

INFORMATION ON RECOMMENDED CODE CHANGES

CASE NUMBER: TBD

PC PUBLIC HEARING DATE: TBD

NEIGHBORHOOD PLANNING SUBCOMMITTEE: December 19, 2012

PROPOSED AMENDMENT: Amend Chapter 25-1 of the City of Austin Land Development code to change the requirements for neighborhood plan amendment procedures.

The suggested changes are as follows:

25-1-704 (A)

- *Add paragraph (30) Neighborhood Plan Amendment Fee, to fee waiver list for S.M.A.R.T. Housing development*

25-1-804 (A) APPLICATION TO AMEND NEIGHBORHOOD PLANS

- *Specify in paragraph (3) that the applicant has to submit a completed application to staff, not just information, for any proposed change to the future land use map.*
- *Specify in paragraph (4) that the applicant has to submit a completed application to staff, not just information, for any proposed text change to a neighborhood plan.*

25-1-804 (B) For an application regarding an individual property, except as provide in Subsection (C)

- *Delete paragraph (3)(a) because a neighborhood plan contact team would no longer have the option to submit a neighborhood plan amendment application out of cycle.*

25-1-804 (C)(3)(c)

- *Replace the word Section, with ‘Subsection.’*

25-1-804 (E) For an area-wide or subdistrict-wide application:

- *Clarify in paragraph (1) that each planning area can request an area-wide or subdistrict wide application every 2 years after the adoption of the plan. This change would allow each planning area to have its own submittal timeline that is not linked with any other combined planning area.*
- *Clarify in paragraph (2) that an neighborhood plan contact team is allowed to submit a subdistrict wide or area wide application every 2 years;*
- *Denote in paragraph (3) that a neighborhood plan application may be filed at any time by council, the planning commission and director.*

25-1-808

- *Replace the term “Land Use Commission” with “planning commission” to provide greater clarification of who is the responsible review body.*
- *Under paragraph (D) replace the word Section, with ‘Subsection.’*

25-1-809

- *Replace the term “Land Use Commission” with “planning commission” to provide greater clarification of who is the responsible review body.*

25-1-811 FEE WAIVERS

- *Add new Section 25-1-811 to explain that the director may not collect an application fee for a neighborhood plan contact team.*

BACKGROUND: The ordinance to establish and codify a procedure for neighborhood plan amendments was adopted in March 2003. Since then, there have been three revisions to the neighborhood plan amendment provisions of the City Code, including the addition of Article 16, Neighborhood Plan Amendments to Chapter 25-1 of the City Code. Staff is recommending additional changes to Article 16 to reorganize, clarify and improve the neighborhood plan amendment procedures.

Note: This proposed amendment was previously discussed at the May 16, 2012 meeting of the Neighborhood Plan Subcommittee. Subsequent to that meeting, the proposal has been modified to no longer include the removal of provisions related to the timing of amendments to individual property.

Purpose for Proposed Changes

25-1-704 (A)(30) Fee Waiver

- S.M.A.R.T. Housing developments are exempt from 29 other City of Austin fees. Additionally staff has not charged Neighborhood Plan Amendment Fees for this type of development in the past.

25-1-804

- *Paragraph (A)(3) and(4) APPLICATION TO AMEND NEIGHBORHOOD PLANS.* These proposed change will inform an applicant that they need to submit a completed application for map and text amendments instead of just information to staff to facilitate the timely review and process of a neighborhood plan amendment application.
- *Paragraph (E) For an area-wide or subdistrict-wide application:* Revising this section will clarify that each planning area can request a area-wide or subdistrict wide application ever 2 years after the adoption of the plan. This change would allow each planning area to have its own submittal timeline that is not linked with any other combined planning area. This section will further clarify that a neighborhood plan contact team is allowed to submit a subdistrict wide or area wide application every 2 years. The other proposed revision would clarify than an application initiated by the Planning Commission may be filed at any time in accordance with Section 25-1-813.

25-1-808 and 809

- Replace the term ‘Land Use Commission’ with ‘Planning Commission’ in several sections and subsections to clarify who is the review body of neighborhood plan amendments.
- Replace the term ‘Section’ with ‘Subsection’ to properly identify the paragraph in question.

25-1-811

- Codify the accepted practice of not requiring the neighborhood plan contact teams to submit an application fee for neighborhood plan amendments.

STAFF RECOMMENDATION: Staff recommends approval of the proposed code amendment.

ORDINANCE READINGS:

1st TBD

2nd TBD

3rd TBD

ORDINANCE NUMBER: TBD

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