

## **Neighborhood Housing & Community Development – Staff Amendments**

Tenant Relocation & Notification Ord.

Sept. 1, 2016 Council Meeting

Agenda Item No. 50

Following is a proposed set of staff amendments that address some of the concerns raised by stakeholders following Council's passage of the ordinance on first reading. The amendments, prepared in coordination with the Law Department, do not change the fundamental requirements of the draft in backup, but help to clarify the original intent regarding the notification and fee requirements. Please accept these proposed amendments in place of the "Staff Recommendations" previously posted to backup.

**1. In Section 25-1-712 (*Tenant Notification Required*), at page 6, make the following changes to Subsection (C):**

- Add a new Paragraph (3) to read as follows:
  - (3) be on a form provided by the director, which shall be uniform for all applicants except that the director may require an additional language as provided under Paragraph (2).
- At end of Paragraph (2)(h), replace the period with a semicolon and add the word "and".

**2. In Section 25-1-712 (*Tenant Notification Required*), at page 5, amend Paragraph (C)(1)(b) to read as follows:**

- (b) to all units [~~tenants who reside in~~]:
  - (i) [~~a multi-family unit~~] proposed for demolition in a multi-family building under a permit application for which notice is required under Subsection (A)(1) of this section; or
  - (ii) located in a mobile home park included in a rezone, change of use, or site plan application for which notice is required under Subsection (A)(2)-(3) of this section; and

**3. In Section 25-1-714 (*Tenant Relocation Program*), at page 8, amend Paragraph (2)(a)(ii) in Subsection (B) to read as follows:**

- (ii) reside at the property on the date that the initial notification ~~[notice]~~ required under Section 25-1-712(B) (*Tenant* ~~[Relocation]~~ *Notification Required*) is delivered ~~[issued]~~;

**4. In Section 25-1-714 (*Tenant Relocation Program*), at pages 7-8, amend Paragraph (1) in Subsection (B) to read as follows:**

- (1) ***Tenant Relocation Fee.*** The program must include a methodology to be used by the director in recommending to the city council the amount of the fee required under Section 25-1-715 (*Tenant Relocation Assistance—Developer Funded*). The methodology shall include a nexus study that accounts for the impacts of displacement to tenant communities directly affected by multifamily redevelopment and to the community as a whole. The fee shall be consistently calculated and uniformly applied, but may vary based on number of units, bedrooms, and other objective criteria identified by the nexus study.

**5. In Section 25-1-715 (*Tenant Relocation Assistance—Developer Funded*), at page 9, amend Paragraph (2) in Subsection (A) to read as follows:**

- (2) a rezone or other discretionary land use approval that requires approval by the city council and is reasonably likely to result in tenant displacement, unless waived by the city council.

**6. In Section 25-1-715 (*Tenant Relocation Assistance—Developer Funded*), at page 9, amend Subsection (B) to read as follows:**

- (B) The director shall deposit a fee imposed under this section into the Developer Fund for Tenant Relocation Assistance, which is established under this section. The director shall use the fund to provide tenant relocation assistance to eligible tenants at the development or site for which the payment was made, consistent with requirements adopted under Section 25-1-714 (*Tenant Relocation Program*).

**7. In Section 25-2-283 (City Council Zoning Hearing and Action) at page 11, amend Subsection (F) to read as follows:**

(F) Unless authorized by a resolution of the council, the director of the [Neighborhood] Planning and Zoning Department may not schedule a zoning or rezoning ordinance for third reading by the council until: