

ORDINANCE AMENDMENT REVIEW SHEET

Amendment:

C20-2023-029 Eliminate Station Area Plan Amendment Filing Period Requirements.

Description:

An amendment to City Code Title 25 that would allow amendments to Station Area Plans at any time.

Background:

City Council-adopted [Resolution No. 20230601-047](#) initiated a code amendment process to remove the Neighborhood Plan Amendment biannual filing period. Council adopted this amendment on August 31, 2023. Prior to the Planning Commission's hearing for the earlier amendment, it was brought to staff's attention that this amendment would not remove the filing period requirements for Station Area Plans, including the MLK Jr. Blvd., Plaza Saltillo, and Lamar Blvd. / Justin Lane Station Area Plans. This amendment is to address the requirements of those filing periods.

As with the earlier code amendment, these changes are intended to prevent unnecessary bottlenecks in housing development, avoid premature application submittals to meet filing period deadlines, and deter "out of cycle" land use map amendments.

Summary of Proposed Code Amendment:

To allow amendments to Station Area Plans at any time.

Proposed Text Amendment(s):

Please see attached redline of § 25-2-766.23 Amendments to Station Area Plan.

Staff Recommendation:

Staff supports the proposed change to remove the February and July open filing period.

Board and Commission Action:

November 28, 2023 – Planning Commission – recommended unanimously with Commissioner Phillips off the dais, Vice-Chair Hempel and Commissioner Woods absent.

Council Action:

December 14, 2023 – scheduled for City Council.

Sponsor Department:

Planning Department

City Staff:

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§ 25-2-766.23 AMENDMENTS TO STATION AREA PLAN.

- (A) Council may, by zoning ordinance, amend a station area plan at any time.
- (B) Amendments to a station area plan may be proposed by land owners not more than once each calendar year for each property owned.
- (C) For a station area plan that is within an adopted neighborhood plan area, an amendment to the station area plan must be reviewed and approved in accordance with the neighborhood plan amendment process established by council.
- (D) This subsection prescribes the review process for an amendment to a station area plan that is outside an adopted neighborhood plan area.
 - (1) Except as provided in Paragraph (2), the director may not accept an application to amend a station area plan until one year after adoption of the plan. After that date, the director may accept an application to amend the plan relating to an individual property not more frequently than once each 12 months. ~~An application may be filed for a station area plan west of Interstate Highway 35 only during the month of February and for a station area plan east of Interstate Highway 35 only during the month of July.~~
 - (2) The director may accept an application to amend a station area plan at a time other than that prescribed by Paragraph (1) if the director determines that:
 - (a) not accepting the application would result in a hardship to the applicant, and the development proposed by the applicant will not adversely affect the public health, safety, or welfare;
 - (b) the amendment would allow the development of a S.M.A.R.T. Housing certified project in which at least 40 percent of the proposed units are reasonably priced; or
 - (c) the amendment would allow development that:
 - (i) provides environmental protection that is superior to the protection that would otherwise be achieved under the existing station area plan; or
 - (ii) promotes the recruitment or retention of an employment center with 100 or more employees.

Source: Ord. 20050519-008.



**HOUSING &
PLANNING**

Affordability Impact Statement

Eliminate Station Area Plan Filing Deadlines

Case number: C20-2023-029

Initiated by: Resolution No. 20230601-047

Date: October 16, 2023

Proposed Regulation

The proposed amendment would remove code language that establishes one-month submission windows for proposed changes to Station Area Plans. Removing this would allow amendments to plans at any time. Currently, an application may be filed for a Station Area Plan west of I-35 only during the month of February and for a Station Area Plan east of I-35 only during the month of July.

Land Use/Zoning Impacts on Housing Costs

☐ Positive ☐ Negative ☒ Neutral

The proposed change would streamline the process of proposing changes to Station Area Plans. The initiating resolution visions that this will increase speed of housing production when an applicant plans to upzone a parcel for increased residential density. This will lead to housing delivery in a shorter timeline than allowed under current conditions.

Impact on Development Cost

☐ Positive ☐ Negative ☒ Neutral

Impact on Affordable Housing

☐ Positive ☐ Negative ☒ Neutral

**Other Policy
Considerations**

None.

Manager's Signature Marla Torrado