

## **NEW BUSINESS: MAY 14, 2019 PLANNING COMMISSION HEARING**

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### **New Business:**

Initiate an amendment to the Westgate Neighborhood Plan zoning ordinance number 20141106-086 to allowed Southern Oaks Neighborhood Association to be removed from the Restricted Parking Area Map as required by Sec. 12-5-29 (E) for the Front or Side Yard Parking ordinance.

**Background:** The Southern Oaks Neighborhood Association submitted an application requesting to be removed from the Restricted Parking Area Map. Because the Southern Oaks Neighborhood Association is part of the Westgate Neighborhood Planning area which added the Front and Side Yard Parking through the zoning ordinance during the planning process, it can only be removed by amending the zoning ordinance. A neighborhood association cannot amend a zoning ordinance so the request is for Planning Commission to place on the May 28, 2019 Planning Commission agenda an item to initiate an amendment to the Westgate zoning ordinance to remove the Southern Oaks Neighborhood Association from the Restricted Parking Area Map.

Exhibit 1: Front and Side Yard Parking Ordinance

Exhibit 2: Restricted Parking Area Map for 2019

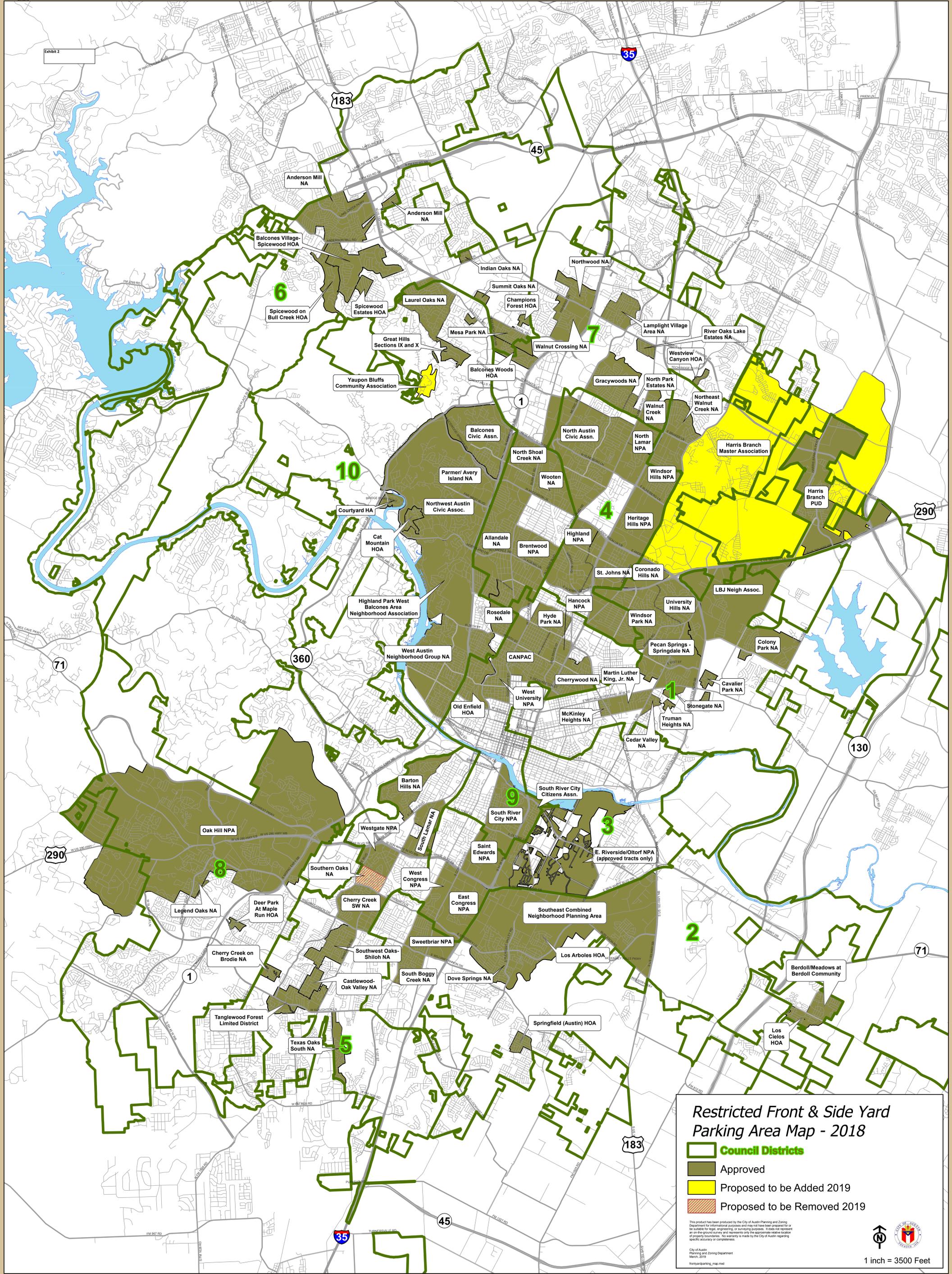
Exhibit 3: Westgate Zoning Ordinance

## Exhibit 1

## § 12-5-29 - FRONT OR SIDE YARD PARKING.

- (A) In this section:
- (1) DRIVEWAY means an area adjacent to a curb cut providing vehicular access between a street and an off-street parking area, including a circular driveway.
  - (2) FRONT YARD and SIDE YARD have the meanings assigned by Section 25-1-21 of the Code ( *Definitions* ).
  - (3) MOTOR VEHICLE means a self- propelled vehicle designed for use on a highway and includes an inoperable motor vehicle as defined in Section 9-1-1 of the Code ( *Definitions* ).
  - (4) RESTRICTED PARKING AREA MAP means the official map depicting the areas to which this section is applicable, adopted by ordinance and on file with the police chief.
- (B) This section applies to residential property within the areas depicted on the restricted parking area map.
- (C) A person may not park a motor vehicle in the front yard or side yard of a residential property, except in a driveway or a paved parking space depicted on an approved site plan.
- (D) This subsection applies to a request to amend the restricted parking area map to include or exclude a neighborhood association area.
- (1) The following persons may submit an application to the city manager requesting that the city council amend the restricted parking area map:
    - (a) for an area with an adopted neighborhood plan:
      - (i) the chair of the official planning area contact team; or
      - (ii) an officer of a neighborhood association if there is no official planning area contact team; or
    - (b) for an area without an adopted neighborhood plan, an officer of a neighborhood association.
  - (2) The city manager shall accept an application to amend the restricted parking area map during February of each year. The council shall consider the applications annually.
  - (3) The city manager shall give notice in English and Spanish of the public hearing before the council by publishing notice in a newspaper of general circulation not later than the 16th day before the date of the public hearing. The City is responsible for the cost of publication.
  - (4) The city manager shall give notice in English and Spanish of an amendment to the restricted parking area map not later than the 30th day after the amendment is effective to the following associations and persons in the affected area:
    - (a) each neighborhood association;
    - (b) the chair of each planning area contact team;
    - (c) each City of Austin utility account holder; and
    - (d) each notice owner who does not reside in the affected area.
  - (5) A neighborhood association must be registered with the Public Information Office of the City.
- (E) If an area in a neighborhood plan combining district is added to the restricted parking area map in accordance with Section 25-2-1406 ( *Ordinance Requirements* ), the council may delete the area only by amending the ordinance that establishes the neighborhood plan combining district.

Source: 1992 Code Section 16-5-22; Ord. 031204-13; Ord. 031211-11; Ord. 040325-Z-1; Ord. 20051027-010; Ord. 20080131-133; Ord. 20110609-058.



### Restricted Front & Side Yard Parking Area Map - 2018

- Council Districts
- Approved
- Proposed to be Added 2019
- Proposed to be Removed 2019

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City of Austin  
Planning and Zoning Department  
March, 2018  
frontyardparking\_map.mxd



1 inch = 3500 Feet

Exhibit 3

**ORDINANCE NO. 20141106-086**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 537.02 ACRES OF LAND GENERALLY KNOWN AS THE WEST GATE NEIGHBORHOOD PLAN.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property comprised of approximately 537.02 acres of land and described in Zoning Case No. C14-2014-0017, on file at the Planning and Development Review Department and generally known as the West Gate neighborhood plan combining district. The West Gate neighborhood plan combining district is, locally known as the area bounded by West Ben White Boulevard on the north, Manchaca Road on the east, West Stassney Lane on the south and generally along the lot line, as shown on Exhibit "A" and Westgate Boulevard on the west, in the City of Austin, Travis County, Texas, and identified in the map attached as Exhibit "B" (*the Zoning Map*) (the "Property").

**PART 2.** Except as otherwise specifically provided in this ordinance, the existing base zoning districts and conditions remain in effect.

**PART 3.** The base zoning districts for the land are changed from general commercial services (CS) district, commercial liquor sales-conditional overlay (CS-1-CO) combining district, general office (GO) district, general office-conditional overlay (GO-CO) combining district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining, limited office (LO) district, limited office-mixed use (LO-MU) combining district, limited office-mixed use-conditional overlay (LO-MU-CO) combining district, limited office-conditional overlay (LO-CO) combining district, neighborhood commercial (LR) district, neighborhood commercial-conditional overlay (LR-CO) combining district, multi family residence low density (MF-2) district, neighborhood office (NO) district, neighborhood office-mixed use (NO-MU) combining district, neighborhood office-conditional overlay (NO-CO) combining district, neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district, public (P) district, planned unit development (PUD) district, single family residence standard lot (SF-2) district, family residence (SF-3) district, family residence-conditional overlay (SF-3-CO) combining district to general commercial services-neighborhood plan (CS-NP) combining district, commercial liquor sales-conditional overlay-neighborhood

plan (CS-1-CO-NP) combining district, general office-neighborhood plan (GO-NP) combining district, general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district, community commercial-neighborhood plan (GR-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining, limited office-neighborhood plan (LO-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, neighborhood commercial-neighborhood plan (LR-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district, multi family residence low density-neighborhood plan (MF-2-NP) combining district, neighborhood office-neighborhood plan (NO-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, neighborhood office-conditional overlay-neighborhood plan (NO-CO-NP) combining district, neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district, public-neighborhood plan (P-NP) combining district, planned unit development-neighborhood plan (PUD-NP) combining district, single family residence standard lot-neighborhood plan (SF-2-NP) combining district, family residence-neighborhood plan (SF-3-NP) combining district, and family residence-conditional overlay-neighborhood plan (SF-2-CO-NP) combining district.

**PART 4.** The following applies to a single-family residential use, duplex residential use or a two-family residential use within the boundaries of the West Gate Neighborhood Plan area:

- A. Front porch setback applies as set forth in City Code Section 25-2-1602.
- B. Impervious cover and parking placement restrictions apply as set forth in City Code Section 25-2-1603.
- C. Garage placement restrictions apply as set forth in City Code Section 25-2-1604.
- D. Front or side yard parking restrictions apply as set forth in City Code Sections 25-2-1403 and 12-5-29

**PART 5.** The following applies area-wide within the boundaries of the West Gate Neighborhood Plan area:

Mobile food establishment restrictions apply as set forth in City Code Section 25-2-812.

**PART 6.** This ordinance takes effect on November 17 , 2014.

**PASSED AND APPROVED**

<p>_____ November 6, 2014</p>	<p>§ § §</p>	<p>_____ Lee Jeffingwell Mayor</p>
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<p><b>APPROVED:</b> _____ Karen M. Kennard City Attorney</p>	<p><b>ATTEST:</b> _____ Jannette S. Goodall City Clerk</p>
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**ZONING**

ZONING CASE#: C14-2014-0017



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



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1" = 900'

Exhibit B