

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2015-018

Description: Consider amendments to Title 25 of the Land Development Code related to recommendations regarding tenant relocation assistance requirements.

Proposed Language: See attached draft ordinance.

Summary of proposed code changes:

- Establishes a notification requirement whereby applicants for demolition permits, or building permits that authorize demolition, for multifamily structures of 12 or more units must provide 120 days' notice to tenants in order to receive permits
- Establishes a notification requirement whereby applicants for rezoning, change of use, or site plan approvals for mobile home parks must provide 270 days' notice to tenants in order to receive approvals
- Establishes a notification requirement whereby applicants who are required to provide either of the notifications described above must also post notices on-site during the notice period and provide notice to new tenants that enter into leases following the distribution of the required notification
- Establishes the framework for a publicly funded tenant relocation assistance fund to assist income-eligible tenants with relocation costs. Funding needs to be identified by City Council for this fund.
- Establishes a requirement for applicants seeking Planned Unit Development zoning for a property from which tenants would be displaced to pay into a tenant relocation assistance fund to assist income-eligible tenants being displaced from their site with relocation costs
- Establishes a requirement for applicants seeking discretionary approvals to pay into a tenant relocation assistance fund to assist income-eligible tenants being displaced from their site with relocation costs unless waived by Council.

Background: Initiated by Council Resolution 20151112-027

On November 12, 2015 Council approved Resolution No. 20151112-027, directing staff to initiate amendments to the Land Development Code to establish relocation assistance requirements for applicants of developments with the intent to demolish and/or renovate multifamily structures that would result in displacement of tenants. The intent of the resolution was to mitigate the negative impacts of displacement on low-income and vulnerable residents in Austin.

On April 21, 2016 Council approved Resolution No. 20160421-035, directing staff to include recommendations for displacements of mobile home residents in the ordinance development process as well.

Staff Recommendation: Recommended

Board and Commission Actions

May 17, 2016: Forwarded with no recommendation by the Codes and Ordinances Subcommittee on a 3-0 vote (Commissioner Kazi absent).

May 24, 2016: Postponed by Planning Commission to their June 14, 2016 meeting.

June 14, 2016: Postponed by Planning Commission to their June 28, 2016 meeting.

June 28, 2016: Postponed by the Planning Commission to their July 26, 2016 meeting.

July 20, 2016: Recommended by the Codes and Ordinances Joint Committee on a 4-0 vote (Commissioner Schissler abstained, Commissioners Flores and Kazi absent), with amendments: *see attached change log for amendments.*

July 26, 2016: Postponed by the Planning Commission to their August 9, 2016 meeting.

August 9, 2016: Recommended by the Planning Commission on a 7-0 vote (Commissioner Schissler abstained, Chair Oliver and Commissioners McGraw, Seeger, Thompson, and White absent) with the following amendments:

- Revise the proposed ordinance to include the changes to Section 25-1-712 (B) and (C) recommended by staff
- Revise Section 25-1-715 (A)(2) to require payment of the Tenant Relocation fee unless Council waives it (see Draft Ordinance Pg. 10 of 58; 25-1-715)
- Revise the proposed notice requirement from 5 units to 12 or more units (see Draft Ordinance pg. 6 of 58; 25-1-712 (A) (1))
- Offense requires a culpable mental state; language to be determined by the Law Department (see Draft Ordinance pg. 11 of 58; 25-1-717 (B))
- Include a bad actor clause for tenants in default of rent payments; language to be determined by the Law Department

Council Action

June 23, 2016: Postponed to the August 4, 2016 meeting.

August 4, 2016: A public hearing has been set for the August 18, 2016 meeting.

Ordinance Number: NA

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