

A U S T I N C I T Y C O U N C I L

AGENDA



Thursday, June 22, 2006

 Back

#73

Item From Council
RECOMMENDATION FOR COUNCIL ACTION

Subject: Approve an ordinance amending Part 7 of Ordinance No.20060309-058 and Ordinance 20060504-042 to extend the Interim development regulations applicable to single-family, single-family attached, two-family, secondary apartment and duplex structures to October 16, 2006 and amending Part 5 of Ordinance No. 20060309-058 to modify the setback regulations applicable to single-family, single-family attached, two-family, secondary apartment and duplex structures.

Sponsor: Council Member Brewster McCracken**Co-Sponsor1:** Council Member Betty Dunkerley**Co-Sponsor2:** Council Member
Lee Leffingwell**Additional Backup Material**

(click to open)

 **Ordinance****For More Information:** Rich Bailey

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NUMBER 20060309-058, AS AMENDED BY ORDINANCE NUMBER 20060504-042, RELATING TO SINGLE-FAMILY, SINGLE-FAMILY ATTACHED, TWO-FAMILY, SECONDARY APARTMENT, AND DUPLEX STRUCTURES, TO REPEAL AND REPLACE THE SETBACK PROVISIONS AND EXTEND THE EXPIRATION DATE; AND PROVIDING FOR EMERGENCY PASSAGE.

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

PART 1. Ordinance Number 20060309-058, as amended by Ordinance Number 20060504-042, is amended to repeal Part 5 (*Setbacks*) and replace it with a new Part 5 to read:

PART 5. MINIMUM FRONT YARD SETBACKS.

(A) This part prescribes minimum front yard setbacks.

(B) In this part:

- (1) An average front yard setback is determined based on the setbacks of each principal residential structure that is built within 50 feet of its front lot line.
- (2) Except as provided in Paragraph (3), the four structures that are closest to the subject property and on the same side of the block are used in the calculation. If there are less than four structures on the same side of the block, the lesser number of structures is used in the calculation.
- (3) If there are no structures on the same side of the block, the four structures that are closest to the subject property and across the street are used in the calculation. If there are less than four structures across the street, the lesser number is used in the calculation.

(C) The minimum front yard setback is the lesser of:

- (1) the minimum front yard setback prescribed by Title 25 (*Land Development*) of the City Code; or
- (2) the average front yard setback described in Subsection (B), if an average may be determined under Subsection (B).

1 **PART 2.** Part 7 of Ordinance Number 20060309-058, as amended by Ordinance
2 Number 20060504-042, is amended to read:

3 **PART 7. EXPIRATION.**

4 This ordinance expires at 12:01 a.m. on October 16, 2006 [~~June 23, 2006~~].

5 **PART 3.** The council finds that the need to modify and continue in effect the
6 development regulations established by Ordinance Number 20060309-058, as amended
7 by Ordinance Number 20060504-042, constitutes an emergency. Because of this
8 emergency, this ordinance takes effect immediately on its passage for the immediate
9 preservation of the public peace, health, and safety.

10 **PASSED AND APPROVED**

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14 _____, 2006

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Will Wynn
Mayor

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19 **APPROVED:**

David Allan Smith
City Attorney

ATTEST

Shirley A. Gentry
City Clerk