



City of Austin

MEMORANDUM

Neighborhood Housing and Community Development

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DATE: July 24, 2015

TO: Mayor and Council

FROM: Betsy Spencer, Director 

SUBJECT: Resolution No. 20140925-090: Planned Unit Development (PUD) Density Bonus Code Amendment

This memorandum serves as an update to Resolution No. 21040925-090, which initiates a code amendment to modify the in lieu donation option for affordable housing requirement for Planned Unit Developments (PUD). City Council requested staff consider the following options:

- Remove the fee in lieu option and require onsite affordable housing.
- Require a significant portion of the affordable housing requirement to be provided onsite and allow a portion to be provided through fee in lieu.
- Consider an exceptions process for the onsite affordable housing requirement.

Please find attached the DRAFT code amendments. The chart provides a side-by-side comparison of the current code and proposed amendments as well as staff comments, stakeholder input, and actions taken by the Community Development Commission on June 30, 2015.

Staff has conducted research on relevant policies in other communities, evaluated the City of Austin's various density bonus policies, provided a briefing to the City Council Housing and Community Development Committee and the Community Development Commission, and engaged stakeholders through a variety of feedback opportunities.

Thus far NHCD staff has completed the following research and stakeholder engagement:

- Conducted survey of development community with experience developing Planned Unit Developments (PUDs);
- Researched fee-in-lieu of affordable housing practices in other cities;
- Briefings to the Community Development Commission Housing Committee;
- Briefing and stakeholder discussion with the Real Estate Council of Austin's Policy Committee;
- Stakeholder discussion with HousingWorks Austin;
- Briefing at the City Council Housing and Community Development Committee (May 2015);
- Public stakeholder meeting to discuss draft proposed code amendments (June 2015);
- Community Development Commission (CDC) took action on the proposed code amendments and approved staff recommendations with two amendments (June 2015):
 - Remove the fee-in-lieu option. (Please note that removing the fee-in-lieu option does not have a fiscal impact as anticipated fees in lieu are not budgeted prior to collection.)
 - Require either by Ordinance or by Rules that property owners sign and file a restrictive covenant

- Require City Council Public Hearing on baseline zoning designation of PUDs prior to or at time of preliminary PUD briefing

Below please find the revised timeline for moving the proposed code amendments forward to the Planning Commission and the Austin City Council. The timeline revisions are both in response to the current boards and commissions transitioning period as well as feedback from stakeholders and the Community Development Commission recommending additional stakeholder engagement prior to any code amendment public hearings.

Dates	Stakeholder Engagement Phase	NHCD Activities/Commission Actions
July 30, 2015	Stakeholder meeting to workshop draft recommendations #2: workshop implementation process for fee-in-lieu appeals (targeted stakeholder outreach)	Anticipated action: Develop draft language for guidelines/rules and clarify proposed code language
July-August, 2015	Work with the Law Department to finalize recommended code amendment language	
August 5, 2015	Stakeholder meeting to workshop draft recommendations #3: provide input on PUD policy not captured in the current code or proposed amendments (open to the public)	Anticipated action: Develop recommendations to bring forward to the Council Housing and Community Development Commission
August 26, 2015	City Council Housing and Community Development Committee: presentation of final draft recommendations and possible action	
September 15, 2015	Planning Commission Codes and Ordinances Subcommittee: presentation of final draft recommendations action requested on final staff recommendations	
September 22, 2015	Planning Commission: public hearing and action requested	
October 8, 2015	City Council: public hearing and action requested	

Questions and comments can be directed to Jessi Koch, Planner Senior with Neighborhood Housing and Community Development at Jessi.Koch@austintexas.gov or 512-974-3100.

Attachments:

- Resolution No. 20140925-090
- PUD Ordinance No. 20131003-096
- Amendments chart
- Presentation from June 24th stakeholder meeting
- Stakeholder feedback from June 24th meeting
- Community Development Commission action/motion sheet from June 30th meeting