ORDINANCE NO. _____

AN ORDINANCE CREATING THE BOARD OF ADJUSTMENT APPLICANT ASSISTANCE PROGRAM (BAAP) AND RELATED BAAP GUIDELINES; AND AUTHORIZING CERTAIN FEE WAIVERS PURSUANT TO THE BAAP.

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

PART 1. The City Council finds:

(A) Under Article III, Section 52-a, the Texas Constitution authorizes economic development programs.

(B) Under Section 380.001 of the Texas Local Government Code, a municipality may establish and provide for a program that achieves economic development through loans or grants of public money and by providing municipal personnel and services to promote economic development and to stimulate business and commercial activity in the municipality.

(C) Through certain program requirements, the City Council can ensure that the public purpose of the Texas Constitution and state law will be met by this economic development program.

(D) The creation of the Board of Adjustment Applicant Assistance Program will:

(1) contribute to the economic development of the City; and

(2) assist the City in its objectives to preserve and create reasonably priced housing for City residents, to revitalize neighborhoods, and to build the City's tax base.

PART 2. The Board of Adjustment Applicant Assistance Program (BAAP) is created in accordance with Section 380.001 of the Texas Local Government Code. The BAAP Guidelines are attached to and incorporated into this ordinance as Exhibit "A".

PART 3. In accordance with BAAP Guidelines, the City Council authorizes the City Manager to waive fees associated with requests for the Board of Adjustment to grant residential zoning variances and special exceptions. The City Manager or their designee shall administer the BAAP and process fee waivers associated with residential zoning variances and special exceptions in accordance with the BAAP Guidelines. Fees waived pursuant to the BAAP shall be reimbursed through the General Fund as part of the annual reconciliation process.

DRAFT

PART 4. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

	§	
	§	
_____, 2023	§	_____
		Kirk Watson
		Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan	Myrna Rios
City Attorney	City Clerk

DRAFT