

AUSTIN LAND DEVELOPMENT CODE

PC Work Session
November 1, 2017

SHAPING THE AUSTIN WE IMAGINE



CODENEXT

1-Nov-17

CONDITIONAL USE AND MINOR USE PERMITS



Code Diagnosis summary

Top 10 Issues

1



Ineffective Base Zoning Districts

2



Competing Layers of Regulations

3



Complicated "Opt-in, Opt-out" System

4



Lack of Household Affordability and Choice

5



Auto-Centric Code

6



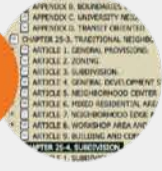
Not Always In Line with Imagine Austin

7



Lack of Usability and Clarity

8



Ineffective Digital Code

9



Code Changes Adversely Affect Department Organization

10



Incomplete and Complicated Administration and Procedures

Create Better Base Zones to Address The Variety of Austin Contexts

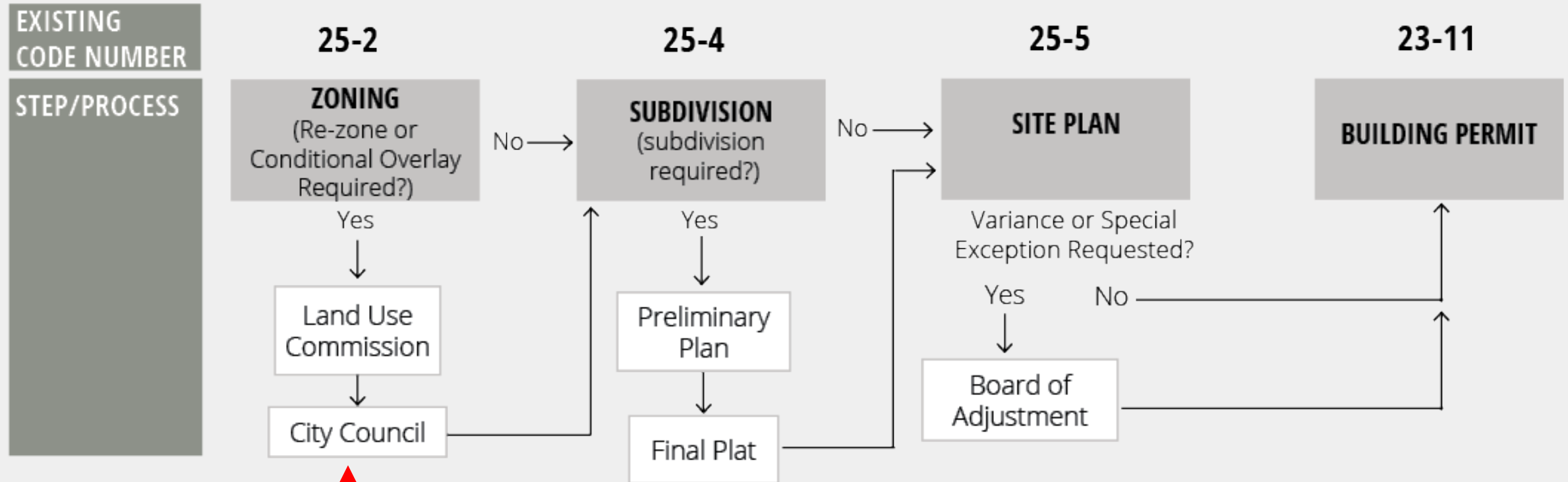
- More Base Zones to Provide More Context Specific Regulation of Use
- Less Reliance on Re-zonings and Custom Conditional Overlays to Implement Adopted Plans and Policies

Predictable, Efficient, and Effective Approval Process

- Best Practices
- Address Project Specific Conditions During Land Use Permit or Site Plan Instead of Depending on Re-zonings to Accomplish Desired Outcomes
- Impose Conditions on Project (Land Use Permit) Instead of Property (Conditional Overlay)

CURRENT PERMITTING PROCESS

6



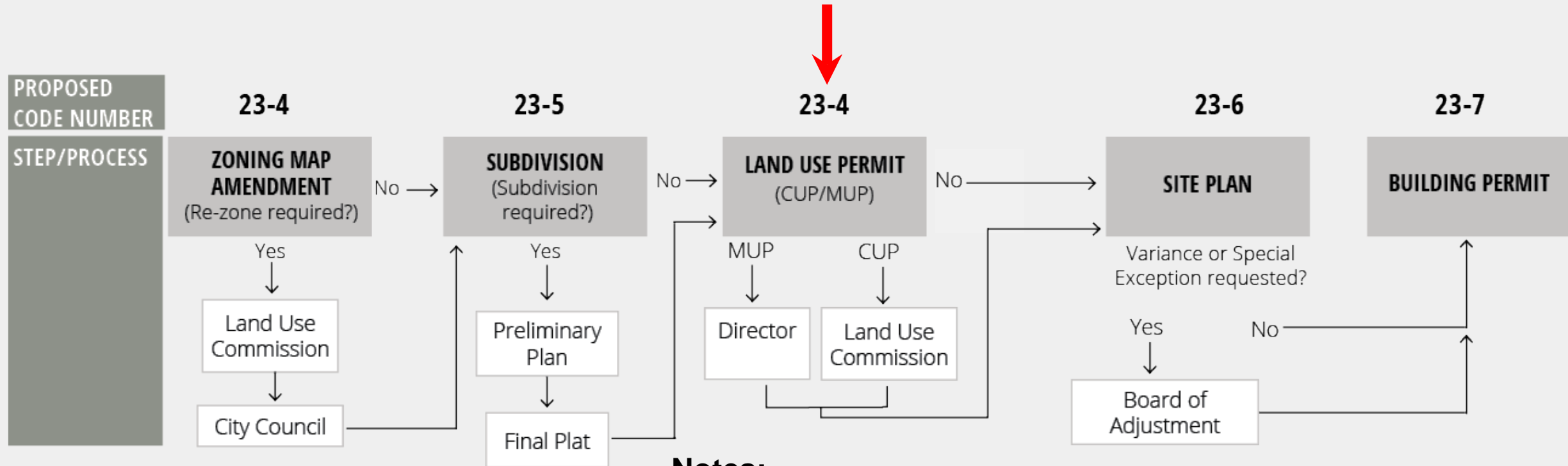
Conditional Overlay

Notes:

Variances or Special Exceptions can be submitted earlier in the process
Appeal rights are established in Title 25

PROPOSED PERMITTING PROCESS

| 7



Notes:

1. Variances or Special Exceptions can be submitted earlier in the process. Appeal rights are established in Article 23-2I
2. A Land Use Permit requires a planning element (1st part of the Site Plan requirements)

LAND USE APPROVALS

Land Use Permits (Both MUP and CUP)

- Review ensures any possible impacts from a use are mitigated
- Conditions may be imposed to address impacts
- Not a replacement for a re-zoning by Council
- Adds more discretion for some uses
- Notice Required
- Appealable

Conditional Use Permits (CUP)

- Planning Commission approval – public hearing

Minor Use Permits (MUP)

- Development Services Director approval

		Restricted Commercial			
		Specific to use			
		NC	LC	GC	
mitted Use; MUP = Minor Use Permit Required; CUP= C ditional Use Permit Required Under Certain Circumstance wed					
w/ Alcohol Sales	23-4E-6060	CUP	MUP	P	
Drive Through	23-4E-6140	—	—	CUP	CL
Late Night Operation	23-4E-6060, 23-4E-6270	—	—	CUP	CI
Sales:	23-4E-6060				
and Wine only		—	—	MUP	
		—	—		
		—	—		

LAND USE APPROVALS

Approach:

- Level of review commensurate with potential impact of the use relative to the intended character of zone
- Additional discretion for uses commonly prohibited by Conditional Overlays



Table 23-4D-4030(B) Allowed Uses in Mixed-Use Zones MU3A–MU5A (continued)					
Use Type	Specific to Use Standards	MU3A	MU4A	MU4B	MU5A
Agriculture					
Community Agriculture	23-4E-6130	P	P	P	P
Indoor Crop Production		N/A	N/A	P	N/A
Automobile Related					
Automobile Sales, Rental, and Storage		MUP	CUP	P	P
Automobile Repair		P	CUP	P	P
Commercial Vehicle Storage and Dispatch		MUP	CUP	P	P
Gas Station	23-4E-6180	MUP	CUP	P	P

LAND USE APPROVALS

Approach:

- Additional discretion for more intense uses

Table 23-4D-4030(A) Allowed Uses in Mixed-Use Zones MU1A–MU2B (continued)

Use Type	Specific to Use Standards	MU1A	MU1B	MU1C	MU1D	MU2A	MU2B
Entertainment and Recreation							
Performance Venue/Theater							
Indoor							
≤2,500 sf		MUP	P	MUP	P	P	P
2,500-10,00 sf		MUP	MUP	MUP	MUP	MUP	MUP
> 10,000 sf		N/A	N/A	N/A	N/A	CUP	CUP
Outdoor							
≤ 2,500 sf		MUP	P	MUP	P	P	P
2,500-10,000 sf		MUP	MUP	MUP	MUP	MUP	MUP
> 10,000 sf		N/A	N/A	N/A	N/A	MUP	MUP
Recreation:							
Indoor ≤ 5,000 sf		MUP	MUP	MUP	MUP	MUP	MUP
Indoor > 5,000 sf		CUP	CUP	CUP	CUP	CUP	CUP
Outdoor, Formal		CUP	CUP	CUP	CUP	CUP	CUP
Outdoor, Informal		P	P	P	P	P	P