



**CODES AND ORDINANCES JOINT COMMITTEE MINUTES**

**REGULAR MEETING  
Wednesday, April 19,  
2017**

**The Codes and Ordinances Joint Committee convened in a regular meeting on Wednesday, April 19, at 505 Barton Spring Road, One Texas Center, Room #500, in Austin, Texas.**

Commissioner Zaragoza called the meeting to order at 6:03 p.m.

**Subcommittee Members in Attendance:**

Ann Denkler  
Yvette Flores  
Betsy Greenberg

Patricia Seeger  
Nuria Zaragoza

**City Staff in Attendance:**

Jerry Rusthoven, Planning and Zoning Department

**Others in Attendance:**

Aaron Cleaver  
Glen Coleman

**CALL TO ORDER**

**1. CITIZEN COMMUNICATION: GENERAL**

- a. Aaron Cleaver discussed a desire to change the code to allow property owners to build carports or garages within the front setback of their properties. Currently new or existing encroachments are approved at the Board of Adjustment.

No action taken.

**2. APPROVAL OF MINUTES**

- a. Approval of the January 18, 2017 meeting minutes.

A motion was made was made by Commissioner Greenberg, seconded by Commissioner Seeger, to approve the January meeting minutes. Vote: 5-0 (Commissioner Kazi and Schissler absent).

**3. NEW BUSINESS**

- a. None.

**4. POTENTIAL CODE AMENDMENTS: Proposed for Discussion and/or Initiation**

*Potential amendments to the code are offered for discussion and/or possible recommendation for initiation. If initiated, Staff will research the proposal and report back to the subcommittee.*

**a. None.**

## **5. REGULAR AGENDA: Previously Initiated**

*Previously initiated amendments to the code are offered for discussion and possible recommendation to the full Planning Commission.*

- a. Historic Landmark Commission Majority Vote** – Discuss and consider an amendment to Title 25 of the City Code to change Historic Landmark Commission voting requirements such that a simple majority is required to recommend Historic Zoning over the objection of a property owner. City Staff: Greg Dutton, Planning and Zoning Department, (512) 974-3509, [Greg.Dutton@austintexas.gov](mailto:Greg.Dutton@austintexas.gov); (Discussion and/or Possible Action).

Jerry Rusthoven explained an amendment to the Land Development Code that would change the number of votes required at the Historic Landmark Commission (HLC) to designate a property historic over the objection of the property owner. Currently two-thirds of the commission (8 votes) is required, and the proposed amendment would change the requirement to a simple majority.

Concerns were expressed that the code change would mean more cases would move from the HLC to council, adding to their workload, as well as concern that the current supermajority requirement is appropriate to overcome property owner objection.

A motion was made to postpone the amendment to the following COJC meeting, by Schissler, seconded by Commissioner Seeger, with additional direction to staff to look into:

- Whether the number of votes required to approve historic zoning at HLC can be dependent on the number of commissioners present.
- The number of cases that got a simple majority at HLC for historic zoning, but not the two-thirds required to send the case to commission and council.

Vote: 6-0. (Commissioner Kazi absent).

- b. Neighborhood Plan Amendment Applications** – Discuss and consider an amendment to Title 25 of the City Code amending Article 16, Section 25-1-804 related to the Neighborhood Plan Amendment applications. City Staff: Greg Dutton, Planning and Zoning Department, (512) 974-3509, [Greg.Dutton@austintexas.gov](mailto:Greg.Dutton@austintexas.gov); (Discussion and/or Possible Action).

Greg Dutton explained an amendment that would require a property owner to pay application fees for an out-of-cycle neighborhood plan amendment if a planning area does not have a contact team and so requires council to apply on behalf of a property owner.

A motion was made to recommend the amendment to Planning Commission by Commissioner Denkler, seconded by Commissioner Seeger. Vote: 5-0. (Commissioner Kazi and Schissler absent).

## **6. OTHER BUSINESS**

- a. **Update on Potential Upcoming and Current Code Amendments** – City Staff: Greg Dutton, Planning and Zoning Department, 974-3509, [Greg.Dutton@austintexas.gov](mailto:Greg.Dutton@austintexas.gov); (Discussion and/or Possible Action).

No action taken.

## **7. FUTURE AGENDA ITEMS**

*Future agenda items will NOT be discussed at the current meeting, but will be offered for initiation, discussion, and/or possible recommendation to the full Planning Commission at a FUTURE meeting.*

The item was not discussed and no action was taken.

## **ADJOURNMENT**

Commissioner Zaragoza adjourned the meeting without objection at 7:15 p.m.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Greg Dutton at Planning and Zoning Department, at 512-974-3509, for additional information; TTY users route through Relay Texas at 711.

For more information on the Codes and Ordinances Joint Committee, please contact Greg Dutton at (512) 974-3509 or at [greg.dutton@austintexas.gov](mailto:greg.dutton@austintexas.gov)