



Subdivision Overview and Review Procedures

City of Austin and Extraterritorial Jurisdiction in Travis, Williamson, Bastrop, and Hays Counties

The following information provides General Information and a summary of the Review Procedures to obtain subdivision approval within the City of Austin jurisdiction (full-purpose, limited-purpose city limits, and extraterritorial jurisdiction ETJ).

General Information

What Is a Subdivision?

Pursuant to the requirements of Section 212.004 of the Texas Local Government Code (TLGC), the subdivision of land is required when a property owner within either the City limits or extraterritorial jurisdiction divides a tract of land into two or more parts for the purpose of sale, development, or extension of utilities to the property to be subdivided. Additional types of subdivisions include combining legal lots and/or portions of lots into new lots by resubdivision, or adjusting lot lines between existing legal lots by amended plat.

What a Subdivision Is Not

A subdivision is not zoning. If the owner wants to change the permitted land uses on a property in the city limits, the developer may have to go through the rezoning process (see Zoning Application at <http://www.austintexas.gov/page/planning-and-zoning-applications#zoning>). A subdivision is not a site plan or building permit and does not authorize the construction, demolition, or relocation of buildings or any site construction.

When Is a Site Exempt from the Subdivision Process?

Chapter 25-4-2 of the City of Austin Land Development Code lists the requirements needed to obtain an exception from platting through an application known as a Land Status Determination. A Land Status Determination is an official written determination made by the City of Austin (obtained in the DAC) that exempts unplatted or illegally platted tracts of land from the State platting requirements. Texas Local Government Code prohibits municipalities from granting the extension of utilities to unplatted or illegally platted tracts of land (“illegal lots”). The City Code also states that a subdivision or a Land Status Determination will be required for lots that have not been legally subdivided before the following applications can be approved: utility taps, building permits, and commercial site development permits. In addition, for information regarding exemptions in areas outside the corporate limits, applicants should consult Title 30-2-2, 30-2-3, and 30-2-4 or contact:

Travis County
Transportation and Natural Resources – Development Services
411 West 13th Street
Austin, Texas 78767-1748
Phone: (512) 854-9383

Who Approves Subdivision Applications?

Administrative Approval

If approval by the Land Use Commission is not required per Chapter 25-4-84 or Title 30-2-84, the Director of Development Services Department, and the Travis County Executive Manager in the ETJ may approve the subdivision administratively. The main types of administratively-approved subdivision applications are amended plats; final plats that consist of four or less lots that have frontage on an existing street and that do not require a variance; and minor deviations and minor revisions to preliminary plans.

Land Use Commission and Travis County Commissioners Court Approval

Some types of subdivisions cannot be approved administratively and require a public hearing. These include: resubdivisions; preliminary plans; final plats that consist of five or more lots; and subdivisions requiring a variance. Under Sec. 25-4-84, the Land Use Commission must approve these types of subdivisions in the full-purpose city limits. Under Sec. 30-2-84, both the Land Use Commission AND the Travis County Commissioners Court must approve these types of subdivisions located in the extraterritorial jurisdiction and limited-purpose jurisdictions.

Subdivision Review Procedures

The procedures for review and approval of Subdivision applications are based on Volume III, Chapter 25 and Title 30 of the City of Austin Land Development Code. The process is summarized below:

Step 1: Development Assessment (Optional)

A person may request an assessment of a proposed development *prior* to formal submittal by contacting the Development Assistance Center (DAC). The assessment is based on the information provided by the applicant at the time that an assessment is requested. An assessment of the project includes applicable code requirements pertaining to the site and identification of major development issues. A Development Assessment Application (see <http://www.austintexas.gov/page/land-use-applications#sub>) can be submitted any work day with an appointment to the Intake Office.

Contact:

City of Austin
Development Assistance Center
505 Barton Springs Road
Austin, Texas 78704
Phone: (512) 978-4000

Step 2: Completeness Check

In order to submit a subdivision application for review, an application for Completeness Check must be submitted to the **Intake** staff. No appointment is necessary. Intake reviews the application and pertinent information to determine if all required administrative items have been submitted. Intake then forwards it to the completeness check team, which determines whether the technical items needed for review have been submitted.

An application for completeness check must include:

- Subdivision Application
- Subdivision Review - Completeness Check fee (check, cash, money order, or credit card): see <http://www.austintexas.gov/departments/fees>
- 2 copies of the subdivision plat or plan

- All Items listed on the completeness checklist, located in the Intake Office and available online at <http://www.austintexas.gov/page/land-use-applications#sub>

The completeness check review takes a maximum of 10 business days from the date of submittal. The applicant will be notified via email or fax whether the application is approved or additional information is required for submittal. When the application is approved, the plans can be formally submitted for a detailed review. **The application must be submitted formally within 45 calendar days of the initial completeness check or it will expire and a new completeness check will be required.**

Contact:

City of Austin
Land Use Review – Intake Section
505 Barton Springs Road
Austin, Texas 78704
Phone: (512) 978-4000

Travis County
Transportation and Natural Resources – Development Services
411 West 13th Street
Austin, Texas 78767-1748
Phone: (512) 854-9383

Step 3: Formal Submittal Review Process

The next step is to submit the Subdivision Application to Intake to start the review process. Electronic copies of the application are available online at <http://www.austintexas.gov/page/land-use-applications#sub>.

Applications may be submitted to Intake Monday through Friday. **An appointment is necessary.** Please contact Intake at the number listed above to schedule an appointment. For submittal, the applicant will need to provide up to 19 additional copies of plans and 3 bound engineering reports along with the remaining balance of the fee (which will be listed on the completeness check response). For applications in the Travis County ETJ or limited-purpose jurisdiction, two complete copies of the application and related materials must be submitted in addition to the plans. If the subdivision will require any type of septic system in Travis County, a separate septic plat review application is required – contact Travis County Permit Office at 512-854-4215.

Electronic submittal of CADD files and other documents is also required for the initial submittal as described in Exhibit III (Subdivision Application Instructions). A final version of the plans and reports incorporating all changes made during the review process must be submitted electronically prior to approval of the subdivision.

A Case Manager with the City of Austin or Travis County is assigned to coordinate interdisciplinary reviews and provide guidance on code requirements and procedures. A review team is also assigned to the project. The team reviews the plans and prepares a Master Comment Report that contains specific areas of non-compliance. The initial review of the plans by the team can take up to 28 days from the date that the plans were formally submitted. If the subdivision complies with the provisions of the code and other applicable state and federal regulations and Commission approval is not required, the subdivision will be approved administratively. The Master Comment Report will be sent to the applicant electronically or by fax. The Master Comment Report can also be viewed on the City of Austin website at <http://www.austintexas.gov/page/interactive-development-review-permitting-and-inspection>.

Step 4: Update

If it is determined that the subdivision does not comply, after the initial review, the applicant must file an update in order to bring it into compliance. All ETJ and limited-purpose applications require formal updates. **Contact Intake staff to schedule an appointment to submit the update.** Staff reviews the updates within 14 days of receipt, and the Case Manager will issue additional Master Reports identifying remaining items to be addressed. Updates will be required until the subdivision is in compliance or the subdivision expires.

Updates to the plan must be filed by the applicant within 180 days after the subdivision has been filed. An applicant can request an extension to the 180-day update period if the request is made prior to the 180-day deadline. The request must be made in writing and the reason for the extension should be specified. Extensions may be granted for good cause at the Director's discretion for up to 180 days. The total life of the application (including extensions) cannot exceed 360 days. All comments must be cleared prior to the expiration date, or the application will expire and a new application must be submitted.

Step 5: Subdivision Approval and Recordation

Once all code requirements have been met, the Case Manager will notify the applicant that the subdivision can either be approved administratively or scheduled for Land Use Commission approval if necessary. If Commission approval is necessary, the Case Manager will inform you of the date and time of the public hearing. Notification for some types of Commission-approved subdivisions can require as much as 21 days notice (resubdivisions), whereas others require no notification. Please contact your case manager to find out how much notice your subdivision will require.

In addition, if the subdivision is located in limited-purpose or the ETJ, and the subdivision is not administrative, it will also be required to be scheduled for Travis County Commissioners Court. Additional notice for commercial subdivision will be required as well. If the subdivision will require septic review, a signature from the Travis County Flood Plain Administrator on the subdivision will be required prior to requesting commission approval.

Please note that prior to subdivision approval all fees must be paid. Additional fees may include but are not limited to: Parkland Dedication, Variance, Notification, Water/Wastewater, and Street Lighting. If fiscal surety is required, it **MUST** be posted no later than 90 days from the date of approval or the plat will automatically expire under Sec. 25-4-84(C) or 30-2-84(D). There is no method to extend this deadline.

In cases where Commission approval is required, and the subdivision is located in Travis County in the City of Austin's extraterritorial or limited-purpose jurisdiction, County Commissioners Court approval will also be required after the City Land Use Commission approves the subdivision.

After approval of a preliminary plan, the City of Austin and Travis County approval stickers are added and signed, and the process is complete.

Prior to recordation of a subdivision final plat, two photographic mylar copies must be made of the plat (one for the County and one for the City). Original, current County Tax certificates showing the taxes for the previous year have been paid in full, are required prior to recordation. Williamson County also requires an original school tax certificate (obtained from the school district where the site is located), and an owners affidavit (which can be provided by staff).

Once the staff has all the required items, including the recording fees, the plat is taken to the County and recorded (this usually takes 2-4 business days). Only City staff can take the plat to the County or

pick it up after it is recorded. When the recorded plat is returned to the City, it is then sent to addressing to have addresses assigned to the lots, and is then scanned into the AMANDA database.

When complete, you can pick up your approved original recorded plat at:

Document Sales
505 Barton Springs Road
Austin, Texas 78704
Phone: (512) 978-4000