

**ORDINANCE AMENDMENT REVIEW SHEET**

**Amendment:** C20-2014-004 S.M.A.R.T. Housing

**Description:** Consider an ordinance to amend Title 25 of the City Code relating to the transit-oriented criteria for S.M.A.R.T. Housing.

**Proposed Language:** See attached draft ordinance details.

If approved, this ordinance would amend the Program Requirements for S.M.A.R.T. Housing related to transit orientation, Section 25-1-703 of the City Code.  
Proposed code changes for S.M.A.R.T. Housing:

- Require development location to be within ½ mile walking distance of a transit route at time of application
- The Director may waive the transit-oriented requirements for developments if they meet the following criteria:
  1. Located within a high opportunity area as identified by the Director and established in the program guidelines.  
OR
  2. Application includes a letter from Capital Metro confirming that a future route is documented in agency plans.  
OR
  3. Project seeks to leverage funds through the State or Federal Government, to include the Low Income Tax Credit Program;  
OR
  4. Project affirmatively furthers fair housing.

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.

**Background:** Initiated by Council Resolution 20140410-026.

This ordinance is being brought forth for Mayor and Council's consideration per Council Resolution No. 20140410-026. The Council resolution directed staff to explore opportunities to strengthen the transit-oriented criteria tied to the S.M.A.R.T. Housing policy and program.

**Staff Recommendation:** Staff recommends the proposed code amendment.

**Board and Commission Actions**

**September 9, 2014:** The Community Development Commission recommended approval of the staff recommendations with a 9-0 vote.

**September 16, 2014:** Planning Commission Codes and Ordinances Subcommittee recommended the code amendment move forward to the full Planning Commission with the unanimous support of the Subcommittee, vote 4-0.

**October 14, 2014:** Planning Commission (item scheduled for action)

**Council Action**

**October 23, 2014:** Requested Public Hearing at City Council meeting

**Ordinance Number:** NA

**City Staff:** Jessi Koch    **Phone:** 974-3184    **Email:** [Jessi.Koch@austintexas.gov](mailto:Jessi.Koch@austintexas.gov)

# Proposed S.M.A.R.T. Housing code amendment on transit-oriented criteria

COA Planning Commission

October, 2014

Prepared by Neighborhood Housing and Community Development

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# Resolution 20140410-026

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City Council Resolution No. 20140410-026 adopted in March of 2014 directs City Manager to,

**Gather input from stakeholders** including the Community Development Commission, affordable housing advocates, and housing developers on the benefits and costs to developers of building under S.M.A.R.T. housing on the effects of amending the "Transit" criteria...Staff should **present all stakeholder feedback, and alternative recommendations** on strengthening the S.M.A.R.T. Housing Program and the transit requirement... The City Manager is directed to **consider alignment of the City's capital improvement funding**, as well as how to **improve coordination with Capital Metro** related to affordable housing projects and transit stop, with this updated policy.

# Stakeholder engagement

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Since May, NHCD staff has engaged the expertise of stakeholders in order to access institutionalized knowledge of the S.M.A.R.T. Housing program and gather feedback on the initiated amendment to the transit criteria.

- One-on-one interviews
- Small group facilitated discussions
- Utilized NHCD blog to disseminate information
- Boards and Commissions

# Stakeholder engagement

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NHCD reached out to a targeted group of stakeholders to provide feedback on the S.M.A.R.T. Housing policy and program and proposed code amendment. Stakeholder organizations and companies that choice to participate in either one-on-one interviews or focus groups include:

- ADAPT Austin
- Austin Board of Realtors
- Benchmark Land Development
- CHDO Roundtable
- College Houses
- Foundation Communities
- Guadalupe Neighborhood Association
- Habitat for Humanity Austin
- Home Builders Association of Greater Austin
- Javier Delgado (COA)
- Lennar Homes
- My Brilliant City of Austin
- Stuart Hersh (former COA)

# Interdepartmental Collaboration

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In addition to our targeted stakeholder engagement NHCD also consulted with the following City Departments and partners:

- Austin Transportation Department
- Capital Metro
- Capital Planning Department
- Planning and Development Review
- Public Works Department

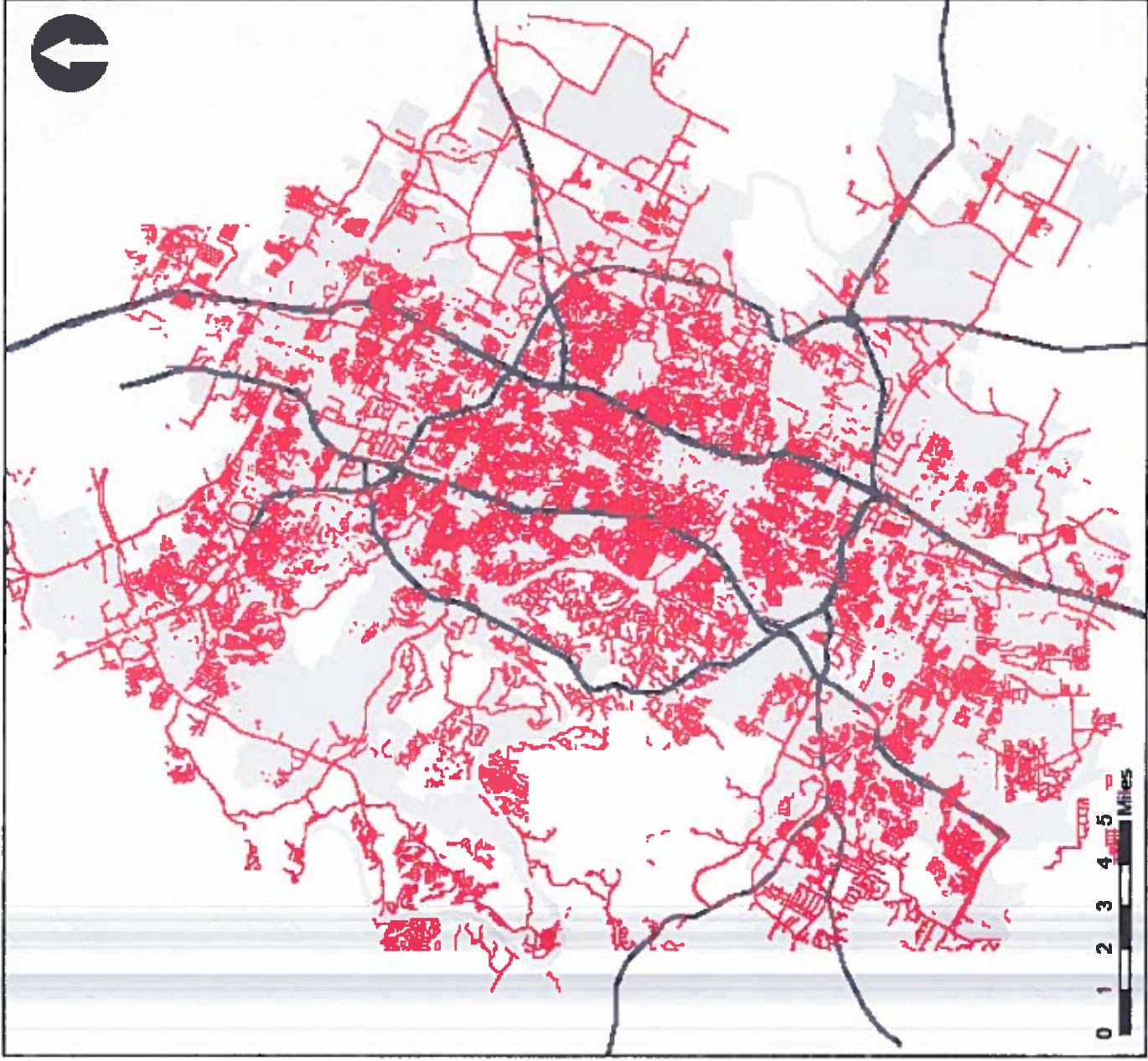
# Data Analysis

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- Analysis of S.M.A.R.T. Housing program performance 2000-2014
  - Ongoing analysis that will inform future recommendations for policy and program amendments
- Analysis specific to the transit-oriented criteria
  - Sidewalk infrastructure (accessible routes)
  - Public transit network
  - Existing S.M.A.R.T. developments



# DRAFT: Absent Sidewalks Citywide



— Absent Sidewalk

Note: Sidewalk data was provided by the Public Works Department and was last modified 7/18/2014.

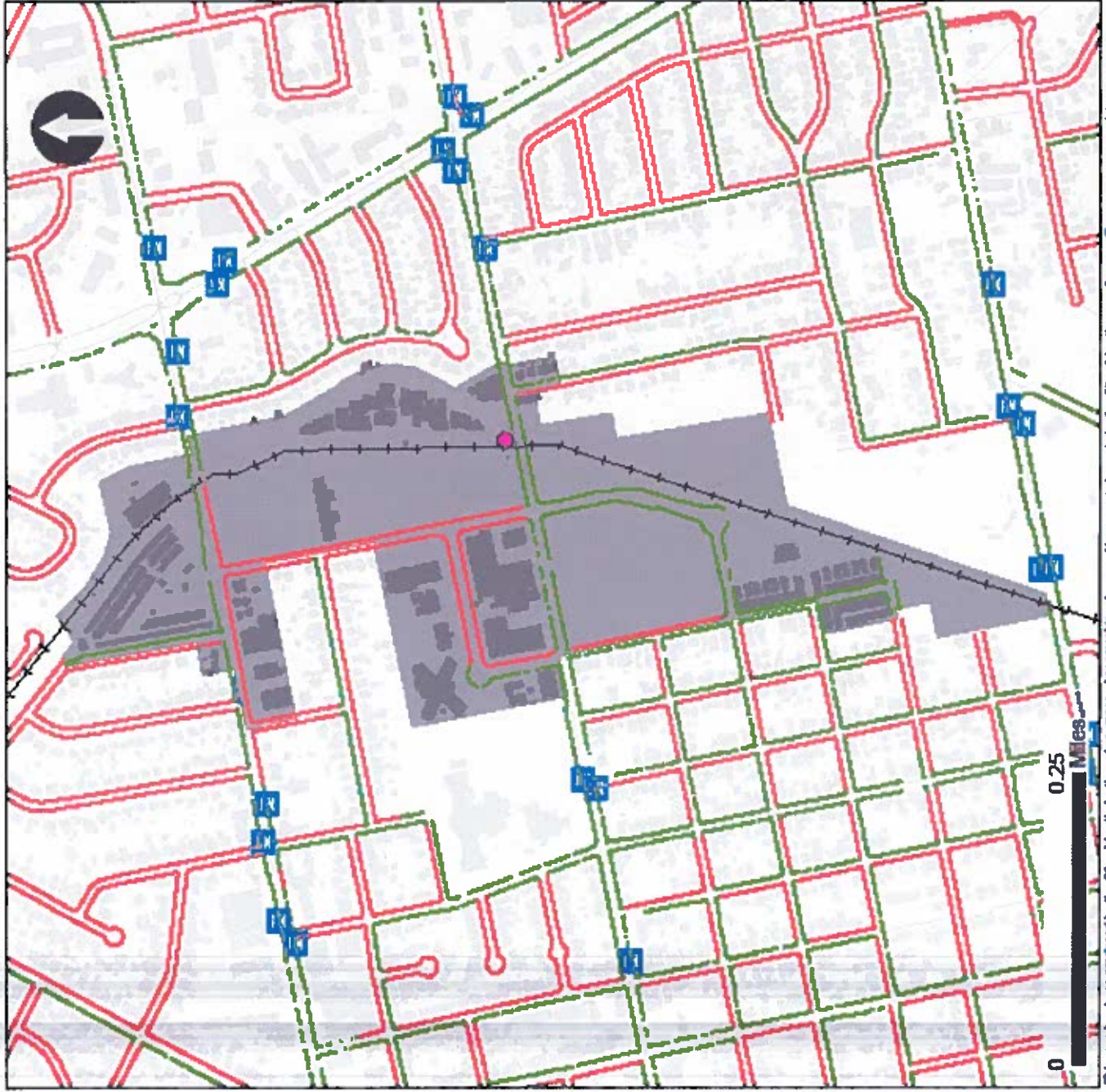


Map created by Neighborhood Housing and Community Development | City of Austin  
Date: 9/16/2014

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# Sidewalk Infrastructure Surrounding the MLK TOD: Driveways



This map has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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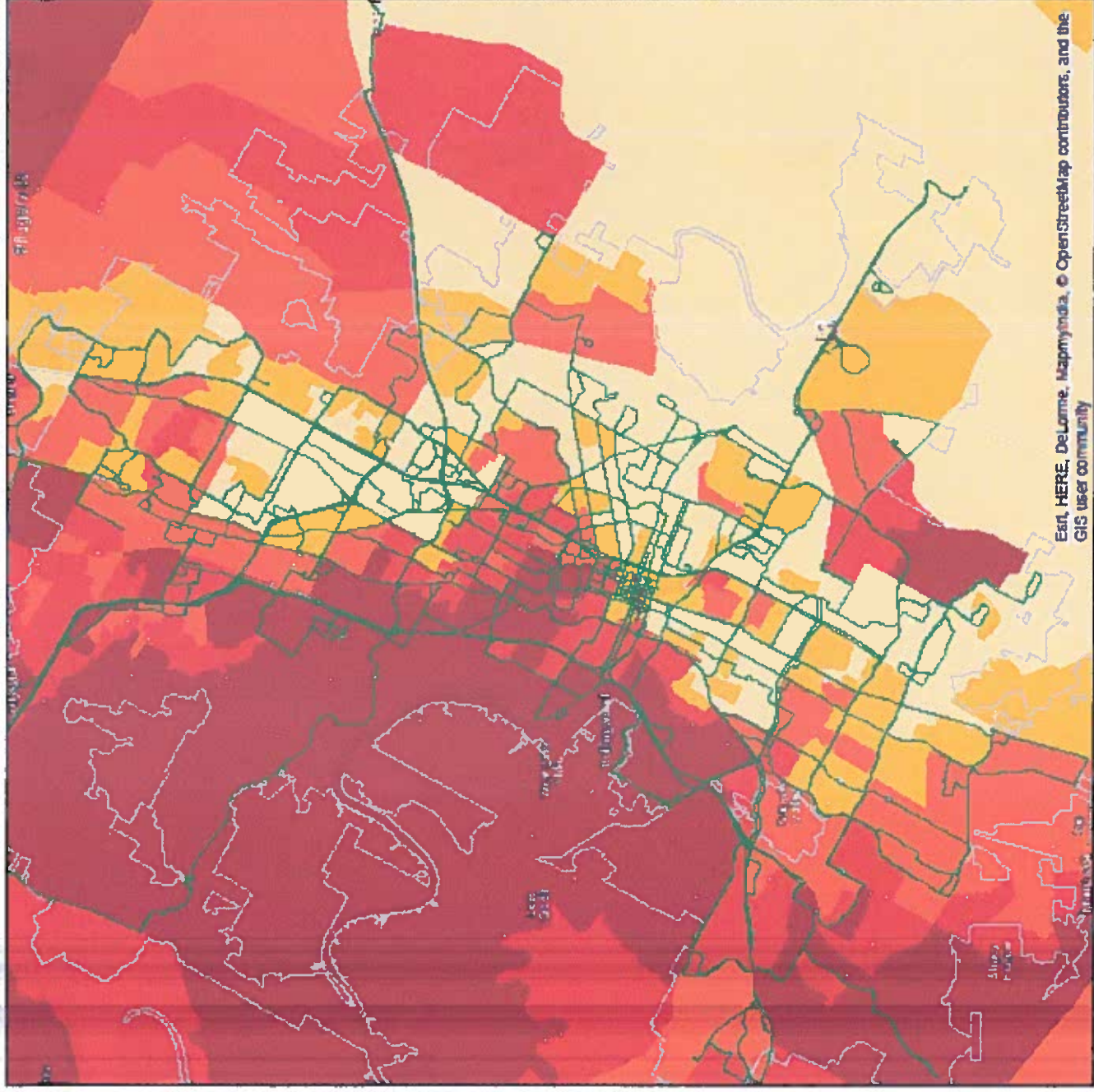
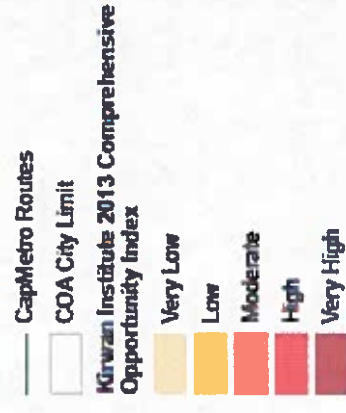


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# DRAFT: Opportunity Areas and Public Transit



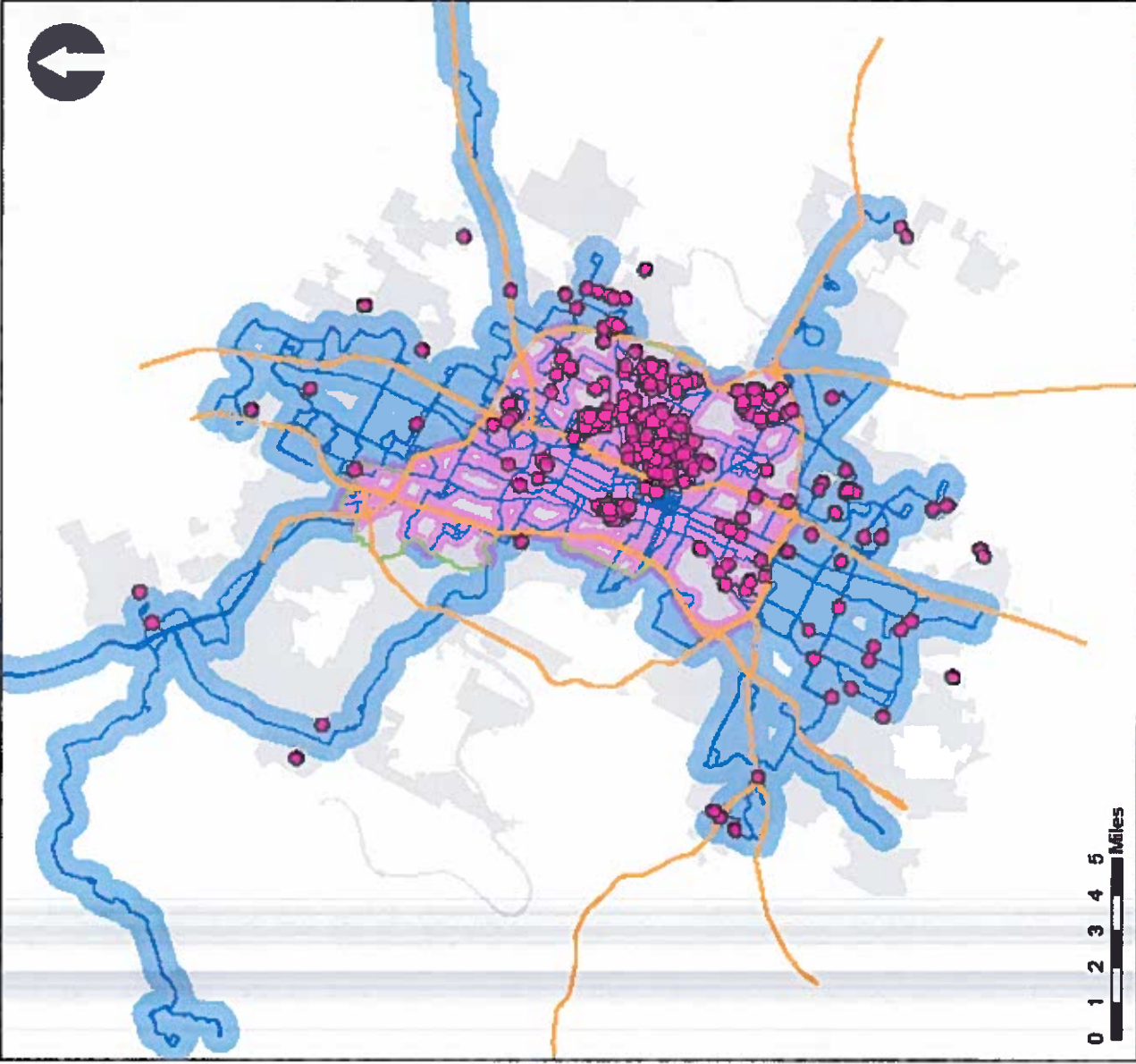
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# DRAFT: Existing SMART Housing Transit Requirements

Under the Current SMART Housing ordinance, projects within the Urban Roadway network must be within 1/4 mile of a transit line and projects in the Suburban Roadway network must be within 1/2 mile.

- SMART Housing Project
- CapMetro Bus Route
- 1/4 Mile Service Area
- 1/2 Mile Service Area
- Urban Roadways



Map created by Neighborhood Housing and Community Development, City of Austin  
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# Transit-oriented Criteria Code Amendment

| Current Code          | Resolution No.<br>20140410-26                                                                                                 | Proposed Amendment<br>Staff Recommendation                                                     | Staff Comments on Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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, | Development located within 1/2 mile walking distance of a transit route at time of application | <ul style="list-style-type: none"> <li>Requiring location within a 1/2 mile of a transit stop in high opportunity areas where transit is limited 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> |

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## Transit-oriented Criteria Code Amendment

| Current Code          | Resolution No.<br>20140410-26                                                                                               | Proposed Amendment<br>Staff Recommendation | Staff Comments on Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Director's discretion | and requiring the route from the project to the transit stop to be accessible for pedestrians and people with disabilities. | No code amendment at this time             | <ul style="list-style-type: none"> <li>Requiring an accessible route to transit limits potential locations for the development of S.M.A.R.T. Housing and therefore 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> |

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# Transit-oriented Criteria Code Amendment

| Current Code          | Resolution No.<br>20140410-26                                                                                                                                                                                                                                                                                                                                                                                 | Proposed Amendment<br>Staff Recommendation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Staff Comments on Resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Director's discretion | <p>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> | <p>The Director may waive the transit-oriented requirements for developments if they meet the following criteria:</p> <ol style="list-style-type: none"> <li>1. Located within a high opportunity area as identified by the Director and established in the program guidelines;</li> </ol> <p>OR</p> <ol style="list-style-type: none"> <li>2. Application includes a letter from Capital Metro confirming that a future route is documented in agency plans;</li> </ol> <p>OR</p> <ol style="list-style-type: none"> <li>3. Project seeks to leverage funds through the State or Federal Government, to include the Low Income Tax Credit Program; OR</li> <li>4. Project affirmatively furthers fair housing.</li> </ol> <p>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 terms of the waiver.</p> | <ul style="list-style-type: none"> <li>• Allowing for the exemption of projects in high opportunity areas supports the City's efforts to Affirmatively Further Fair Housing through the geographic dispersion of affordable housing.</li> <li>• Allowing for the exemption of projects located within proximity of future transit routes 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>• NHCD will work with Capital metro to create a system for transit-oriented evaluation that considers holistic access to transit.</li> </ul> |

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# Resolution No. 20140410-026: S.M.A.R.T. Housing transit-oriented criteria

| NHCD Interpreted Resolution objective                           | Resolution Language                                                                                                                                                                                                        | NHCD Staff Approach                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Increased access to public transportation</b></p>         | <p>Project to be within 1/2 mile of a transit stop, measured by the actual travel distance and requiring the route from the project to the transit stop to be accessible for pedestrians and people with disabilities.</p> | <ul style="list-style-type: none"> <li>NHCD staff will work with Capital Metro to ensure that additional transit stops are added when possible and appropriate.</li> <li>Work with Capital Metro to create a system for transit-oriented evaluation that considers holistic access 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> |
| <p><b>Codify method for calculating distance to transit</b></p> | <p>Project to be within 1/2 mile of a transit stop, measured by the actual travel distance</p>                                                                                                                             | <ul style="list-style-type: none"> <li>Development located within 1/2 mile walking distance of a transit route at time of application.</li> <li>Recommending specific waiver criteria within City Code to be further implemented through program guidelines.</li> <li>NHCD staff will work with Capital Metro to ensure that additional transit stops are added when possible and appropriate.</li> </ul>                                                                                                                                                                  |

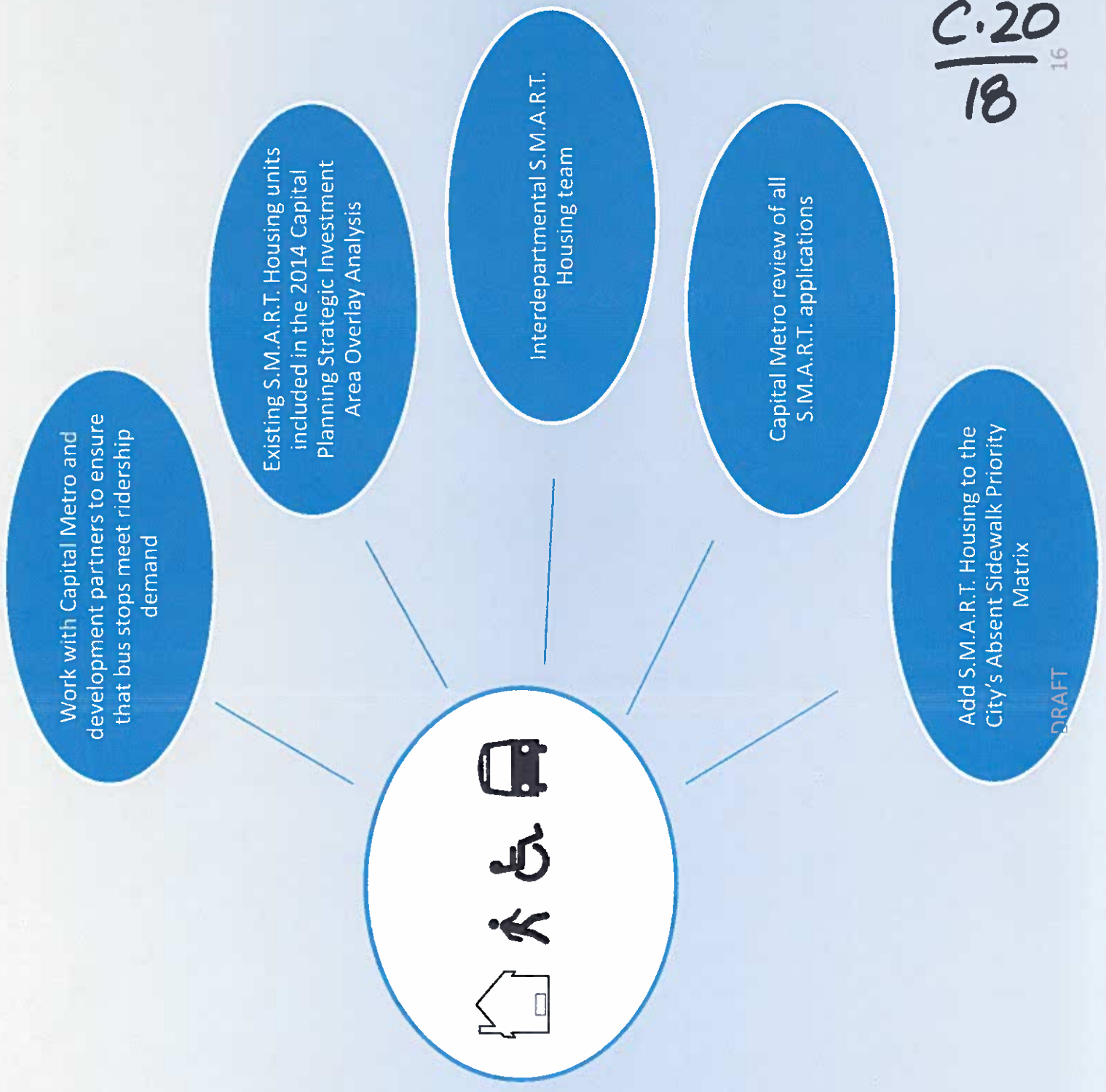
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# Resolution No. 20140410-026: S.M.A.R.T. Housing transit-oriented criteria

| NHCD Interpreted<br>Resolution objective                                                    | Resolution Language                                                                                                                                                                                                     | NHCD Staff Approach                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Ensure the City has the opportunity to leverage non-local funds</p>                      | <p>Consider exemptions for 9% Tax Credit projects and other exemptions</p>                                                                                                                                              | <ul style="list-style-type: none"> <li>• Provide waiver eligibility for projects that leverage State and Federal funds</li> <li>• Provide waiver for projects that affirmatively further fair housing</li> <li>• Provide waiver for projects that receive a letter from Capital Metro confirming that a future route is documented in agency plans</li> <li>• Provide waiver for projects located in high opportunity areas</li> </ul> |
| <p>Ensure that the City is meeting its commitment to Affirmatively Further Fair Housing</p> | <p>The City is also currently developing the Analysis of Impediments to Fair Housing, which will analyze Austin's impediments to fair housing choice, such as access to transportation and walkability</p> <p>DRAFT</p> | <ul style="list-style-type: none"> <li>• Looked at relationship between the Capital Metro service network and high opportunity areas as identified by the Kirwan Institute Opportunity Index</li> <li>• Provide waiver for projects that affirmatively further fair housing</li> </ul> <p>C:20<br/>17/1</p>                                                                                                                            |

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## **Recommended steps: Strengthen the transit orientation of S.M.A.R.T. Housing projects**

- Form an interdepartmental S.M.A.R.T. team that will support the ongoing implementation and evaluation of the S.M.A.R.T. Housing policy and program.
- Continue to collaborate with Capital Metro to identify opportunities for future bus stops near S.M.A.R.T. Housing developments.
- Work with Capital Metro to create a system for transit-oriented evaluation that considers holistic access to transit.
- Integrate S.M.A.R.T. into the City's Absent Sidewalk Priority Matrix and establish coordinated systems between NHCD and the Public Works department.
- Explore opportunities to identify additional funding for the development of sidewalks in areas where existing and anticipated S.M.A.R.T. Housing is located.
- Develop tiered system that aligns increased developer incentives with increased transit orientation.
- Explore strategies to increase opportunities in the city's most transit connected census tracts.
- Identify more robust developer incentives to support transit-oriented community benefits

## **Boards and Commissions review:**

|                     |                                                                                                                                                                                   |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| September 9, 2014:  | The Community Development Commission recommended approval of the staff recommendations with a 9-0 vote.                                                                           |
| September 16, 2014: | Planning Commission Codes and Ordinances Subcommittee recommended the code amendment move forward to the full Planning Commission with the unanimous support of the Subcommittee. |
| October 28, 2014:   | Planning Commission (item scheduled for action)                                                                                                                                   |
| November 30, 2014:  | Requested Public Hearing at City Council meeting                                                                                                                                  |

## **Glossary of Terms:**

**High Opportunity Area** means an area that provides certain conditions that places individuals in a position to be more likely to succeed or excel. This area may include such conditions as:

- racial and economic integration;
- access to employment;
- high performing schools;
- access to fresh and healthy foods; and
- low levels of poverty
- low crime rate
- access to parks
- minimal environmental hazards

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# Central Texas Opportunity Maps

## 2012 Opportunity Indicators

| Education                                                                                                                                                                                                                                                                                 | Economics & Mobility                                                                                                                                                                     | Housing & Environment Conditions                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><li>• Adult Educational Attainment</li><li>• Student Poverty</li><li>• Student/Teacher Ratio</li><li>• School Reading Proficiency Rate</li><li>• School Math Proficiency Rate</li><li>• High School Graduation Rate</li><li>• Enrollment Rate</li></ul> | <ul style="list-style-type: none"><li>• Unemployment Rate</li><li>• Jobs Within 5 Miles</li><li>• Mean Commute Time</li><li>• Transit Access</li><li>• Median Household Income</li></ul> | <ul style="list-style-type: none"><li>• Neighborhood Poverty Rate</li><li>• Vacancy Rate</li><li>• Proximity to Parks</li><li>• Proximity to Toxic Release Sites</li><li>• Proximity to Brownfields</li><li>• Crime Index</li><li>• Food Deserts</li><li>• Proximity to Health Care Facilities</li></ul> |

**GREENDOORS**

HOMES THROUGH COMMUNITY PARTNERSHIP

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# Appendix

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# Major Themes from Stakeholders

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- Transit orientation is always a priority but the cost of land has become a great barrier to developing on a medium-large scale within transit connected areas
- Lack of sidewalk connectivity and inconsistency of sidewalk quality makes providing an accessible route very challenging
  - Onus should be on the City not on affordable housing developers
- Transit-oriented requirements limit the geographic dispersion of affordable housing and therefore do not support the City's commitment to Affirmatively Further Fair Housing
- S.M.A.R.T. certified projects are no longer experiencing expedited review or development review advocacy from the City
  - Planning & Development Review, Law Department, Austin Energy, and Austin Water Utility all should be included
- Fees eligible to be waived should be expanded beyond the current list and capture future fees

# Major Themes from Stakeholders

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- A much higher percentage of fee waivers will be necessary to entice for-profit developers to participate
- The most valued current incentive is the promise of expedited review
- Frequent Development Review staff turnover makes consistency challenging
- Policy should consider differences between non-profit and for-profit business models and goals
- There is a need for additional incentives to bring for-profit developers to the table
- Program could benefit from targeted outreach and education to for-profit developers/builders
- Providing accessible units does not increase cost of development significantly, nor do the units elicit negative feedback from residents
- Land value/cost is a major challenge for...
  - Non-profits to secure financing
  - For-profits to provide affordable units and still meet investor expectations
  - In transit connected areas where land costs are generally higher

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**ORDINANCE NO.**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 25-1  
RELATING TO SMART HOUSING**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-1-701 is amended to add a new definition for high opportunity area to read:

**§ 25-1-701 DEFINITIONS.**

HIGH OPPORTUNITY AREA means an area that provides certain conditions that places individuals in a position to be more likely to succeed or excel. This area may include such conditions as:

- (1) racial and economic integration;
- (2) access to employment;
- (3) high performing schools;
- (4) access to fresh and healthy foods; and
- (5) low levels of poverty
- (6) low crime rate
- (7) access to parks
- (8) minimal environmental hazards

**PART 2.** City Code Section 25-1-703 (B) is amended to read:

**§ 25-1-703 PROGRAM REQUIREMENTS.**

(B) S.M.A.R.T. Housing must:

- (1) be safe by providing housing that complies with Title 25 of the City Code (*Land Development*);
- (2) provide mixed-income housing by including dwelling units that are reasonably-priced, as described in Subsections (C) and (D);
- (3) provide for accessibility by:
  - (a) including dwelling units that comply with the accessibility requirements of the Building Code in:



- (1) each building with four or more dwelling units; and
  - (2) at least 10 percent of the dwelling units in each development; or
- (b) for a development with three or fewer dwelling units, complying with the design and construction requirements of Chapter 5-1, Article 3, Division 2 (*Design and Construction Requirements*); and
- (4) be located within one-half mile walking distance of transit route at time of application [~~comply with the transit oriented guidelines adopted by the director~~];
- (5) the Director may waive the transit-oriented requirement in Section 25-703 (B) (4) for developments if they meet the following criteria:
  - (1) development is located within a high opportunity area as identified by the Director and established in the program guidelines; or
  - (2) application includes a letter from Capital Metropolitan Transportation Authority confirming that a future route is documented in agency plans; or
  - (3) project seeks to leverage funds through the State or Federal Government, to include the Low Income Housing Tax Credit Program; or
  - (4) project affirmatively furthers fair housing.

All projects that receive waivers at the discretion of the director will be revaluated prior to the receiving certificate of occupancy and may be decertified if the Director determines the project is no longer in compliance with the terms of the waiver.

- (6) [~~(5)~~] achieve at least a one star rating under the Austin Green Building program.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2014.

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**PASSED AND APPROVED**

\_\_\_\_\_, 2014

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\_\_\_\_\_  
Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_

Karen M. Kennard  
City Attorney

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk

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**RESOLUTION NO. 20140410-026**

**WHEREAS**, the City of Austin supports affordable housing for low-income persons and provides funding to projects that meet certain requirements; and

**WHEREAS**, funds available to assist in development of low-income housing projects, including projects hoping to leverage city funds in order to receive tax credits from the Texas Department of Housing and Community Affairs (TDHCA), are awarded based on a variety of factors included in the Rental Housing Development Assistance (RHDA) application for financing; and

**WHEREAS**, scoring for the Competitive 9% TDHCA Housing Tax Credit Program projects is based largely on criteria within state legislation and on scoring criteria in the Qualified Allocation Plan adopted by the TDHCA board and reviewed by the Governor prior to final approval; and

**WHEREAS**, the S.M.A.R.T. (Safe, Mixed-Income, Accessible, Reasonably-priced, Transit-Oriented) Housing Policy Initiative is designed to stimulate the production of housing for low and moderate income residents of Austin; and

**WHEREAS**, the number of units built under S.M.A.R.T. housing has diminished in recent years, suggesting that the program no longer provides the benefits to housing developers that it once did; and

**WHEREAS**, outreach to housing developers who have built or considered building under S.M.A.R.T. housing may help to identify opportunities for program improvement, thus increasing participation; and

**WHEREAS**, meeting S.M.A.R.T. Housing requirements is one of the threshold requirements for a project to receive funding through the Rental Housing Development Assistance (RHDA) application for financing, and that policy requires a project to be located within ½ mile of a bus route; and

**WHEREAS**, the current language that states projects should locate within ½ mile of a bus route does not ensure that all projects funded with city dollars provide their residents access to a transit stop within a reasonable distance and through a safe, walkable route; and

**WHEREAS**, a compact, connected Austin with improved transportation options is a priority program in the City's comprehensive plan, Imagine Austin, and the City's Land Development Code is being revised to reflect those community priorities; and

**WHEREAS**, the City is also currently developing the Analysis of Impediments to Fair Housing, which will analyze Austin's impediments to fair housing choice, such as access to transportation and walkability, and make recommendations on how to resolve those impediments; and

**WHEREAS**, there is an opportunity to receive feedback on potential changes to the transit aspect of the S.M.A.R.T. Housing Policy as the City works with the public and various stakeholders to develop the 2014-2019 Consolidated Plan which will detail how the City plans to invest its resources to meet Austin's ongoing needs for affordable housing, community development, economic development, and public services; **NOW, THEREFORE,**

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

The City Council initiates a code amendment to amend the "Transit" criteria related to the S.M.A.R.T. Housing Program requirements in City Code Section 25-1-703 (B) (4) to include language in the code requiring a project to be within ½ mile of a transit stop, measured by the actual travel distance, at the time the project is occupied, and requiring the route from the project to the transit stop to be accessible for pedestrians and people with disabilities.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to gather input from stakeholders including the Community Development Commission, affordable housing advocates, and housing developers on the benefits and costs to developers of building under S.M.A.R.T. housing on the effects of amending the "Transit" criteria. 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 ½ mile requirement. Staff should present all stakeholder feedback, and any alternative recommendations on strengthening the S.M.A.R.T. Housing Program and the transit requirement, at the same time as the draft code amendment.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to consider alignment of the City's capital improvement funding, as well as how to improve coordination with Capital



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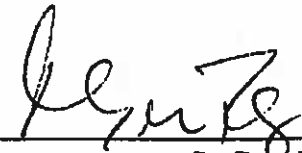
Metro related to affordable housing projects and transit stops, with this updated policy.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to bring the code amendment and any alternative recommendations to City Council by September 1, 2014 or as soon as possible thereafter.

**ADOPTED:** April 10, 2014

**ATTEST:**

 *for*

Jannette S. Goodall  
City Clerk