

ORDINANCE NO. 20061130-064

AN ORDINANCE AMENDING SECTIONS 25-2-1051 AND 25-2-1052 OF THE CITY CODE RELATING TO THE APPLICABILITY OF AND EXCEPTIONS FROM COMPATIBILITY STANDARDS, AND DECLARING AN EMERGENCY.

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

PART 1. The Council finds

- (A) This ordinance amends the City Code to restate existing City Code requirements regarding compatibility standards
- (B) This ordinance is not a substantive change to the City Code, but a clarification

PART 2. Section 25-2-1051(A) (*Applicability*) of the City Code is amended to read

- (A) Except as provided in Section 25-2-1052 (*Exceptions*) or another specific provision of this title, this article applies to a use in a townhouse and condominium residence (SF-6) or less restrictive zoning district and to a civic use described in Subsection (B) that is located on property
 - (1) across the street from or adjoining property
 - (a) in an urban family residence (SF-5) or more restrictive zoning district,
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located, other than a dwelling permitted by Section 25-2-894 (Accessory Uses For A Principal Commercial Use), or
 - (c) in a traditional neighborhood (TN) zoning district, or
 - (2) located 540 feet or less from property in
 - (a) an SF-5 or more restrictive zoning district,
 - (b) a TN district, or
 - (c) a development reserve (DR) zoning district

PART 3. Section 25-2-1052(A) (*Exceptions*) of the City Code is amended to read

(A) This article does not apply to

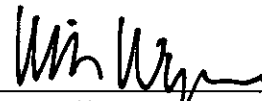
- (1) construction for a residential use that is permitted in an urban family residence (SF-5) or more restrictive zoning district and that complies with SF-5 or more restrictive zoning district site development regulations,
- (2) property in a historic landmark (H) or historic area (HD) combining district,
- (3) a structural alteration that does not increase the square footage, area, or height of a building, or
- (4) a change of use that does not increase the amount of required off-street parking

PART 4. The council finds that clarification of the applicability of compatibility standards is necessary for the protection of existing single-family neighborhoods and the orderly development of high intensity uses in the City. The council further finds that this constitutes an emergency. Because of this emergency this ordinance takes effect immediately on its passage for the immediate preservation of the public health, safety, and welfare

PASSED AND APPROVED

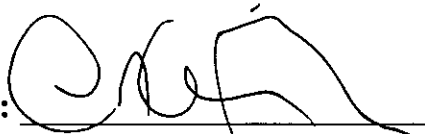
_____, November 30, 2006

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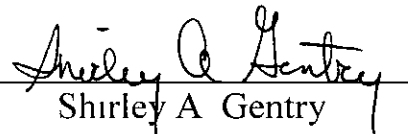
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk