

NEIGHBORHOOD CONSERVATION COMBINING DISTRICT

January 2010



NEIGHBORHOOD CONSERVATION COMBINING DISTRICT

GENERAL OVERVIEW

GENERAL INFORMATION

This packet outlines the procedures and submittal requirements necessary to establish a neighborhood conservation combining (NCC) district. The regulatory requirements and procedures for approval are defined in Volume III, Chapter 25-2-371 through 25-2-376 of the Code of the City of Austin. Chapter 25 was adopted by City Council in order to protect the health, safety and welfare of the Austin community.

Additional information about the neighborhood conservation combining NCC district process and code requirements can be obtained prior to submitting a zoning application by contacting the Development Assistance Center (DAC) on the 1st floor of the One Texas Center, 505 Barton Springs Road, phone 974-6370, or by visiting the City of Austin's Development Process and One-Stop Shop website at <http://www.ci.austin.tx.us/development/default.htm>. An application form can be found at <http://www.ci.austin.tx.us/development/downloads/07.doc>

WHAT IS A NEIGHBORHOOD CONSERVATION COMBINING (NCC) DISTRICT?

The purpose of an Neighborhood Conservation Combining (NCC) District is to establish development regulations for unique neighborhoods in order to preserve their traditional character while allowing for controlled growth to occur. An NCC District clearly defines boundaries separating residential uses from commercial uses, and sets standards for redevelopment that is compatible with the unique character of the neighborhood.

TIME FRAME FOR PROCESSING NCC DISTRICT:

A written report from staff will be available to the applicant and the public several days before the item is scheduled for review by the Land Use Commission. Zoning requests are typically heard by the assigned Land Use Commission on the fourth or fifth Tuesday of the month following the date of submittal (approximately 6 to 7 weeks), and by the City Council on the fourth Thursday following the Commission's recommendation. The applicant should be aware that because of the nature of an NCC request, the processing time may be longer.

CASE MANAGER:

Each application is assigned to a team. The Case Manager will serve as liaison between you and the City of Austin and function as your main point of contact. Once your application has been submitted, any questions, problems, conflicts, etc. should be directed to the Case Manager. If you need to see your Case Manager, it is suggested an appointment be made to ensure the Case Manager is available.

NEIGHBORHOOD, COMMUNITY AND ENVIRONMENTAL ASSOCIATIONS

Information concerning neighborhood associations, community groups and environmental interest groups in the area of the zoning request is available at the Development Assistance Center.

SUBMITTAL REQUIREMENTS:

Refer to page 2, Instructions, and page 3, Submittal Checklist. Complete pages 4 through 7.

ADDITIONAL REQUIREMENTS:

A neighborhood plan and an architectural survey prepared by the neighborhood organization/applicant are required prior to submittal. Refer to page 3 for these requirements.

CRITERIA FOR AN NCC DISTRICT:

The NCC District shall include a contiguous area of at least five (5) acres, including streets, alleys and public rights-of-way. It must also contain a minimum of three (3) separate parcels of land. A waiver may be granted from the requirements.

HOW TO OBTAIN INFORMATION:

Clerical staff and planners are available by appointment or on a first-come, first-served basis each weekday between 9 a.m. and 12 p.m. at the Development Assistance Center, 1st floor, One Texas Center, 505 Barton Springs Road (512-974-6370).

ETHICS AND FINANCIAL DISCLOSURE INFORMATION:

If you or your agent/representative were a City employee or City official within the past 24 months, you may be subject to the City's Ethics and Financial Disclosure requirements (see City Code Chapter 2-7). Copies of Chapter 2-7 are available from the City Clerk's Office.

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SUBMITTAL INFORMATION AND REQUIREMENTS

When filing a zoning change, the applicant or the applicant's agent shall submit the following information in person to the Intake Center on the Fourth Floor at One Texas Center, 505 Barton Springs Road. Please call 974-7208, 974-2681, or 974-2350 to schedule an appointment.

1. APPLICATION FORM: Type or print all information. One copy of the completed application form shall be submitted, in which the following items shall be addressed:

- a) Owner: This item is not applicable for an NCC application.
- b) Project name: Fill in the name of the proposed NCC.
- c) Street Address(s): Indicate the general streets that form the boundary of the proposed district.
- d) Land Area to be Rezoned: Indicate the acreage of the proposed district.
- e) Existing Zoning: Obtain the existing zoning designation(s) from Document and Map Sales on the First Floor of One Texas Center, 505 Barton Springs Road.
- f) Proposed Zoning: Indicate the proposed zoning. If there are questions as to what zoning is needed, contact the Planning and Zoning Department.
- g) Development Assessment: This item is not applicable for an NCC District.
- h) Active Zoning, Subdivision and Site Plan Requests: If there are any pending requests on the property covered by this application, please indicate requested information.
- i) Property Description: This item is not applicable for an NCC District.
- j) Deed Reference: This item is not applicable for an NCC District.
- k) Combining/Overlay Districts: The Neighborhood Conservation Combining District is a combining district designated by the initials NCC.
- l) Watershed: A map is available in the Central Intake area. An Intake Clerk will assist you in obtaining this information if necessary.
- m) Water, Wastewater and Electric Providers: In most cases, these utilities are provided by the City of Austin.
- n) Type of Ownership: This item is not applicable for an NCC application.
- o) Owner's Signature: This item is not applicable for an NCC application.
- p) Agent Information: Include the name of the neighborhood association(s) requesting the District.

2. TAX MAPS: Tax plats are used to obtain property owner names and addresses for notification. Tax plats must be submitted with all zoning applications and shall meet the following requirements

One blue-line copy of each of the current tax plats, showing all properties within 500 feet of the tract for which zoning approval is being requested. Include all plats referred to in the 500 feet surrounding the tract. Outline the subject tract in red. (DO NOT SPLICE THE MAPS TOGETHER).

Tax plats can be obtained from:

- Hays County: Hays County Clerk's Office; 137 N. Guadalupe Street; San Marcos, phone: (512) 393-7330
- Travis County: Travis Central Appraisal District at Walnut Creek Business Park, 8314 Cross Park Drive, Austin (U.S. 290 & Cross Park Drive), phone (512) 834-9138. Tax plats for Travis County may be printed from TCAD online, www.traviscad.org.
- Williamson County: Williamson County Clerk, Justice Center Building, 405 Martin Luther King Street, Georgetown, phone: (512) 943-1515.

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For projects located outside of Travis County, applicants must submit a list of names and addresses of all property owners located within a 500-foot radius of the subject tract

3. **SUBMITTAL CHECKLIST:** A Submittal Checklist for the information which the applicant is required to submit is below.

SUBMITTAL CHECKLIST

- Application Form
- Submittal Verification Form
- Site Check Permission Form
- Acknowledgement Form
- Posponement Policy
- Full size tax maps (1"=100') showing properties within 500' of the proposed district

- Application fee (unless waived by City Council)

- Neighborhood Plan
 - a. Description of the neighborhood, including proposed boundaries .
 - b. General description of the neighborhood association(s).
 - c. Description of the condition, quality and proposed improvements to the infrastructure.
 - d. Maps of existing and proposed roadway and transportation improvements.
 - e. Maps depicting existing zoning, structures, improvements and land uses.
 - f. Textual description listing specific modifications to the base district(s), desired restrictions, performances and conditions for development or redevelopment of properties.
 - g. Map showing non-conforming uses under the existing and proposed district.
 - h. Additional sections of the plan as may be necessary, including textual and/or graphic material.

- Architectural Survey
 - a. Building heights
 - b. Building scale and massing
 - c. Setbacks from the street(s)
 - d. Spacing and setbacks between structures
 - e. Architectural style and distinguishing features characteristic of the style.
 - f. Age of structures
 - g. Urban design features
 - h. Landscape features
 - i. Land uses including historic designations or unique land use patterns
 - j. Date(s) of historic or potentially historic structure(s) including the source(s) for documenting the age.

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APPLICATION FOR NCCD

PROJECT INFORMATION: DEPARTMENTAL USE ONLY

APPLICATION DATE: _____	FILE NUMBER(S): _____
TENTATIVE ZAP / PC DATE: _____	
TENTATIVE CC DATE: _____	CITY INITIATED: YES / NO _____
CASE MANAGER: _____	ROLLBACK: YES / NO _____
APPLICATION ACCEPTED BY: _____	

OTHER PROJECT DATA

OWNER'S NAME: _____
PROJECT NAME: _____
PROJECT STREET ADDRESS (or Range): _____
ZIP: _____
COUNTY: _____

_____	ALONG THE _____	SIDE OF _____	APPROXIMATELY
Frontage ft.	(N,S,E,W)	Frontage road	
_____	FROM ITS INTERSECTION WITH _____		
Distance	Direction		Cross street
TAX PARCEL NUMBER(S): _____			

AREA TO BE REZONED:

ACRES _____	(OR)	SQ.FT. _____			
EXISTING ZONING	EXISTING USE	TRACT#	ACRES / SQ. FT.	PROPOSED ZONING	PROPOSED USE
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RELATED CASES:

DEVELOPMENT ASSESSMENT?(YES/ WAIVER) _____	FILE NUMBER: _____
ACTIVE ZONING CASE? (YES / NO) _____	
ACTIVE NP AMENDMENT? (YES / NO) _____	FILE NUMBER: _____
RESTRICTIVE COVENANT? (YES / NO) _____	FILE NUMBER: _____
SUBDIVISION? (YES / NO) _____	FILE NUMBER: _____
ACTIVE SITE PLAN? (YES / NO) _____	FILE NUMBER: _____

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PROPERTY DESCRIPTION (for the portion affected by this application) provide either subdivision reference OR metes & bounds description.

1. SUBDIVISION REFERENCE: Name: _____
Block(s) _____ Lot(s) _____ Outlot(s) _____
Plat Book: _____ Page Number: _____

2. METES AND BOUNDS (Attach two copies of certified field notes.)

NEIGHBORHOOD CONSERVATION COMBINING DISTRICT

FILE NUMBER: _____

DEED REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER:

VOLUME: _____ PAGE: _____ SQ. FT: _____ or ACRES _____

OTHER PROVISIONS

IS PROPERTY IN A COMBINING DISTRICT / OVERLAY ZONE? YES / NO
COMBINING DISTRICT/OVERLAY ZONE? (NP, NCC, CVC, WO, etc.) _____
NATIONAL REGISTER DISTRICT? YES / NO
IS A TIA REQUIRED? YES / NO TRIPS PER DAY: _____
WATERSHED: _____ WS CLASS: _____
WATER UTILITY PROVIDER: _____
WASTEWATER UTILITY PROVIDER: _____
ELECTRIC UTILITY PROVIDER: _____

OWNERSHIP INFORMATION

TYPE OF OWNERSHIP: _____ SOLE _____ COMMUNITY PROPERTY _____ PARTNERSHIP
_____ CORPORATION _____ TRUST
(If ownership is other than sole or community property, attach list of individual partners / principals etc)

OWNER INFORMATION

SIGNATURE: _____ NAME: _____
FIRM NAME: _____
STREET ADDRESS: _____
CITY/STATE/ZIP: _____
CONTACT PERSON: _____ TELEPHONE NUMBER: _____

AGENT / PRINCIPAL CONTACT (If applicable)

SIGNATURE: _____ NAME: _____
FIRM NAME: _____
STREET ADDRESS: _____
CITY/STATE/ZIP: _____
CONTACT PERSON: _____ TELEPHONE NUMBER: _____

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SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the review of this application.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND INDICATE FIRM REPRESENTED, IF APPLICABLE.

Signature

Date

Name (Typed or Printed)

Firm

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND INDICATE FIRM REPRESENTED, IF APPLICABLE.

Signature

Date

Name (Typed or Printed)

Firm

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ACKNOWLEDGMENT FORM
Concerning
Subdivision Plat Notes, Deed Restrictions
and / or Restrictive Covenants

I, _____ have checked the subdivision plat notes, deed restrictions, and/or restrictive
(Print Name of applicant)
covenants prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on
this property, located at:

(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions and/or restrictive covenants it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions and/or restrictive covenants.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, and/or restrictive covenant information which may apply to this property.

(Applicant's signature)

(Date)

NEIGHBORHOOD CONSERVATION COMBINING DISTRICT

POSTPONEMENT POLICY ON ZONING HEARINGS

- Sets a postponement date and time at the City Council hearing so that renotification of residents and property owners is not necessary.
- Limits the time a hearing can be postponed to two months for both proponents and opponents, unless otherwise approved by council so that renotification of residents and property owners is not necessary.
- Allows only one postponement for either side, unless otherwise approved by Council.
- Requires that all requests for postponements be submitted in writing to the director of the Planning and Zoning Department at least one week prior to the scheduled Council meeting. The written request must specify reasons for the postponements.
- The Director shall provide a recommendation regarding the validity of the postponements request as the Director deems appropriate.
- Eliminates the automatic granting of a postponement of the first request.
- Authorizes Council to consider requests that are not submitted timely.

Council action December 12, 1996