

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., 4th floor, Austin, TX 78704

Office of the City Clerk, City Hall, located at 301 West 2nd 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 one change from the proposed rule.

The review times for demolitions [25-11-63(9)] and relocations [25-11-63(10)] is changed from 3 business days to 5 business days.

BRIEF EXPLANATION OF PROPOSED RULE

Section 15 of the Building Criteria Manual

15.7 Review times for processes in Title 25 of the City Code

Establish staff deadlines for completing reviews.

SUMMARY OF COMMENTS

This change is in response to the Planning and Zoning Department staff comment that five business days is consistent with other portions of the Land Development Code related to these reviews.

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.

AUSTIN CITY CLERK
RECEIVED
JUN 6 AM 9 48

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 30th 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 30th 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 60th 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 16th 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 31st 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 R161-16.09, 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

15.7 Review Times

Review Schedule in business days for review processes within the Land Development Code.

Review times for applications and processes	Business days after application
Title 25-1 General Requirements and Procedures	
Development Assessment review (25-1-62)	15
Title 25 Subdivisions	
Preliminary Plan review [25-4-56(C)]	20
Plat review [25-4-82(B)]	18
Notification of plat determination [25-4-82(C)]	20
Notification of plat determination update [25-4-82(E)]	10
Title 25 Site Plans	
Notification of site plan determination [25-5-114(A)(1)]	20
Notification of small project site plan determination [25-5-114(A)(2)]	7
Notification of site plan update determination [25-5-114(A)(3)]	10
Site Plan Review Report 25-5-143(A)	18
Site Plan Review Report Notification 25-5-143(B)	20
Site Plan review of initial update to meet Commission-imposed conditions 25-5-148(B)	10
25-11-63 Building, Demo, and Relocation Permit Review periods	
Type of Permit	
1) Commercial buildings, new construction	15
2) Commercial buildings, remodeling and finishouts	5
3) Residential, new construction	5
4) Residential, remodeling of a complying structure	5
5) Residential, remodeling of or additions to a noncomplying structure	5
6) Sign, other than a nonconforming off-premise sign	10
7) Replacement of nonconforming off-premise sign	10
8) Repair of nonconforming off-premise sign	10
9) Demolition	5
10) Relocation	5