

# AUSTIN CITY COUNCIL ORIENTATION



## Zoning Basics

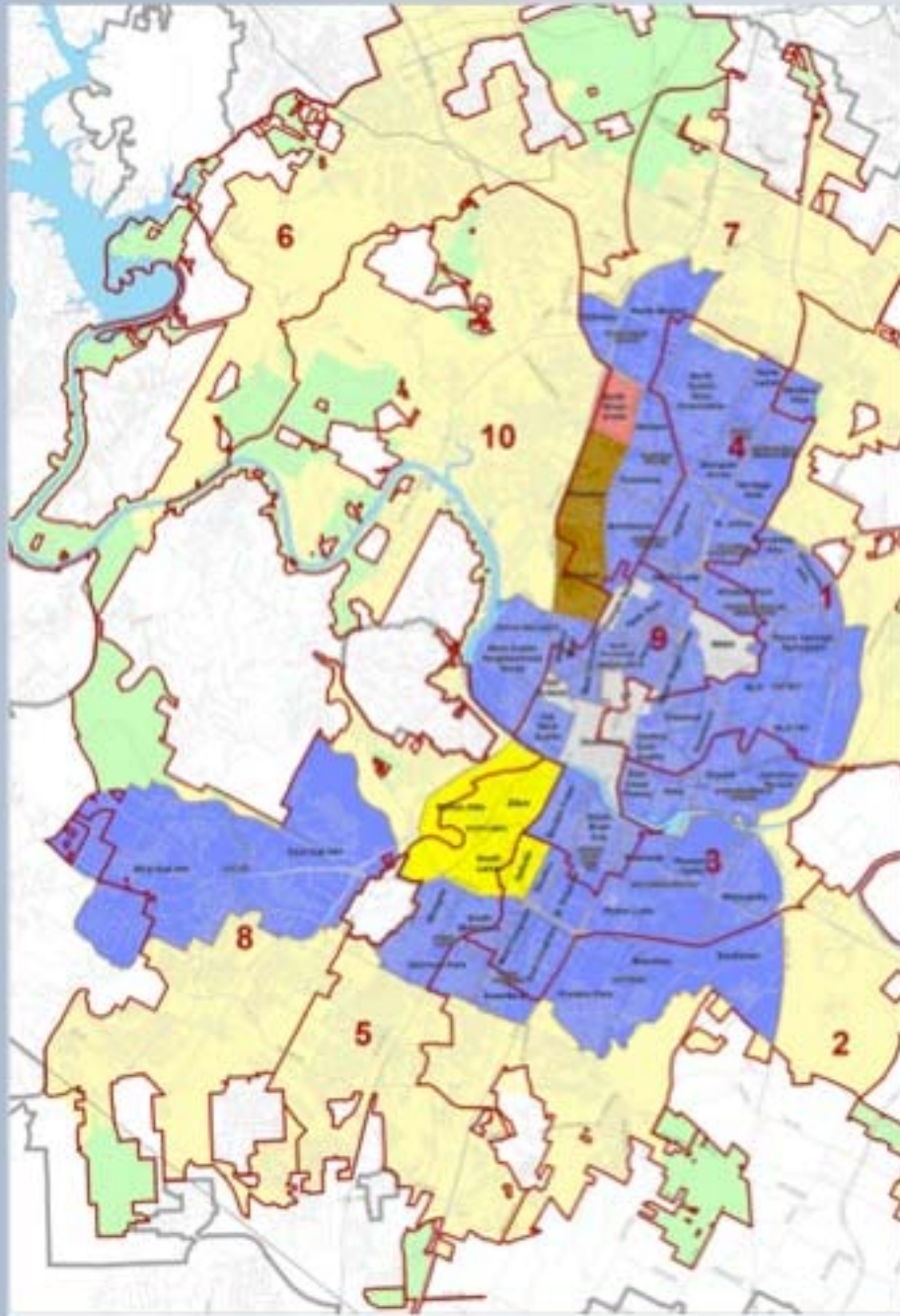
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Department



## Imagine Austin Zoning Compliance Analysis







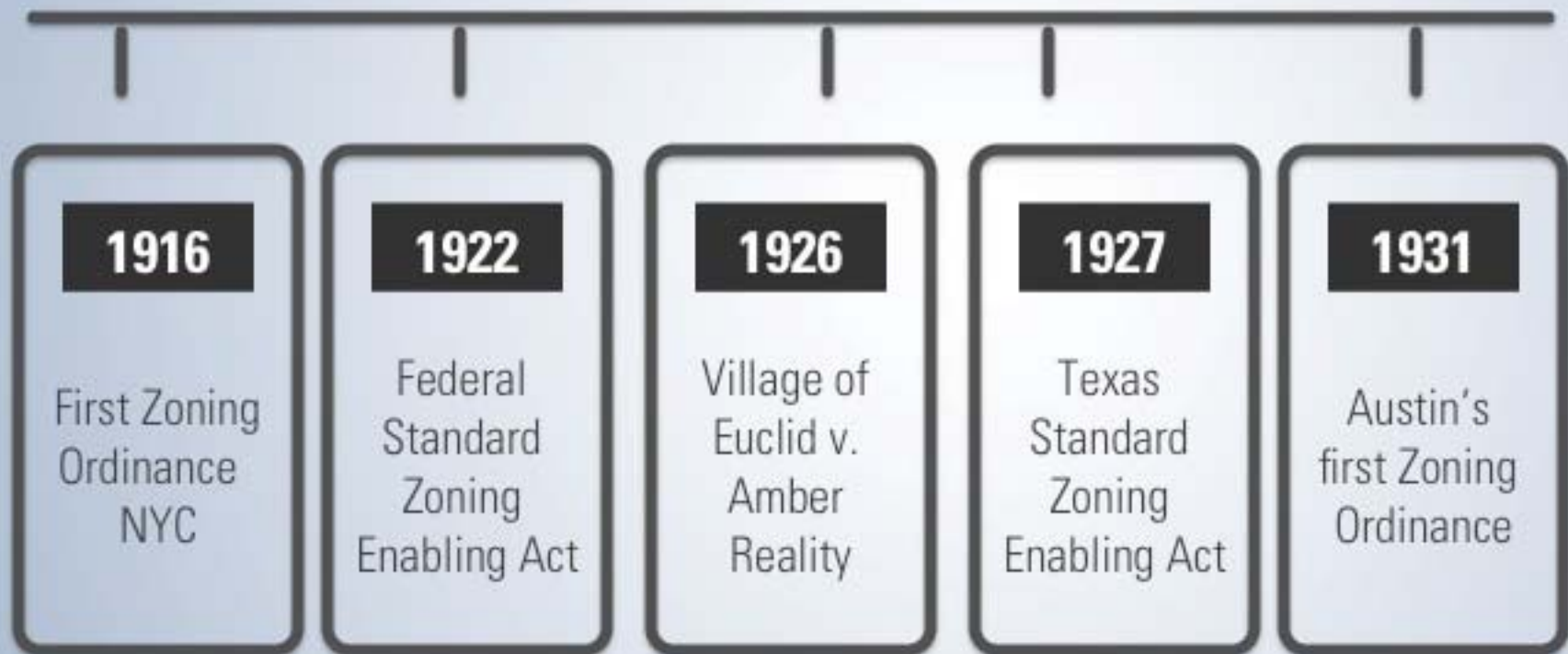
# City Council Districts and Neighborhood Planning Areas

# What is Zoning?



- Applies land use regulations only in full and limited purpose jurisdictions of the City
- Police power granted by the State
- Divides land within a jurisdiction into separate districts
- Establishes where certain land uses are permitted
- Establishes site development regulations

# History



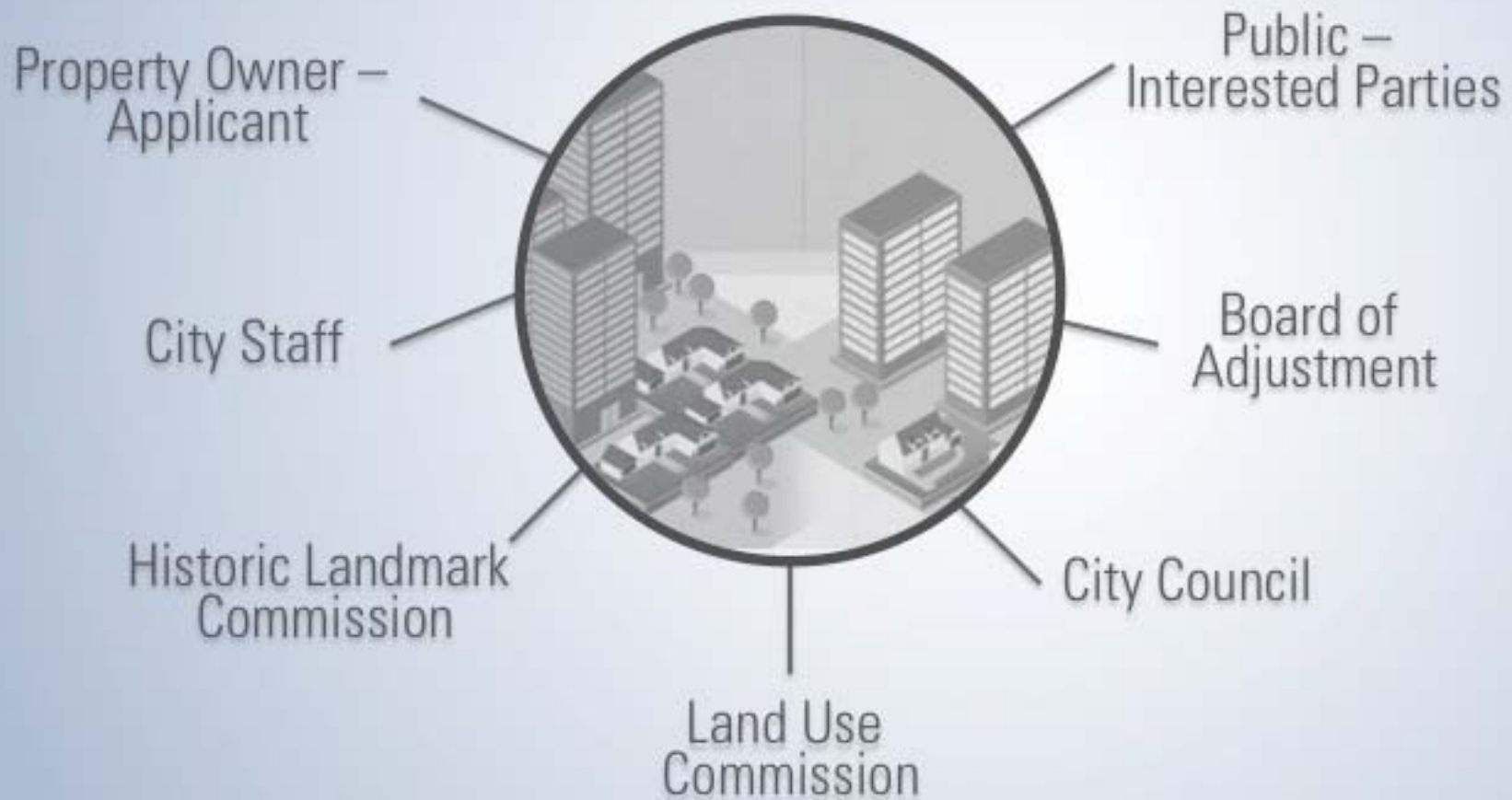
# Authority & Purpose

## **Section 211 -Texas Local Government Code:**



- Public Health
- Safety
- Morals
- General Welfare
- Historic Preservation

# Zoning Participants



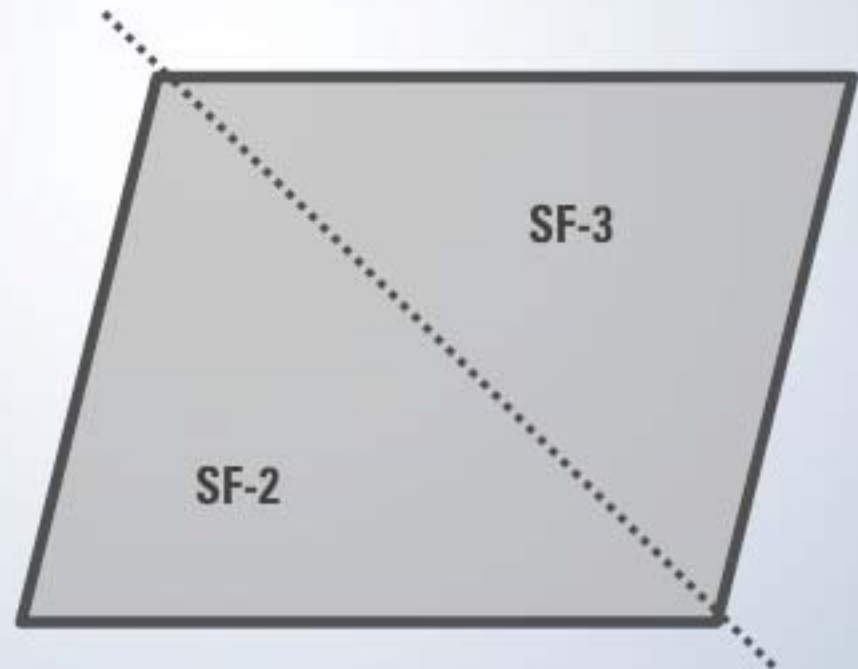


# Development Process

Zoning



Subdivision



# Development Process



Site plan

# Development Process



Building permit

Inspections

# Use Types and Examples

## Residential



- Single family
- Duplex
- Two family
- Secondary apartment
- Townhouse
- Condominium
- Group residential
- Multifamily



# Use Types and Examples

## Commercial



- Medical-Professional-Administrative office
- General retail
- Pet services
- Restaurants – general & limited
- Personal Services
- Service Station
- Automotive sales-rental-repair-washing

# Use Types and Examples

## Industrial



- Light and heavy manufacturing
- General and limited warehousing and distribution
- Recycling center
- Stockyard

# Use Types and Examples

## Civic



- Public and Private Schools
- Religious Assembly
- Limited and Commercial Day Cares
- Hospital Services
- Parks and Recreation Services
- Telecommunication Tower
- Residential Treatment

# Use Types and Examples

## Agricultural



- Animal production
- Crop production
- Urban farm



# Zoning District Types



- Base Districts: Means a zoning district that prescribes basic regulations governing use and site development
- Overlay Districts: Are districts that establish specific use or site development standards for a particular area within the City
- Combining Districts: These districts may be applied to a site in combination with regulations applicable to a base district

# When is a use allowed?

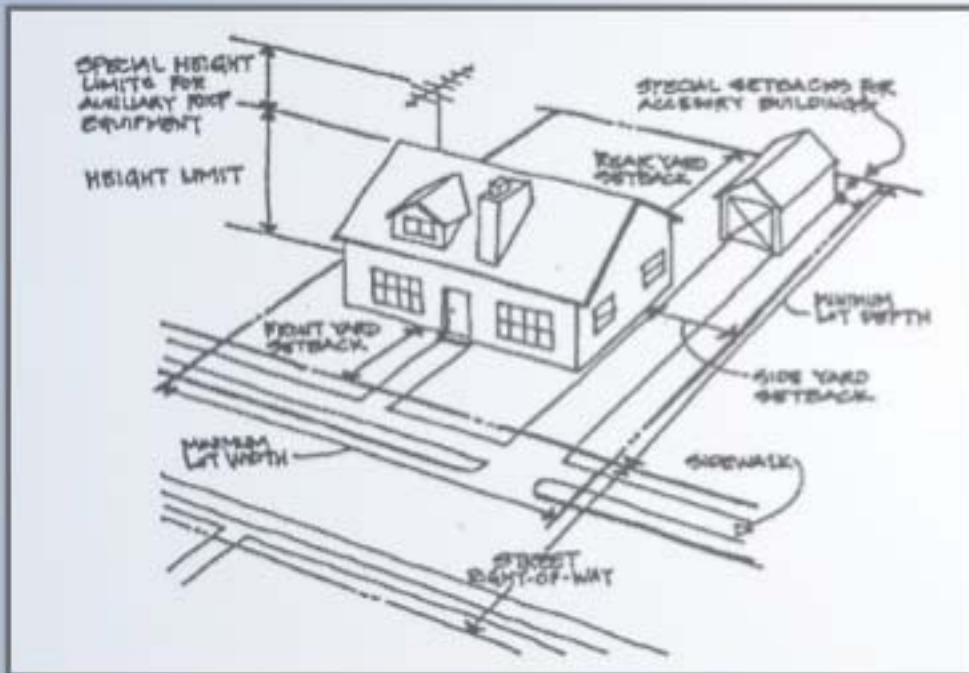


- Permitted use: A use permitted by right within a district
- Conditional Use: A use that is allowed on a discretionary basis. Requires Land Use Commission approval or City Council approval upon an appeal



- Prohibited use: A use not permitted within a district or not recognized under the City Code
- Non-conforming use: A use lawfully established prior to annexation or enactment of the current City Code.

# Site Development Regulations



Regulates building height and setbacks, building coverage, impervious cover, density, floor area with a base zoning district

# Types of Zoning Ordinances



Cumulative Zoning (Austin, pre-March 1986):

- This zoning allowed uses in a zoning district and less intensive zoning districts

Non-cumulative (Austin, post-1985):

- This zoning allows only uses permitted in the zoning district



# Zoning Process



- Zoning application submitted, fee paid and case assigned to case manager
- Initial public notice is sent to property owners, utility customers & City registered neighborhood organizations
- Zoning sign is posted.
- After reviewing staff and public comments, and adopted plans, including Neighborhood Plans, staff makes a recommendation

# Land Use Commission



- Public hearing notice for the Land Use Commission is sent to property owners, utility customers & City registered neighborhood organizations
- Public hearing at Zoning & Platting or Planning Commission & recommendation
- Land Use Commission may recommend approval, approval with additional conditions, approval a less intense zoning classification or denial

# City Council



- Notice of public hearing is published in newspaper and sent to interested parties
- Required City Council public hearing.
- City Council may approve, approve with additional conditions, approve a less intense zoning classification or deny
- Zoning approval requires 3 ordinance readings

# Right of Protest



- Per City Code, a property owner or interested party has the right of protest against a zoning change
- If a valid petition is filed in opposition to a rezoning request by an affected property owner or by a certain percentage of property owners within 200 feet of the request, then a super majority (9 of 11) vote of the City Council at third ordinance reading is required to rezone the property



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