City of Austin

Recommendation for Action

File #: 24-3704, **Agenda Item #:** 30.   1/18/2024

Posting Language

Approve an ordinance amending City Code Title 25 related to fee waivers for a development that complies with the City's S.M.A.R.T. Housing Program; and waiving City Code Section 25-1-502 related to amending City Code Title 25.

Lead Department

Development Services Department.

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

July 20, 2023 - City Council approved Resolution No. 20230720-129.

For More Information:

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Additional Backup Information:

Case Number: C20-2023-037

In Resolution No. 20230720-129, the City Council initiated code amendments that would direct applicants to the City's annual fee ordinance to determine the fees that are eligible to be waived under the City's S.M.A.R.T. Housing program. Currently, the fees eligible to be waived are listed out in City Code Section 25-1-704 (Fee Waivers). The list includes names of fees that are no longer used.

Two City Council actions are required to implement this direction. In August 2023, the City Council approved the current annual fee ordinance, which establishes the type of fees that can be waived: those required to develop housing that complies with the S.M.A.R.T. Housing program. (See Part 4 in Ordinance No. 20230816-007.) This ordinance, if approved, will remove the specific names of the fees that are eligible for waivers under the S.M.A.R.T. Housing program and direct applicants to the City's annual fee ordinance. Because the fees that are eligible to be waived are now addressed in the City's annual fee ordinance, this ordinance is not a substantive change. For this reason, this ordinance also waives Planning Commission review and public hearing and notice requirements.

Resolution No. 20230720-129 also initiated amendments to the City's S.M.A.R.T. Housing program with the goal of improving how the program functions and operates. These additional changes will be made through a subsequent code amendment.