

AGENDA



Recommendation for Council Action

Austin City Council

Item ID

57532

Agenda Number

39.

Meeting Date:

4/21/2016

Department:

Development Services

Subject

Conduct a public hearing and consider second and third reading of an ordinance amending City Code Title 25 and Title 30 of the Land Development Code to change the staff review time for development applications from calendar days to the equivalent number of business days, define review times in administrative rules, modify the life of a site plan or subdivision application from 180 days with an available 180 day extension to one year with no extension provision, establish a stop-clock provision for development application life for related applications that require a public hearing, and establish expiration dates for subdivision vacation and subdivision construction plan applications consistent with other development permit applications.

Amount and Source of Funding

Fiscal Note

**Purchasing
Language:**

**Prior Council
Action:**

April 14, 2016 - Council conducted a public hearing and approved an ordinance on first reading.

**For More
Information:**

Andrew Linseisen, 512-974-2239; Donna Galati, 512-974-2733.

**Council
Committee,
Boards and
Commission
Action:**

February 23, 2016 - Approved on a vote 10-1-1 with Commissioner Wilson voting against, Commissioner Nuckols recused, and one vacancy.

MBE / WBE:

Related Items:

Additional Backup Information

The proposed ordinance amendments to Title 25 and Title 30 of the Land Development Code include changing the staff review time for development applications from calendar days to the equivalent number of business days and defining review times in administrative rules rather than the Land Development Code, modifying the life of a site plan or subdivision application from 180 days with an available 180 day extension to one year with no extension provision, establishing a stop-clock provision for development applications that require a public hearing, and establishing an expiration for subdivision vacation and subdivision construction plan applications consistent with other development permit applications. This proposed ordinance is part of an ongoing effort to improve the efficiency of development review processes. These changes are recommended by the Zucker Final Report, and are considered national best practices. A more detailed summary of the proposed amendments and related rules is provided below.

The following summarizes changes proposed with this ordinance:

1. Remove staff review time for development applications from the Land Development Code (LDC), define staff review time by administrative rule, and change review times from calendar days to an equivalent number of business days while maintaining the same number of weeks.
 - Example: 28 calendar days (4 weeks) will change to 20 business days (4 weeks).
 - See Attachment A for current and proposed review times to be defined by administrative rule.
2. Modify the life of a site plan and subdivision application from 180 days with an available 180 day extension to one year with no extension.
 - There is cost and time required to process extensions of site plan and subdivision applications. Extensions are currently requested on almost all site plan and subdivision applications and are always granted by staff.
 - This change will provide consistent timeframes for the life of site plan and subdivision applications and help the process stay on course.
3. Establish a Stop-Clock provision for applications subject to multiple processes.
 - Many development applications or related documents require review and approval by Boards, Commissions, or City Council. Staff's current practice is to pend expiration of a development application while these processes are completed.
 - This change will formalize this practice and reduce the need for applications to be withdrawn and resubmitted. In addition to time and money savings, it will be easier for interested parties to track a case if the case number and associated folder in our database remains the same.
4. Establish expiration time for Subdivision Plat Vacation applications.
 - Currently the life of an application for a subdivision plat vacation is not specified in the Land Development Code. This amendment will establish a one year application life consistent with other site plan and subdivision applications.
5. Establish expiration time for Subdivision Construction Plan applications.
 - Currently subdivision construction plan applications do not have an expiration date and can be in process for many years without an update. Establishing an expiration date of one year ensures these are consistent with other applications in the Code and are processed on a timely basis.
6. Clarifies code language and process regarding timelines for updating a site plan that needs to comply with conditions imposed by Land Use Commission.
7. Establish that Working Day & Business Day mean the same thing.
8. Establish a deadline for Subdivision Plat recordation after Commission approval.
9. Establish matching subdivision regulations for Title 30 (Austin/Travis County Subdivision Regulations), so that the proposed changes to subdivisions in Title 25 (Land Development) are the same as those for Title 30.