

## **ORDINANCE AMENDMENT REVIEW SHEET**

**Amendment:** C2O-2009-017

**Description:**

Amend Chapter 25-2 of the City of Austin Land Development Code to change the interim zoning designations granted upon annexation to be consistent with standard and small single-family lots shown on an approved preliminary plan or final plat.

**Background:**

The Planning and Development Review Department asked the Planning Commission to initiate this code amendment so that annexed single-family subdivisions may receive interim zoning designations after annexation that are more compatible with the approved plans.

Currently, most property receives a designation of Interim Rural Residential (I-RR) zoning upon annexation. There are exceptions, but most annexed properties do not meet the criteria for any of the exceptions. Standard single-family lots that were platted after 1984 receive I-RR zoning. Due to the more restrictive site development standards in I-RR, particularly impervious cover, many homeowners encounter difficulties getting permits for minor improvements to their homes that would be permitted under the interim single-family residence standard lot (I-SF-2) designation. The proposed code amendment will allow standard single-family lots shown on an approved preliminary plan or final plat to receive the I-SF-2 designation upon annexation, regardless of the date the preliminary plan or final plat was approved.

In addition, under the current code, small single-family lots must be final-platted to receive the interim single-family residence small lot (I-SF-4A) designation. The code amendment will allow small single-family lots shown in an approved preliminary plan or final plat to receive the I-SF-4A designation upon annexation.

**Departmental Comments:**

The proposed code amendment would allow homeowners to build reasonable additions to their homes, following the same regulations used throughout the city in single-family neighborhoods with standard-sized lots, and avoid the delay and expense associated with applying for initial permanent zoning. The code amendment would also reduce staff time associated with code violations and variance requests.

In addition, the code amendment will increase the amount of property that receives the interim SF-4A designation upon annexation by applying it to all property included in a small lot subdivision preliminary plan. Construction of a planned small-lot subdivision could continue without the delay associated with applying for initial zoning.

These zoning designations will still be considered interim, and it will remain the property owner's responsibility to request appropriate initial zoning if desired.

As an alternative, the Neighborhood Housing and Community Development Department recommends that Interim Single-Family Residence (I-SF-3) zoning be granted to annexed properties so that homeowners are permitted to build secondary units, increasing opportunities for affordable housing.

**Staff Recommendation:**

Planning and Development Review Department staff recommends approval of the proposed code amendment.

**Zoning and Platting Commission Action:**

**November 3, 2009:** The Zoning and Platting Commission recommended approval (6-1).

**Planning Commission Action:**

**September 22, 2009:** The Planning Commission initiated the amendment.

**October 20, 2009:** The Codes and Ordinances Committee recommended approval (5-0).

**November 10, 2009:** The Planning Commission approved an alternate recommendation that standard lots should receive a designation of I-SF-3 instead of I-SF-2 (8-0).

**Environmental Board Action:**

**November 18, 2009:** The Environmental Board recommended approval (7-0).

**City Council Date and Action:**

**December 10, 2009:** The amendment is scheduled for public hearing and action.

**Ordinance Readings:**

**1<sup>st</sup>**

**2<sup>nd</sup>**

**3<sup>rd</sup>**

**Ordinance Number:**

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