

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2015-017 MF-6 Density Bonus

Description: Consider amendments to Title 25 of the Land Development Code related to the multifamily residence highest density (MF-6) district zoning regulations.

Proposed Language: See attached draft ordinance.

Summary of proposed code changes:

- Creates a new density bonus for the MF-6 zoning district that incentivizes on-site affordable housing.
- In return for on-site affordable housing, the density bonus provides:
 - No site area requirement
 - No FAR limit
 - Reduced parking requirement
 - Up to 30 feet of additional height
- Changes MF-6 base zoning site development standards.
- See attached comparison table (for informational purposes only).

Background: Initiated by Council Resolution 20151015-053.

On October 15, 2015, City Council initiated a code amendment directing staff to “*to adjust the requirements of Multifamily Residence Highest Density (MF-6) district zoning to incorporate a density bonus program consistent with the intent of the Vertical Mixed Use (VMU) overlay*” and for “*the provision of on-site affordable housing in exchange for achieving higher site development standards in excess of those established at a designated development baseline.*”

The proposed amendment modifies the base MF-6 site development standards, such that the unlimited site area and floor to area ratio (FAR) are moved into a new bonus provision, in addition to reduced parking (60% of what would normally be required) and 30 feet of additional height. These bonus provisions are available in return for on-site affordable housing (there is no fee-in-lieu option proposed). The new base MF-6 district would have a density and FAR cap, making it closer to the MF-5 district than it is in the current code. As a whole the new MF-6 density bonus closely mimics vertical mixed use (VMU) in its bonus provisions.

Staff Recommendation: Recommended, with the additional recommendation that the amendment not apply to the University Neighborhood Overlay area (25-2, Appendix C) and the areas shown on the Downtown Districts Map (25-2-586(B), *Figure 1*), as these areas already have established density bonus programs.

Staff also recommends that the owner-occupied MFI requirement for affordable units to be set at 80% instead of the 60% recommended by the Community Development Commission.

Board and Commission Actions

March 8, 2016: Recommended by the Community Development Commission on an 8-1 vote (Commissioners Dailey voting nay; Commissioners Crawford, McHorse, Noyola, Villalobos and Zamora absent) with the following amendments:

- The affordable units should be a “proportional mix” of all units in the development.
- The income eligibility for home ownership should be set at 60% MFI, rather than 80%.

March 15, 2016: Forwarded by the Codes and Ordinances Subcommittee with no recommendation on a 3-0 vote (Commissioner Kazi absent).

The following issues were topics of interest, but not amendments to the draft ordinance:

- Possibility of reducing the site area requirement for the new base MF-6 (allowing for an increased unit/acre compared to MF-5, but not unlimited).
- Attaining levels of affordability deeper than 60%.
- A way to require three bedroom units.
- A fee appropriate to charge a developer in return for monitoring affordable units.
- Tiered additional bonus height (i.e. X feet of height for 10% affordable units, X additional feet of height for additional 10% of affordable units).
- Prohibition of Type 3 STRs.
- Expedited Residential Permit Parking for areas adjacent to MF-6 developments.
- A smaller parking reduction than the draft ordinance proposes.

March 22, 2016: Postponed at Planning Commission to the April 26, 2016 Planning Commission meeting.

April 26, 2016: Forwarded by the Planning Commission to Council without a recommendation on a 12-1 vote with Commissioner Kazi voting against.

Council Action

March 31, 2016: Postponed to the May 5, 2016 meeting.

May 5, 2016: A public hearing has been scheduled.

Ordinance Number: NA

City Staff: Greg Dutton
Jerry Rusthoven

Phone: 974-3509
974-3207

Email: greg.dutton@austintexas.gov
jerry.rusthoven@austintexas.gov