

ORDINANCE NO.

AN ORDINANCE AUTHORIZING A JOINT PUBLIC HEARING BETWEEN CITY COUNCIL AND PLANNING COMMISSION TO CONSIDER AMENDMENTS TO CITY CODE CHAPTER 25-2 (ZONING); ESTABLISHING THE NOTICE REQUIREMENTS FOR THE JOINT PUBLIC HEARING; AND WAIVING CITY CODE SECTIONS 25-1-501 (INITIATION OF AMENDMENT) AND 25-1-502 (AMENDMENT AND REVIEW).

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

PART 1. Findings.

- (1) Chapter 211 of the Texas Local Government Code applies to changes in zoning regulations, classifications, and boundaries. Section 211.007(d) of the Texas Local Government Code authorizes the governing body of a municipality to prescribe the type of notice to be given of the time and place of a joint public hearing that includes the governing body and zoning commission. Under this process, the zoning commission makes recommendations to the governing body in a subsequent and separate public meeting. After the zoning commission provides its recommendations, the governing body considers the zoning commission's recommendations and acts on the proposed ordinances.
- (2) In June and July of 2023, the City Council initiated amendments to City Code Title 25 (*Land Development*) related to modifying the maximum number of dwelling units allowed on a single-family zoned lot, creating a new land use specific to three dwelling units on a single-family zoned lot, and eliminating the dwelling unit occupancy limit for residential uses.
- (3) The City Council finds that utilizing the joint public hearing process established in state law gives the public an opportunity to provide comments on the notice that will be provided for the public hearing on these amendments.
- (4) The City Council finds that utilizing the joint hearing process requires waivers of existing City Code related to the amendment process that include public hearing and notice requirements.

PART 2. The City Council authorizes a joint public hearing, waives City Code Section 25-1-502 (*Amendment Review*), and directs the City Manager and City Clerk to prepare for a joint public hearing between the Planning Commission and City Council for the purpose of considering changes to City Code Chapter 25-2 (*Zoning*).

PART 3. The City Council adopts notice requirements described in Exhibit A as the required notice for the joint public hearing.

NOTICE REQUIREMENTS

EXHIBIT A

The City Council adopts the following notice requirements for the joint public hearing:

- (A) **Publication Requirements:** Publish notice of the joint public hearing and the subsequent Planning Commission and City Council meetings at least 10 days before the joint public hearing. The City Manager is directed to publish the notice in the Austin American-Statesman.
- (B) **Community Registry:** Send notice to the community registry at least 10 days before the joint public hearing.
- (C) **Mailed Notice:**
 - (1) Mail notice one time to property owners and utility account holders for each parcel located within the City's full purpose and limited purpose jurisdictions at least 10 days before the joint public hearing.
 - (2) The mailed notice must include English and Spanish translations for the following items:
 - (a) the dates, times, and locations for the joint public hearing and the subsequent Planning Commission and City Council meetings;
 - (b) a brief description of the amendments that will be considered at those meetings; and
 - (c) a website link that will allow a member of the public to:
 - (i) learn more about the amendments and protest requirements; and
 - (ii) provide feedback on the proposed amendments.
- (D) **City's Website and Social Media Sites:** Post the dates, times, and locations for the joint public hearing and the subsequent Planning Commission and City Council meetings:
 - (1) on the City's website; and
 - (2) on at least one of the City's social media sites and:
 - (a) at least two times before the joint public hearing; and
 - (b) after the joint public hearing, at least one time:
 - (i) before the Planning Commission meeting; and
 - (ii) before the City Council meeting.