

1 **RESOLUTION NO.**

2 **WHEREAS**, Texas Local Government Code Chapter 211 (Municipal
3 Zoning Authority), adopted in 1987, requires a city to provide published and, at
4 times, individual notice of when and where zoning-related public hearings will be
5 held; and

6 **WHEREAS**, state law requires a city to publish notice in a newspaper of
7 general circulation, and, when individual notice is required, to mail notice for the
8 area of the land covered by the proposed change or immediately adjoining it and
9 extending 200 feet from that area; and

10 **WHEREAS**, in 2008, City Council adopted Ordinance No. 20080515-033,
11 which expanded notification from a 200-foot to a 500-foot radius; and

12 **WHEREAS**, in 2009, City Council adopted Ordinance No. 20090521-062,
13 which clarified the use of utility accounts for notification and amended City Code
14 § 25-5-114 (*Time Periods for Determination; Notice*) to allow interested parties to
15 opt-in to electronic notification; and

16 **WHEREAS**, in 2023, a specially requested report by the Office of the City
17 Auditor found that the City sends out at least twelve times as many mailings as
18 required by state law, and Austin’s expanded boundary far exceeds that of peer
19 Texas cities, causing potential waste; and

20 **WHEREAS**, expanded electronic notification opportunities for interested
21 parties and improved clarity of notice communications would improve awareness
22 and access for Austin residents to relevant public information; **NOW,**

23 **THEREFORE,**

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

26 City Council initiates amendments to Title 25 (*Land Development*) to
27 modify the area entitled to mailed notice to those properties within 250 feet of the
28 proposed development; and to modify the standard of who is an interested party
29 using a distance of 250 feet from the proposed development instead of 500 feet.

30 **BE IT FURTHER RESOLVED:**

31 The City Manager is directed to review current notification methods and
32 make recommendations for a comprehensive system of notification that allows for
33 opt-in electronic notification regardless of distance from a proposed development.
34 The City Manager is expected to make recommendations that would improve
35 awareness through clear communication, improve equitable access to relevant
36 information, and reduce cost through use of electronic methods wherever possible.
37 The City Manager's recommendations may include additions to the City's state
38 legislative agenda, such as removing requirements for paid newspaper
39 advertisements.

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42 **ADOPTED:** _____, 2023 **ATTEST:** _____

43 Myrna Rios
44 City Clerk
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