



## Recommendation for Action

**File #:** 20-3033, **Agenda Item #:** 70.

9/17/2020

### **Posting Language**

Conduct a public hearing and consider an ordinance amending City Code Section 25-13-45 relating to compatible residential uses in Airport Overlay Zone Three (AO3).

### **Lead Department**

Planning and Zoning Department.

### **Fiscal Note**

This item will have no fiscal impact

### **For More Information:**

Mark Walters, Planning and Zoning Department, 512-974-7695

### **Council Committee, Boards and Commission Action:**

June 19, 2019 - Codes and Ordinances Joint Committee recommended code amendment initiation to the Planning Commission

June 23, 2019 -Planning Commission recommends code amendment initiation

November 20, 2019 - Recommended by the Codes and Ordinances Joint Committee

January 28, 2020 - Recommended by the Planning Commission.

### **Additional Backup Information:**

The proposed amendments are intended to remove residential uses as allowable uses from the Airport Overlay Zone Three (AO3).

The City Council adopted the Airport Overlay regulations (Chapter 25-13. Airport Hazard and Compatible Land Use Regulations) in August 2001 to govern land use and development surrounding the Austin Bergstrom International Airport (ABIA). These regulations establish three conditions under which residential uses are allowed in the AO3 zone: (1) for properties with a final plat dated on August 20, 2001; (2) those located in a municipal utility district on August 20, 2001; and (3) those located in a neighborhood plan combining district (NP) on December 31, 2001. On September 27, 2001, Council adopted the Montopolis Neighborhood and associated NP. The Montopolis Neighborhood Planning Area is located immediately north-northwest of the airport. One of the plan's land use objectives, as illustrated on the future land use map (FLUM), and through the associated rezonings was to establish an airport-compatible land use pattern in those areas covered by the AO3 zone. This pattern would allow future office, commercial, and industrial uses, but not residential.

Over the past two decades, applicants have sought zoning changes that would allow residential uses in the AO3 zone, the most recent being filed in January 2019. Zoning case management staff have consistently not recommended these applications on the basis of the plan and sound planning principles. Additionally, the Aviation Department staff oppose these attempted zoning changes. Their primary concerns are that the allowance of residential uses in the AO3 zone could hinder the airport's operation and affect their ability to

receive federal grant monies for the airport's operation.

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