

8/31/06
#69

ORDINANCE NO.

1 AN ORDINANCE AMENDING CHAPTER 2-1 OF THE CITY CODE TO ADD
2 ARTICLE 53 RELATING TO THE RESIDENTIAL DESIGN AND
3 COMPATIBILITY COMMISSION; AMENDING TITLE 25 OF THE CITY
4 CODE RELATING TO RESIDENTIAL DESIGN AND COMPATIBILITY
5 STANDARDS AND ORDINANCE REQUIREMENTS FOR NEIGHBORHOOD
6 PLAN COMBINING DISTRICTS; PROVIDING FOR AN ORGANIZATIONAL
7 MEETING OF THE RESIDENTIAL DESIGN AND COMPATIBILITY
8 COMMISSION; AND REPEALING ORDINANCE NUMBERS 20060309-058 AND
9 20060622-022.

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

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13 PART 1. Chapter 2-1 (*Boards And Commissions*) of the City Code is amended to add
14 Article 53 to read:

15 **ARTICLE 53. RESIDENTIAL DESIGN AND COMPATIBILITY COMMISSION.**

16 **§ 2-1-531 CREATION; MEMBERSHIP.**

- 17 (A) The Residential Design and Compatibility Commission is created and
18 composed of nine members appointed by the city council.
- 19 (B) To obtain a broad range of community viewpoints, the commission shall be
20 appointed from a diverse group of persons having knowledge of massing,
21 scale, and compatibility issues in residential neighborhoods, and shall include:
- 22 (1) five residential design professionals; and
23 (2) four citizens at large.

24 **§ 2-1-532 TERMS.**

- 25 (A) Each commission member shall be appointed to serve a two-year term.
- 26 (B) Five commission members shall be appointed to terms that expire on October
27 1 of even-numbered years and four commission members shall be appointed to
28 terms that expire on October 1 of odd-numbered years.

29 **§ 2-1-533 QUORUM.**

30 Five members of the commission constitute a quorum for the conduct of business.

1 **§ 2-1-534 DUTIES AND RESPONSIBILITIES.**

2 The Residential Design and Compatibility Commission shall make determinations
3 on requested modifications of certain residential design standards for specific
4 developments, as prescribed by Chapter 25-2, Subchapter F (*Residential Design And*
5 *Compatibility Standards*).

6 **PART 2.** Chapter 25-2 of the City Code is amended to add Subchapter F as shown on
7 Attachment "A".

8 **PART 3.** Section 25-2-1406 (*Ordinance Requirements*) of the City Code is amended to
9 read:

10 **§ 25-2-1406 ORDINANCE REQUIREMENTS.**

11 An ordinance zoning or rezoning property as a NP combining district:

- 12 (1) must prescribe the special uses described in Section 25-2-1403 (*Special*
13 *Uses*) that are permitted in the district;
- 14 (2) must describe the location of each residential infill special use,
15 neighborhood urban center special use, or neighborhood mixed use
16 building special use, if any;
- 17 (3) may restrict the time of day during which a business in a neighborhood
18 mixed use building special use may be open to the public;
- 19 (4) may restrict a corner store special use, cottage special use, secondary
20 apartment special use, or urban home special use, if any, to a designated
21 portion of the district;
- 22 (5) for a single-family residential use or a secondary apartment special use on
23 an existing legal lot:
- 24 (a) may reduce the required minimum lot area to 2,500 square feet;
- 25 (b) may reduce the required minimum lot width to 25 feet; and
- 26 (c) for a lot with an area of 4,000 square feet or less, may increase the
27 maximum impervious coverage to 65 percent;
- 28 (6) may apply the requirements of Section 25-2-1602 (*Front Porch Setback*),
29 Section 25-2-1603 (*Impervious Cover and Parking Placement*
30 *Requirements*), or Section 25-2-1604 (*Garage Placement*) to the district
31 or a designated portion of the district; ~~and~~

1 (7) may restrict front yard parking by including all or a portion of the district
2 in the restricted parking area map described in Section 12-5-29 (*Front or*
3 *Side Yard Parking*); and

4 (8) may modify the following requirements of Subchapter F (*Residential*
5 *Design And Compatibility Standards*):

6 (a) the maximum floor-to-area ratio and maximum square footage of
7 gross floor area prescribed by Subchapter F (*Residential Design And*
8 *Compatibility Standards*);

9 (b) the maximum linear feet of gables or dormers protruding from the
10 setback plane;

11 (d) the height of the side and rear setback planes; and

12 (e) the minimum front yard setback requirement.

13 **PART 4.** The Residential Design and Compatibility Commission members shall conduct
14 an organizational meeting as soon as practicable after their appointment. At the first
15 meeting of the commission, the members shall draw lots to determine whose terms shall
16 expire on October 1 of even-numbered years and whose terms shall expire on October 1
17 of odd-numbered years.

18 **PART 5.** Ordinance Number 20060309-058 is repealed, except that Part 6 (*Waiver*) is
19 continued in effect and applies to a waiver application filed before October 1, 2006.

20 **PART 6.** Ordinance Number 20060622-022 is repealed.

21 **PART 7.** This ordinance takes effect on October 1, 2006.

22 **PASSED AND APPROVED**

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25
26 _____, 2006

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27 Will Wynn
28 Mayor

29 **APPROVED:**

30
31 David Allan Smith
32 City Attorney

ATTEST:

33 Shirley A. Gentry
34 City Clerk