

AFFORDABILITY UNLOCKED DENSITY BONUS CODE AMENDMENTS



Codes & Ordinances Joint Committee
April 17, 2019

TOPICS WE'LL COVER TODAY

- **Resolution initiating code amendments**
- **Draft code amendments**
- **Modified site plan review process**
- **Visual representations – existing & hypothetical developments**

COUNCIL RESOLUTION

RESOLUTION 20190221-027

Purpose: To increase the number of affordable units and most effectively utilize 2018 Affordable Housing Bonds and other public funds and resources

- Initiates amendments to create a citywide affordable housing program – applies in all commercial & residential zones, overlays, and regulating plan areas
- Specifies affordability requirements, tenant protections, and redevelopment limitations
- Includes detailed list of specific development bonuses and waivers
- Calls for modified site plan process for developments up to 16 units
- Deliverables: draft ordinance, outline of site plan review process, visual representations of examples

CODE AMENDMENTS

AFFORDABILITY REQUIREMENTS

- 1-2 units: all must be affordable
- More than 2 units: at least 50% of the units must be affordable
- Type 1 Bonus:
 - Rental Units: Average of 60% MFI or below (\$51,600 for 4-person household) for 40 years
 - 20% of all units must serve 50% MFI or below (\$43,000 for a 4-person household)
 - Owner Units: Average of 80% MFI or below (\$68,800 for a 4-person household) for 99 years
 - 25% of affordable units must have 2+ bedrooms
 - Provide just cause eviction & tenant right to organize protections

AFFORDABILITY REQUIREMENTS

- Type 2 Bonus:
 - Meets Type 1 requirements and one or more of the following:
 - At least 75% of units must be affordable
 - 10% of the affordable units serve 30% MFI (\$25,800 for a 4-person household)
 - 50% of affordable units have 2+ bedrooms
 - Located within $\frac{1}{4}$ -mile of Imagine Austin Corridor with transit

AFFORDABILITY REQUIREMENTS

- High percentages of affordable units + deep levels of affordability means the vast majority of participants in this program will be affordable housing providers with subsidies, including:
 - Low Income Housing Tax Credits
 - City of Austin funding (Rental Housing Development Assistance, Ownership Housing Development Assistance) and fee waivers (S.M.A.R.T. Housing)
 - Federal funding
- This program will enable affordable housing providers to build more units in their developments

REDEVELOPMENT REQUIREMENTS

- Redevelopment of sites with existing residential units only allowed to access program if:
 - The structure is in serious need of repair & rehab is not practicable
 - Market-rate affordable & subsidized units are replaced one-for-one (including bedrooms)
 - Current tenants get first option to lease
 - New rents are affordable to current tenants
 - Current tenants receive relocation benefits consistent with the federal Uniform Relocation Act

DEVELOPMENT BONUSES

- Waivers:
 - Compatibility height & setback requirements (Article 10: Compatibility Standards)
 - Floor-to-area ratio limits of base zone (25-2-492: Site Development Regulations)
 - Parking requirements - except for ADA parking (25-6, Appendix A: Transportation)
 - Subchapter F (Residential Design & Compatibility Standards)
 - All restrictions specific to duplexes (including common wall, roof, & front porch regulations) in Section 25-2-773 (Duplex Residential Use)

DEVELOPMENT BONUSES

- Modifications:
 - Max height allowed by base zoning increased by 1.25 (Type 1) or 1.5 (Type 2)
 - Front & rear yard setbacks decreased by 50%
 - Max density increased by 1.5 or up to 6 units (Type 1) or by 2 or up to 8 units (Type 2)

DEVELOPMENT BONUSES

- Regulations NOT waived or modified include:
 - Impervious cover limits
 - Maximum building coverage
 - Side yard setbacks
 - Tree protection requirements
 - Environmental/water quality regulations
 - Technical codes
 - Americans with Disabilities Act parking requirements

MODIFIED SITE PLAN REVIEW

MODIFIED SITE PLAN REVIEW PROCESS

- Applies to developments up to 12 units (Type 1) or 16 units (Type 2) that meet the affordability criteria
- Site plans will be reviewed through Small Projects track
 - Lower fees
 - Shorter review times
- Reduced drainage requirements for projects on residential lots
 - Intent is for a qualifying affordable development on a single-family lot to have similar drainage requirements as a single-family development with the same impervious cover

VISUAL REPRESENTATIONS

ARIA GRAND

- 70-unit rental development at I-35 & Woodland Ave
 - 60 affordable units: 30%, 50%, & 60% MFI
 - 1, 2, & 3 bedroom units
 - 7 units dedicated to Permanent Supportive Housing
 - 9 units accessible to tenants with mobility & sensory disabilities
- Constraints:
 - Compatibility: -10 units
 - Parking: -20 units
 - Zoning: site area requirements necessitated zoning change



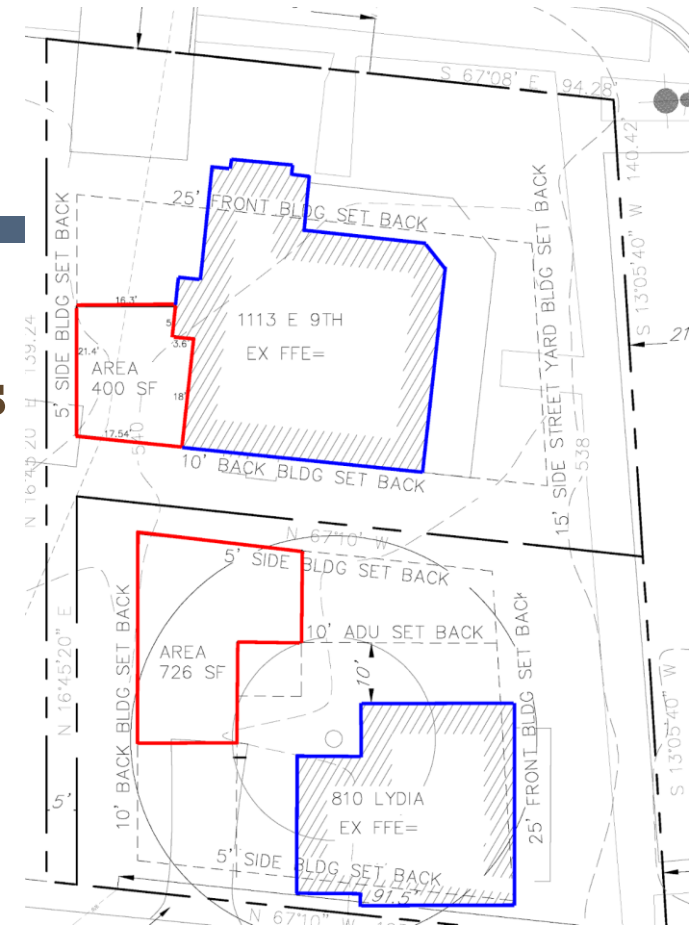
THE WORKS AT PLEASANT VALLEY

- 45-unit multifamily rental development at Pleasant Valley Road and Lyons Road
 - Serves single mothers exiting foster care & homeless youth
 - 45 units affordable up to 50% MFI (single & multi-bedroom)
 - 20 units dedicated to Permanent Supportive Housing
- Constraints:
 - Compatibility: -25 units
 - Parking requirements resulted in 45 unused spaces



JOB HOUSE

- 4 rental units on E. 9th & Lydia Streets
 - 2 existing single family detached homes up to 80% MFI
 - 1 home will be remodeled into a duplex by adding an efficiency up to 30% MFI
 - 1 new ADU up to 50% MFI
- Constraints:
 - SF-3 lot with 2 existing units. Housing provider had sufficient space to add 2 units, but subdivision was required due to dwelling units per lot limit
 - Subdivision process required existing utility lines to be re-routed, because the existing lines would have crossed the new property lines (prohibited under Plumbing Code)



4TH & ONION

- Located in the Plaza Saltillo TOD
 - Granted special waivers for site area requirements, floor to area ratio, compatibility, and modifications to maximum height and parking requirements
 - ~ 57 ownership condo units up to 80% MFI
 - ~ 30% of units will have multiple bedrooms
- Constraints:
 - Small site limited by multiple site development regulations
 - Would have only been able to achieve 19 one-bedroom units without special waivers






Image courtesy of Habitat for Humanity

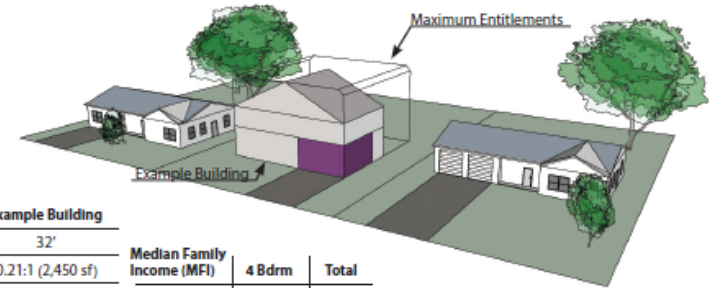
HYPOTHETICAL EXAMPLES

See handout

SF-2

Lot Size: 11,760 sf (80' x 147')

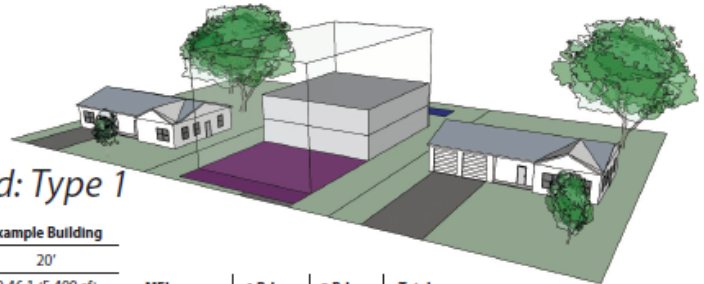
 Parking
 Driveway / Sidewalk
 Water Quality / Dr



Current Zoning

| Specifications | Maximum Entitlements | Example Building |
|--------------------|----------------------|-------------------|
| Height | 32' | 32' |
| FAR (GFA) | 0.4:1 (4,704 sf) | 0.21:1 (2,450 sf) |
| Building Cover | 40% (4,704 sf) | 12% (1,425 sf) |
| Impervious Cover | 45% (5,292 sf) | 18% (2,085 sf) |
| Units | 1 | 1 |
| Parking | 2 | 2 |
| Setbacks (F/ S/ R) | 25' / 5' / 10' | 30' / 15' / 88' |

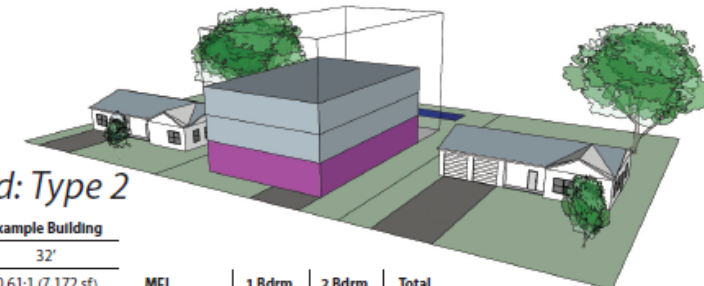
| Median Family Income (MFI) | 4 Bdrm | Total |
|----------------------------|--------|-------|
| 30% | 0 | 0 |
| 50% | 0 | 0 |
| 60% | 0 | 0 |
| Market Rate | 1 | 1 |
| TOTAL | 1 | 1 |



Affordability Unlocked: Type 1

| Specifications | Maximum Entitlements | Example Building |
|--------------------|----------------------|-------------------|
| Height | 43.75' | 20' |
| FAR (GFA) | No Limit | 0.46:1 (5,400 sf) |
| Building Cover | 40% (4,704 sf) | 23% (2,700 sf) |
| Impervious Cover | 45% (5,292 sf) | 44% (5,160 sf) |
| Units | 6 | 6 |
| Parking | None Required | 8 |
| Setbacks (F/ S/ R) | 12.5' / 5' / 5' | 51' / 15' / 42' |

| MFI | 1 Bdrm | 2 Bdrm | Total |
|-------------|--------|--------|-------|
| 30% | 0 | 0 | 0 |
| 50% | 1 | 0 | 1 |
| 60% | 1 | 1 | 2 |
| Market Rate | 0 | 3 | 3 |
| TOTAL | 2 | 4 | 6 |



Affordability Unlocked: Type 2

| Specifications | Maximum Entitlements | Example Building |
|--------------------|----------------------|-------------------|
| Height | 52.5' | 32' |
| FAR (GFA) | No Limit | 0.61:1 (7,172 sf) |
| Building Cover | 40% (4,704 sf) | 31% (3,586 sf) |
| Impervious Cover | 45% (5,292 sf) | 33% (3,887 sf) |
| Units | 8 | 8 |
| Parking | None Required | 12 |
| Setbacks (F/ S/ R) | 12.5' / 5' / 5' | 12.5' / 15' / 62' |

| MFI | 1 Bdrm | 2 Bdrm | Total |
|-------------|--------|--------|-------|
| 30% | 1 | 0 | 1 |
| 50% | 1 | 0 | 1 |
| 60% | 1 | 3 | 4 |
| Market Rate | 1 | 1 | 2 |
| TOTAL | 4 | 4 | 8 |

QUESTIONS / DISCUSSION
