

**ORDINANCE NO.**

**AN ORDINANCE AMENDING SECTION 4-18-25 OF CITY CODE RELATED TO CERTIFICATION AND AGREEMENTS FOR DENSITY BONUS AND INCENTIVE PROGRAMS.**

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

**PART 1.** City Code Section 4-18-25 (*Certification*) is amended to amend Subsection (F) and to add a new Subsection (G) to read:

**§ 4-18-25 CERTIFICATION.**

- (F) For developments with one or more affordable units, the agreement required in Subsection (C) must, at a minimum:
- (1) include the applicable affordability requirements;
  - (2) prohibit discrimination on the basis of an individual's source of income as defined in Section 5-1-13 (*Definitions*);
  - (3) require dispersion of affordable units throughout the residential units;
  - (4) require equal access and use of on-site amenities, common areas, and parking facilities;
  - (5) require shared access routes for affordable units and market-rate units;
  - (6) require that affordable units include interior components that are functionally equivalent to market-rate units;
  - (7) limit the use of an affordable unit as a short-term rental (STR);
  - (8) require the applicant to incorporate lease provisions that are consistent with:
    - (a) a tenant's right to organize under 24 C.F.R. 245.100,
    - (b) the lease addendum approved by ~~[required as a condition to receive City of]~~ the director of Austin Housing, and ~~[Finance Corporation funds, or]~~
    - (c) any City Code requirement related to tenant protections; ~~[and]~~

(9) address any obligations described in Division 2 (*Redevelopment Requirements*), if applicable; and

(10) include any additional provisions deemed necessary by the director to:

(a) to ensure the purposes of the density and incentive bonus program;  
and

(b) to protect tenants who reside at developments that utilize a density and incentive bonus program.

(G) The lease addendum required in Subsection (F) applies only to affordable rental units.

**PART 2.** This ordinance takes effect on \_\_\_\_\_, 2025.

**PASSED AND APPROVED**

\_\_\_\_\_, 2025      §  
   §  
   §      \_\_\_\_\_  
        Kirk Watson  
        Mayor

**APPROVED:** \_\_\_\_\_  
Deborah Thomas  
City Attorney

**ATTEST:** \_\_\_\_\_  
Erika Brady  
City Clerk