

MOTION SHEET – CM Qadri

I move to replace Part 2 of the draft ordinance and to add a new part to the draft ordinance so that the ordinance reads:

PART 2. City Code Section 4-18-32 (*Existing Multi-Family Structure*) is repealed and replaced to read:

§ 4-18-32 EXISTING MULTI-FAMILY STRUCTURE.

- (A) For redevelopment with an existing multi-family structure, an applicant must:
- (1) replace all existing units that were affordable to a household earning 70 percent MFI or below in the later of the previous 12 months or latest lease term and have at least as many bedrooms as those units;
 - (2) provide current tenants with:
 - (a) notice and information about the proposed development on a form approved by the Housing director;
 - (b) relocation benefits that:
 - (i) equal four months of rent and fees; and
 - (ii) a fixed payment for moving expense that is consistent with Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601, et seq.; and
 - (3) grant current tenants the option to lease for a minimum of 12 months a unit of comparable number of bedrooms, and size following completion of redevelopment; and
 - (4) allow a current tenant to terminate a lease without a penalty; and
 - (5) return security deposits to current tenants.
- (B) Replacement Units.
- (1) Except as provided in Subsection (C)(3), a unit required to be replaced under Subsection (A)(1) must be rented to a household earning 60 percent MFI or

below and in accordance with Section 4-18-23 (*Affordability Requirements – Dwelling Units*).

- (2) A unit required to be replaced counts towards the minimum affordability requirements established in the applicable density bonus or incentive program.
- (3) The maximum number of replacement units that must be restricted to a household earning 60 percent MFI or below is two times the number of units the minimum affordability requirements established in the applicable density bonus or incentive program.

PART X. Division 2 (*Redevelopment Requirements*) in Article 2 of Chapter 4-18 (*General Permitting Standards*) is amended to add a new Section 4-18-33 to read:

§ 4-18-33 WAIVER OF REPLACEMENT REQUIREMENT

- (A) After a public hearing, the council may waive the replacement requirement in Section 4-18-32 (*Existing Multi-Family Structure*) if the council determines that replacing the units in a particular instance:
 - (1) is not in the best interest of the public;
 - (2) constitutes waste or the inefficient use of land or other resources;
 - (3) does not serve its intended purpose;
 - (4) is not effective or necessary; or
 - (5) for any other reason the council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.
- (B) Request for a Waiver.
 - (1) To request a waiver under this section, an applicant must submit an application to the director of the Housing Department that, at a minimum, specifies the applicable grounds for the waiver under Subsection (A).
 - (2) The director of the Housing Department approves the form of an application required by this subsection.

- (3) Before council considers a request for a waiver, the director must prepare a report that:
- (a) summarizes the existing conditions of the multi-family structure and the number of units affordable to households less than 70 percent MFI;
 - (b) states the director's recommendation, which must be based upon the Strategic Housing Blueprint and anti-displacement priorities.
- (4) In considering a request for a waiver, council shall consider the director's report.
- (C) If the city council denies a waiver request under this section, the director of the Housing Department may not accept an application for the same or a substantially similar waiver request for at least 18 months after the date the previous waiver request was denied.
- (D) If the city council indefinitely postpones a waiver request submitted under this section, the director of the Housing Department shall not schedule a public hearing for the same or a substantially similar waiver request for at least 12 months after the date of the postponement.