AMENDMENT NO. ____

TO

ORDINANCE NO. BL2026-1315

Madam President –

I hereby move to amend Ordinance No. BL2026-1315:

I. By amending the recitals as follows:

WHEREAS, increasing affordable housing availability and child care ~~day care~~ availability are priorities for the metropolitan government; and

WHEREAS, prioritizing permits and associated development reviews for projects that increase the availability of affordable housing and child care ~~day care~~ can significantly reduce the time necessary to advance such projects; and

WHEREAS, to ensure proper review, a permit prioritization program must not impact the thoroughness of review processes;

WHEREAS, Ordinance No. BL2019-1491 established a permit prioritization program for certain affordable housing projects but did not codify it; and

WHEREAS, it is the desire of the metropolitan government to give child care ~~day care~~ projects prioritization behind affordable housing projects and codify the program.

II. By amending Section 1 as follows:

Section 1. That Title 2 of the Metropolitan Code of Laws is amended by adding a new Chapter 2.240:

Chapter 2.240 – Permit Prioritization Program

2.240.010 – Permit prioritization program.

The permit prioritization program provides expedited permitting for development projects named in this Chapter. Under the program, qualifying projects in Section 2.240.020 shall be reviewed in advance of other applications, outside of chronological order, in accordance with Section 2.240.030. The review process itself shall not be otherwise expedited.

2.240.020 – Qualifying projects.

A. Affordable housing:
    1. Permit applications and accompanying departmental reviews for multifamily residences meeting at least one of the following standards, based on Area Median Income (AMI):

a. Standards for single-family and two-family uses (as a percentage of total residential units):
    i. At least 12.5 percent are rental at 60 percent AMI or less
    ii. At least 15 percent are rental at 60 percent to 80 percent AMI
    iii. At least 17.5 percent are rental at 80 percent to 100 percent AMI
    iv. At least 10 percent are for-sale at 60 percent to 80 percent AMI
    v. At least 15 percent are for-sale at 80 percent to 100 percent AMI
b. Standards for multi-family uses less than three stories (as a percentage of net leasable residential floor area for rental developments or residential floor area for for-sale developments)
    i. At least 12.5 percent are rental at 60 percent AMI or less
    ii. At least 15 percent are rental at 60 percent to 80 percent AMI
    iii. At least 17.5 percent are rental at 80 percent to 100 percent AMI
    iv. At least 10 percent are for-sale at 60 percent to 80 percent AMI
    v. At least 15 percent are for-sale at 80 percent to 100 percent AMI
c. Multi-family uses three to six stories (as a percentage of net leasable residential floor area)
    i. At least 10 percent are rental at 60 percent AMI or less
    ii. At least 12.5 percent are rental at 60 percent to 80 percent AMI
    iii. At least 15 percent are rental at 80 percent to 100 percent AMI
d. Multi-family uses more than six stories (as a percentage of net leasable residential floor area)
    i. At least 7.5 percent are rental at 60 percent AMI or less
    ii. At least 10 percent are rental at 60 percent to 80 percent AMI
    iii. At least 12.5 percent are rental at 80 percent to 100 percent AMI

2. Permit applications and accompanying departmental reviews for recipients of grants or property from the Barnes Fund for Affordable Housing, as recommended through the Metropolitan Housing Trust Commission pursuant to Section 2.149.040 of the Metropolitan Code of Laws.

B. Child care ~~Day care~~:

1. Permit applications and accompanying departmental reviews for a child care ~~day care~~ center as defined in section 17.04.060 of the Metropolitan Code of Laws ~~Title 17~~.

2.240.030 – Program administration.

A. Within six months of this Chapter's establishment or the enactment of an amendment thereto, the department of planning, the department of transportation and multimodal infrastructure, the department of codes administration, the

department of water and sewerage services, the department of waste services, and the metropolitan fire department shall develop and implement a permit prioritization process for qualifying projects listed in this Chapter.

B. The permit prioritization process includes the following permit types and related department reviews performed by the departments listed in Subsection A above:
    1. permits issued pursuant to Chapter 16.28, including but not limited to master building permits, individual building permits, foundation permits, and demolition permits
    2. tree removal permits
    3. reviews for landscape and irrigation
    4. grading permits
    5. public water and sewer extension permits
    6. cross-connect permits for private water and sewer service
    7. reviews of traffic studies, public road improvements, curb cuts, and sidewalks
    8. waste collection approvals
    9. life safety reviews and sprinkler and/or riser room approvals
    10. reviews of plans and building elevations for planned unit developments, overlays, or specific plan developments; plat reviews; reviews of final plat for lot creation, right-of-way dedication, and easement dedication
    11. permits issued for office or construction trailers on construction sites

C. Permits for qualifying projects related to affordable housing uses, as defined in this Chapter, shall be prioritized over permits for qualifying projects related to child care ~~day care~~ uses, as defined in this Chapter.

D. If an eligible permit lacks necessary information, is incomplete, or otherwise deficient at the time it is identified for prioritized departmental review, the application shall be returned to its ordinary chronological order with no prioritization provided.

E. The process developed by the departments named in Subsection A above shall include a mechanism by which permit applicants seeking prioritization under this Chapter can affirmatively indicate such request to the reviewing department or departments. It shall be incumbent upon permit applicants seeking prioritization to so indicate.

F. Each request for prioritization shall be reviewed and certified as to whether the project meets the criteria set forth in this Chapter by:
    1. for affordable housing projects, the department of planning.
    2. for child care ~~day care~~ projects, the mayor's office of economic and community development.

SPONSORED BY:

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Joy Styles
Member of Council