

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	28503	Agenda Number	85.
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Meeting Date:	11/7/2013	Department:	Planning and Development Review
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Subject

Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights under Chapter 245 and Section 43.002 of the Texas Local Government Code.

Amount and Source of Funding

Fiscal Note

Purchasing Language:

Prior Council Action:

For More Information:

Greg Guernsey, 512-974-2387.

Boards and Commission Action:

October 8, 2013 - Approved by the Planning Commission on a 8-0 vote with Commissioner Oliver absent.

MBE / WBE:

Related Items:

Additional Backup Information

This ordinance relates to the review and evaluation of “vested rights” claims, which means, in general terms, a claim by a landowner that permit applications for a development project are subject to regulations other than those in effect on the date the application is submitted.

On March 28, 2013, the City Council adopted Ordinance No. 20130328-019, which repealed portions of the City's vested rights regulations and initiated the development of a new vested rights ordinance. In preparing the ordinance, the Council directed the City Manager to ensure compliance with state law and to consider the procedures and ordinances adopted by other Texas cities.

The recommended ordinance includes review and decision-making procedures for evaluating the distinct types of vested rights provided for under Chapter 245 and Section 43.002 of the Texas Local Government Code. The ordinance also amends the rules applicable to permit expiration for dormant projects and adopts new expiration periods that would apply to projects started after the effective date of the ordinance.