

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE SECTION 25-1-21 AND SECTION 25-5-142 AND ADDING A NEW SECTION 25-2-517 RELATING TO THE APPROVAL OF AMPHITHEATERS AND AREAS FOR ASSEMBLY.

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

PART 1. City Code Section 25-1-21 (*Definitions*) is amended to add a new definition of “amphitheater” to read as follows and to renumber the remaining definitions accordingly:

(4) AMPHITHEATER means an outdoor or open-air structure or manmade area specifically designed and used for assembly and the viewing of an area capable of being used for entertainment and performances.

PART 2. City Code Chapter 25-2, Article 2, Division 2 (*Requirements for All Districts*) is amended to add a new Section 25-2-517 to read:

§ 25-2-517 REQUIREMENTS FOR AMPHITHEATERS.

(A) Construction of an amphitheater that is associated with a civic or residential use requires a site plan approved under Section 25-5, Article 3 (*Land Use Commission Approved Site Plans*), regardless of whether the amphitheater is part of a principal or accessory use.

(B) A decision by the Land Use Commission on an application for an amphitheater is subject to appeal under Section 25-5-149 (*Appeal to Council*). The Land Use Commission evaluation should consider a project’s impacts on adjacent uses, such as noise, parking, and traffic circulation.

(C) A lawfully constructed amphitheater may be expanded one time without obtaining the approval required under Subsection (A) of this section, provided that the expansion is consistent with the applicable site development regulations and does not expand the total area of the amphitheater by more than ten percent.

PART 3. City Code Section 25-5-142 (*Land Use Commission Approval*) is amended to read:

§ 25-5-142 LAND USE COMMISSION APPROVAL.

Land Use Commission approval of site plan is required for:

- (1) a conditional use; ~~and~~

1 (2) except as provided in Section 25-5-2 (*Site Plan Exemptions*), development in
2 a Hill Country Roadway Corridor[-]; and

3 (3) if otherwise required by this title.

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5 **PART 4.** This ordinance takes effect on _____, 2013.

6
7 **PASSED AND APPROVED**

8
9 _____, 2013 §
10 §
11 §
12 _____, 2013 §
13 Lee Leffingwell
14 Mayor

15
16 **APPROVED:** _____ **ATTEST:** _____
17 Karen M. Kennard Jannette Goodall
18 City Attorney City Clerk
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