

## **RESOLUTION NO.**

**WHEREAS**, City Code Subsection 25-1-804(B)(3) allows for neighborhood plan amendment applications to be filed out-of-cycle if the plan amendment is submitted by the Neighborhood Plan Contact Team or if the Neighborhood Plan Contact Team has given written approval of the application; and

**WHEREAS**, there are several neighborhoods within the City of Austin that do not have a Neighborhood Plan Contact Team or the Neighborhood Plan Contact Team has been suspended or disbanded; and

**WHEREAS**, City Code Subsection 25-1-804(C) allows City Council to initiate the application of an neighborhood plan amendment out-of-cycle for an individual property; and

**WHEREAS**, if Council initiates the application, the Council becomes the applicant, which shifts the financial responsibility for application fee requirements to the City and not the property owner; and

**WHEREAS**, once submitted by the property owner, a neighborhood plan amendment would follow the standard process of proper notification, neighborhood meeting requirements, Planning Commission review, and City Council review; and

**WHEREAS**, this code amendment would ensure that if an out-of-cycle plan amendment application is initiated by Council at the request of the person owning the property in question, the property owner would be responsible for all associated fees. However, approval of the amendment or any associated zoning changes would still remain a separate action; **NOW, THEREFORE**,

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

The City Council initiates a code amendment to the City of Austin Land Use Development Code (Title 25) to provide that if Council initiates an out-of-cycle neighborhood plan amendment to a neighborhood plan for an individual property in an area without a Neighborhood Plan Contact Team at the request of the person who owns the property in question, then all fees associated with the application are the responsibility of the property owner.

**ADOPTED:** \_\_\_\_\_, 2016

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk