LATE BACKUP

C20-2013-035

C4

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2013-035 Occupancy

Description: Consider an ordinance to amend Title 25 of the City Code to change the occupancy limit for the number of unrelated individuals who reside in certain types of residential uses.

Proposed Language: See attached draft language.

Background: Initiated by Council Resolution 20131121-053.

On November 21, 2013, the City Council directed the City Manager, via Resolution 20131121-053, to work on a code amendment examining a possible reduction in occupancy for unrelated individuals. This Council Resolution was in response to concerns about over-occupancy in single-family zoned neighborhoods, where "stealth dorms" have cause code compliance issues. Specifically, the Council Resolution:

"...initiates a code amendment related to dwelling unit occupancy that will set the maximum number of unrelated adults who may reside in structures allowed on single-family zoned property at four and directs the City Manager to process the code amendment and bring it to Council on or before January 30, 2014. The Planning Commission may elect to recommend a different maximum; it may also recommend that the code amendment be limited to some parts of the city, or be offered as a tool available to Neighborhood Planning Teams, rather than as a provision that applies to the entire city."(Underline added)

At their January 21 meeting, the Codes and Ordinances Subcommittee recommended a change in occupancy, from six to four unrelated individuals, for all residential uses that are permitted on single-family zoned property, as recommended by Council Resolution 20131121-053. The Subcommittee did not make any recommendation on how to treat non-conforming or grandfathered uses.

Austin's land development code has three zoning districts that are "single family" districts:

Single Family Residence Large Lot (SF-1)
Single Family Residence Standard Lot (SF-2)
Single Family Residence Small Lot (SF-4B)

The following residential uses are permitted in SF-1, SF-2, and SF-4B:

Conservation Single-Family Residential
Single-Family Residential
Small Lot Single-Family Residential

The recommendation from the Codes and Ordinances Subcommittee means that in the above uses (Conservation Single-Family Residential, Single-Family Residential, Small Lot Single-Family Residential) that occupancy for unrelated individuals will be capped at four, regardless of zoning district.

The Subcommittee also recommended that any proposed change be applied on a city-wide basis, not in an opt-in, opt-out process.

Group Home use and Family Home use will not be affected or subject to the proposed changes in occupancy.

Staff Recommendation: Staff recommends the proposed code amendment, with the following notes:

1. Staff believes that some type of nonconformance or grandfathering provision must be included in the proposed change. Although the Codes and Ordinances Subcommittee did not make a recommendation on how to handle this, staff feels it can be addressed:

- Use the effective date of the ordinance. This would allow existing structures with affected uses to continue under the existing code (allowing up to six unrelated individuals). New structures would be limited to four unrelated individuals under the new code.
- Existing structures with affected uses will not be subject to new occupancy regulations if, after the effective date of the ordinance, the gross floor area does not increase by more than 69 square feet, and any interior remodel that requires a building permit does not result in additional sleeping rooms.

Board and Commission Actions
January 21, 2014: Recommended by the Codes and Ordinances Subcommittee on a 5-0 vote.
January 28, 2014: To be reviewed by the Planning Commission.

Council Action
February 13, 2014: A public hearing has been set.

Ordinance Number: NA

City Staff: Jerry Rusthoven **Phone:** 974-3207 **Email:** Jerry.Rusthoven@austintexas.gov
City Staff: Greg Dutton **Phone:** 974-3509 **Email:** Greg.Dutton@austintexas.gov

RESOLUTION NO. 20131121-053

WHEREAS, since the time that the University Neighborhood Overlay was adopted, there has been significant development pressure which is manifesting in the proliferation of dorm-style housing in single-family neighborhoods; and

WHEREAS, Austinites in some neighborhoods have raised concerns regarding the development of large houses and duplexes, built under single family development regulations, for the purpose of housing six unrelated occupants in a single family neighborhood; and

WHEREAS, these properties sometimes have disproportionate impacts on neighborhoods in terms of nuisance violations such as over-occupancy, noise disturbances, overflow parking, and overflowing garbage cans; and

WHEREAS, the tenants of group houses include not just university students and young adults, but also recent immigrants, returning ex-offenders, and others of low to moderate income who have limited housing options; and

WHEREAS, the homes built for this type of use are often out of accordance with the character of the single family neighborhoods where they are located; and

WHEREAS, any changes to the dwelling unit occupancy limit should include consideration of unintended consequences such as a reduction in the number of affordable housing units for both student and non-student populations and increased rents; and

WHEREAS, nationwide, occupancy limits for cities who impose them are often less than 4; and

WHEREAS, though neighbors of these high-occupancy single family properties, also known as "stealth dorms," have reported their occupancy complaints to the City of Austin's Code Compliance department, it is difficult to remedy these issues due in part to the City's high occupancy limits; and

WHEREAS, the Codes and Ordinances Subcommittee of the Planning Commission convened a stealth dorm working group beginning in June of 2013 consisting of representatives from the Austin Board of Realtors, the Austin Apartment Association, the Real Estate Council of Austin, the Austin Neighborhoods Council, the American Institute of Architects, representatives from impacted neighborhoods and Code Compliance; and

WHEREAS, that working group is in the process of preparing recommendations for presentation to the Codes and Ordinance Subcommittee at their November 2013 meeting; and

WHEREAS, the working group could benefit from hearing the perspectives of additional stakeholders, including students, recent immigrants, returning ex-offenders, and other tenants of group housing; **NOW, THEREFORE,**

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

The Council initiates a code amendment related to dwelling unit occupancy that will set the maximum number of unrelated adults who may reside in structures allowed on single-family zoned property at four and directs the City Manager to process the code amendment and bring it to Council on or before January 30, 2014. The Planning Commission may elect to recommend a different maximum; it may also recommend that the code amendment be limited

to some parts of the city, or be offered as a tool available to Neighborhood Planning Teams, rather than as a provision that applies to the entire city.

BE IT FURTHER RESOLVED:

The Codes and Ordinances Subcommittee Stealth Dorm working group ("Working Group") is requested to convene additional meetings with the purpose of incorporating feedback from additional stakeholders and to continue its review of issues related to stealth dorms and best practices for enforcement, including: (1) expanding the City's "Repeat Offender" program to include violations of City Code Section 25-2-511 (*Dwelling Unit Occupancy Limit*) and other laws related to quality of life; and (2) requiring "affidavits of occupancy".

BE IT FURTHER RESOLVED:

In conjunction with the above occupancy limit changes, the Working Group is requested to consider potential adjustments to development regulations so as to accommodate development pressure in ways that are consistent with the Imagine Austin Plan.

BE IT FURTHER RESOLVED:

The City Manager is requested to provide support for the additional meetings and to bring the recommendations to Council on or before March 31, 2014.

ADOPTED: November 21, 2013 **ATTEST:** Jannette S. Goodall

Jannette S. Goodall
City Clerk

PUBLIC COMMENT

Dutton, Greg

From: Rusthoven, Jerry
Sent: Tuesday, January 28, 2014 12:28 PM
To: Dutton, Greg
Subject: FW: comments on Code Amendment: C20-2013-035 - Occupancy

Jerry
Sent from my Windows Phone

From: Claudia Friess
Sent: 1/28/2014 11:46 AM
To: Rusthoven, Jerry
Subject: comments on Code Amendment: C20-2013-035 - Occupancy

Dear Mr Rusthoven,

I am writing to express my concern with and opposition to the City of Austin's proposal to limit the the number of unrelated adults that can occupy a residence to four. I believe that the issues which the city wishes to address with this code amendment would be better addressed through other means. I feel passionately about this issue because I currently live with more than four unrelated adults whom I consider family, and this new rule would break our family apart.

There are a number of reasons why larger numbers of unrelated adults live together. Some do because they cannot afford the rent in the areas close to their work, which particularly applies to the numerous people in the service industry who work downtown. These people might be forced by this proposed rule to move into more affordable areas further away from downtown, increasing their commute distance to work and exacerbating Austin's existing traffic problems.

Some people choose to live in larger groups because they have decided for themselves that cooperative living is their ideal living situation. I know I have, and it has made a huge impact on my personal happiness and quality of life. The emphasis here is on building community in your own home, sharing resources and responsibilities, and building support units and safety nets for those without biological family or spouses in Austin. Last night, I took one of my house mates to the emergency room at 2am when he had an allergic reaction to a medication. He may not have had the option of having someone there to drive him right away if he had only been living with one or two people.

Adult cooperative living residential units come in many forms, and it is not fair to prevent people from forming such communities because a few have generated problems. Proper enforcement of existing city ordinances should be able to address those problems.

Thank you for considering my comments.

Sincerely,

Claudia Friess
Cherrywood neighborhood, Austin TX

Dutton, Greg

From: Rusthoven, Jerry
Sent: Tuesday, January 28, 2014 12:27 PM
To: Dutton, Greg
Subject: FW: Comments for Occupancy Ordinance Hearing Today

Jerry
Sent from my Windows Phone

From: Adrian Brush
Sent: 1/28/2014 12:14 PM
To: Rusthoven, Jerry
Subject: Comments for Occupancy Ordinance Hearing Today

Mr. Rusthoven,

I am planning on coming to the Austin City Council Planning Commision meeting today to give input on agenda item #4, the proposal to amend code C20-2013-035 - Occupancy. However, in case I am unable to attend the meeting (my schedule as a graduate student at UT often does not let me out before 6pm), I was wondering if my input could be recorded and/or reviewed by the Planning Commission. Here is an email I sent to Greg Dutton, which I would like to be my official input, if possible:

I wish to write to express my concern and opposition to a proposal I have heard about (C20-2013-035: Occupancy Limits – Consider an amendment to Title 25 of the City Code related to dwelling unit occupancy). This proposal would limit the number of unrelated adults living in a single family home from 6 to 4. This is an idea that the Austin Neighborhoods Council seems to be advocating (http://www.ancweb.org/docs/resolutions/Approved_26Jun2013_StealthDorms.pdf).

While I understand the grievances laid out in this resolution, reducing the number of unrelated adults that can occupy a single family home will be detrimental to many Austin residents and to Austin itself. While proponents of this ordinance want to just reign in disruptive "stealth dorms", this proposed rule change will affect many more people than that who live with more than 3 non-relatives. For instance:

-Low-income residents who are being priced out of their neighborhoods by rapidly rising rent, which will only be exacerbated by this proposal reducing the amount of available housing.

-The service sector workers who make the downtown entertainment economy run, but can't otherwise afford to live within walking/biking/bussing distance of downtown.

-A couple who can no longer afford their property taxes, so is renting out some of their rooms. This is especially true for gay couples or couples who have decided not to marry yet.

-The young workers and students who do not have any family near Austin, and build a community within their house as a surrogate family.

Meanwhile, the grievances laid out can be addressed by more relevant initiatives that focus on the true concerns. These issues are broader symptoms of a rapidly growing Austin, not houses of 5 unrelated persons, and likewise reducing the occupancy limit will not solve these problems. Instead, the city should focus on things like:

-Revising parking rules (such as implementing permit parking and restricting parking) to protect residents' parking and avoid overcrowding.

-Enforcement of existing noise, littering, parking and other laws.

-Revising zoning requirements, building codes, inspections, and landlord requirements to preserve historic areas, ensure resident safety and improve responsiveness to complaints.

I am passionate about his issue because I have lived with more than 4 unrelated people in various contexts for more than 10 years. The households that I have lived in have provided me with a family, community, and support network that is difficult to get with just a couple roommates. If this ordinance passes, my surrogate family will have to break up, and myself and my roommates will have to pay higher rent for smaller places. We park only in our lot, do not have frequent, loud parties, and generally have good relations with our neighbors. Our situation is far from unique in Austin or in many big cities in the U.S.

The occupancy proposal focuses on the wrong thing. It will break up affordable housing and social support networks for Austin's students and workers. Let's instead focus on the actual issues brought up by ANC and others: parking, noise, safety, etc. This addresses the true issues that stem from our rapidly growing city instead of wasting resources regulating a by-product of it.

Thank you very much for your consideration,
Adrian Brush

Dutton, Greg

From: Claudia Friess <[redacted]>
Sent: Tuesday, January 28, 2014 11:52 AM
To: Dutton, Greg
Subject: comments on Code Amendment: C20-2013-035 - Occupancy

Dear Mr Dutton,

I am writing to express my concern with and opposition to the City of Austin's proposal to limit the the number of unrelated adults that can occupy a residence to four. I believe that the issues which the city wishes to address with this code amendment would be better addressed through other means. I feel passionately about this issue because I currently live with more than four unrelated adults whom I consider family, and this new rule would break our family apart.

There are a number of reasons why larger numbers of unrelated adults live together. Some do because they cannot afford the rent in the areas close to their work, which particularly applies to the numerous people in the service industry who work downtown. These people might be forced by this proposed rule to move into more affordable areas further away from downtown, increasing their commute distance to work and exacerbating Austin's existing traffic problems.

Some people choose to live in larger groups because they have decided for themselves that cooperative living is their ideal living situation. I know i have, and it has made a huge impact on my personal happiness and quality of life. The emphasis here is on building community in your own home, sharing resources and responsibilities, and building support units and safety nets for those without biological family or spouses in Austin. Last night, I took one of my house mates to the emergency room at 2am when he had an allergic reaction to a medication. He may not have had the option of having someone there to drive him right away if he had only been living with one or two people.

Adult cooperative living residential units come in many forms, and it is not fair to prevent people from forming such communities because a few have generated problems. Proper enforcement of existing city ordinances should be able to address those problems.

Thank you for considering my comments.

Sincerely,

Claudia Friess
Cherrywood neighborhood, Austin TX

Dutton, Greg

m: Adrian Brush <[redacted]>
ent: Friday, January 24, 2014 3:54 PM
To: Dutton, Greg; [redacted]
Subject: Email from austintexas.gov: Regarding proposal to limit housemates

This message is from Adrian Brush. [[redacted]

I wish to write to express my concern and opposition to a proposal I have heard about (C20-2013-035: Occupancy Limits â€" Consider an amendment to Title 25 of the City Code related to dwelling unit occupancy). This proposal would limit the number of unrelated adults living in a single family home from 6 to 4. This is an idea that the Austin Neighborhoods Council seems to be advocating (http://www.ancweb.org/docs/resolutions/Approved_26Jun2013_StealthDorms.pdf).

While I understand the grievances laid out in this resolution, reducing the number of unrelated adults that can occupy a single family home will be detrimental to many Austin residents and to Austin itself. While proponents of this ordinance want to just reign in disruptive "stealth dorms", this proposed rule change will affect many more people than that who live with more than 3 non-relatives. For instance:

-Low-income residents who are being priced out of their neighborhoods by rapidly rising rent, which will only be exacerbated by this proposal reducing the amount of available housing.

-The service sector workers who make the downtown entertainment economy run, but can't otherwise afford to live within walking/biking/bussing distance of downtown.

A couple who can no longer afford their property taxes, so is renting out some of their rooms. This is especially true for gay couples or couples who have decided not to marry yet.

The young workers and students who do not have any family near Austin, and build a community within their house as a surrogate family.

Meanwhile, the grievances laid out can be addressed by more relevant initiatives that focus on the true concerns. These issues are broader symptoms of a rapidly growing Austin, not houses of 5 unrelated persons, and likewise reducing the occupancy limit will not solve these problems. Instead, the city should focus on things like:

-Revising parking rules (such as implementing permit parking and restricting parking) to protect residents' parking and avoid overcrowding.

-Enforcement of existing noise, littering, parking and other laws.

-Revising zoning requirements, building codes, inspections, and landlord requirements to preserve historic areas, ensure resident safety and improve responsiveness to complaints.

I am passionate about his issue because I have lived with more than 4 unrelated people in various contexts for more than 10 years. The households that I have lived in have provided me with a family, community, and support network that is difficult to get with just a couple roommates. If this ordinance passes, my surrogate family will have to break up, and myself and my roommates will have to pay higher rent for smaller places. We park only in our lot, do not have quent, loud parties, and generally have good relations with our neighbors. Our situation is far from unique in Austin or in many big cities in the U.S.

[redacted]

[redacted]

[redacted]

The occupancy proposal focuses on the wrong thing. It will break up affordable housing and social support networks for Austin's students and workers. Let's instead focus on the actual issues brought up by ANC and others: parking, noise, safety, etc. This addresses the true issues that stem from our rapidly growing city instead of wasting resources regulating by-product of it.

Dutton, Greg

From: Wade Ober <[redacted]>
Sent: Friday, January 24, 2014 3:52 PM
To: Dutton, Greg
Subject: Email from austintexas.gov: C20-2013-035: Occupancy Limits

This message is from Wade Ober. [[redacted]]

Low and middle income workers are already being priced out of areas of the city with available public transit. Roommates and larger houses with 5+ bedrooms are the only way some of us single people can continue to afford living here. Stop with this inane limitations. It has no practical effect at improving the quality of life for anyone in the city and only creates longer commutes and higher rent for those of us already struggling to get by.

[illegible]

[illegible]

Dutton, Greg

From: Ethan Stover <[redacted]>
Sent: Friday, January 24, 2014 11:45 AM
To: Dutton, Greg; [redacted]
Subject: Email from austintexas.gov: Concerns about proposal to limit occupancy (C20-2013-035)

This message is from Ethan Stover. [redacted]

Hello Mr. Dutton,

I am a resident of a co-op house in the Cherrywood area of Austin, where six unrelated individuals live together in a carefully chosen, supporting community that we have created for ourselves. Now, C20-2013-035 may be directed to concerns of residents in areas where undergrad renting raises the occupancy of a house, reduces parking, or maybe the affluent neighbors do no appreciate transient student renters that do no care about the property.

We are none of these things, but C20-2013-035 would make it impossible for our family to exist as it does. The house is a converted daycare with six total bedrooms; there is no sense to the four person occupation limit. No one here is an undergrad; this house consists of degree-holding individuals in their late twenties and early thirties attempting to live a productive life in beautiful Austin. There is an extensive interview process in order to live here. We raise chickens, we have a large garden on the side of the house that makes us food, we are volunteers for Yellow Bike and various community gardens.

The Neighborhood Council wants to limit occupancy, it makes far more sense to base that occupation limit on the actual number of bedrooms available in the house. When four is the number of unrelated adults arbitrarily decided, we are then left with empty rooms and much higher rents. The proposal begins to resemble more a way to keep an undesired tax bracket out of a neighborhood than a way to keep students out of poorly regulated and cared for housing.

The past year and a half that I have lived with my chosen family in this co-op have absolutely been my happiest in Austin. As a 27 year old freelance illustrator and employee of a non-profit, I can afford to live in a neighborhood that is, frankly, gorgeous. I can walk and bike to groceries, and coffeehouses, and beautiful parks. I am surrounded by amazing people that support and care for each other like any blood family would.

Please, drop the proposed amendment for occupancy limits, or address the fact that it should be based on the number of rooms within a residence. This will negatively impact my co-op and my life as it will dozens of others who have chosen to live similarly within Austin.

Thank you for your time and consideration,

Ethan Stover

[redacted]

[redacted]

[redacted]

Dutton, Greg

From: David Orr <[redacted]
Sent: Wednesday, January 22, 2014 7:31 PM
To: Dutton, Greg; [redacted]
Subject: Email from austintexas.gov: C20-2013-035: Occupancy Limits

This message is from David Orr. [[redacted]

In case you were wondering what actual Austin voters think about the proposed occupancy limit, take a look at this discussion...

http://www.reddit.com/r/Austin/comments/1vv7ro/city_proposal_to_limit_roommates/

[redacted]

[redacted]

[redacted]

Dutton, Greg

From: Kevin Safford <[redacted]
Sent: Wednesday, January 22, 2014 7:20 PM
To: Dutton, Greg
Subject: Email from austintexas.gov: C20-2013-035: Occupancy Limits â Consider an amendment to Title 25 of the City Code related to dwelling unit occupancy.

This message is from Kevin Safford [redacted]

Please, stop doing this kind of nonsense. If 6 (or 20) unrelated people want to live together, let them. I understand that there are people who don't like living next to students, but this is a city with a large university. And that university is a core element of the city. Living with the university and among the students is part of living in Austin.

This ban on personal behavior (like most others) will disproportionately impact poorer citizens. When I was a student, I was dead broke and there was no room in the dorms for me. I paid rent to sleep in a living room. If I hadn't done that, neither I nor my roommates would have been able to afford to live somewhere that was even marginally accessible to campus by bus.

The university is already a primarily upper-class institution. The city of Austin doesn't need to throw in yet more barriers for poor students.

Thank you,
Kevin Safford

[redacted]

[redacted]

Dutton, Greg

From: James David Dunn [redacted]
Sent: Wednesday, January 22, 2014 4:28 PM
To: Dutton, Greg; [redacted]
Subject: Email from austintexas.gov: I oppose C20-2013-035: Occupancy Limits

This message is from James David Dunn. [redacted]

The 6-unrelated persons limit, and the proposed tightening to 4, won't prevent brothels- it's aimed at students. I hate how restrictive this supposedly liberal city can be on alternative living arrangements. Students pack into houses because housing in Austin is so high-priced, and restricting who can live where will (sadly) only increase housing prices near campus, since it will make the Hyde Park neighborhood even more desirable to the kind of people who can afford to buy houses there. This is yet another law that would benefit the 1% (the wealthy families living in Hyde Park) at the expense of the 99% (students and other less-wealthy residents who enjoy/tolerate living with unrelated adults). If Austin residents want to dictate what kind of people live in their neighborhood, they should move to a HOA-community in Westlake or Lake Travis. Keep this kind of lifestyle/wealth discrimination out of Austin.

[illegible]

[illegible]

[illegible]

Dutton, Greg

m: [redacted]
ent: Wednesday, January 22, 2014 2:52 PM
To: Dutton, Greg; [redacted]
Subject: Email from austintexas.gov: C20-2013-035: Occupancy Limits

This message is from Jose. [redacted]]

I do not agree with this one. There are many things wrong with this and I believe it should remain at 6.

[redacted]

[redacted]

[redacted]

C4

David E. Easterday
1702 Shelbourne Dr.

Austin, TX 78752

January 28, 2014 Case Number: C20-2013-035

Please, give a favorable recommendation for this amendment as it advances.

The abuse of rental privileges is one of the most detrimental practices contributing to the disintegration of single family zoned neighborhoods. Housing wholesalers buy up slightly sub-standard housing and, instead of improving it, they or their buyers rent them with impunity to more unrelated occupants than are presently allowed by law and allow them to deteriorate further.

The encouragement of this activity by government agencies seeking housing for clients who have no interest or ability in maintaining the properties does not help. Just as the antipathy, if not outright disdain, of the planning staff toward single family housing does not help.

The only problem with the proposed amendment is that it may never be enforced, as the current restrictions are not enforced. It should still be adopted, if for no other reason than to send a message to the city planners that their antipathy to single family housing will not go unchallenged.

My name is Sammy Easterday; I live in the Coronado Hills/Creekside subdivision near Reagan high school. C4

Thank you for this opportunity to **speak in support of reducing numbers of unrelated adults living in a residence along WITH ENABLING ENFORCEMENT provisions**.

I will enumerate current issues caused by current unregulated room rental by unscrupulous owner/developers. Whether it is **stealth dorms or stealth room rentals**, Austin neighborhoods, especially in east Austin, are besieged with problems caused by multiple people housed in properties designed for single family homes.

1. **Residents of these houses:**
   a. Panhandle the neighborhood, walk the neighborhood seeking work from homeowners repeatedly or some persons just roam the streets, frightening residents!!
   b.Ladies of the night patrol areas daylight and darkness walking the streets, engaging their trade in cars parked on the street in front of residences, this has occurred fairly recently as several more homes house many unrelated adults.
   c. Multiple cars parked around a residence causing traffic safety issues especially at corners, never mind ability of emergency staff to get to a home.
   d.Parites, frequently spilling outdoors, with loud music, excessive alcohol/other, multiple nonresident attendees.in these houses lasting late into the night

Not too long ago, following **a raid by Code enforcement** after years of complaints by residents, I counted 17 mattresses removed from a single storey bungalow! Two of the people were housed in a garden shed in the backyard! **These are our witnessed experiences!**

2. **Governmental agencies promoting**, seeking out, and financing these activities and ignoring issues specifically;

a. **Mental health**, **parole boards/others**, whose workers actively seek out mostly east side homes without regard for deed or other restrictions as a place to locate their clients with no supervision endangering the clients and neighborhood residents, by the way, some clients live in the garages of the houses.
b.**Housing authorities** who seek and purchase or place in mostly east side residences/properties persons who may or may not have the knowledge, skills or finances to maintain the property.
c. **Code Enforcement** who tell us they cannot "do anything" about travel trailers on properties not zoned for trailer living, abandoned cars etc.

Strange to discuss reducing 6 to 4 unrelated persons / residence when current flagrant violations go unenforced and seem to be encouraged by governmental agencies!

3. **Affordable housing** Residential areas **should be encouraged** by the city, not diminished by government agencies including construction of micro apartments , lax rules or lack of enforcement . New businesses hire many workers, not all of whom can afford to live in Tarrytown; some do not choose to live in VMUs and want a house, yard and maybe a dog. Current city practices are effectively reducing these kinds of affordable neighborhoods.

Our neighborhood is a well maintained, wonderfully diverse, neighborhood of single family residences, two large condo developments, and, at the edges of our neighborhood approximately 800 apartments, 6 fourplexes, a public housing project and St. George's court housing for disabled persons..

We are DENSE enough even for proponents of Imagine Austin! We **do not need for you** to turn our neighborhood into a neighborhood of rooming houses , and we certainly do not need encouragement for construction of micro apartments made easier in residential neighborhoods!

4.**Cost effectiveness**. It is cheaper to support middle class residential neighborhoods like ours than to let them deteriorate. As homes become rooming houses and dependable, tax paying residents move out of Austin; homes deteriorate, escalating more people moving out of Austin, reducing the tax base. **Increased crime**, and marginally safe houses all cost taxpayers $ that could be spent elsewhere. For residents who cannot afford to move, fear, anxiety and continued lack of city services support create a two tier system for citizens living in affluent parts of town and those who live elsewhere.

Is this the city you wish to have? Is that what Imagine Austin wants for all of us?

5. **Stock of affordable housing**. By allowing the current deterioration of neighborhoods like ours, you further reduce the already short supply of affordable housing, currently a problem for Austin. Although there will continue to be pockets and neighborhoods with high concentrations of affluent families in Austin, it has been middle class families with children that are becoming increasingly less common within the urban core. Without a sizable share of middle class families to stabilize the urban core, working class families suffer because the rung above them on the socio-economic ladder has been removed, making it more difficult for them to achieve upward social mobility.

This is the reality we have in our and other eastside neighborhoods! How could any ethical person support a continuation of these conditions by supporting the current unrelated adult living arrangements or support demolishing single family homes to make room for micro apartments for the DINKS and YUPPIES inevitably creating negative impact on neighborhoods including schools - i.e., underutilized due to decreasing student population due to gentrification ?

C4

Anguiano, Dora

From: David E. Easterday [redacted]
Sent: Monday, January 27, 2014 10:48 PM
To: Anguiano, Dora; kottontail1@sbcglobal.net
Subject: Email from austintexas.gov: Code Amendment: C20-2013-035 - Occupancy

This message is from David E. Easterday. [kottontail1@sbcglobal.net]

January 27, 2014 Case Number: C20-2013-035

If possible, I would like my message to be made available to every commissioner.
Please, give a favorable recommendation for this amendment as it advances.
The abuse of rental privileges is one of the most detrimental practices contributing to the disintegration of single family zoned neighborhoods. Housing wholesalers buy up slightly sub-standard housing and, instead of improving it, they or their buyers rent them with impunity to more unrelated occupants than are presently allowed by law and allow them to deteriorate further.
The encouragement of this activity by government agencies seeking housing for clients who have no interest or ability in maintaining the properties does not help. Just as the antipathy, if not outright disdain, of the planning staff toward single family housing does not help.
The only problem with the proposed amendment is that it may never be enforced, as the current restrictions are not enforced. It should still be adopted, if for no other reason than to send a message to the city planners that their negative opinions of single family housing will not go unchallenged.