent of median family income;
- (8) in a community preservation and revitalization zone established by council, [:
- (a)] shall include a housing affordability analysis and feasibility review that describes potential strategies for achieving an affordable housing goal of providing at least 25 percent of new housing to households at the following income levels:
 - (a)[(i)] home ownership residential units to households with an income of not more than 60 percent of median family income for the Austin area; and
 - (b)[(ii)] for rental residential units, a goal of providing 10 percent of the units to households with an income of not more than 40 to 50 percent of median family income, 10 percent of the units to households with an income of not more than 30 to 40 percent of median family income, and five percent of the units to households with an income of not more than 30 percent of median family income;
 - ~~[(b) may not prescribe site development regulations that increase building height over the maximum prescribed by the applicable zoning district before adoption of the station area plan, unless:~~
 - ~~(i) the regulations apply to a development that contains residential units; and~~
 - ~~(ii) the development meets the affordable housing goal of providing at least 25 percent of new housing to households at the following income levels:~~
 - ~~1. home ownership residential units to households with an income of not more than 60 percent of median family income for the Austin area; and~~

~~2. rental residential units to households with an income of not more than 50 percent of median family income for the Austin area;~~

~~[(9) for a transition zone in the Plaza Saltillo TOD district, may not prescribe site development regulations that increase building height over the maximum prescribed by the applicable zoning district before adoption of the station area plan;]~~

~~(9)~~[(10)] shall include an analysis of the need for public parking; and

~~(10)~~[(11)] may include consideration of public and civic art in or near transit stations.

PART 3. This ordinance takes effect on February 23, 2009.

PASSED AND APPROVED

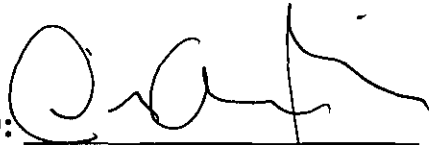
February 12, 2009

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Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk