

Current Code	Resolution No. 20140410-26	Proposed Code Amendment Staff Recommendation	Staff Comments
Director's discretion	Project to be within 1/2 mile of a transit stop, measured by the actual travel distance, at the time the project is occupied,	<b>Development located within ½ mile walking distance of a transit route at time of application</b>	<ul style="list-style-type: none"><li>• Does not Affirmatively Further Fair Housing: discourages geographic dispersion of affordable housing and limiting the development of S.M.A.R.T. Housing within high opportunity areas.</li><li>• S.M.A.R.T. Housing certification is awarded during the pre-development phase of a residential project and therefore it is preferable that all criteria be tied to evaluation at the time of application.</li><li>• NHCD staff will work with Capital Metro to ensure that additional transit stops are added when possible and appropriate.</li></ul>
Director's discretion	and requiring the route from the project to the transit stop to be accessible for pedestrians and people with disabilities.	<b>No code amendment at this time</b>	<ul style="list-style-type: none"><li>• Does not Affirmatively Further Fair Housing: discourages geographic dispersion of affordable housing and limiting the development of S.M.A.R.T. Housing within high opportunity areas.</li><li>• Austin currently has a limited sidewalk network and therefore limited opportunities for the development of affordable housing within an accessible route to transit.</li><li>• Public Works has committed to integrating S.M.A.R.T. Housing into the City's Absent Sidewalk Priority Matrix and establish coordinated systems between NHCD and the Public Works department to ensure sidewalks for S.M.A.R.T. Housing are prioritized.</li></ul>
Director's discretion	The code amendment process should consider distinguishing the S.M.A.R.T. transit requirements for Austin projects applying for the Competitive 9% TDHCA Housing Tax Credit Program versus other projects desiring to use City of Austin affordable housing funds. The code amendment process should also include consideration of any potential exceptions or adjustments to the 1/2 mile requirement.	<p><b>The Director may waive the transit-oriented requirements for developments if they meet the following criteria:</b></p> <p><b>1. Located within a high opportunity area as identified by the Director and established in the program guidelines;</b></p> <p><b>OR</b></p> <p><b>2. Application includes a letter from Capital Metro confirming that a future route is documented in agency plans;</b></p> <p><b>OR</b></p> <p><b>3. Project seeks to leverage funds through the State or Federal Government, to include the Low Income Tax Credit Program;</b></p> <p><b>OR</b></p> <p><b>4. Project affirmatively furthers fair housing.</b></p> <p><b>All projects that receive waivers at the discretion of the director will be reevaluated prior to the receiving certificate of occupancy and may be decertified if the Director determines the project is no longer in compliance with the waiver terms.</b></p>	<ul style="list-style-type: none"><li>• Allows for the exemption of projects in high opportunity areas and thereby supports the City's efforts to Affirmatively Further Fair Housing through the geographic dispersion of affordable housing.</li><li>• Allows for the exemption of projects located within proximity of future transit routes and thereby ensures that we do not miss out on opportunities for the co-location of S.M.A.R.T. Housing and public transit.</li><li>• Allows for exemption of projects that seek to leverage State and Federal Government funds and thereby supports the City's efforts to address the affordable housing deficit as identified through the City or Austin Housing Market Study.</li><li>• Allows for exemption of projects that Affirmatively Further Fair Housing and thereby supports the City's obligation as a recipient of federal funds.</li><li>• NHCD will work with Capital metro to create a system for transit-oriented evaluation that considers holistic access to transit.</li></ul>