



MEMORANDUM

TO: Paul DiGiuseppe, Principal Planner

FROM: Gregory Guernsey, Director *GG*

DATE: February 9, 2009

SUBJECT: New Future Land Use Map Categories

In regards to our previous discussion, I am responding to some of the Central West Austin stakeholders requests to create a new Future Land Use Map (FLUM) category for properties zoned Vertical Mixed Use (VMU). I understand this is the third formal or informal request for a new FLUM category from this neighborhood planning area. Previously, neighborhood planning participants have asked for a neighborhood office category and an educational and hospital category. As I stated to the group at the January 14, 2009 neighborhood planning meeting, one could argue that Austin already has too many FLUM categories and NPZD will not be adding additional FLUM categories to the City's current collection. I understand the neighborhood's desire to more narrowly define their vision for property and create more controls for future development in their neighborhood. I have two basic concerns about the creation of any new FLUM categories to achieve those goals.

First, the purpose of a Future Land Use Map (FLUM) is to illustrate broadly the neighborhood's vision for the future. The FLUM is used in conjunction with the text of the neighborhood will provide guidance and direction for neighbors, developers, City staff and City leaders. Having too many FLUM categories already makes the planning and development process complicated and confusing. This can have a negative affect on neighborhood plans by blurring the broad vision and increasing the chance for errors and decisions that may not serve a neighborhood's best interest.

Second, there is a legal distinction that must be maintained between a neighborhood plan and zoning code. Texas Local Government Code Section 213.005 states, "A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries." Using too many FLUM categories can lead to the planning process looking more like the zoning code and less like a neighborhood plan. In other words, the neighborhood plan would appear to be more like the zoning code. Zoning does not perform the function of helping communities create a vision and could lead to more

narrow land use recommendations made by the neighborhood. Once again, such recommendations could lead to short-sighted decisions and problems in the future.

I encourage the stakeholders to continue working with staff to develop language that complements one of the existing FLUM categories to illustrate the vision of the neighborhood.