

RESOLUTION NO. 20230209-041

WHEREAS, after significant conversation and community feedback, the City of Austin Board of Adjustment (“BOA”) unanimously voted to send a resolution to Austin City Council (“Council”) requesting the creation of an assistance program for socioeconomically challenged families in the City of Austin (“City”) seeking a hardship variance at the BOA; and

WHEREAS, on October 14, 2021, Council adopted Resolution No. 20211014-045 directing the City Manager to explore the creation of a Board of Adjustment Applicant Assistance Program (“BAAP”) for residential homestead applicants who are requesting a hardship variance or special exception; and

WHEREAS, on January 14, 2022, the City’s Development Services Department (“DSD”), sent a memo to Council reporting that the tasks requested would not be completed until May 2022; and

WHEREAS, on July 27, 2022, DSD sent a memo (“Memo”) to Council reporting that funding had been identified to support the program along with a viable way to manage it using a pre-existing contract; and

WHEREAS, the Memo proposed using an existing contract managed by Austin Public Health, to allow applicants access to pro-bono legal services; and

WHEREAS, the Memo recommended the BAAP be used to support fee waivers or reductions for applicants who meet the eligibility criteria, as well as pro bono assistance with navigating the application process and subsequent proceedings; and

WHEREAS, the Memo recommended creation of the BAAP with a start date of October 1, 2022; and

WHEREAS, the Board of Adjustment respectfully requests the Council adopt an action to create the BAAP; **NOW, THEREFORE**,

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

Council directs the City Manager to create an economic development grant program to fund the BAAP for qualifying residential homestead applicants to pay for City fees assessed for an application for a residential zoning variance or special exception variance.

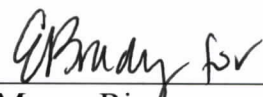
BE IT FURTHER RESOLVED:

1. The program shall be funded in a pre-determined amount per fiscal year, with a cap on the total amount available per grant application.
 - a. The City Manager shall propose a cap on the total amount available per grant application and an overall cap on the total amount available per fiscal year; and
 - b. The City Manager shall develop sufficient controls to ensure the money is used in a manner that satisfies the purpose of the program.
2. The program should cover fees associated with applying for a residential zoning variance, including notification fees.
3. To qualify for the program, the applicant's household must participate in one of the following:
 - a. Medicaid;
 - b. Supplemental Nutrition Assistance Program (SNAP);

- c. Children's Health Insurance Program (CHIP);
 - d. Telephone Lifeline Program;
 - e. Travis County Comprehensive Energy Assistance Plan (CEAP);
 - f. Medical Access Program (MAP);
 - g. Supplemental Security Income (SSI);
 - h. Veterans Affairs Supportive Housing (VASH); or
 - i. the applicant's household income is less than 200% of the income poverty level.
4. Council directs the City Manager to bring the proposed program, implementation plan, and costs and funding sources to Council for its consideration by April 10, 2023.
5. If Council approves the proposed program, Council directs the City Manager to bring any ordinances necessary to implement the program for Council consideration.

ADOPTED: February 9, 2023

ATTEST:


Myrna Rios
City Clerk