

**Amendment 1 - CM Vela**  
**Definition of affordable units**  
**Item 37 - 3/7/24 Meeting**

**Amend Section 24-9-412 Line 60-66 of the draft ordinance to read as following:**

~~(E) A development is not required to connect to a reclaimed water line or use reclaimed water when the director of the Housing Department certifies the development is participating in the City's Affordability Unlocked Bonus Program or the Low Income Housing Tax Credit Program.~~

(E) A development is not required to connect to a reclaimed water line or use reclaimed water when the director of the Housing Department certifies the development is participating in a city, state, or federal program that requires:

- (1) A minimum of fifty percent on-site income-restricted dwelling units for 60% or lower median family income for rental units; or
- (2) A minimum of fifty percent on-site income-restricted dwelling units for 80% or lower median family income for ownership units.

**Amend Section 24-9-414 Lines 72-78 of the draft ordinance to read as follows.**

~~B) A development is not required to have an onsite water reuse system when:~~

- ~~(1) the director of the Housing Department certifies the development is participating in the City's Affordability Unlocked Bonus Program or the Low Income Housing Tax Credit Program; or~~
- ~~(2) the director approves a fee in lieu of providing an onsite water reuse system under Subsection (C).~~

(B) A development is not required to have an onsite water reuse system when:

- (1) the director approves a fee in lieu of providing an onsite water reuse system under Subsection (C); or
- (2) the director of the Housing Department certifies the development is participating in a city, state, or federal program that requires:
  - (a) a minimum of fifty percent on-site income-restricted dwelling units for 60% or lower median family income for rental units; or
  - (b) a minimum of fifty percent on-site income-restricted dwelling units for 80% or lower median family income for ownership units.

**Explanation**

This amendment clarifies the language around what affordable housing projects are exempt from the ordinance and is based on extensive conversation with Planning Commissioners, City Legal, Austin Water, and the Housing Department to agree on the most appropriate language to ensure that it captures the spirit and intent of the exemption.