

Ordinance amending Corpus Christi Code of Ordinance to adopt Affordable Housing Fee Reimbursement Program

WHEREAS, pursuant to the Affordable Housing Policy and Program Initiatives adopted by the Corpus Christi City Council, the Development Services Department and Housing and Community Development Department have created a fee reimbursement program to reimburse certain building and development fees for new single-family construction which qualifies as Affordable or Workforce Housing; and

WHEREAS, it is deemed to be in the best interest of the public health, safety, and welfare of the City of Corpus Christi and its citizens to enact this ordinance reimbursing certain building and development fees for new single-family affordable housing projects.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

SECTION 1. Corpus Christi Code of Ordinances, Chapter 20 is amended to add ARTICLE III – AFFORDABLE HOUSING FEE REIMBURSEMENT PROGRAM by adding the following language as delineated below:

ARTICLE III. – AFFORDABLE HOUSING FEE REIMBURSEMENT PROGRAM.

Sec. 20-31- DEFINITIONS.

In this article:

- (1) “Affordable Housing” is defined as a newly constructed owner-occupied single family dwelling unit within the City that (1) is sold to families who earn no more than 80% of the median family income (MFI) for the Corpus Christi metropolitan statistical area as determined by the HCD director, (2) has an initial purchase price that does not exceed \$200,000 (including closing costs), and (3) meets the energy efficiency standards established in Title 42 United States Code §12709.
- (2) “Workforce Housing” is defined as a newly constructed owner-occupied single family dwelling within the City that (1) has an initial purchase price that does not exceed \$200,000 (including closing costs), and (3) meets the energy efficiency standards established in Title 42 United States Code §12709.
- (3) “DS Director” means the director of the City’s Development Services Department.
- (4) “HCD Director” means the director of the City’s Housing and Community Development Department.

Sec. 20-32 - ADMINISTRATION.

The DS Director shall administer the Affordable Housing Fee Reimbursement Program and may adopt and implement program guidelines and establish the requirements for an application under the program.

Sec. 20-33- PROGRAM REQUIREMENTS.

- (a) Affordable or Workforce Housing must comply with all City Codes;
- (b) Application for the Affordable Housing Reimbursement must include proof of purchaser prequalification for income eligibility by HCD Director, deed, contract of sale, and proof of permit fees paid for Affordable Housing to obtain a one hundred percent (100%) reimbursement of fees.
- (c) Application for the Workforce Housing Reimbursement must include deed, contract of sale, and proof of permit fees paid for Workforce Housing to obtain a twenty-five percent (25%) reimbursement of fees.
- (d) Deed must include a covenant established in Sec.20-35 and must be recorded in the Official Public Records of Nueces County, Texas.
- (e) The lot size for the affordable housing may not exceed 6,000 square feet.

Sec. 20-34- FEE REIMBURSEMENTS.

- (a) The DS Director may, in accordance with Subsection (c), reimburse 100% of the following fees paid after October 1, 2018 for Affordable Housing:
 - (1) Plat application fee on a pro rata basis
 - (2) Zoning application fee on a pro rata basis
 - (3) Community Enrichment fee on a pro rata basis
 - (4) Building permit application fee
 - (5) Water meter tap/set fee
 - (6) Wastewater tap fee
 - (7) Gas tap fee
- (b) The DS Director may, in accordance with Subsection (c), reimburse 25% of the following fees paid after October 1, 2018 for Workforce Housing:
 - (1) Plat application fee on a pro rata basis
 - (2) Zoning application fee on a pro rata basis
 - (3) Community Enrichment fee on a pro rata basis
 - (4) Building permit application fee
 - (5) Water meter tap/set fee
 - (6) Wastewater tap fee
 - (7) Gas tap fee

- (c) Reimbursement will only be made if the director determines that applicant:
- (1) paid reimbursable fees;
 - (2) developed and sold Affordable or Workforce Housing; and
 - (3) the Affordable or Workforce Housing deed has the covenant required by Sec 20-35 and has been recorded in the Official Public Records of Nueces County, Texas.

Sec. 20-35- REQUIRED COVENANT RUNNING WITH THE LAND.

(a) To qualify for reimbursement of fees under the Program, the deed conveying title of the Affordable or Workforce Housing unit must include the following restrictive covenant:

For a period of five (5) years from the date this deed is signed and filed in the land records, no person shall sell this dwelling unit for a price that exceeds \$200,000 (including closing costs). This restriction constitutes a covenant running with the land and shall inure to the benefit of and be binding upon the parties and their respective grantees, heirs, successors and assigns. This covenant is made with the intent of satisfying Chapter 20, Article III AFFORDABLE HOUSING FEE REIMBURSEMENT PROGRAM of the Corpus Christi Code of Ordinance. It is the intent of all parties that the City of Corpus has full rights to enforce this covenant running with the land.

(b) To qualify for reimbursement of fees under the Program, the restrictive covenant required by the previous subsection must be recorded in the Official Public Records of Nueces County, Texas.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

SECTION 3. If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

SECTION 4. This ordinance takes effect after official publication.

SECTION 5. Publication shall be made one time in the official publication of the City of Corpus Christi as required by the City Charter of the City of Corpus Christi.

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That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2018, by the following vote:

Joe McComb	_____	Ben Molina	_____
Rudy Garza	_____	Everett Roy	_____
Paulette Guajardo	_____	Lucy Rubio	_____
Michael Hunter	_____	Greg Smith	_____
Debbie Lindsey-Opel	_____		

PASSED AND APPROVED on this the _____ day of _____, 2018.

ATTEST:

Rebecca Huerta
City Secretary

Joe McComb
Mayor