

## A G E N D A



## Recommendation for Council Action

|                     |         |       |               |     |
|---------------------|---------|-------|---------------|-----|
| Austin City Council | Item ID | 32503 | Agenda Number | 72. |
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|               |          |             |                                 |
|---------------|----------|-------------|---------------------------------|
| Meeting Date: | 5/1/2014 | Department: | Planning and Development Review |
|---------------|----------|-------------|---------------------------------|

## Subject

Conduct a public hearing and consider an ordinance amending City Code Chapters 25-1 and 25-5 relating to vested development rights and continuing use rights under the Texas Local Government Code and amending Chapters 25-4 and 30-2 relating to subdivision plats.

## Amount and Source of Funding

## Fiscal Note

|                               |  |
|-------------------------------|--|
| Purchasing Language:          |  |
| Prior Council Action:         |  |
| For More Information:         | Greg Guernsey, Planning and Development Review, 512-974-6323.  |
| Boards and Commission Action: | April 8, 2014 – Approved by the Planning Commission on a 7-1 vote with Commissioner Anderson voting against and Commissioner Hernandez off the dais. |
| 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On March 28, 2013, the City Council adopted Ordinance No. 20130328-019, which repealed portions of the City's vested rights regulations and initiated the development of a new vested rights ordinance.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.