

**RESOLUTION NO.**

1  
2  
3       **WHEREAS**, the City of Austin’s S.M.A.R.T. Housing Program is one of  
4 the City’s longest-running affordable housing programs; and

5       **WHEREAS**, through the S.M.A.R.T. Housing Program, the City provides  
6 full or partial fee waivers of certain development fees for projects with significant  
7 affordability components; and

8       **WHEREAS**, the Land Development Code currently prescribes a list of fees  
9 that are waived for S.M.A.R.T. Housing-certified developments, which creates  
10 challenges when existing fees are re-named or new fees are added to the  
11 development process because an amendment to the Land Development Code is  
12 required; **NOW, THEREFORE**,

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

14       The City Council initiates amendments to City Code Title 25 (*Land*  
15 *Development*) to update the text of Section 25-1-704 so that fees eligible for a  
16 waiver under the S.M.A.R.T. Housing Program would be identified as part of the  
17 annual fee ordinance. As part of this change, in lieu of listing the fees that are  
18 eligible to be waived, City Council supports listing those fees that are not waived  
19 under the S.M.A.R.T. Housing Program in the annual fee ordinance if the City  
20 Manager finds it feasible to implement. If the City Manager finds that this  
21 approach is not feasible, the City Manager shall present the rationale for this  
22 determination to City Council.

23       **BE IT FURTHER RESOLVED:**

24       The City Manager is directed to determine the total amount that would be  
25 waived for a S.M.A.R.T. Housing development that utilizes expedited review and

26 provide the findings to the Housing and Planning Committee at the September  
27 2023 meeting.

28  
29  
30  
31 **BE IT FURTHER RESOLVED:**

32 The City Council initiates amendments to City Code Title 25 (*Land*  
33 *Development*) that the City Manager finds are needed to improve the operational  
34 and functionality of the S.M.A.R.T. Housing Program.

35 **BE IT FURTHER RESOLVED:**

36 The City Manager is directed to process these code changes and to give a  
37 progress briefing at the September 2023 Housing and Planning Committee  
38 meeting.

39  
40 **ADOPTED:** \_\_\_\_\_, 2023 **ATTEST:** \_\_\_\_\_

41 Myrna Rios  
42 City Clerk