

**ORDINANCE NO.**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 25-2 RELATING TO THE INITIATION OF ZONING OR REZONING FOR A PROPOSED HISTORIC AREA COMBINING DISTRICT.**

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

**PART 1.** City Code Section 25-2-242 (*Initiation of Zoning or Rezoning*) is amended to read:

**§ 25-2-242 INITIATION OF ZONING OR REZONING.**

Zoning or rezoning of property may be initiated by the:

- (1) Council;
- (2) Land Use Commission;
- (3) Record owner;
- (4) Historic Landmark Commission, if the property is, or is proposed to be, designated as a historic landmark (H) combining district or a historic area (HD) combining district; or
- (5) For a proposed historic area (HD) combining district, petition of the owners of at least 51 percent of the land in the proposed district. Property owned by the City of Austin or other governmental entities shall be fully excluded from the area subject to petition of the owners, except such property may be included in support if it contains structures or features that contribute to the historic character of the district, as determined by the Historic Landmark Commission. The amount of such property to be calculated as supporting shall not exceed one-third [17%] of the 51% of the land in the proposed district.

**PART 2.** This ordinance takes effect on \_\_\_\_\_, 2009.

**PASSED AND APPROVED**

\_\_\_\_\_, 2009      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_  
                         David Allan Smith  
                         City Attorney

**ATTEST:** \_\_\_\_\_  
                         Shirley A. Gentry  
                         City Clerk