

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: Residential Affordable Housing Development Bonus Program

Description: Consider an ordinance amending Title 25 of the Land Development Code that establishes a residential affordable housing development bonus program and authorizes certain modifications, waivers, and requirements related to site development requirements; and discuss and consider modified site plan requirements for certain residential affordable housing developments.

Proposed Language: See attached draft ordinance and background information.

Summary of proposed code amendment

- Amend Title 25 of the City Code to grant waivers and modifications of zoning regulations for developments that meet certain affordability requirements, including at least 50% of total units set aside as affordable
- Applies in all commercial and residential zones
- Waivers of zoning regulations include:
 - Compatibility height and setback requirements (Article 10: Compatibility Standards)
 - Floor-to-area ratio limits
 - Parking requirements (with exceptions for accessible parking)
 - Subchapter F (Residential Design & Compatibility Standards)
 - Duplex regulations in Section 25-2-773 (Duplex Residential Use)
- Modifications of zoning regulations include:
 - Reduce front and rear yard setbacks by 50%
 - Increase maximum height to 1.25 times the base zone height limit, or 1.5 times the base zone height limit, depending on the level of affordability
 - Increase maximum density to 1.5 times the base zone density limit, or 2 times the base zone density limit, depending on the level of affordability

Background: Initiated by City Council Resolution 20190221-027

In February 2019, City Council issued a resolution directing staff to 1) propose an ordinance granting additional entitlements to developments that meet certain affordable housing requirements, 2) develop an outline for a modified site plan review process that these developments (up to 16 units) could access, and 3) work with affordable housing providers to provide visual representations of how the program would produce more affordable units.

Staff Recommendation: Staff recommends the proposed code amendment.

Board and Commission Actions:

April 17, 2019: Forwarded to Planning Commission without a recommendation by the Codes and Ordinance Joint Committee; vote 4-0 (Commissioners Duncan, Kazi, and Barrera-Ramirez absent).

April 23, 2019: Scheduled to be heard and considered by Planning Commission.

Council Action

May 9, 2019: A public hearing is tentatively scheduled (pending Council action to set the public hearing date).

Ordinance Number: NA

City Staff: Lauren Avioli **Phone:** (512) 974-3141 **Email:** lauren.avioli@austintexas.gov

AFFORDABILITY UNLOCKED DENSITY BONUS CODE AMENDMENTS



Planning Commission
April 23, 2019

TOPICS WE'LL COVER TODAY

- **Resolution initiating code amendments**
- **Draft code amendments**
- **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
 - Technical codes
 - Americans with Disabilities Act parking requirements

MODIFIED SITE PLAN REVIEW

MODIFIED SITE PLAN REVIEW PROCESS

- Resolution directed staff to provide outline of modified site plan review process for developments up to 12 units (Type 1) or 16 units (Type 2) that meet the affordability criteria
- Proposal for modified site plan review process will be addressed separately from this draft ordinance

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



JOBE 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






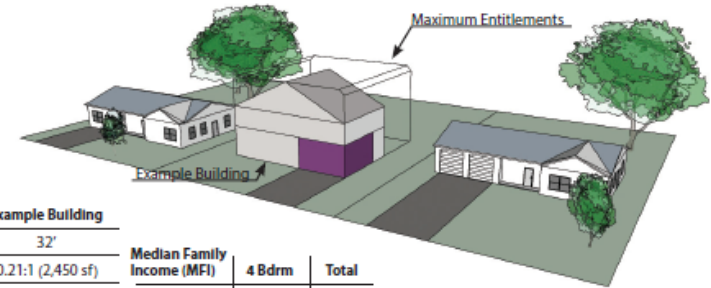
HYPOTHETICAL EXAMPLES

See handout

SF-2

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

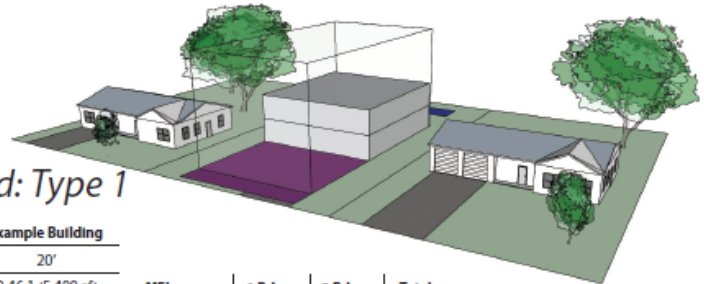
 Parking
 Driveway / Sidewalk
 Water Quality / Dr



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'

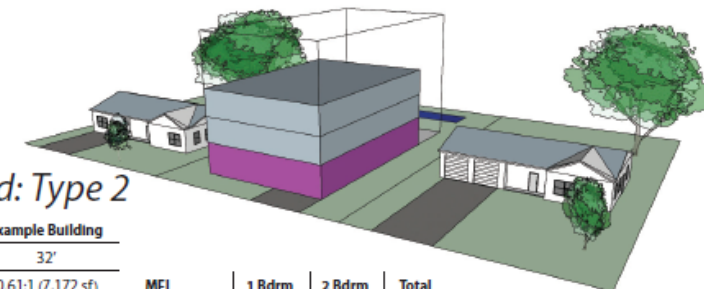
Median Family Income (MFI)	4 Bdrm	Total
30%	0	0
50%	0	0
60%	0	0
Market Rate	1	1
TOTAL	1	1



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

ORDINANCE NO. _____**AN ORDINANCE AMENDING TITLE 25 (LAND DEVELOPMENT CODE) TO
CREATE A RESIDENTIAL AFFORDABLE HOUSING DEVELOPMENT
BONUS PROGRAM.****BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:****PART 1. FINDINGS.**

The council finds the following: [to be inserted]

PART 2. Chapter 25-1, Article 15 (*Housing*) is amended to add a new Division 4 (*Residential Affordable Housing Development Bonus Program*) to read as follows:

Division 4. Residential Affordable Housing Development Bonus Program.**§ 25-1-720 PURPOSE, APPLICABILITY, SHORT TITLE, AND
CONFLICT.**

(A) The purpose of this division is to establish a voluntary affordable housing bonus program that allows for increased density for residential dwelling units.

(B) This division applies within the zoning jurisdiction.

(C) This division may be cited as “Affordable Housing Bonus Program”.

(D) A provision applicable to a qualifying development governs over a conflicting provision.

§ 25-1-721 DEFINITIONS.

In this division,

(1) **DIRECTOR** means the director of Neighborhood Housing and Community Development (NHCD) or the director’s designee.

(2) **GOVERNMENT-OPERATED AFFORDABLE HOUSING PROGRAM** means a program operated by a federal, state, or local department that provides financial or other form of subsidy for the purpose of providing affordable housing.

- (3) HOUSING FOR OLDER PERSONS means housing for households with at least one individual who is at least 62 years of age at the time of initial occupancy.
- (4) MFI means median family income for the Austin metropolitan statistical area.
- (5) QUALIFYING DEVELOPMENT means a development certified under Section 25-1-724 (*Certification*) and participating in the Affordable Housing Bonus Program.
- (6) SUPPORTIVE HOUSING means housing that includes non-time-limited affordable housing assistance with wrap-around supportive services for people experiencing homelessness, as well as other people with disabilities.

§ 25-1-722 ELIGIBILITY.

- (A) A proposed development qualifies as a Type 1 development and is eligible for this program if:
- (1) it includes a minimum of three dwelling units or the proposed development will consist only of affordable dwelling units;
 - (2) at least 25 percent of the affordable dwelling units include two or more bedrooms or the proposed development qualifies as supportive housing or housing for older persons;
 - (3) not more than 25 percent of the proposed development's gross floor area is for non-residential uses;
 - (4) it is new construction, it is redevelopment of property with only non-residential structures, or the existing development complies with the requirements in Subsection (D); and
 - (5) it meets the requirements set forth in Section 25-1-723 (*Affordability Requirements*).
- (B) Except for a proposed development participating in a government-operated affordable housing program with stricter requirements, the applicant:
- (1) shall incorporate lease provisions that are consistent with

- 57 (a) the U.S. Department of Housing and Urban Development
58 (HUD) Section 8 Tenant-Based Assistance Housing Choice
59 Voucher (HCV) Program related to the termination of tenancy
60 by owner; and
- 61 (b) 24 C.F.R. §245.100 related to a tenant's right to organize; and
- 62 (2) may not discriminate on the basis of an individual's source of income
63 as defined in Section 5-1-13 (*Definitions*).
- 64 (C) A proposed development qualifies as a Type 2 development and is eligible
65 for additional bonuses if it meets the standards imposed in Subsections (A)
66 and (B) plus one or more of the following:
- 67 (1) at least 50 percent of the affordable dwelling units include two or
68 more bedrooms;
- 69 (2) for a rental development:
- 70 (a) at least 75 percent of the total units serve households whose
71 incomes average 60 percent MFI or below, rounded up to the
72 nearest unit; or
- 73 (b) at least 10 percent of the affordable units serve households with
74 incomes of 30 percent MFI or below, rounded up to the nearest
75 unit; or
- 76 (3) for an owner-occupied development, at least 75 percent of the owner-
77 occupied dwelling units serve households whose incomes average 80
78 percent MFI or below; or
- 79 (4) is located within ¼ mile of an activity corridor designated in the
80 Imagine Austin Comprehensive Plan and is served by a bus or transit
81 line.
- 82 (D) A proposed development that will require the applicant to redevelop or
83 rebuild an existing multi-family building is eligible for this program if:
- 84 (1) the proposed development meets the standards imposed in
85 Subsections (A) and (B);

- (2) the existing multi-family building requires extensive repairs and for which rehabilitation costs will exceed 50 percent of the market value, as determined by the building official;
- (3) the proposed development will replace all existing units that were affordable to a household earning 80 percent MFI or below in the previous year and have at least as many bedrooms;
- (4) the applicant provides current tenants with:
- (a) notice and information about the proposed development on a form approved by the director; and
 - (b) relocation benefits that are consistent with Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C.A. 4601, *et seq.*; and
- (5) the applicant grants current tenants the option to lease a unit of comparable affordability and size following completion of redevelopment.

§ 25-1-723 AFFORDABILITY REQUIREMENTS.

- (A) An applicant complies with the requirements in this section if the applicant participates in a government-operated affordable housing program that imposes, at a minimum, the same affordability requirements.
- (B) Except for a Type 2 rental development that complies with the requirements described in Section 25-1-722(C)(2), a rental development must comply with the following:
- (1) at least 50 percent of the total units serve households whose incomes average 60 percent MFI or below; and
 - (2) at least 20 percent of the total units serve households with incomes of 50 percent MFI or below.
- (C) Except for a Type 2 owner-occupied development that complies with the requirements in Section 25-1-722(C)(3), at least 50 percent of the owner-occupied dwelling units must serve households whose incomes average 80 percent MFI or below.

- (D) If the number of units required in this section include less than a whole unit, the unit number is rounded up to the nearest whole unit.
- (E) The minimum affordability period for a rental development is 40 years following the issuance of the last certificate of occupancy required for the qualifying development.
- (F) The minimum affordability period for an owner-occupied dwelling unit is 99 years following the issuance of a certificate of occupancy for the owner-occupied dwelling unit.
- (G) In a multi-phased qualifying development, the director may begin the minimum affordability period upon the issuance of the last certificate of occupancy for each phase.

§ 25-1-724 CERTIFICATION.

- (A) If the director certifies that a proposed development meets the requirements of this division, the accountable official is authorized to process a development application as a qualifying development.
- (B) Before the director may certify that a proposed development meets the requirements of this division, the applicant shall execute an agreement and a document for recording in the real property records that provides notice of or preserves the minimum affordability requirements imposed by this division. The form of the documents described in this section must be approved by the city attorney.
- (C) The director may certify an applicant who complies with the requirements in Subsection (B) because the applicant participates in a government-operated affordable housing program that imposes, at a minimum, the same affordability requirements.

§ 25-1-725 POST-CONSTRUCTION REQUIREMENTS AND ENFORCEMENT.

- (A) The property owner or the property owner's agent shall provide the director with documentation on an annual basis that allows the director to verify compliance with the affordability requirements.

(B) If, for any reason, the director is unable to confirm that the affordability requirements were met during any 12-month period, the preceding 12 months may not be used to satisfy the affordability requirements in Section 25-1-723 (*Affordability Requirements*).

(C) An applicant complies with the requirements in this section if the applicant complies with monitoring and income verification requirements that are imposed and enforced as part of a government-operated affordable housing program.

(D) A person commits an offense if the person fails to comply with the requirement in Subsection (A). A culpable mental state is not required, and need not be proved. A person commits a separate offense for each day the person fails to provide the income verification documentation. Each offense is punishable by a fine not to exceed \$500.

PART 3. Chapter 25-2, Subchapter C, Article 2, Division 2 (*Requirements for All Districts*) is amended to add a new Section 25-2-518 (*Qualifying Development*) to read as follows:

§ 25-2-518 QUALIFYING DEVELOPMENT.

(A) In this section, a qualifying development is a development certified under Section 25-1-724 (*Certification*) and participating in the Affordable Housing Bonus Program.

(B) A qualifying development is a permitted use in any residential or commercial zoning district under Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*).

(C) Density is calculated based on the standards in Subchapter E, 4.2.1 (*Mixed Use Combining District*) if the existing zoning on the property where the qualifying development will be located in one of the following commercial base districts:

- (1) neighborhood office (NO);
- (2) limited office (LO);
- (3) general office (GO);
- (4) community commercial (GR);

- (5) neighborhood commercial (LR);
- (6) general commercial services (CS); or
- (7) commercial-liquor sales (CS-1).

(D) If the existing zoning on the property where the qualifying development will be located is commercial recreation (CR), lake commercial (L), central business (CBD), warehouse limited office (W/LO), or commercial highway services (CH), the density is calculated based on the following minimum site area standards:

- (1) 800 square feet, for an efficiency dwelling unit;
- (2) 1,000 square feet, for a one bedroom dwelling unit; and
- (3) 1,200 square feet, for a dwelling unit with two or more bedrooms.

(E) No more than 25 percent of the gross floor area of the qualifying development may be comprised of non-residential uses. The permitted commercial uses are determined using the base zoning district.

(F) A qualifying development is not required to comply with:

- (1) the height and setback requirements of Article 10 (*Compatibility Standards*);
- (2) the maximum floor-to-area ratio for the applicable base zoning district under Section 25-2-492 (*Site Development Regulations*);
- (3) Subchapter F (*Residential Design and Compatibility Standards*); or
- (4) Section 25-2-773 (*Duplex Residential Use*).

PART 4. Chapter 25-2, Subchapter C, Article 2, Division 3 (*Exceptions*) is amended to add a new Section 25-2-534 (*Qualifying Development Exceptions*) to read as follows:

§ 25-2-534 QUALIFYING DEVELOPMENT EXCEPTIONS.

(A) In this section, a qualifying development is a development certified under Section 25-1-724 (*Certification*) and participating in the Affordable Housing Bonus Program.

(B) A qualifying development is not subject to Section 25-2-511 (*Dwelling Unit Occupancy Limit*).

(C) A Type 1 development may:

- (1) construct to a height that is the applicable base zoning district height limit multiplied by 1.25;
- (2) reduce front yard setbacks by 50 percent;
- (3) reduce rear setbacks by 50 percent; and
- (4) include the number of dwelling units that is the greater of:
 - (a) the maximum number of dwelling units otherwise authorized by this code multiplied by 1.5; or
 - (b) six dwelling units.

(D) In addition to Subsection (C), a Type 2 development may:

- (1) construct to a height that is the applicable base zoning district height limit multiplied by 1.5; and
- (2) include the number of dwelling units that is the greater of:
 - (a) the maximum number of dwelling units otherwise authorized by this code multiplied by 2; or
 - (b) eight dwelling units.

(E) If a qualifying development is also eligible to utilize a separate density bonus program that grants density bonuses for the provision of affordable dwelling units or a fee-in-lieu for affordable housing, then the qualifying development may comply with the least restrictive development requirements if all affordable dwelling units are provided on-site.

PART 5. Section 25-6-471 (*Off-Street Parking Facility Required*) is amended to add new Subsections (I), (J), (K), and (L) to read as follows:

§ 25-6-471 OFF-STREET PARKING FACILITY REQUIRED.

(I) In this section,

(1) ACCESSIBLE SPACE means a parking space for an individual with a disability that complies with the Americans with Disabilities Act (ADA); and

(2) QUALIFYING DEVELOPMENT means a development certified under Section 25-1-724 (*Certification*) and participating in the Affordable Housing Bonus Program.

(J) A qualifying development is not required to comply with Appendix A of Chapter 25-6 (*Transportation*) but must comply with the following:

(1) if off-street parking is not provided for the qualifying development, at least one van accessible space is required that is adjacent to the site and on an accessible route; or

(2) if off-street parking is provided, the minimum number of required accessible spaces

(a) is calculated by taking 20 percent of the parking required for the use under Appendix A (*Tables of Off-Street Parking and Loading Requirements*) and using that result to determine the number of accessible spaces required under the Building Code; and

(b) must be adjacent to the site and on an accessible route.

(K) The director may waive or reduce the number of accessible spaces required under Subsection (J) if:

(1) The applicant pays a fee in-lieu to be used by the city to construct and maintain accessible spaces in the vicinity of the qualifying development. The availability of this option is contingent on the establishment of a fee by separate ordinance and the adoption of a program by the director to administer the fee and establish eligibility criteria. A decision by the director that a qualifying development is ineligible for a fee in-lieu is final.

(2) No accessible spaces can be provided consistent with the requirements of Subsection (J) and the qualifying development is ineligible for participation in the fee in-lieu program under Paragraph (1) of this subsection.

(3) An off-site or on-street parking space designated as an accessible space is located within 250 feet of the qualifying development.

(L) A qualifying development must comply all with all ADA design, accessibility, and location requirements for accessible parking spaces.

PART 6. This ordinance takes effect on _____, 2019.

PASSED AND APPROVED

_____, 2019 § _____
Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk

RESOLUTION NO. 20190221-027

WHEREAS, in order to address the affordable housing crisis, the Austin City Council adopted the Strategic Housing Blueprint (Blueprint) with the goal of producing a total of 135,000 new units with a goal of at least 60,000 new income restricted units by 2027; and

WHEREAS, to create more than 47,000 affordable units called for in the Blueprint, additional City Council policy direction is required; and

WHEREAS, there is a need for affordable housing of all types including, but not limited to, single family, duplex, townhome, condominium, and multifamily, located throughout the City; and

WHEREAS, the City Council has passed numerous resolutions aiming to strategically improve affordable housing programs to meet the Blueprint's goals, such as exploring ways to provide residents the right to return, connect those with the highest needs with affordable housing, and better monitor the affordable units being created through various programs; and

WHEREAS, currently many affordable housing units, including new affordable housing developments and properties that accept Housing Choice Vouchers are located east of IH-35, north of Hwy 183, south of SH 71, and in the City's extraterritorial jurisdiction (ETJ); and

WHEREAS, the 4% Low Income Housing Tax Credit (LIHTC) program is a popular financing tool used to create affordable housing and requires at least 50% of a development's units to average at 60% median family income; and

WHEREAS, many 4% LIHTC developments in the City or in City's ETJ are located in areas that lack many amenities and viewed as lower opportunity areas; and

WHEREAS, past affordable housing efforts have not maximized their potential impact because of some city restrictions, thereby limiting the number of affordable units, limiting levels of affordability, and limiting the availability of income restricted family-friendly units; and

WHEREAS, in November, 2018, voters approved \$250 million for affordable housing, which may serve more families at deeper levels of affordability if City restrictions on residential development are modified; and

WHEREAS, the Austin Strategic Housing Blueprint, Austin's Fair Housing Action Plan, the Obama White House Housing Development Toolkit, and multiple other studies and reports have found that some land use restrictions can be a barrier to housing affordability; and

WHEREAS, maximizing the use of land for affordable housing will allow for more affordable units, deeper levels of affordability, more family-friendly units, and will facilitate affordable housing in higher opportunity areas; and

WHEREAS, the City Council approves many zoning cases for affordable housing developments; however, some restrictions that may result in additional affordable housing units cannot be waived in a zoning case; and

WHEREAS, the rezoning process may be costly, time consuming, and may ultimately limit the number of affordable units, level of affordability, and number of family-friendly units in an affordable housing development and allowing affordable housing to be built by-right without rezoning may benefit the City's affordable housing stock; and

WHEREAS, the City Council has missed opportunities to allow for the creation of more affordable units; and

WHEREAS, Saigebrook's Aria Grand is a 9% LIHTC multifamily property in Travis Heights that received \$1.5 million in affordable housing bond subsidies to develop 60 affordable units, but could have created 10 more affordable units without compatibility and 20 more affordable units without parking requirements with negligible increases in public subsidies and a decrease in the overall subsidy per unit; and

WHEREAS, Guadalupe Neighborhood Development Corporation was able to build 6 more units for a total of 22 units at its La Vista de Guadalupe development due to a substantial reduction of compatibility limitations; and

WHEREAS, Habitat for Humanity's development in the Plaza Saltillo Transit Oriented Development is participating in an affordable housing bonus program that waives

parking, allowing it to build 56 affordable units, where they would not have built any otherwise; and

WHEREAS, the City Council is dedicated to finding creative, innovative solutions to address the City's affordable housing crisis, to create more affordable housing in high opportunity areas, to increase the effectiveness of public dollars, and to meet the goals of the Austin Strategic Housing Blueprint; **NOW, THEREFORE**,

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

In order to increase the number of affordable units and to most effectively utilize 2018 Affordable Housing Bond funds and other public funds and resources, the Council initiates amendments to City Code Title 25 (*Land Development Code*) to create an affordable housing program on a citywide basis. After adopting the amendments initiated by this resolution, Council directs the City Manager to provide an annual report on the impact and outcomes of the program to City Council and for the Planning Commission to review the results of the program after three years.

To be eligible for this program, a residential development must provide the following:

1. for rental housing, at least 50% of total units serving households with incomes at an average of 60% MFI or below and including at least 20% of total units serving households with incomes at 50% MFI or below, rounded up to the nearest unit, for at least 40 years;

2. for homeownership housing, at least 50% of owner-occupied units serving households with incomes at an average of 80% MFI or below, rounded up to the nearest unit, for at least 99 years;
3. at least three units total, unless the development is 100% affordable;
4. at least 25% of affordable units must have two or more bedrooms, unless the affordable units are permanent supportive housing or senior housing, rounded up to the nearest unit; and
5. provide just cause eviction protections and the right of tenants to organize, as required in existing city/federal affordable housing agreements.

This program would be available for a residential development or redevelopment irrespective of whether the proposed development or redevelopment requires a zoning change or other discretionary action from a City commission or the Council. It is the intent of the Council for this program to be accessed without requesting a further discretionary action by the Council. A property owner would be allowed to use this program in addition to any other existing affordable housing bonus programs, and apply in all overlays and regulating plans.

In order to avoid unnecessary disruption and displacement of low-income renters, this program would be available when an existing multifamily rental residential development is redeveloped or rebuilt only if:

1. the reason for the redevelopment or rebuilding is to replace residential facilities in serious need of repair and for which rehabilitation is not practicable and current tenants are provided notice of the redevelopment proposal; and
2. the property owner agrees to replace the affordable units (market-rate and/or income-restricted units that have been affordable to households earning 80% MFI or below in the previous year) one for one, without reducing the number of affordable bedrooms, grant current tenants a right to return to the development to a comparable unit after redeveloping or rebuilding, set rents so that current tenants are able to afford to return, and provide relocation benefits that are consistent with Uniform Relocation Act.

BE IT FURTHER RESOLVED:

The Council intends for a residential development that participates in this program to be allowed in any residential and commercial zone, but not industrial zones, and does not waive existing rules and requirements related to residential uses near health hazards; and to comply only with the occupancy limits for multi-family zoning districts. Any development that accesses this program shall not be comprised of more than 25% of gross floor area as non-residential use.

The Council intends for this program to:

1. waive compatibility standards for height and setbacks, but maintain the side setbacks as required by the base zoning district, and maintain requirements for any health and safety or environmental protection related setbacks;
2. allow building height to be 1.25 times the base zoning district's height entitlements;
3. waive parking requirements without waiving state or federal ADA parking requirements;
4. reduce front yard and rear setbacks by 50%;
5. allow density (i.e., site area requirements and units per acre) to be 1.5 times the base zoning district's density limits or allow six units, whichever is greater;
6. waive maximum floor-to-area-ratio;
7. waive the Residential Design and Compatibility Standards, as codified in Chapter 25-2, Subchapter F, but maintain the side setbacks as required by the base zoning district, and maintain requirements for any health and safety or environmental protection related setbacks;
8. require a modified site plan process that more closely resembles residential site plan while still addressing health and safety and addressing and reviewing drainage in the same way that drainage is addressed and reviewed for non-multifamily structures with the same impervious cover, including any adjustments to fee schedule as necessary, for developments with 12 or fewer units; and

9. waive common wall, roof, front porch, and other restrictions specific to duplexes in Section 25-2-773.

BE IT FURTHER RESOLVED:

If the development meets the aforementioned requirements, but in addition has:

1. between 75% and 100% of its units at rates affordable as defined above;
2. at least 50% of the affordable units have two or more bedrooms;
3. at least 10% of the affordable units serve households with incomes 30% MFI or below; or
4. is located within $\frac{1}{4}$ mile of an Imagine Austin Corridor that is served by a bus or transit line,

then, in addition to the bonuses described above, the development may also:

1. allow building height to be 1.5 times the base zoning district's height entitlements;
2. allow density (i.e., site area requirements and units per acre) to be 2 times the base zoning district's density limits or allow eight units, whichever is greater; and
3. require a modified site plan process that more closely resembles residential site plan while still addressing health and safety and addressing drainage in the same way that drainage is addressed for non-multifamily structures with the same impervious cover, including any adjustments to fee schedule as necessary, for developments with 16 or fewer units.

BE IT FURTHER RESOLVED:

The amendments initiated by this resolution should be designed with the goal of expanding the requirements, through subsequent code amendments, to align with any future changes to other City affordable housing program requirements or approvals that extend the affordability period, require rights of first refusal, or modify other program requirements.

BE IT FURTHER RESOLVED:

A residential development can establish eligibility for this program using documents required to participate in affordable housing programs operated by a local, state, or federal agency. Examples of affordable housing programs include the Low-Income Housing Tax Credit (LIHTC) program, the City's Rental Housing Development Assistance Program (RHDA), and programs funded through the U.S. Department of Housing and Urban Development. Otherwise, the Director shall establish eligibility procedures for the program that are similar to the procedures of other City bonus programs.

BE IT FURTHER RESOLVED:

The Council acknowledges that Planning Commission may recommend modifications to the amendments described in this resolution to best achieve the goals in Imagine Austin. Planning Commission should consider how to ensure the program maximizes affordable housing, meets our transportation goals and to consider the use of Transportation Demand Management Plan (TDM) as a tool for transportation needs as appropriate, and meets the housing and transportation needs of people with disabilities, and may review

setbacks/buffers and other options to address transitions between adjacent properties, with the intent of not reducing the positive impacts of this program.

BE IT FURTHER RESOLVED:

The amendments initiated by this resolution may not include increases in allowable impervious cover.

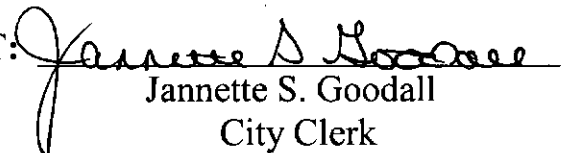
BE IT FURTHER RESOLVED:

The City Council directs the City Manager to:




1. work with affordable housing providers to provide visual representations of examples of how the program would produce more affordable units in more geographic areas, and the Manager should work with such providers to bring information forward to Council about potential projects—including their size, location, unit mix, affordability—with and without this new affordable housing program;
2. bring back an outline of the proposed modified site plan review process; and
3. bring back an ordinance for Council consideration no later than May 9, 2019.

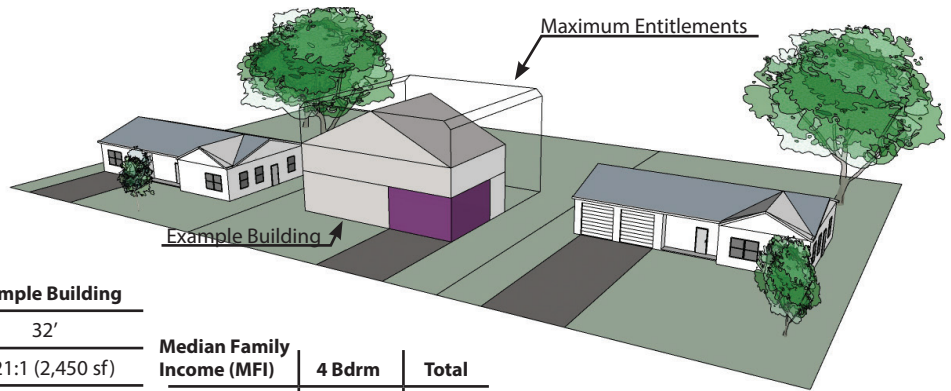
ADOPTED: February 21, 2019

ATTEST:


Jannette S. Goodall
City Clerk

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

 Parking
 Driveway / Sidewalk
 Water Quality / Drainage



Current Zoning

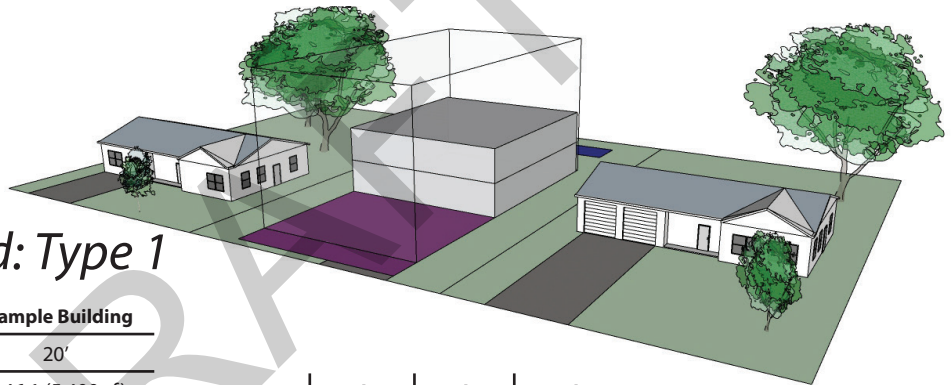
Specifications	Maximum Entitlements	Example Building
Height	35'	32'
FAR (GFA)	0.4:1 (4,704 sf)	0.21:1 (2,450 sf)
Building Cover	40% (4,704 sf)	12% (1,425 sf)
Impervious Cover	45% (5,292 sf)	18% (2,085 sf)
Units	1	1
Parking	2	2
Setbacks (F/ S/ R)	25' / 5' / 10'	30' / 15' / 88'

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'

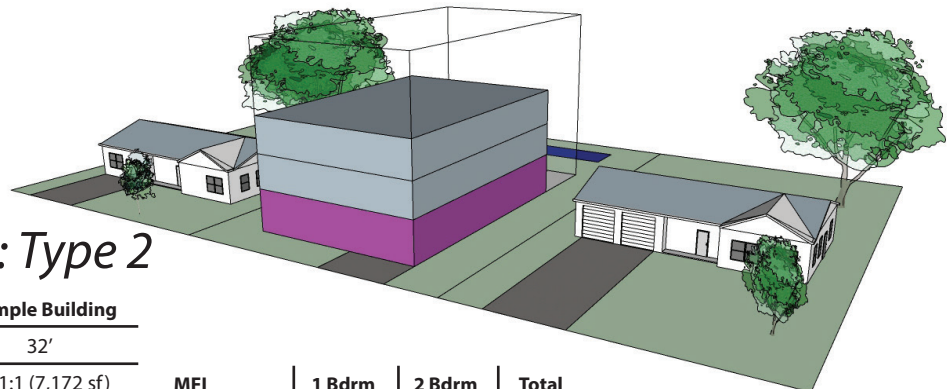
MFI	1 Bdrm	2 Bdrm	Total
30%	0	0	0
50%	1	0	1
60%	1	1	2
Market Rate	0	3	3
TOTAL	2	4	6



Affordability Unlocked: Type 2

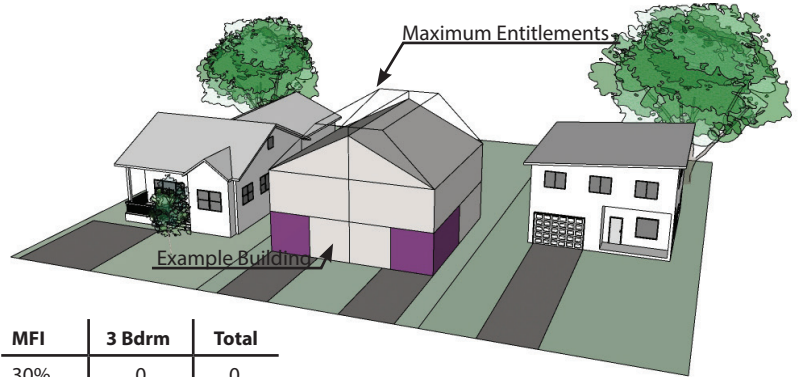
Specifications	Maximum Entitlements	Example Building
Height	52.5'	32'
FAR (GFA)	No Limit	0.61:1 (7,172 sf)
Building Cover	40% (4,704 sf)	31% (3,586 sf)
Impervious Cover	45% (5,292 sf)	33% (3,887 sf)
Units	8	8
Parking	None Required	12
Setbacks (F/ S/ R)	12.5' / 5' / 5'	12.5' / 15' / 62'

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



Current Zoning

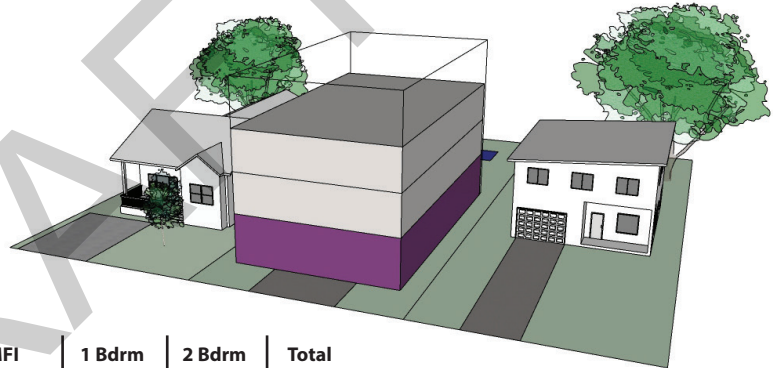
Specifications	Maximum Entitlements	Example Building
Height	35'	30'
FAR (GFA)	0.4:1 (2,800 sf)	0.4:1 (2,800 sf)
Building Cover	40% (2,800 sf)	23% (1,600 sf)
Impervious Cover	45% (3,150 sf)	31% (2,200 sf)
Units	2	2
Parking	4	4
Setbacks (F/ S/ R)	25' / 5' / 10'	25' / 5' / 75'



MFI	3 Bdrm	Total
30%	0	0
50%	0	0
60%	0	0
MR	2	2
TOTAL	2	2

Affordability Unlocked: Type 1

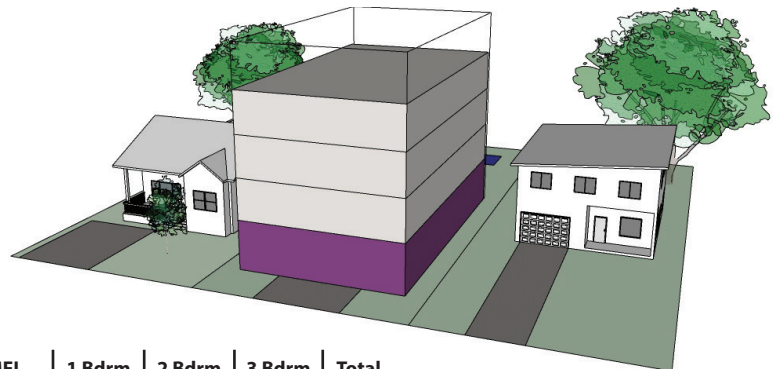
Specifications	Maximum Entitlements	Example Building
Height	43.75'	32'
FAR (GFA)	No Limit	0.78:1 (5,480 sf)
Building Cover	40% (2,800 sf)	39% (2,740 sf)
Impervious Cover	45% (3,150 sf)	43% (2,990 sf)
Units	6	6
Parking	None Required	8
Setbacks (F/ S/ R)	12.5' / 5' / 5'	12.5' / 5' / 59'



MFI	1 Bdrm	2 Bdrm	Total
30%	0	0	0
50%	2	0	2
60%	0	1	1
MR	2	1	3
TOTAL	4	2	6

Affordability Unlocked: Type 2

Specifications	Maximum Entitlements	Example Building
Height	52.5'	42'
FAR (GFA)	No Limit	1.17:1 (8,220 sf)
Building Cover	40% (2,800 sf)	39% (2,740 sf)
Impervious Cover	45% (3,150 sf)	43% (2,990 sf)
Units	8	8
Parking	None Required	10
Setbacks (F/ S/ R)	12.5' / 5' / 5'	12.5' / 5' / 59'



MFI	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	1	0	0	1
50%	1	0	0	1
60%	1	2	0	3
MR	1	1	1	3
TOTAL	4	3	1	8

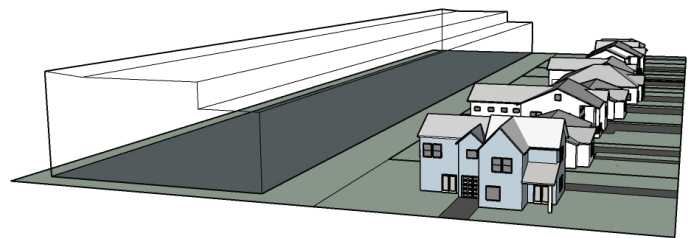
Current Zoning

Specifications	Maximum Entitlements	Example Building**
Height	60'*	-
FAR (GFA)	2:1 (137,160 sf)	-
Building Cover	95% (65,151 sf)	-
Impervious Cover	95% (65,151 sf)	-
Units	0	-
Parking	(dependent on use)	-
Setbacks (F/ S/ R)	10' / 10' / 0'	-

*Compatibility restricts this height.

**Under current code, residential uses are not permitted in the CS zone with-out a zone change.

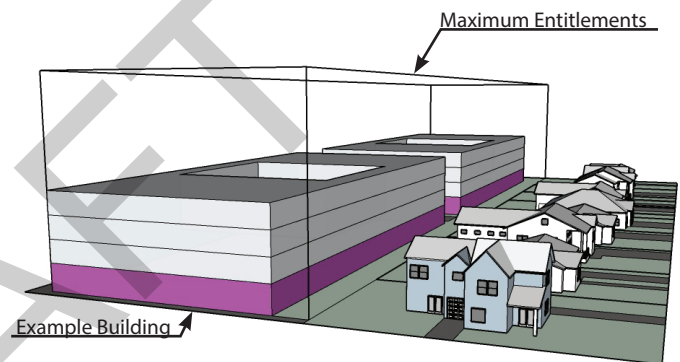
*** Water quality / drainage are provided subsurface and therefore are not shown.



Affordability Unlocked: Type 1

Specifications	Maximum Entitlements	Example Building
Height	75'	48'
FAR (GFA)	No Limit	1.5:1 (104,256 sf)
Building Cover	95% (65,151 sf)	68% (46,920 sf)
Impervious Cover	95% (65,151 sf)	80% (54,760 sf)
Units	1.5x base zone limit	96
Parking	None Required	125
Setbacks (F/ S/ R)	5' / 10' / 0'	5' / 10' / 15' / 35'

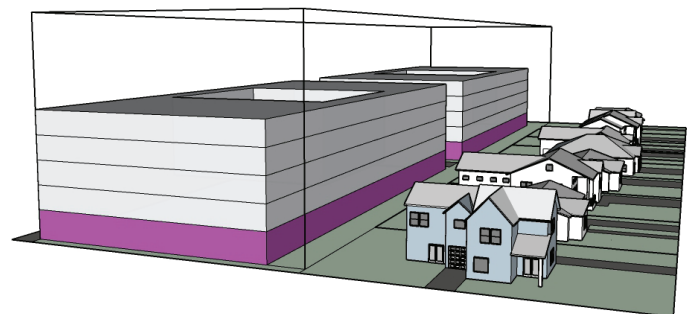
MFI	Eff	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	0	0	0	0	0
50%	14	6	0	0	20
60%	0	16	12	0	28
MR	0	17	17	14	48
TOTAL	14	39	29	14	96

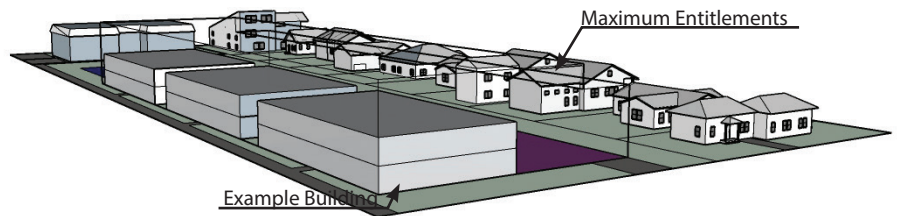


Affordability Unlocked: Type 2

Specifications	Maximum Entitlements	Example Building
Height	90'	60'
FAR (GFA)	No Limit	2.0:1 (139,008 sf)
Building Cover	95% (65,151 sf)	68% (46,920 sf)
Impervious Cover	95% (65,151 sf)	80% (54,760 sf)
Units	2x base zone limit	128
Parking	None Required	145
Setbacks (F/ S/ R)	5' / 10' / 0'	5' / 10' / 15' / 35'

MFI	Eff	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	10	0	0	0	10
50%	10	6	0	0	16
60%	0	33	48	0	81
MR	0	13	0	8	21
TOTAL	20	52	48	8	128





Current Zoning

Specifications	Maximum Entitlements	Example Building						
Height	40'	20'						
FAR (GFA)	No Limit	0.45:1 (37,320 sf)	MFI	Eff	1 Bdrm	2 Bdrm	3 Bdrm	Total
Building Cover	55% (46,057 sf)	22% (18,660 sf)	30	0	0	0	0	0
Impervious Cover	60% (50,244 sf)	54% (45,003 sf)	50	0	0	0	0	0
Units	39	39	60	0	0	0	0	0
Parking	68	68	MR	5	16	12	6	39
Setbacks (F/ S/ R)	25' / 15', 5' / 10'	25' / 15', 83' / 194'	TOTAL	5	16	12	6	39

Affordability Unlocked: Type 1

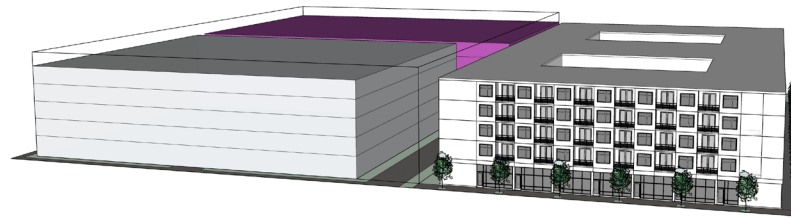
Specifications	Maximum Entitlements	Example Building						
Height	50'	32'						
FAR (GFA)	No Limit	0.72:1 (60,000 sf)	MFI	Eff	1 Bdrm	2 Bdrm	3 Bdrm	Total
Building Cover	55% (46,057 sf)	36% (30,000 sf)	30%	0	0	0	0	0
Impervious Cover	60% (50,244 sf)	46% (38,182 sf)	50%	9	3	0	0	12
Units	1.5x base zone limit	60	60%	0	10	8	0	18
Parking	None Required	78	MR	3	11	9	7	30
Setbacks (F/ S/ R)	12.5' / 15', 5' / 5'	12.5' / 15', 43' / 185'	TOTAL	12	24	17	7	60

Affordability Unlocked: Type 2

Specifications	Maximum Entitlements	Example Building						
Height	60'	42'						
FAR (GFA)	No Limit	1.1:1 (90,000 sf)	MFI	Eff	1 Bdrm	2 Bdrm	3 Bdrm	Total
Building Cover	55% (46,057 sf)	36% (30,000 sf)	30%	6	0	0	0	6
Impervious Cover	60% (50,244 sf)	46% (38,182 sf)	50%	2	8	0	0	10
Units	2x base zone limit	76	60%	0	12	19	10	41
Parking	None Required	94	MR	0	10	0	9	19
Setbacks (F/ S/ R)	12.5' / 15', 5' / 5'	12.5' / 15', 43' / 185'	TOTAL	8	30	19	19	76

Current Zoning

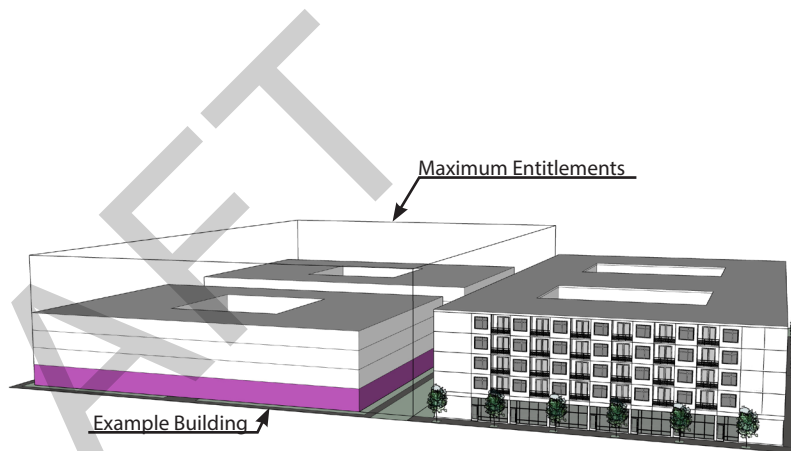
Specifications	Maximum Entitlements	Example Building*
Height	60'	52'
FAR (GFA)	2:1 (181,300 sf)	1.98:1(180,000 sf)
Building Cover	95% (86,117 sf)	83% (75,950 sf)
Impervious Cover	95% (86,117 sf)	91% (82,488 sf)
Units	0	0
Parking	(dependent on use)	654
Setbacks (F/ S, S / R)	10' / 10'; 0' / 0'	10' / 10'; 0' / 0'



*The example building shown above is an office use. Under current code, residential uses are not permitted in the CS zone without a zone change.

Affordability Unlocked: Type 1

Specifications	Maximum Entitlements	Example Building
Height	75'	42'
FAR (GFA)	No Limit	1.65:1 (149,790 sf)
Building Cover	95% (86,117 sf)	55% (49,930 sf)
Impervious Cover	95% (86,117 sf)	66% (59,418 sf)
Units	1.5x base zone limit	128
Parking	None Required	166
Setbacks (F/ S, S/ R)	5' / 10'; 0' / 0'	10' / 10'; 20' / 30'



MFI	Eff.	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	0	0	0	0	0
50%	19	7	0	0	26
60%	0	22	16	0	38
MR	0	23	22	19	64
TOTAL	19	52	38	19	128

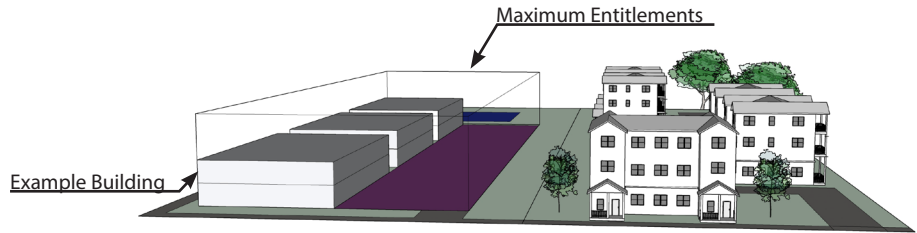
Affordability Unlocked: Type 2

Specifications	Maximum Entitlements	Example Building
Height	90'	52'
FAR (GFA)	No Limit	2.2:1 (199,720 sf)
Building Cover	95% (86,117 sf)	66% (59,450 sf)
Impervious Cover	95% (86,117 sf)	76% (68,939 sf)
Units	2x base zone limit	170
Parking	None Required	198
Setbacks (F/ S, S/ R)	5' / 10'; 0' / 0'	10' / 10'; 20' / 30'



MFI	Eff.	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	13	0	0	0	13
50%	13	8	0	0	21
60%	0	43	50	14	107
MR	0	17	0	12	29
TOTAL	26	68	50	26	170

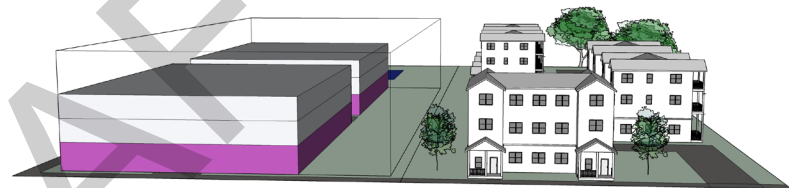
Current Zoning



Specifications	Maximum Entitlements	Example Building
Height	40'	20'
FAR (GFA)	No Limit	0.45:1 (37,320 sf)
Building Cover	55% (46,057 sf)	22% (18,660 sf)
Impervious Cover	60% (50,244 sf)	54% (45,003 sf)
Units	39	39
Parking	68	68
Setbacks (F/ S, S / R)	25' / 15', 5' / 10'	25' / 15', 83' / 194'

MFI	Eff.	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	0	0	0	0	0
50%	0	0	0	0	0
60%	0	0	0	0	0
MR	5	16	12	6	39
TOTAL	5	16	12	6	39

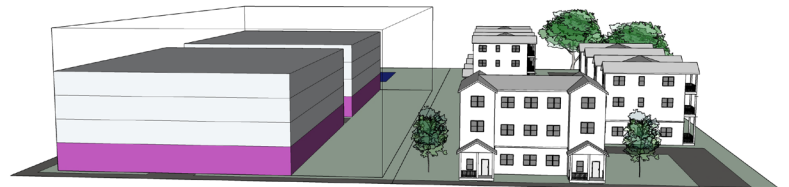
Affordability Unlocked: Type 1



Specifications	Maximum Entitlements	Example Building
Height	50'	32'
FAR (GFA)	No Limit	0.72:1 (60,000 sf)
Building Cover	55% (46,057 sf)	36% (30,000 sf)
Impervious Cover	60% (50,244 sf)	46% (38,182 sf)
Units	1.5x base zone limit	60
Parking	None Required	78
Setbacks (F/ S/ R)	12.5' / 15', 5' / 5'	12.5' / 15', 43' / 185'

MFI	Eff.	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	0	0	0	0	0
50%	9	3	0	0	12
60%	0	10	8	0	18
MR	3	11	9	7	30
TOTAL	12	24	17	7	60

Affordability Unlocked: Type 2



Specifications	Maximum Entitlements	Example Building
Height	60'	42'
FAR (GFA)	No Limit	1.1:1 (90,000 sf)
Building Cover	55% (46,057 sf)	36% (30,000 sf)
Impervious Cover	60% (50,244 sf)	46% (38,182 sf)
Units	2x base zone limit	76
Parking	None Required	94
Setbacks (F/ S/ R)	12.5' / 15', 5' / 5'	12.5' / 15', 43' / 185'

MFI	Eff.	1 Bdrm	2 Bdrm	3 Bdrm	Total
30%	6	0	0	0	6
50%	2	8	0	0	10
60%	0	12	19	10	41
MR	0	10	0	9	19
TOTAL	8	30	19	19	76

Assumptions for Affordability Unlocked Hypothetical Visual Representations

1. No existing environmental regulations are waived or changed, including impervious cover, tree protection, drainage, and water quality requirements. All scenarios assumed clear, vacant lots with no trees. Projects on sites with environmental constraints (such as trees, creek buffers, water quality zones, or floodplains) must comply with city, state, and federal regulations dealing with these constraints. These factors may impact (reduce) the buildable area on a site.
2. The maximum entitlement envelope shows the maximum buildable area for the example sites under the current code, Type 1, and Type 2 bonuses, and takes into consideration factors including: water quality/drainage, setbacks, and impervious cover limits. This envelope is provided to show the largest structure a site could accommodate, but it is not guaranteed that a site would be able to be built to these specifications. Many factors, including financial feasibility, market demand for different unit types and parking spaces, and design considerations can impact whether a project uses all its buildable area.
3. The example project envelope shows the size of a potential project on each of the example sites. The example projects attempt to maximize the number of dwelling units that may be built on the example sites while complying with zoning regulations (such as impervious cover limit, building coverage limit, floor to area ratio, maximum units per lot, and site area requirements) applicable to the example sites both with and without the use of the bonuses. These example projects did not consider financial feasibility or market demand; they merely show the size of a prototypical project and make assumptions about the bedroom count ratio, average square footage per unit, and amount of parking that might be provided, given similar affordable housing developments in Austin. Affordability levels and the number of multi-bedroom units meet the minimum affordability criteria required to participate in the Affordability Unlocked bonus program. Actual proposed developments will most likely have additional subsidies (funding or tax credits) that will allow or require them to provide more than the minimum number of affordable units.
4. The maximum entitlements' setback information shown in the tables provides the setback amounts required by code. Setbacks shown in the visuals for the example buildings may be larger, reflecting additional site development constraints and building placement decisions.
5. For SF-2 and SF-3 zones, the maximum entitlements height information shown in the tables reflects the height limit per the zoning code. This height can be constrained by McMansion requirements.
6. Each site assumes the project is able to pay a parkland dedication fee, rather than dedicate land on-site.
7. Area for on-site water quality and drainage requirements is provided as a percentage (5-8% depending on the site) of the overall lot size, except for the CS site example, which assumes subterranean infrastructure to meet water quality and drainage needs.

8. Assumed height per residential level was 10 feet. Assumed height of a parking level was 12 feet.
9. All designs for the envelopes and example projects are intended to represent only the most basic information and design criteria and are intended for massing and comparison purposes only. There may be other regulations and code provisions that are not expressly shown. All projects would need to comply with all applicable city, state, and federal regulations.
10. Values used to calculate the maximum buildable area and example building envelopes are shown in the attached spreadsheet.

11. List of Acronyms:

FAR = Floor to Area Ratio

GFA = Gross Floor Area

MFI = Median Family Income for the Austin-Round Rock metropolitan statistical area

Bdrm. = Bedroom

Eff. = Efficiency

MR = Market-Rate

sf = Square Feet

	SF2	SF2 Type 1	SF2 Type 2	SF3	SF3 Type 1	SF3 Type 2	MF2 - Ex's 1&2	MF2 Type 1	MF2 Type 2	CS Ex 1	CS Ex 1 Type 1	CS Ex 1 Type 2	CS Ex 2	CS Ex 2 Type 1	CS Ex 2 Type 2
Lot Specifications															
Lot Size (sf)	11,760			7,000			83,740			68,580			90,650		
Lot Size (ac)	0.27			0.16			1.92			1.57			2.08		
Lot Dimensions	80' x 147'			50' x 140'			530'x158'			540'x127'			370' x 245'		
Zoning Restrictions															
Height	35	43.75	52.5	35	43.75	52.5	40	50	60	60	75	90	60	75	90
Front SB	25	12.5	12.5	25	12.5	12.5	25	12.5	12.5	10	5	5	10	5	5
Side SB (Street)	15	15	15	15	15	15	15	15	15	10	10	10	10	10	10
Side SB	5	5	5	5	5	5	5	5	5	0	0	0	0	0	0
Rear SB	10	5	5	10	5	5	10	5	5	0	0	0	0	0	0
IC (%)	45			45			60			95			95		
BC (%)	40			40			55			95			95		
FAR	0.4	-	-	0.4	-	-	-	-	-	2	-	-	2	-	-
Max Units/Lot	1	6	8	2	6	8	39	61	78	-	99	133	-	128	171
Example Building Assumptions															
% of Site used for Water Quality	0	5	5	0	5	5	8			Subterranean			Subterranean		
% Habitable Space	0	0	90	0	93	93	90	80	80	0	80	80	0	80	80
% Studios	0	0	0	0	0	0	13	20	11	0	15	16	0	15	15
% 1 Bedroom	0	33	50	0	67	50	41	40	39	0	41	40	0	40	40
% 2 Bedroom	0	67	50	0	33	38	31	28	25	0	30	38	0	30	30
% 3 Bedroom	0	0	0	100	0	12	15	12	25	0	14	6	0	15	15
% 4 Bedroom	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Average Sq. Ft./Unit	2450	900	807	1400	853	960	870	800	947	0	868	868	0	936	940
Parking Spaces/Unit	2	1.3	1.5	2	1.3	1.2	1.7	1.3	1.2	0	1.3	1.1	0	1.3	1.1

Affordability Unlocked Visual Representations: Existing Developments

Jeremiah Program Moody Campus

- 35 two-bedroom rental units for single mothers and their children
- Average MFI below 30%



Constraints

- Compatibility: An additional 6 feet (up to 46 feet high) would have allowed for units with taller ceilings, adequate interstitial space, and cost savings of thousands of dollars



- Height stepbacks required by compatibility also reduced unit yield (see stepbacks in image at left)

Aria Grand

- 70-unit rental development at I-35 & Woodland Ave
- 60 affordable units, 30% - 60% MFI, with up to 3 bedrooms
- 7 Permanent Supportive Housing units; 9 accessible units



Constraints

- Compatibility: lost 10 units
- Parking: lost 20 units
- Zoning: site area requirements necessitated a zoning change to MF-6

The Works at Pleasant Valley

- Serves homeless youth & single mothers exiting foster care
- 45 units, up to 50% MFI, single & multi-bedroom
- 20 Permanent Supportive Housing units

Constraints

- Compatibility: lost 25 units
- Parking: requirements resulted in 45 unused spaces that could have accommodated more housing, green space, or other uses



Jobe House

- 4 rental units on E. 9th & Lydia Streets
- 2 existing single family 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 zoning prevented addition of 2 new units, even though there is sufficient space - required a subdivision
- Subdivision process required existing utility lines to be re-routed because they would have crossed the new property lines (prohibited under Plumbing Code)
- This added time and expense to the non-profit housing provider's project



4th & Onion

- Located in Plaza Saltillo TOD
- 57 ownership condo units up to 80% MFI are planned
- 30% of units are planned to have multiple bedrooms
- Granted special waivers by City Council for site area requirements, floor to area ratio, compatibility, and modifications to max height and parking requirements

Constraints

- Small site limited by multiple site development regulations
- Would have only been able to achieve 19 one-bedroom units without special waivers granted by City Council


Bluebonnet Studios

- 107-unit rental development on South Lamar for single adults, 30% - 50% MFI
- 6 Permanent Supportive Housing units

Constraints

- Compatibility: lost 42 units due to height limitations



	Affordability Impact Statement Neighborhood Housing and Community Development Department <i>Affordability Unlocked Ordinance</i>
Proposed Regulation	The proposed ordinance would create a new development bonus policy modifying and waiving certain site development regulations for projects providing at least 50 percent of total units as affordable.
Land Use/Zoning Impacts on Housing Costs	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral The waiver or modification of certain site development regulations will allow developers providing income-restricted affordable housing to build more dwelling units on sites than otherwise would be allowed. This allows land costs to be distributed among more units, decreasing the average development cost per dwelling unit. Additionally, the draft ordinance proposes allowing developers who meet the qualifying affordability requirements to develop residential housing in commercial zoning districts by-right without rezoning, significantly decreasing development timelines, fees, and carrying costs associated with rezoning, and potentially allowing participants to compete better in the marketplace by giving them the ability to purchase commercially-zoned land for residential uses.
Impact on Development Cost	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral The proposed ordinance if adopted allows for the development of more dwelling units on lots than otherwise allowed under the current land development code providing potential savings in development costs gained from economies of scale.
Impact on Affordable Housing	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral This proposed ordinance will likely decrease housing costs and increase the production of affordable housing by allowing more dwelling units on a site and residential uses in commercial zones by-right.
Imagine Austin Housing and Neighborhood Policies Implemented	LUT P3, LUT P7, HN P1, HN P5
Strategic Housing Blueprint Strategies Implemented	Increase the Supply of Multi-Bedroom Housing for Families with Children, Protect Renters from Discrimination Based on Source of Income, Better Utilize Land for Affordable Housing, Increase Housing Diversity in New

	Subdivisions, Link Housing Choices with Transportation Choices, Comprehensive Parking Reform
Other Policy Considerations	Resolution No. 20190221-027 directed staff to propose an outline of a modified site plan review process for qualifying affordable housing development of up to 16 dwelling units. If adopted such proposal may decrease the cost of development for applicable projects by decreasing carrying costs due to longer review timelines and more rigorous submittal and development review requirements typical of a standard site plan.
Proposed Alternative Policy Language	None.
Date Prepared	April 19, 2019
Manager's Signature	