

# AGENDA



## Recommendation for Council Action

Austin City Council	Item ID	28621	Agenda Number	69.
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Meeting Date:	1/23/2014	Department:	Planning and Development Review
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## Subject

Approve third reading of ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to affordable housing regulations in the university neighborhood overlay (UNO) district. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON AUGUST 22, 2013.

## Amount and Source of Funding

## Fiscal Note

<b>Purchasing Language:</b>	
<b>Prior Council Action:</b>	August 22, 2013: Council conducted a public hearing and approved on first reading; October 24, 2013: Council approved on second reading.
<b>For More Information:</b>	Greg Dutton, 512-974-3509.
<b>Boards and Commission Action:</b>	June 26, 2012 – Unanimously recommended by Planning Commission on a 7-0 vote with Commissioners Hernandez and Stevens absent. May 14, 2013 – Unanimously recommended by the Community Development Commission on a 11-0 vote with amendments. May 28, 2013 – Approved by the Planning Commission on a 8-0 vote with Commissioner Hernandez absent, with amendments. September 17, 2013 – Approved by the Community Development Commission on a 9-0 vote with Commissioners Coles, Nelson, Noyola and Reyes absent, with amendments.
<b>MBE / WBE:</b>	
<b>Related Items:</b>	

## Additional Backup Information

This amendment includes the following proposed changes:

1. Change fee in-lieu to \$1.00 per square foot. Add: 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 by the Bureau of Labor Statistics of the United States Department of Labor or other appropriate standard as determined by the director of Austin Neighborhood Housing and Community Development.

2. Change dwelling unit to dwelling unit or bedroom.
3. Change 80% MFI to 60% MFI.
4. Change 65% MFI to 50% MFI.
5. Rents will be established annually by the director of the Austin Neighborhood Housing and Community Development Office as follows:
  - a. Single occupancy 60% MFI rents may not exceed the Low HOME Rent Limit for one bedroom as established annually by the Texas Department of Housing and Community Affairs.
  - b. Single occupancy 50% MFI rents may not exceed the 40% MFI HOME Rent Limit for efficiency as established annually by the Texas Department of Housing and Community Affairs.
6. On site affordability period change from 15 years to 40 years.
7. Add group residential to affordability requirements when opting into UNO: group residential would be treated as multi-family developments.
8. Increase requirements under Height to include: 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. This fee would be in addition to providing 10% of the units at 60% MFI and 10% of the units at 50% MFI.
9. Provide an additional 10% of the units at 50% MFI in exchange for the fee cited in #2.
10. Currently, a developer must provide a minimum of 10% of their units/beds serving 50% or below MFI households in order to access the UNO Housing Trust Fund. Stakeholders are requesting the unit/bed percentage change to 30%.
11. Stakeholders recommend that developers accessing the UNO Housing Trust Fund and providing at least 30% of their units/beds to households at 50% or below MFI are eligible for 100% of the S.M.A.R.T. Housing Fee Waivers.

Staff recommends approval of this amendment.