

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.** Subsection (B) of Section 25-2-756 (*Height*) of the City Code is amended to read:

**§ 25-2-756 HEIGHT.**

(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 40 ~~[45]~~ 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 at or below ~~[less than]~~ 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 at or below ~~[less than]~~ 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; and,

(c) Pay into the University Neighborhood District Housing Trust Fund a fee of \$0.50 for each 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.

- (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.** Section 25-2-765 (*Affordable Housing*) of the City Code is amended to read:

**§ 25-2-765 AFFORDABLE HOUSING.**

- (A) A multi-family residential use and a group residential use established after July 8, 2013 ~~[September 2, 2004]~~ must, for a period of not less than 40 ~~[45]~~ 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 at or below ~~[less than]~~ 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
- (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 at or below ~~[less than]~~ 50 ~~[65]~~ 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 ~~[-.50]~~ for each square foot of net rentable floor area in the multi-family residential use and group residential development and 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

1 by the Bureau of Labor Statistics of the United States Department of Labor  
2 or other applicable standard as defined by the director of Neighborhood  
3 Housing and Community Development Office.

4 (C) The director of the [~~Austin~~] Neighborhood Housing and Community  
5 Development Office may allocate money from the University Neighborhood  
6 District Housing Trust Fund for housing development in the university  
7 neighborhood overlay district that provides at least 40 [~~40~~] percent of its  
8 dwelling units or bedrooms to persons whose household income is [~~less~~  
9 ~~than~~] 50 percent or below [~~of~~] the median income in the [~~Austin~~] statistical  
10 metropolitan area, as determined by the director of the [~~Austin~~]  
11 Neighborhood Housing and Community Development Office, for a period of  
12 not less than 40 [~~45~~] years from the date a certificate of occupancy is issued.

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

15 (1) Rents for single occupancy 60% median family income households  
16 may not exceed the Low HOME Rent Limit for one bedroom as  
17 established annually by the Texas Department of Housing and  
18 Community Affairs.

19 (2) Rents for single occupancy 50% median family income households  
20 may not exceed the 40% Median Family Income HOME Rent Limit  
21 for an efficiency as established annually by the Texas Department of  
22 Housing and Community Affairs

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

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

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

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2013.

**PASSED AND APPROVED**

\_\_\_\_\_, 2013      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_  
                         Karen M. Kennard  
                         City Attorney

**ATTEST:** \_\_\_\_\_  
                         Jannette S. Goodall  
                         City Clerk