

**ORDINANCE NO. 20071108-120**

**AN ORDINANCE AMENDING CHAPTER 25-2, SUBCHAPTER C, DIVISION 10 OF THE CITY CODE RELATING TO TRANSIT-ORIENTED DEVELOPMENT DISTRICTS.**

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

**PART 1.** Section 25-2-766.04(B) (*Transit Oriented Development Districts Established And Classified*) of the City Code is amended to read:

- (B) The initial boundaries and zones of each TOD district are described in Appendix D (*Transit Oriented District Boundaries And Zones*). The final boundaries and zones of a TOD district are established by the ordinance adopting the station area plan, as provided in Section 25-2-766.22 (*Adoption Of Station Area Plan*). The official maps of the districts are on file with the director, who shall resolve uncertainty regarding the boundary of a district.

**PART 2.** Section 25-2-766.12(E) (*Use Regulations*) of the City Code is amended to read:

- (E) A [~~In a gateway zone, a~~] transportation terminal use is a permitted use if:
- (1) it is operated by a governmental entity; and
  - (2) the director determines that the transportation terminal:
    - (a) uses urban design to enhance the community identity of the station area and to make it an attractive, safe, convenient, and interesting place;
    - (b) creates convenient connections to and within the station area to promote pedestrian and bicycling activity;
    - (c) enhances the existing transportation network to promote access to transit and other destinations within the station area;
    - (d) manages the amount and location of parking so that it does not dominate the station area or create an unattractive environment or unsafe situation; and
    - (e) makes the station area a unique place.

**PART 3.** Section 25-2-766.21 (*Preparation Of Station Area Plan*) of the City Code is amended to add a new Subsection (B) and amend the existing Subsection (B) to read as follows and reletter the remaining subsection accordingly:

(B) The director may recommend that council modify the initial boundaries of a TOD district and may prepare a station area plan with the proposed boundary modification. In that event, the director must allow the persons affected by the proposed boundary modification to participate in the preparation of the plan.

(C) [(B)] A station area plan must be included in an adopted neighborhood plan, if any. An amendment to an adopted neighborhood plan to include a station area plan must be reviewed and approved in accordance with the neighborhood plan amendment process established by council, except that the director may propose and the council may enact an amendment to an adopted neighborhood plan to include a station area plan at any time.

**PART 4.** Section 25-2-766.22 (*Adoption Of Station Area Plan*) of the City Code is amended to add a new Subsection (B) to read as follows and reletter the remaining subsection accordingly:

(B) The council may modify the initial boundaries of a TOD district in the ordinance adopting the station area plan.

**PART 5.** This ordinance takes effect on November 19, 2007.

**PASSED AND APPROVED**

<u>November 8</u> , 2007		§ § § <u>Will Wynn</u> Will Wynn Mayor
<b>APPROVED:</b> <u>David Allan Smith</u> David Allan Smith City Attorney	<b>ATTEST:</b> <u>Shirley A. Gentry</u> Shirley A. Gentry City Clerk	