

RESOLUTION NO.

WHEREAS, Division 3, Article 15 of Chapter 25-1 of the City Code imposes notification requirements ~~the Tenant Notification and Relocation Ordinance~~ seeks to mitigate, through notification and relocation assistance, the impacts of tenant displacement resulting from multi-family redevelopment and the demolition or change in use of multi-family buildings and mobile home parks (“the Tenant Notification and Relocation Ordinance”); and

WHEREAS, under the current Tenant Notification and Relocation Ordinance, a landlord can evict all tenants and then apply the next day, with no penalty, for a permit or zoning change that would have triggered the relocation ordinance, having not given any notification as laid out in the Tenant Relocation Ordinance; and

WHEREAS, unpermitted work does not trigger the Tenant Notification and Relocation Ordinance, which means that the applications can move forward without complying with the notification requirements; and ~~and an applicant is not penalized for circumventing the ordinance by doing unpermitted work;~~

WHEREAS, mobile home parks are some of the last remaining non-subsidized housing opportunities for affordable homeownership; and

WHEREAS, on September 20, 2018, the City Council adopted a resolution that initiated zoning, rezoning and where appropriate future land use map amendments for properties currently being used as a mobile home residence park or a mobile home subdivision, but not zoned mobile home residence (MH) district and City Council then adopted the amendments in 2019; and

Formatted: Font: Not Bold

24 **WHEREAS**, the 2019 amendments were intended to protect residents
25 utilizing RVs as ~~a~~ a primary residence and were not meant to encourage
26 redevelopment as RV parks for temporary stays;

27 **WHEREAS**, developers are redeveloping these mobile home sites for RV
28 parks projects~~using loopholes created by the 2019 amendments to build and~~
29 ~~operate luxury RV park projects~~ to cater to a market of people coming to Austin
30 for short-term stays, contrary to the residential use of MH zoning and the anti-
31 displacement intent of the 2019 amendments; **NOW, THEREFORE,**

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

33 The City Council initiates amendments to Tenant Notification and
34 Relocation Ordinance that address the issues raised in this Resolution and as best
35 as possible, achieve the following goals: Title 25 of the City Code and directs the
36 City Manager to prepare a code amendment to the Tenant Notification and
37 Relocation Ordinance that accomplishes the following:

- 38 1. ~~deter the displacement of residents of residents before submitting for~~
39 ~~an application; and If there are no tenants residing on a property and~~
40 ~~the applicant has not provided notification to tenants pursuant to 25-1-~~
41 ~~712 (A) or (B), and a tenant has resided at the property during the 270~~
42 ~~days prior to the date of an application:~~
- 43 ○ ~~Require that notification be given to the Housing and Planning~~
44 ~~Department of the application; and~~
 - 45 ○ ~~Require that the application be approved no earlier than:~~
 - 46 *1. ~~For a demolition or building permit, 120 days after notification to the~~
47 ~~Housing and Planning Department has been made; or~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

48 *—~~For a rezone, site plan, or change of use permit, at least~~
49 270 days after notification to the Housing and Planning
50 Department has been made;

51 2.—~~Require the Housing and Planning Department to post online a list of~~
52 ~~properties that have submitted an application for a rezone, site plan or~~
53 ~~change of use permit so that tenants who had resided at the property~~
54 ~~during the prior 270 days could apply for relocation assistance;~~

55 3.2. require compliance with the ordinance when the property owner
56 conducts unpermitted work; Create an offense for a person who
57 conducts work that would have required an application pursuant to
58 Sec. 25-1-712 (A) (1) but did not apply nor did they provide tenant
59 notification;

60 4.3. require notifications for tenants for alterations or repairs described in
61 Section 25-1-712(A); and Ensure that notice is given to tenants in
62 circumstances other than solely demolition by specifying any
63 alteration or repair also triggers notification requirements;

64 5.4. require that tenant relocation requirements apply to any multi-family
65 property with five or more residential units~~Replace the word~~
66 ~~“building” with “property” to ensure large multifamily complexes~~
67 ~~composed of many buildings are also captured by the ordinance.~~

68 **BE IT FURTHER RESOLVED:**

69 The City Council initiates amendments to Chapter 25-2 to amend the site
70 development regulations for mobile home parks to preserve mobile home parks as
71 long-term residential uses, such as increasing the minimum number of days for
72 residential stays. Section 25-2-1205 (Site Development Regulations for Mobile
73 Home Parks) and directs the City Manager to prepare a code amendment to that

74 requires all residences in Mobile Home (MH) zoning must provide a stay for 180
75 days or longer.

76 **BE IT FURTHER RESOLVED:**

77 The City Manager is directed to create an online list of properties that have
78 submitted an application subject to the Tenant Notification and Relocation
79 Ordinance so that a tenant who resided at the property during the prior 270 days
80 can apply for relocation assistance.

Formatted: Font: Not Bold

81 **BE IT FURTHER RESOLVED:**

82 The City Manager is directed to provide Council with a recommended
83 ordinance for consideration on a Council agenda by April 1~~December 1~~, 20232.

84
85 **ADOPTED:** _____, 2022 **ATTEST:** _____

86 Myrna Rios
87 City Clerk
88