

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2020-0005 - Platting Exceptions

Description: Consider an amendment to Chapter 25-4 (Subdivision) to allow a parcel of land that has obtained a minimum lot width variance from the Board of Adjustment to satisfy the minimum frontage requirement for a platting exception under Section 25-4-2

Proposed Language: See attached draft ordinance.

Summary of proposed code changes:

Language added to Section 25-4-2(D)(5) allowing for a Board of Adjustment variance from the minimum lot width requirements of Section 25-2-492 as an alternative to meeting the frontage requirements, for the purpose of qualifying for the exception to the requirement to plat authorized by Section 25-4-2.

Background: Initiated by Council Resolution 20200729-086

On July 29, 2020 City Council approved a resolution directing the City Manager to develop amendments to Chapter 25-4 of the Land Development Code to allow for a parcel of land that has obtained a minimum lot width variance from the Board of Adjustment to satisfy the minimum frontage requirement for a platting exception under Section 25-4-2.

Board and Commission Actions:

August 21, 2020: The Codes and Ordinances Joint Committee

August 25, 2020: Planning Commission

Council Action:

September 3, 2020:

Ordinance Number:

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ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE CHAPTER 25-4 RELATING TO AN EXEMPTION FROM PLATTING

PART 1. Subsection (D) of City Code Section 25-4-2 (*Exception to Platting Requirements*) is amended to read as follows:

(D) In the full-purpose limits of the city, the director may except a parcel of land from the requirement to plat if the director determines that the parcel:

- (1) is five acres or less;
- (2) existed in its current configuration on January 1, 1995;
- (3) was receiving utility service that was authorized under the rules of the utility provider on January 1, 1995;
- (4) is located on an existing street; and
- (5) either complies with the requirements of this title for roadway frontage or was granted a variance from the minimum lot width requirement of Section 25-2-492 by the Board of Adjustment.

RESOLUTION NO. 20200729-086

WHEREAS, in June 2018 a couple purchased a 1940s 486-square foot house on an unplatted corner tract in the Bouldin neighborhood with the intent of building a modest addition; and

WHEREAS, in April 2019 the couple obtained a Board of Adjustment (“BOA”) variance to reduce the minimum lot area and width and decrease setbacks to allow the conversion of a garage into living space; and

WHEREAS, the couple then became aware that the tract requires platting before a building permit may be issued; and

WHEREAS, City Code requires compliance with roadway frontage to qualify for a platting exception and does not allow a BOA variance to constitute compliance; and

WHEREAS, Development Services staff have indicated that very few properties will share the characteristics of this tract and thus meet the criteria for the remedy described below; and

WHEREAS, the proposed remedy would allow this limited universe of properties to redevelop only when they meet certain criteria and when they also receive a variance within a public process; **NOW, THEREFORE**,

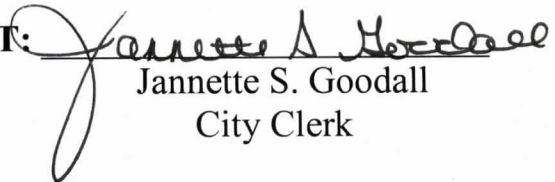
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Council initiates an amendment to City Code Chapter 25-4 (*Subdivision*) to:

- (1) allow a parcel of land that has obtained a minimum lot width variance from the Board of Adjustment to satisfy the minimum frontage requirement for an exception from platting, and
- (2) waive code requirements for Land Use Commission review, only if necessary, to return the ordinance to City Council on September 3, 2020.

ADOPTED: July 29, 2020

ATTEST:


Jannette S. Goodall
City Clerk