

**NOTICE OF RULE ADOPTION**

**ADOPTION DATE: June 6, 2016**

The Director of Development Services Department has adopted the following rule. Notice of the proposed rule was posted on April 22, 2016. Public comment on the proposed rule was solicited in the April 22, 2016 notice. This notice is issued under Chapter 1-2 of the City Code. The adoption of a rule may be appealed to the City Manager in accordance with Section 1-2-10 of the City Code as explained below.

A copy of the complete text of the adopted rule is available for public inspection and copying at the following locations.

Development Services Department, located at 505 Barton Springs Rd., 4<sup>th</sup> floor, Austin, TX 78704

Office of the City Clerk, City Hall, located at 301 West 2<sup>nd</sup> Street, Austin, TX.

**EFFECTIVE DATE OF ADOPTED RULE**

A rule adopted by this notice is effective June 6, 2016.

**TEXT OF ADOPTED RULE**

The adopted rule contains no changes from the proposed rule.

**BRIEF EXPLANATION OF ADOPTED RULE**

Section 15 of the Building Criteria Manual

15.1 Timeliness of Update Submittal for Site Development and Subdivision Applications.

Establish deadlines for Update Submittals and establish processes for Inactive Status and Reactivation.

**SUMMARY OF COMMENTS**

The Development Services Department did not receive comments regarding the rule adopted in this ordinance.

**AUTHORITY FOR ADOPTION OF PROPOSED RULE**

The authority and procedure for the adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is established in Chapter 1-2 of the City Code. The authority to regulate site plans and subdivisions is established in Chapter 25-1-1 and 25-1-2 of City Code.

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AUSTIN CITY CLERK  
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**APPEAL OF ADOPTED RULE TO CITY MANAGER**

A person may appeal the adoption of a rule to the City Manager. An appeal must be filed with the City Clerk not later than the 30<sup>th</sup> day after the date this notice of rule adoption is posted, the posting date is noted on the first page of this notice. If the 30<sup>th</sup> day is a Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An adopted rule may be appealed by filing a written statement with the City Clerk. A person who appeals a rule must (1) provide the person's name, mailing address, and telephone number; (2) identify the rule being appealed, and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

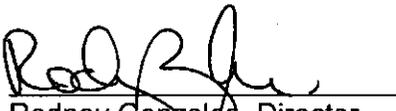
Notice that an appeal was filed will be posted by the city clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager's decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act on an appeal on or before the 60<sup>th</sup> day after the date the notice of rule adoption is posted, the rule is withdrawn. Notice of the City Manager's decision on an appeal will be posted by the city clerk and provided to the City Council.

On or before the 16<sup>th</sup> day after the city clerk posts notice of the City Manager's decision, the City Manager may reconsider the decision on an appeal. Not later than the 31<sup>st</sup> day after giving written notice on an intent to reconsider, the City Manager shall make a decision.

**CERTIFICATION BY CITY ATTORNEY**

By signing this Notice of Rule Adoption R161-16.04, the City Attorney certifies that the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

**REVIEWED AND APPROVED**

  
Rodney Gonzales, Director  
Development Services Department

Date: 6-6-2016

  
Anne Morgan  
City Attorney

Date: 6/6/16

## **15.1 Timeliness of Update Submittal for Site Plan and Subdivision Applications**

- (A) An applicant shall file a formal update with the City of Austin in compliance with the timelines set forth below or the application shall be considered inactive:
1. Update one shall be filed no later than the 30th business day after the final case comment report is issued by the City.
  2. Update two shall be filed no later than the 20th business day after the final case comment report is issued by the City in response to update one.
  3. Update three shall be filed no later than the 15th business day after the final case comment report is issued by the City in response to update two.
  4. All subsequent updates shall be filed no later than the 15th business day after the final case comment report is issued by the City in response to the previous update (Update fee applies)
- (B) The director may alter the deadlines in (A) based on good cause such as an update filed to address conditions imposed by boards, commissions, or Council, delays related to a partner department review that is not part of the integrated process, or other documented extenuating circumstances.
- (C) Projects deemed inactive shall pay a reactivation fee prior to continuing the processing of the application.