

ORDINANCE NO. 2018

AN ORDINANCE AMENDING CITY CODE TO REQUIE A WAITING PERIOD AND VOTER REFERENDUM FOR COMPREHENSIVE REVISIONS OF THE CITY’S LAND DEVELOPMENT CODE.

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

ARTICLE __. _____.

§ _____ REQUIRED WAITING PERIOD AND VOTER REFERENDUM FOR COMPREHENSIVE REVISIONS OF THE CITY’S LAND DEVELOPMENT LAWS.

- (A) **Waiting Period.** CodeNEXT, or subsequent comprehensive revisions of the land development laws, shall not go into effect legally, or any land entitlements be granted or vested under these laws, until the June 1st following the next regularly scheduled council elections after council adopts CodeNEXT or the comprehensive revisions. This waiting period is to ensure voters can learn about the proposed comprehensive revisions and elect council member with sufficient time to amend or reject the prior council’s adopted comprehensive revisions before these laws may go into effect.
- (B) **Voter Approval.** After the waiting period in Subsection (A), CodeNEXT, or subsequent comprehensive revisions of the land development laws, shall not go into effect, or any land entitlements be granted or vested under these laws, until the registered voters of Austin approve these laws at the next available municipal election. Voters shall approve or disapprove CodeNEXT, or subsequent comprehensive revisions, in its entirety and not piecemeal. Should the voters fail to approve the comprehensive revisions, then the existing land development laws remain in effect. Notwithstanding any other provision, under no circumstances shall the voters’ rejection of CodeNEXT or proposed comprehensive revisions under this Section be considered or interpreted as repealing the existing land development code.
- (C) **This section overrides all city charter provisions, ordinances, and laws and should be liberally construed to uphold Austin citizens’ sovereign rights to control their government and laws.**

(D) Severability Clause. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

PASSED AND APPROVED

_____, 2018

§
§
§

Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk

