

ORDINANCE NO. 20141120-006

AN ORDINANCE AMENDING CITY CODE CHAPTER 15-9 RELATING TO SERVICE CONNECTIONS TO CERTAIN LOTS.

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

PART 1. City Code Section 15-9-157 (*Service Connections to Certain Lots*) is amended to read as follows:

§ 15-9-157 - SERVICE CONNECTIONS TO CERTAIN LOTS.

At the request of the owner of a single-family residential lot, the City ~~[The Water and Wastewater Utility]~~ shall install a water or wastewater service connection to the [a] lot if:

- (1) the lot is to be used for construction of a single-family home for which an impact fee exemption has been approved under Section 25-9-347 (*Exemptions For Certain Affordable Housing*);
- ~~(2)[(4)]~~ the applicant has a tap permit for the lot; ~~[and]~~
- ~~(3)[(2)]~~ the lot is:
 - (a) the result [part] of the [a] resubdivision of one lot into [consisting of] not more than four lots for which the construction of a street, utility main, manhole, or hydrant is not required; and
 - ~~(b) [located in an urban watershed; and]~~
 - ~~(c)]~~ zoned SF-1, SF-2, or SF-3; ~~[and]~~
- ~~(4)[(3)]~~ the resubdivision is not in conflict with a neighborhood plan adopted by the city council~~[-]; and~~
- (5) the owner of the lot provides to the City an agreement, a restrictive covenant, a deed of trust, a promissory note, or other documents that are (i) required by Section 25-9-347 (*Exemption For Certain Affordable Housing*) and (ii) determined to be necessary by the city attorney to establish an enforceable obligation by the applicant to repay the City its cost to install the water or wastewater service connection in the event any residential unit on the lot ceases to meet the requirements of Section 25-9-347 (*Exemption For Certain Affordable Housing*) and applicable guidelines.

PART 2. This ordinance takes effect on December 1, 2014.

PASSED AND APPROVED

_____, November 20, 2014

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§ _____
Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk



AFFORDABILITY IMPACT STATEMENT

NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT

CITY COUNCIL AGENDA:

RESOLUTION No:

PROPOSED CODE AMENDMENT:	AUSTIN WATER UTILITY IS BRINGING FORWARD AN AMENDMENT TO CITY CODE SECTION 15-9-157 RELATING TO PROVIDING WATER AND WASTEWATER SERVICE CONNECTIONS TO RE-SUBDIVIDED SINGLE-FAMILY RESIDENTIAL LOTS APPROVED FOR AFFORDABLE HOUSING IMPACT FEE WAIVERS.
IMPACT ON REGULATORY BARRIERS TO AFFORDABLE HOUSING DEVELOPMENT	<input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input type="checkbox"/> NEUTRAL
LAND USE / ZONING OPPORTUNITIES FOR AFFORDABLE HOUSING DEVELOPMENT	<input type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input checked="" type="checkbox"/> NEUTRAL
IMPACT ON COST OF DEVELOPMENT	<input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input type="checkbox"/> NEUTRAL UNDER THE CURRENT CODE THE WATER AND WASTEWATER SERVICE CONNECTIONS ARE AVAILABLE TO ANY SINGLE-FAMILY DEVELOPMENT WITHIN THE URBAN WATERSHED THAT MEETS THE RE-SUBDIVISION REQUIREMENTS. WHILE THE AMENDMENT WILL EXPAND THE GEOGRAPHICAL AREA COVERED BY THE AUSTIN WATER UTILITY PROVIDED WASTEWATER SERVICE CONNECTIONS TO BE CITY-WIDE, THE CODE AMENDMENT WILL LIMIT THIS BENEFIT TO ONLY AFFORDABLE HOUSING ELIGIBLE FOR THE IMPACT FEE WAIVER UNDER SECTION 25-9-347 OF THE CITY CODE. CURRENTLY THE CONNECTIONS ARE AVAILABLE TO ANY SINGLE-FAMILY RE-SUBDIVISION WITHIN THE URBAN WATERSHED. THE PROPOSED AMENDMENT WILL ENSURE THAT THERE IS NO ADVERSE EFFECT ON THE COST OF DEVELOPMENT FOR CERTIFIED AFFORDABLE HOUSING.
IMPACT ON PRODUCTION OF AFFORDABLE HOUSING	<input checked="" type="checkbox"/> POSITIVE <input type="checkbox"/> NEGATIVE <input type="checkbox"/> NEUTRAL THE EXPANSION OF THIS SERVICE COULD PROMOTE THE DEVELOPMENT OF AFFORDABLE SINGLE-FAMILY RESIDENTIAL UNITS THROUGH THE S.M.A.R.T. HOUSING PROGRAM.
PROPOSED CHANGES IMPACTING HOUSING AFFORDABILITY:	

ALTERNATIVE LANGUAGE TO MAXIMIZE AFFORDABLE HOUSING OPPORTUNITIES:	N/A
OTHER HOUSING POLICY CONSIDERATIONS:	
DATE PREPARED:	OCTOBER 9, 2014
DIRECTOR'S SIGNATURE: 	