

ORDINANCE NO. 80 0508-M

AN ORDINANCE ESTABLISHING A TEMPORARY 180 DAY MORATORIUM ON 1) THE ISSUANCE OF BUILDING PERMITS FOR NEW CONSTRUCTION OTHER THAN DETACHED SINGLE FAMILY RESIDENCES AND 2) THE PROCESSING OF SPECIAL PERMIT APPLICATIONS IN THE RAINEY STREET NEIGHBORHOOD AREA; (3) THE PROCESSING OF ZONING CHANGE APPLICATIONS, AND (4) THE PROCESSING OF SUBDIVISION PLAT APPLICATIONS BEYOND BEING ACCEPTED FOR FILING AND DISAPPROVED BY THE PLANNING COMMISSION; DEFINING THE BOUNDARIES OF THE RAINEY STREET NEIGHBORHOOD AREA; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY;

WHEREAS, members of the Rainey Street Neighborhood Association have expressed concern that the detached single family residence character of their neighborhood might be disturbed; and,

WHEREAS, time is needed for an areawide zoning study to be conducted and implemented within the Rainey Street Neighborhood Area in order to develop standards and criteria to be used by the Planning Commission and the City Council when acting upon land use planning and zoning matters within the Rainey Street Neighborhood Area; and,

WHEREAS, special and unique characteristics are evident in the Rainey Street Neighborhood Area by virtue of its location within the Central City of the City of Austin, its long-time use as a Central City residential neighborhood, its proximity to Town Lake and the Lake's attendant amenities, the presence of several vacant or non-utilized tracts of lands where new development may likely occur, the presence within the Area of the City of Austin's River Street Yard which is to be vacated in the future and for which no definite plans have been established, as well as other factors; and,

WHEREAS, special needs of the Area's residents have been raised and time is needed to address these special needs, such as housing concerns, traffic matters, buffering from existing commercial uses, tax consequences if substantial development occurs, as well as other needs; and,

WHEREAS, it would be detrimental to the Rainey Street Neighborhood Area to allow certain land use planning and zoning matters to be processed for final action before guidelines, criteria, and policies can be developed and implemented which are designed to serve the Rainey Street Neighborhood Area; and,

WHEREAS, the development of land within the Rainey Street Neighborhood Area without such adequate planning will serve to intensify the problems of area residents living in this Central City neighborhood, and the existing problems need to be fully examined and studied for possible solution; Now, Therefore,

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

PART 1. For the purposes of this ordinance the Rainey Street neighborhood area shall mean that area shown on Exhibit "A" attached hereto and made a part hereof, whose boundaries are described as follows:

The area bounded on the north by East 1st Street, to the west by Waller Creek, to the south by Town Lake and to the east by Interstate Highway 35.

PART 2. No building permit for new construction other than detached single family residences shall be issued within the Rainey Street neighborhood area.

PART 3. No special permit application shall be processed for the use of land within the Rainey Street neighborhood area.

PART 4. No zoning change application shall be processed for the use of land within the Rainey Street Neighborhood Area.

PART 5. No subdivision plat application covering land within the Rainey Street Neighborhood Area shall be processed beyond being accepted for filing and disapproved by the Planning Commission.

PART 6. If any provision, section, sentence, clause or phrase of this ordinance, or the applications of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, (or for any reason unenforceable), the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Austin in adopting, and of the Mayor in approving this ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provisions or regulation.

PART 7. The need to allow ample time for the development, adoption and implementation of an areawide zoning study for the Rainey Street neighborhood area creates an emergency calling for the immediate action for the protection of the health, safety and welfare of the citizens of Austin; therefore, an emergency is declared and the rule requiring that ordinances be read on three separate days is hereby suspended and this ordinance is passed and adopted as an emergency measure and shall be effective immediately upon its passage in adoption as provided by the Charter of the City of Austin.

PASSED AND APPROVED

May 8, 1980

X
X
X
X

Carole Keeton McAllister
Mayor

APPROVED: Albert De La Rosa
City Attorney

ATTEST: James E. Aldridge
Deputy City Clerk

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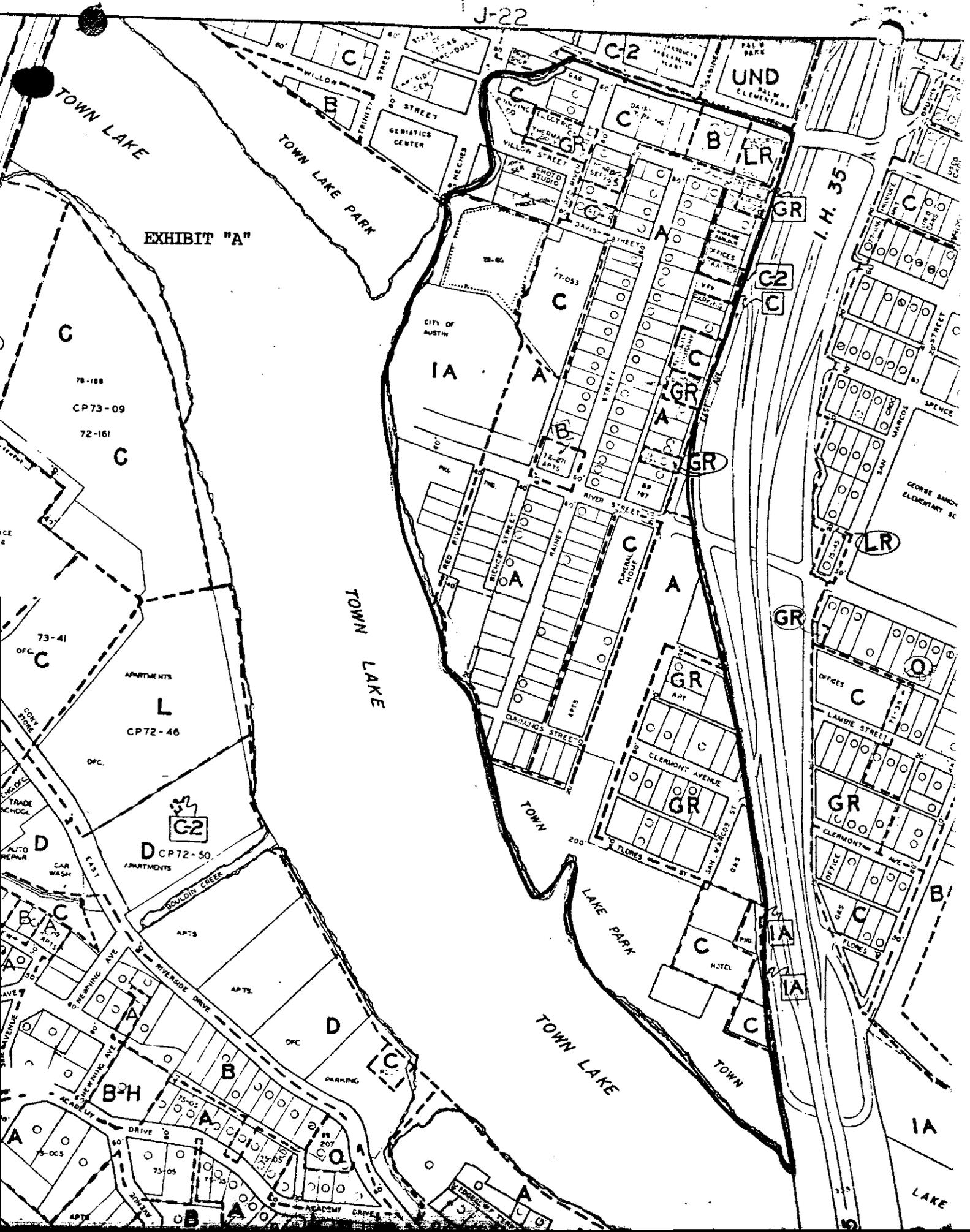


EXHIBIT "A"

APARTMENTS
L
CP72-46

D CP72-50
APARTMENTS

B²H

UND
BALM
ELEMENTARY

I. H. 35

GEORGE SAND
ELEMENTARY IC

LAMBIE STREET

CLEMONT AVENUE

CLEMONT AVENUE

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CITY OF
AUSTIN

RED RIVER

BECHTOLD STREET

CLAIMING STREET

BOULDOIN CREEK

RIVERSIDE DRIVE

ACADEMY DRIVE

WILLOW STREET

TRINITY STREET

WILLOW STREET</