ORDINANCE NO. _________________

AN ORDINANCE AMENDING CHAPTER 25-2 (ZONING) OF THE CITY CODE RELATING TO THE UNIVERSITY NEIGHBORHOOD OVERLAY (UNO).

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

PART 1. City Code Section 25-2-756 (Height) is amended to read as follows:

§ 25-2-756 HEIGHT.

(A) Except as provided in Subsection (B), maximum heights for structures are prescribed by Appendix C (University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits).

(B) This subsection applies in the outer west campus subdistrict.

(1) In this subsection, HISTORIC PROPERTY means property zoned historic or listed in the City’s historic building survey on October 6, 2008.

(2) Except as provided in Paragraph (3), a structure with a multi-family residential use may exceed by 15 feet the maximum height prescribed by Appendix C (University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits) if:

(a) the structure is located in an area for which the maximum height is at least 50 feet; and

(b) the multi-family residential use, for a period of not less than 15 years from the date a certificate of occupancy is issued, sets aside at least:

(i) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is less than or equal to 60% [80] percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office; and

(ii) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is less than or equal to 50 percent of the median income in the Austin statistical metropolitan area, as determined by the
director of the Austin Neighborhood Housing and Community Development Office.

(3) A building on a lot that has a common side lot line with a historic property may not exceed by more than 20 feet the maximum building height of the base district in which the historic property is located.

PART 2. City Code Section 25-2-765 (Affordable Housing) is amended to read as follows:

§ 25-2-765 AFFORDABLE HOUSING.

(A) A multi-family residential use established after September 2, 2004 must, for a period of not less than 40 years from the date a certificate of occupancy is issued, set aside at least:

(1) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is less than or equal to 60 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office; and

(2) except as provided in Subsection (B), an additional 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is less than or equal to 50 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office.

(B) The University Neighborhood District Housing Trust Fund is established. Instead of complying with Paragraph (A)(2), a person may pay into the fund a fee of $1.00 per square foot of net rentable floor area in the multi-family residential use development. Such fee will be adjusted annually in accordance with the Consumer Price Index all Urban Consumers, US City Average, All Items (1982-84=100), as published by the Bureau of Labor Statistics of the United States Department of Labor. The city manager shall annually determine the new fee amounts for each fiscal year, beginning October 1, 2013, and report the new fee amounts to the city council.

(C) The director of the Austin Neighborhood Housing and Community Development Office may allocate money from the University Neighborhood District Housing Trust Fund for housing development in the university neighborhood overlay district that provides at least 40 percent of its dwelling units or bedrooms to persons whose household income is
less than or equal to 50 percent of the median income in the Austin statistical
metropolitan area, as determined by the director of the Austin Neighborhood
Housing and Community Development Office, for a period of not less than
15 years from the date a certificate of occupancy is issued.

(D) For a hotel/motel use that has an associated condominium residential use,
multifamily residential use, retirement housing (small site) use, or retirement
housing (large site) use, instead of complying with Subsection (A) a person
may pay into the University Neighborhood Housing Trust Fund a fee of
$2.00 for each square foot of the combined net square footage of the
residential units and the hotel/motel units, if:

(1) the number of residential units associated with a hotel/motel use does
not exceed 40% of the number of hotel/motel units; and

(2) the net square footage of the residential units does not exceed 45% of
the net square footage of hotel/motel units.

(E) Rents will be established annually by the director of the Austin
Neighborhood Housing and Community Development Office as follows:

(1) Single occupancy 60% of the medium family income rents may not
exceed the Low HOME Rent Limit for one bedroom as established
annually by the Texas Department of Housing and Community
Affairs.

(2) Single occupancy 50% of the medium family income rents may not
exceed the 40% medium family income HOME Rent Limit for an
efficiency as established annually by the Texas Department of
Housing and Community Affairs.
PART 3. This ordinance takes effect on __________________________, 2012.

PASSED AND APPROVED

___________________________, 2012

APPROVED:____________________
Karen M. Kennard
City Attorney

ATTEST:_____________________
Shirley A. Gentry
City Clerk

Lee Leffingwell
Mayor