

RESOLUTION NO.

WHEREAS, Planned Unit Development (PUD) district zoning is a unique zoning category that allows flexibility beyond conventional zoning and subdivision regulations; and

WHEREAS, PUD district zoning aims to produce development that achieves superior community benefits and values than that which can be achieved under conventional zoning; and

WHEREAS, Sec. 211.006 of the Texas Local Government Code permits a city to require the affirmative vote of at least three-fourths of its City Council to overrule the denial of the city's zoning commission with regard to a proposed zoning case; and

WHEREAS, Sec. 25-2-284 of the Land Development Code requires a three-fourth majority vote of the City Council to approve a proposed rezoning when the City's Land Use Commission recommends denial of an application to rezone a property to a Planned Unit Development; and

WHEREAS, Sec. 25-2-284 fails to capture situations where PUD zoning is sought on unzoned property that has yet to be designated with an initial zoning district; and

WHEREAS, the City Council intends to adopt a code amendment that would treat unzoned and zoned properties the same for purposes of achieving a Planned Unit Development; and

WHEREAS, because the code already requires the affirmative vote of three-fourths of the members of the City Council if the Land Use Commission recommends denial of an application to rezone a property to a PUD, the code

should be amended to address unzoned properties in the same manner; **NOW,
THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

The City Manager is directed to initiate a code amendment to § 25-2-284 of the Land Development Code to require the affirmative vote of three-fourths of the members of the City Council to approve a proposed zoning or rezoning if the Land Use Commission recommends denial of an application to zone or rezone a property to a Planned Unit Development. The code amendment shall be brought back for City Council consideration within 75 days.

ADOPTED: _____, 2015

ATTEST: _____

Jannette S. Goodall
City Clerk