

**ORDINANCE NO. 20160623-101**

**AN ORDINANCE AMENDING CITY CODE SECTION 25-2-735 RELATING TO REGULATION OF SENIOR HOUSING AND MIXED USE DEVELOPMENT WITHIN THE WATERFRONT OVERLAY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-2-735 (*Festival Beach Subdistrict Regulations*) is amended to read as follows:

**§ 25-2-735 - FESTIVAL BEACH SUBDISTRICT REGULATIONS.**

- (A) This section applies in the Festival Beach subdistrict of the WO combining district.
- (B) The primary setback line is located 100 feet landward from the Town Lake shoreline.
- (C) The secondary setback line is located 50 feet landward from the primary setback line.
- (D) For an area not included in a primary setback area or a secondary setback area, the maximum impervious cover is:
  - (1) 40 percent~~[-]~~; or
  - (2) 70 percent, for a site that:
    - (a) contains congregate care and retail uses on 15 or more acres;
    - (b) is adjacent to 1.5 or more acres of parkland or publically accessible open space;
    - (c) includes, within the congregate care use, at least:
      - (i) 310 rental housing units that serve residents earning at or below 60% of area median family income;
      - (ii) 40 rental housing units that serve residents earning at or below 30% of area median family income; and
      - (iii) 100 rental housing units that serve residents which are either:

- earning at or below 30% of the area median family income and receiving a rent subsidy; or
- earning at or below 50% of area median family income, without a rent subsidy, or with a rent subsidy that is required to be available under federal law to residents earning up to 50% of area median family income.

(d) contains the following enhanced water quality features:

- (i) water quality treatment utilizing green water quality controls sized at ½-inch or greater, based on assumed impervious cover of 68%;
- (ii) at least 30,000 square feet of porous pavement for pedestrian areas;
- (iii) at least 8,126 cubic feet of rainwater harvesting sufficient to capture 1.3 inches of runoff from 75,000 square feet of impervious cover; and
- (iv) onsite water quality ponds sufficient to treat a minimum of 6,200 cubic feet of off-site drainage.

- (E) For purposes of Subsection (D)(2) of this section, the term “rent subsidy” means a project-based voucher issued by, or under the auspices of, an agency of the United States Government that provides a rental subsidy to the landlord for a particular rental housing unit in an amount equal to or exceeding the difference between 30% of the resident’s income and the market rate for the residential housing unit.
- (F) If an applicant elects to develop a site at greater than 40% impervious cover, as authorized under Subsection (D)(2) of this section, a restrictive covenant or other legal instrument approved by the director must be executed prior to site plan release in order to ensure that the conditions in Subsection (D)(2)(a)-(d) are binding on the site plan and enforceable by the City.
- (G) The maximum height is the lower of 60 feet or the maximum height allowed in the base zoning district.

**PART 2.** This ordinance takes effect on July 4, 2016.

**PASSED AND APPROVED**

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June 23, 2016

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Steve Adler  
Mayor

**APPROVED:**

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Anne L. Morgan  
City Attorney

**ATTEST:**

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Jannette S. Goodall  
City Clerk