

RESOLUTION NO. 20221027-039

WHEREAS, Division 3, Article 15 of Chapter 25-1 of the City Code imposes notification requirements that seek 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, Resolution 20180628-063 directed the City Manager to research best practices, conduct stakeholder meetings, and provide recommendations for ordinance changes or alternative actions to create a “lookback” period to address this situation; and

WHEREAS, staff’s memo on May 9, 2019, provided specific, detailed recommendations for provisions to be included in ordinance changes and indicated that ordinance changes would only be effective if the City identifies funding to support relocation assistance; 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

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

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

WHEREAS, developers are redeveloping these mobile home sites for RV park projects to cater to a market of people coming to Austin for short-term stays, contrary to the residential use of MH zoning and the anti-displacement intent of the 2019 amendments; **NOW, THEREFORE**,

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

The City Council initiates amendments to the Tenant Notification and Relocation Ordinance that address the issues raised in this Resolution and Resolution 20180628-063 and as best as possible, incorporate recommendations described in the staff memo from May 9, 2019, to achieve the following goals:

1. deter the displacement of residents before submitting for an application; and
2. require compliance with the ordinance when the property owner conducts unpermitted work; and

3. require notifications for tenants for alterations or repairs described in Section 25-1-712(A); and
4. require that tenant relocation requirements apply to any multi-family property with five or more residential units.

BE IT FURTHER RESOLVED:

The City Council initiates amendments to Chapter 25-2 to amend the site development regulations for mobile home parks to preserve mobile home parks as long-term residential uses, such as increasing the minimum number of days for residential stays.

BE IT FURTHER RESOLVED:

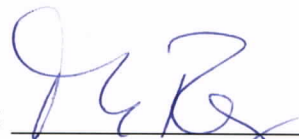
The City Manager is directed to create an online list of properties that have submitted an application subject to the Tenant Notification and Relocation Ordinance so that a tenant who resided at the property during the prior 270 days can apply for relocation assistance.

BE IT FURTHER RESOLVED:

The City Manager is directed to provide Council with a recommended ordinance for consideration on a Council agenda by April 1, 2023.

ADOPTED: October 27, 2022

ATTEST:



Myrna Rios
City Clerk