

ETOD Amendments

1. Create a Fee-in-Lieu Oversight Committee that would review the use of Fee-in-Lieu and make recommendations regarding the use of Fee-in-Lieu funds for the development of affordable housing, vouchers, etc. This committee should be made up in part by community members directly-impacted by the displacement crisis (low-income homeowners who are property-tax burdened, renters who are rent-burdened, and community members with lived experience of homelessness), as well as frontline community organizations that work with these communities.
2. Create the North and South Zones in this ETOD. Take staff recommendation for the South Zone. Create new density bonus/affordability benchmarks for North Zone (segments of Lamar and Burnet) that runs north of 15th Street to Crestview. Amend the ETOD density bonus to require that units are affordable at 40% MFI to 60% MFI and cap the MFI at the current level for 2024 OR assess the income-level of residents at risk of displacement and housing insecurity annually to set income requirements at that level.

Rational for 2: These are very different areas income-wise and racial-wise. South Zone is high-wealth and predominantly White so it might not be possible to lower density bonus/affordability in this zone. But the North Zone is significantly lower in wealth, more diverse racially and ethnically with surrounding neighborhoods that are home to BIPOC communities, and working-income people of all races. Some businesses within the North Zone also reflect those demographics. The ETOD is going to significantly increase land values not just in the ETOD, but to adjacent and nearby homes and neighborhoods, creating the same unintended consequences created by the Plaza Satillo TOD and the MLK Station TOD. For truly equitable transit-oriented development Council must incentivize building of units at much deeper levels of affordability in the North Zone and possibly in the student zone. Doing this also will help maximize public transit use.

3. Fee in-lieu. If affordable units are at or below 50% MFI, units should be built onsite in the ETOD/DBETOD and not subject to fee-in-lieu except where alternative areas for expanded affordable housing are identified so the fee in-lieu is actually going to expanding affordable housing and not steered to housing vouchers that can't be used readily or timely because of large waiting lists. The exception would be for the downtown corridor provisions that provide fee in-lieu to permanent affordable housing or housing vouchers to house unsheltered Austin residents.

Rational for 3: Fees in-lieu are supposed to be used for expanding affordable housing but in many cases that isn't happening because they are going to the Affordable Housing Trust Fund and used for housing vouchers.