

**Proposed Code Amendment:
Section 25-2-243: Zoning of Non-Contiguous Land**

Proposal

The proposed code amendment will allow the City Council or the Land Use Commission to initiate a zoning case including multiple non-contiguous properties that have interim zoning or are unzoned.

§ 25-2-243 PROPOSED DISTRICT BOUNDARIES MUST BE CONTIGUOUS

(A) The boundaries of the districts proposed in a rezoning application must be contiguous.

(B) The boundaries of the districts proposed in a zoning application must be contiguous unless the zoning is initiated by the Council or the Land Use Commission.

Background

When properties are annexed, they automatically receive an interim zoning designation in accordance with the objective criteria in Section 25-2-222 of the City Code. Most properties receive a residential designation such as Interim Rural Residential (I-RR) or Interim Single-Family Residence Standard Lot (I-SF-2) regardless of any existing uses on the properties or the suitability of the properties for residential uses. Interim zoning serves as a regulatory placeholder until property owners, staff, Commission, Council, and other stakeholders have the opportunity to consider the most appropriate zoning through a formal process that includes notification, staff review, and public hearings.

Currently, nearly 14,000 acres of property in Austin carry an interim zoning designation. Although a few properties are zoned each year due to applications received from property owners or through the neighborhood planning process, the acreage of land with interim zoning continues to increase due to annexation. In addition, there are 2,136 acres of unzoned land in the City, primarily owned by the State of Texas or the City.

The code amendment would apply only to initial zoning of property, not to rezoning. Furthermore, only the Land Use Commission or City Council could initiate zoning of non-contiguous property. Property owners who request zoning of non-contiguous properties must continue to file separate applications as required under the current code. Notification requirements would remain the same.

This amendment is not necessary for the zoning and rezoning that occurs with neighborhood plans because the Neighborhood Plan Combining District overlay establishes contiguity across rights-of-way.

Benefits of Proposed Code Amendment

This code change will facilitate the zoning of thousands of properties across the city that currently have interim zoning. Furthermore, considering multiple neighboring but non-contiguous tracts in a single case allows for a more comprehensive view of the zoning for a particular area, much like in the neighborhood planning process.

To zone of all this property under current rules would require the initiation of hundreds of zoning cases, resulting in significant administrative challenges and overloading Commission and City Council agendas.

This code amendment will help the City achieve the land use goals in the comprehensive plan by facilitating the zoning of property for the most appropriate use.

Staff Contact

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