

AGENDA



Thursday, January 10, 2008

Item(s) to Set Public Hearing(s)
RECOMMENDATION FOR COUNCIL ACTION
Item No. 54

Subject: Set a public hearing to consider an ordinance amending Section 12-5-29 of the City Code relating to parking in the front or side yards of a residential property. (Suggested date and time: January 31, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

For More Information: Kathleen Fox, 974-7877; Sylvia Arzola, 974-6448.

Prior Council Action: 8/29/02 - The City Council approved an ordinance establishing restrictions on parking in the front or side yards of a residential property and created a civil penalty for violations to these parking restrictions. The ordinance applied to those neighborhood associations identified in the Restricted parking Area Map.

7/17/03 - The City Council approved an ordinance amending the Restricted Parking Area map and created criteria for the application form filed by neighborhood associations requesting that the parking restrictions apply to their area (Ordinance 030717-131).

3/25/04 - The City Council approved an ordinance pertaining to adopted neighborhood planning areas and the front yard parking restrictions (Ordinance 040325-Z-I).

10/27/05 - The City Council approved an ordinance that simplified the front yard parking restrictions to state that a person may not park a motor vehicle in the front yard or side yards of a residential property, except in a driveway or paved parking space depicted on an approved site plan (Ordinance 051027-010).

06/07/07 - Council approved a resolution initiating amendments to Section 12-5-29(D) of the City Code regarding appropriate process changes including the time for Council consideration of an application establishing limitations on parking in a front yard.

On August 29, 2002, the City Council approved an ordinance establishing restrictions on parking in the front or side yards of a residential property and created a civil penalty for violations to these parking restrictions. The parking restrictions prohibit a person from parking a motor vehicle in the front or side yards of a residential property except in a driveway or a paved parking space depicted on an approved plan. The ordinance applies only in those areas shown on the Restricted Parking Area Map.

A neighborhood may request that the parking restrictions apply to their area during the neighborhood planning process, or by submitting an application during the open filing period in February, with Council consideration during the month of April. The requirement that Council only consider the applications during the month of April presented some challenges in that it did not allow for sufficient staff review between the application deadline and Council agenda posting deadlines. Also, the ordinance prohibited neighborhood associations within neighborhood planning areas approved after December 31, 2006, to submit applications, and did not permit contact teams (established upon approval of a neighborhood plan) to submit applications. In addition, the Council expressed concern that the ordinance did not require notification to the neighborhood associations of the Council's consideration of their applications.

On June 7, 2007, the City Council directed the City Manager to initiate amendments to the Ordinance to provide greater flexibility for submittal and review of these applications by residents, staff and the Council. The Neighborhood Planning and Zoning Department (NPZD) is recommending the following amendments:

- a. Delete the requirement that Council must consider the applications during the month of April, and instead require that the Council consider the applications on an annual basis;
- b. Authorize planning area contact teams to apply for the additional distance requirements in areas for which a neighborhood plan has been adopted;
- c. Authorize neighborhood associations that are located within an approved neighborhood planning area to submit an application if a contact team has not been established (the application would be restricted to neighborhood association boundaries);
- d. Authorize neighborhood associations to request amendments to the restricted parking area map in areas for which neighborhood plans have not been adopted;
- e. Add a provision to notify neighborhood associations, contact teams, property owners and utility customers of Council's approval of the parking restrictions in applicable areas;
- f. Add a provision that 10 days after Council votes to approve this amendment (the effective date), there will be a one-time 30 day application window to permit contact teams and neighborhood associations an opportunity to submit an application.

This amendment will be reviewed by the Planning Commission on January 15, 2008.