

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

WHEREAS, pursuant to the Affordable Housing Policy and Program Initiatives adopted by the Corpus Christi City Council, the Development Service Department and Housing and Community Development Department have drafted a permit fee reimbursement program to reimburse certain building and development fees for affordable housing single family construction; and

WHEREAS, it is deemed to be in the best interest of the public health, safety, and welfare to enact this ordinance reimbursing certain building and development fees for 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 REIMBURSEMENT PROGRAM by adding the following language as delineated below:

ARTICLE III. – AFFORDABLE HOUSING REIMBURSEMENT PROGRAM.

Sec. 20-31- DEFINITIONS.

In this article:

- (1) “Affordable Housing”, for the purpose of this article, is defined as a newly constructed owner-occupied single family dwelling unit within the City (1) 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 95 percent of the median purchase price for the area based on Federal Housing Administration (FHA) single family mortgage program data for new homes, and (3) meets the energy efficiency standards established in Title 42 United States Code §12709.
- (2) “DS Director” means the director of the City’s Development Services Department.
- (3) “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 Reimbursement Program and may adopt any implement program guidelines and establish the requirements for an application under the program.

Sec. 20-33- PROGRAM REQUIREMENTS.

- (a) Affordable Housing must comply with all City Codes;
- (b) Application for Affordable Housing Reimbursement Program 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.
- (c) Deed must include a covenant established in Sec.20-35 and must be recorded in the Official Public Records of Nueces County, Texas.
- (d) 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 (b), reimburse all or a portion of the following fees for Affordable Housing paid after July 1, 2018:
 - (1) Plat Application Fees on a pro rata basis
 - (2) Zoning fees on a pro rata basis
 - (3) Community Enrichment fees on a pro rata basis
 - (4) Building permit application fees
 - (5) Building permit inspection fees
 - (6) Water tap fees
 - (7) Wastewater tap fees
 - (8) Gas tap fees
- (b) Only fees paid by the home seller are eligible for reimbursement. Reimbursement will only be made if the director determines that the home seller:
 - (1) paid reimbursable fees;
 - (2) sold affordable housing; and
 - (3) the affordable 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 housing unit must include the following restrictive covenant:

No person shall sell this dwelling unit for more than a purchase price that exceeds 95 percent of the median purchase price for the area based on Federal Housing Administration (FHA) single family mortgage program data for new homes within five years from the initial date of this deed. 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 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. 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 3. This ordinance takes effect after official publication.

SECTION 4. 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.

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