ORDINANCE NO.

AN ORDINANCE ADOPTING A NEW LAND DEVELOPMENT CODE FOR THE CITY OF AUSTIN TO REPLACE AND SUPERCEDE EXISTING TITLE 25 OF THE CITY CODE, INCLUDING REGULATIONS RELATING TO ZONING, SUBDIVISION, WATERSHED PROTECTION, PARKLAND DEDICATION, TRANSPORTATION, AFFORDABLE HOUSING, SIGNAGE, AND DEVELOPMENT PROCEDURES; AND ESTABLISHING AN IMPLEMENTATION PROGRAM.

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

PART 1. Legislative Findings.

The City Council adopts the following findings:

(reserved)

PART 2. Adoption of New Land Development Code.

A new Land Development Code, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved and adopted as new Title 23 of the City Code.

PART 3. Effect of Code Adoption.

(A) Except as in Subsection (B), the new Land Development Code, codified at City Code Title 23, replaces and supersedes in its entirety the current Land Development Code, codified at City Code Title 25, along with all related ordinances regulating land development in the planning jurisdiction. The regulations superseded by this Part 3 are collectively referred to as the City’s “prior land development ordinances.”

(B) The regulations in City Code Chapter 25-8, Subchapter A (Water Quality) are renumbered and reformatted as appropriate in Chapter 23-4D (Water Quality) to insure consistency within City Code Title 23 but shall be considered as a continuation of the regulations and not as a new enactment. Distinct amendments to Chapter 25-8 Subchapter A are included within Chapter 23-4D.

(C) Notwithstanding the foregoing, the City’s prior land development ordinances remain in effect for the following purposes:
(1) **Active development applications.** The City's prior land development ordinances shall continue to apply to complete development applications that were either:

(a) approved prior to the effective date of this ordinance, if the approval has not expired on or after the effective date of this ordinance; or

(b) duly accepted for filing prior to or on the effective date of this ordinance, if the application is thereafter approved and has not expired.

(2) **Rights conferred by state law.** The City's prior land development ordinances shall continue to apply to the extent required by state law.

(3) **Incorporation of prior codes into the Land Development Code.** The City's prior land development ordinances shall continue to apply as authorized by the new Land Development Code adopted by this ordinance, including in connection with:

(a) the F25 Zone established by Section 23-4-8080 (Former Title 25 (F25) Zone);

(b) non-conforming uses or structures regulated by Article 23-2G (Nonconformity); and

(c) as authorized by Section 23-1A-5030 (Continuation of Prior Ordinances).

(4) **Conditional use permits.** The City may continue to enforce prior land development ordinances in connection with conditional use permits approved or applied for prior to the effective date of this ordinance, provided that the permit remains in effect and does not expire.

**PART 4. Legislative Record.**

The legislative record for this ordinance, at a minimum, includes:

(A) All documentary and testimonial evidence provided or referenced in connection with the public hearings and deliberations conducted by the Planning Commission and the City Council, as identified in Part 1 of this ordinance; and

(B) Exhibit B to this ordinance.
PART 5. Codification.

In codifying new Title 23 of the City Code, and any subsequent amendments thereto, code sections, subsections, and paragraphs may be renumbered and reformatted as appropriate to insure consistency within the Land Development Code and with the numbering and formatting of the City Code.

PART 6. Initiation of Amendments.

The City Manager is directed to present the following amendments to the City Council for approval:

(A) Amendments to conform Title 30 of the City Code with the Land Development Code, as determined to be appropriate based on consultation with Travis County under the “Agreement on Subdivision Platting in the Extraterritorial Jurisdiction Between the City of Austin and Travis County,” executed by the City on November 12, 2004.

(B) (reserved)

PART 7. Implementation.

(reserved)

PART 8. This ordinance take effect on ______________, 2020.

PASSED AND APPROVED

______________________________, 2020

______________________________

Steve Adler
Mayor

APPROVED: Anne L. Morgan
City Attorney

ATTEST: Jannette S. Goodall
City Clerk
EXHIBIT A

CITY OF AUSTIN

LAND DEVELOPMENT

CODE

Adopted by the City Council on _______, 2020
by Ordinance No. 2020______-__
EXHIBIT B

BIBLIOGRAPHY OF BEST AVAILABLE SCIENCE AND PLANNING STUDIES
Bibliography of Best Available Science and Land Use Planning Studies


Environmental Protection Agency (EPA). 2002. 8 Tools of Watershed Protection in Developing Areas.


