

# AGENDA



Thursday, February 28, 2008

## Item(s) to Set Public Hearing(s) RECOMMENDATION FOR COUNCIL ACTION

Item No. 64

**Subject:** Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code to add Article 16 relating to neighborhood plan amendments; and repealing Ordinance Nos. 20030320-23 and 20030605-53. (Suggested date and time: March 6, 2008, 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

**For More Information:** Paul DiGiuseppe, 974-2865; Sylvia Arzola, 974-6448.

**Prior Council Action:** 3/20/03 - Council approved an ordinance establishing procedures for amending the neighborhood plan amendment process.

6/5/03 - Council approved an ordinance amending the procedures related to the neighborhood plan amendment process.

This proposed amendments will modify the process for neighborhood plan amendments and clarify the role of Neighborhood Planning Teams and Neighborhood Plan Contact Teams. The amendments address provisions related to conflict of interest, notification, and pre-application meetings.

A description of each amendment is described below:

### Notification:

a. Modify Part 7B(1)(b) to require notification of area-wide and sub-district wide amendments be sent to City of Austin utility account addresses.

Currently, this provision requires notification for area-wide and sub-district wide amendments to be sent to the utility account holder and not the address within the district. In situations where a resident pays his utilities through rent, the notice does not get mailed to the resident. In addition, there are residents within the city limits that do not receive their utility service from the City, and the utility providers do not provide the City with utility account data. As a result, staff recommends that this language be revised to require notification only to the addresses of residents that receive City of Austin utility service.

b. Add a provision to Part 7(B)(1) to require that notification of area-wide and sub-district-wide amendments be sent to neighborhood organizations within 300 ft. of the amendment.

The current ordinance does not require that notification of area-wide and sub-district wide amendments be sent to neighborhood organizations. The proposed amendment will require that notification be sent to neighborhood plan contact teams, neighborhood planning teams, and neighborhood organizations whose boundaries fall within 300 ft. of the amendment. c. Add a provision to Part 7(A) to require notification to neighborhood organizations upon receipt of an application for a neighborhood plan amendment.

Currently, the City is only required to notify neighborhood organizations upon receipt of zoning changes, but not of neighborhood plan amendments. This amendment will require notification of both the zoning change and neighborhood plan amendment. Pre-Application Meeting:

d. Add a provision to require a pre-application meeting between an applicant and the City prior to submittal of a neighborhood plan amendment.

Prior to the submittal of a plan amendment application, a pre-application meeting must be held between Neighborhood Planning and Zoning Department staff and the applicant and/or agent. The purpose of this meeting is for the applicant to describe the application and for NPZD to explain the plan amendment process. If the applicant is proposing a change to the Future Land Use Map (FLUM), the applicant shall provide information including, but not limited to, the address, boundaries, existing and proposed FLUM category, acreage, and current and proposed use. If the applicant is proposing text changes, the proposed language must be provided as well as an explanation for the proposed change.