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From: Contact CodeNEXT <drupaladmin@austintexas.gov>
Sent: Monday, June 30, 2014 4:12 PM
To: PDRD Code Next
Subject: Form submission: Contact CodeNEXT

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Submitted by anonymous user: [162.89.6.2] Submitted values are:

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Organization/Affiliation: Texas Appleseed

Comments:

June 30, 2014

CodeNEXT Team

City of Austin

301 W. Second Street

Austin, TX 78701

Dear CodeNEXT Team:

Thank you for the opportunity to offer comments on the May 2014 Code Diagnosis.

Texas Appleseed, a non-partisan, non-profit, 501(c)(3) organization, is part of a national network of seventeen public interest law centers in the United States and Mexico. Our mission is to promote social and economic justice for all Texans by leveraging the skills and resources of volunteer lawyers and other professionals to identify practical solutions to difficult systemic problems. Central to our mission is ensuring that public resources are distributed fairly and in a way that creates equal opportunity for all Texans.

In addition to its review of the Land Development Code, the City of Austin is also engaged in developing a new Analysis of Impediments to Fair Housing Choice (AI). As a condition of receiving federal housing and community development funds, which totaled \$11,366,226 for 2014, the City of Austin must certify that it "will affirmatively further fair housing." Under federal regulations, this means that the City must truthfully certify that it (a) has or will conduct an analysis to identify impediments to fair housing choice within the state, (b) take appropriate actions to overcome the effects of any impediments identified through that analysis, and (c) maintain records reflecting the analysis and actions in this regard. See 24 CFR §570.601. An AI must include "a comprehensive review of a State or Entitlement jurisdiction's laws, regulations, and administrative policies, procedures, and practices." HUD Fair Housing Planning Guide at 2-7. For obvious reasons, a review of Austin's Land Development Code from a fair housing and civil rights perspective is an integral part of the required review of possible barriers to fair housing choice.

While the Code Diagnosis includes a number of issues that have a fair housing dimension, this dimension is not specifically identified. For example, a number of issues with neighborhood plans are identified, but it is unclear whether the impact of the large numbers of neighborhoods that ban congregating living, residential treatment, transitional housing, or various kinds of multifamily and rental housing will be evaluated for disproportionate effects on members of protected classes under the Fair Housing Act, including persons with disabilities.

We strongly recommend that the fair housing and civil rights perspective be considered in the ongoing work of CodeNEXT - as it should be incorporated in municipal planning across the board - in order to avoid duplicating work and

in order to avoid moving forward with a Land Development Code that includes components that do not affirmatively further fair housing.

Sincerely,

Madison Sloan
Director, Disaster Recovery
and Fair Housing Project

The results of this submission may be viewed at:

<http://www.austintexas.gov/node/25382/submission/33555>