ADMINISTRATION AND PROCEDURES
Top 10 Issues

1. Ineffective Base Zoning Districts
2. Competing Layers of Regulations
4. Lack of Household Affordability and Choice
5. Auto-Centric Code
6. Not Always In Line with Imagine Austin
7. Lack of Usability and Clarity
8. Ineffective Digital Code
9. Code Changes Adversely Affect Department Organization
10. Incomplete and Complicated Administration and Procedures
What does Austin aspire to achieve by improving the administration and procedures of the code?

- Efficient and effective administration
- Ensure inclusive and transparent administration and approval processes
- Create better base zones to address the variety of Austin contexts across many places
- Establish legal basis of regulation and enforcement
POLICY DIRECTION

What adopted policies affect process and procedures?

Complicated Process

• Lack of clarity and consistency in the decision-making process
• Lengthy and unpredictable review process
• Culture of continuously amending the LDC via:
  • Conditional overlays and
  • Neighborhood Plans (with separate Ordinances parallel to the Code
CARRY FORWARD

What does D2 carry forward?

- Rezoning
- Text Amendments
- Conditional Use Permit
- Site Plan
- Appeals
- Variances
- Alternative Equivalent Compliance
What new processes does D2 propose?

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What new processes does D2 propose?

Minor Use Permits (New)

• Approved by the Development Services Director

• Review criteria and conditions for approval include compatibility with the neighborhood, traffic mitigations, landscaping, performance standards, among others.

• Noticing required (same as a CUP)

• Can be appealed
What new processes does D2 propose?

Article 23-2F: Quasi-Judicial and Administrative Relief

- Exempt Residential Uses and Structures (*New*)
  - Building Official issue Certificate of Occupancy for long-standing non-compliant residential structures

- Minor Adjustments
  - Address minor unforeseen construction errors – 10% max
What does D2 change and how is it better?

Special Exceptions
Three types of special exceptions approved by the Board of Adjustments – provide relief to a property owner

- **Type 1 (Appeals Panel)** – facilitates context sensitive development; provides flexibility in a decision of the PC/ZAP Commission on an approved CUP for a new use *(new)*

- **Type 2** – relief for residential properties with longstanding code violations – minimal or no impact on surrounding areas *(existing)*

- **Type 3** – permits an existing use that was permitted by the City in error; no deceit or bad faith by applicant *(new)*
What does D2 change and how is it better?

- Modified application procedures to align with current City practice
- Requires that rules and interpretation memos be posted online
- Establishes new policy statement for future re-zonings
DRAFT 2 CHANGES

What does D2 change and how is it better?

Variances
- Variances or Special Exceptions can be submitted earlier in the process

Appeals
- Clarifies rules for determining deadlines
- Requirements for “communicating an interest” and “interested party” clarified
- Clarifies what types of decision may be appealed and to whom
- Eliminates redundant appeals and consolidates cases related to the same project
- Clarifies staff’s role to reject appeals that are “untimely” or do not meet procedural requirements
What does D2 change and how is it better?

- Expands applicability of ‘Limited Adjustment’ process
- Clarifies procedures and deadlines for appeals
- Consolidates and improves noticing requirements
- Restored notice times to existing Title 25
- Differentiates legally defined ‘interested parties’ and ‘registered parties’
- Provides information in user-friendly table format
- Authorizes use of e-mail for notice when legally allowed
- Board of Adjustment’s (BOA) has an expanded role
Help us get it right.
We invite you to review and comment on the draft code document, ask questions, and stay connected.

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codenext@austintexas.gov

Review and comment on the draft code
https://codenext.civicomment.org/

Review and comment on the map
http://codenext.engagingplans.org/