ORDINANCE NO. 99-0225-70 (b)

AN ORDINANCE REPEALING TITLE 13 OF THE CITY CODE AND REPLACING IT WITH A NEW TITLE 25 RELATING TO LAND DEVELOPMENT; REPEALING TITLE 1 OF THE CITY CODE AND REPLACING IT WITH A NEW TITLE 1 RELATING TO GENERAL CODE PROVISIONS AND RULE ADOPTION; AMENDING CHAPTER 2-4 OF THE CITY CODE TO ADD A NEW ARTICLE 41 RELATING TO THE HISTORIC LANDMARK COMMISSION, ADD A NEW ARTICLE 42 RELATING TO THE BOARD OF ADJUSTMENT, ADD A NEW ARTICLE 43 RELATING TO THE SIGN REVIEW BOARD, ADD A NEW ARTICLE 44 RELATING TO THE SIGN CONTROL BOARD, AND ADD A NEW ARTICLE 45 RELATING TO THE IMPACT FEE ADVISORY COMMITTEE; AMENDING TITLE 15 OF THE CITY CODE TO ADD A NEW CHAPTER 15-12 RELATING TO USE OF RIGHT-OF-WAY; AND READOPTING OFFENSES AND PROVIDING PENALTIES.

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

PART 1. The purpose of this ordinance is to make the law encompassed by the Land Development Code more accessible and understandable by:

(1) rearranging the law in a more logical order;

(2) employing a format and numbering system designed to facilitate citation of the law and to accommodate future expansion of the law;

(3) eliminating repealed, duplicative, unconstitutional, expired, executed, or other ineffective provisions; and

(4) restating the law in modern American English to the greatest extent possible.

PART 2. Title 13 of the City Code is repealed and replaced by a new Title 25 to read as follows:

TITLE 25
LAND DEVELOPMENT

CHAPTER 25-1	GENERAL REQUIREMENTS AND PROCEDURES
CHAPTER 25-2	ZONING
CHAPTER 25-3	TRADITIONAL NEIGHBORHOOD DISTRICT
CHAPTER 25-4	SUBDIVISION
CHAPTER 25-5	SITE PLANS
CHAPTER 25-6	TRANSPORTATION
CHAPTER 25-7	DRAINAGE
CHAPTER 25-8	ENVIRONMENT
CHAPTER 25-9	WATER AND WASTEWATER
CHAPTER 25-10	SIGN REGULATIONS
CHAPTER 25-11	BUILDING, DEMOLITION, AND RELOCATION PERMITS; SPECIAL REQUIREMENTS FOR HISTORIC LANDMARKS
CHAPTER 25-12	TECHNICAL CODES

TITLE 25
LAND DEVELOPMENT

CHAPTER 25-1
GENERAL REQUIREMENTS AND PROCEDURES

ARTICLE 1: GENERAL PROVISIONS

§ 25-1-1 IMPLEMENTATION OF COMPREHENSIVE PLAN

§ 25-1-2 APPLICABILITY OF REGULATIONS

§ 25-1-3 CONFLICTS

ARTICLE 2: DEFINITIONS; MEASUREMENTS

§ 25-1-21 DEFINITIONS

§ 25-1-22 MEASUREMENTS

ARTICLE 3: ACCOUNTABLE ENTITIES

§ 25-1-41 DEVELOPMENT REVIEW AND INSPECTION DEPARTMENT

§ 25-1-42 DEPARTMENT OF PLANNING AND ENVIRONMENTAL CONSERVATION SERVICES

§ 25-1-43 WATERSHED PROTECTION UTILITY

§ 25-1-44 DIVISION OF ENVIRONMENTAL REVIEW AND INSPECTION

§ 25-1-45 ENVIRONMENTAL OFFICER

ARTICLE 4: APPLICATION AND APPROVAL

DIVISION 1: GENERAL PROVISIONS

§ 25-1-61 ORDER OF PROCESS

§ 25-1-62 DEVELOPMENT ASSESSMENT

§ 25-1-63 DISAPPROVAL AND DENIAL

§ 25-1-64 TRANSFER OF PERMIT OR APPROVAL

DIVISION 2: FILING; REVIEW

§ 25-1-81 AUTHORITY TO FILE AN APPLICATION

§ 25-1-82 APPLICATION REQUIREMENTS

§ 25-1-83 APPLICATIONS RELATING TO A CLOSED MUNICIPAL SOLID WASTE LANDFILL

§ 25-1-84 PROCESSING CYCLES

§ 25-1-85 SEQUENCE OF REVIEW

§ 25-1-86 BOARD AND COMMISSION SCHEDULE

§ 25-1-87 EXTENSION OF REVIEW PERIOD

§ 25-1-88 EXTENSION OF UPDATE DEADLINE

ARTICLE 5: FEES AND FISCAL SECURITY

§ 25-1-111 FEES

§ 25-1-112 FISCAL SECURITY

ARTICLE 6: INTERESTED PARTIES, NOTICE, AND PUBLIC HEARING PROCEDURES

DIVISION 1: INTERESTED PARTIES AND NOTICE

§ 25-1-131 INTERESTED PARTIES

§ 25-1-132 NOTICE OF PUBLIC HEARING

§ 25-1-133 NOTICE OF APPLICATIONS AND ADMINISTRATIVE DECISIONS

§ 25-1-134 PROCEDURES AND REQUIREMENTS FOR NOTICE

§ 25-1-135 POSTING OF SIGNS

DIVISION 2: PUBLIC HEARING PROCEDURES

§ 25-1-151 CONDUCT OF PUBLIC HEARINGS

§ 25-1-152 POSTPONEMENT AND CONTINUATION OF PUBLIC HEARINGS

§ 25-1-153 CHANGE OF LOCATION OF PUBLIC HEARINGS

§ 25-1-154 RECORD OF PUBLIC HEARING

ARTICLE 7: APPEALS, VARIANCES, SPECIAL EXCEPTIONS, AND ADJUSTMENTS

DIVISION 1: APPEALS

§ 25-1-181 STANDING TO APPEAL

§ 25-1-182 INITIATING AN APPEAL

§ 25-1-183 INFORMATION REQUIRED IN NOTICE OF APPEAL

§ 25-1-184 NOTICE TO APPLICANT CONCERNING INTERESTED PARTY

§ 25-1-185 NOTICE TO PRESIDING OFFICER AND APPLICANT

§ 25-1-186 MEETING TO RESOLVE ISSUES

§ 25-1-187 DEVELOPMENT NOT PERMITTED DURING APPEAL

§ 25-1-188 SCHEDULING OF PUBLIC HEARING

§ 25-1-189 NOTICE OF PUBLIC HEARING

§ 25-1-190 APPELLATE BURDEN

§ 25-1-191 CONDUCT OF PUBLIC HEARING

§ 25-1-192 POWER TO ACT ON APPEAL

DIVISION 2: VARIANCES

§ 25-1-211 APPLICATION FOR A VARIANCE

§ 25-1-212 REPORT

§ 25-1-213 REVIEW BY THE ENVIRONMENTAL BOARD

§ 25-1-214 PUBLIC HEARING AND NOTICE

§ 25-1-215 ACTION ON AN APPLICATION

§ 25-1-216 EFFECTIVE DATE OF VARIANCE

§ 25-1-217 EXPIRATION OF VARIANCE

§ 25-1-218 RESTRICTION ON SIMILAR APPLICATIONS

DIVISION 3: SPECIAL EXCEPTIONS

§ 25-1-231 EFFECT OF SPECIAL EXCEPTION

§ 25-1-232 APPLICATION FOR A SPECIAL EXCEPTION

§ 25-1-233 NOTICE OF APPLICATION

§ 25-1-234 APPROVAL OF A SPECIAL EXCEPTION; APPEAL

DIVISION 4: ADJUSTMENTS

§ 25-1-251 APPLICATION FOR ADJUSTMENT

§ 25-1-252 CONSIDERATION OF APPLICATION FOR ADJUSTMENT

ARTICLE 8: CONSTRUCTION MANAGEMENT

DIVISION 1: GENERAL

§ 25-1-281 APPLICABILITY

§ 25-1-282 PRECONSTRUCTION CONFERENCE REQUIRED

§ 25-1-283 NOTICE OF CONFERENCE AND DISTRIBUTION OF PLANS

§ 25-1-284 CONFERENCE PROCEDURE

§ 25-1-285 MINUTES OF CONFERENCE

§ 25-1-286 INSPECTION REQUESTS

§ 25-1-287 INSPECTION RECORD CARD

§ 25-1-288 INSPECTION OF EROSION AND SEDIMENTATION *CONTROLS AND TREE PROTECTION MEASURES*

§ 25-1-289 REINSPECTION FEE

DIVISION 2: SUBDIVISION CONSTRUCTION

§ 25-1-311 DISTRIBUTION OF APPROVED PLANS

§ 25-1-312 SUBSTANTIAL COMPLETION NOTICE

§ 25-1-313 FINAL INSPECTION

§ 25-1-314 ACCEPTANCE BY THE CITY

DIVISION 3: SITE CONSTRUCTION

§ 25-1-331 DISTRIBUTION OF APPROVED PLANS

§ 25-1-332 GRADING, DRAINAGE, AND WATER QUALITY FACILITIES

§ 25-1-333 CONNECTION OF CITY UTILITIES

ARTICLE 9: CERTIFICATES OF COMPLIANCE AND OCCUPANCY

§ 25-1-361 CERTIFICATE REQUIRED

§ 25-1-362 ISSUANCE OF CERTIFICATE OF COMPLIANCE

§ 25-1-363 ISSUANCE OF CERTIFICATE OF OCCUPANCY

§ 25-1-364 TEMPORARY CERTIFICATE OF OCCUPANCY

§ 25-1-365 EXEMPTION FROM COMPLIANCE

ARTICLE 10: ENFORCEMENT

DIVISION 1: COMPLIANCE REQUIRED; INSPECTION

§ 25-1-391 COMPLIANCE WITH TITLE REQUIRED

§ 25-1-392 INSPECTION

§ 25-1-393 COPY OF RELEASED SITE PLAN AT DEVELOPMENT SITE

§ 25-1-394 COPY OF RIGHT-OF-WAY USE PERMIT TO BE KEPT ON-SITE

DIVISION 2: SUSPENSION AND REVOCATION

§ 25-1-411 SUSPENSION OF A PERMIT OR LICENSE

§ 25-1-412 SUSPENSION OF A RELEASED SITE PLAN OR APPROVED SUBDIVISION CONSTRUCTION PLAN

§ 25-1-413 SUSPENSION OF A CERTIFICATE OF OCCUPANCY

§ 25-1-414 SUSPENSION AND REVOCATION OF A RIGHT-OF-WAY USE PERMIT

§ 25-1-415 SUSPENSION AND REVOCATION OF A VARIANCE OR SPECIAL EXCEPTION

§ 25-1-416 REVOCATION AFTER SUSPENSION

§ 25-1-417 NOTICE OF INTENT TO SUSPEND OR REVOKE

§ 25-1-418 NOTICE OF SUSPENSION OR REVOCATION

DIVISION 3: ORDERS

§ 25-1-441 STOP WORK ORDER

§ 25-1-442 REMOVE OR RESTORE ORDER

§ 25-1-443 ORDER TO CLEAR PUBIC RIGHT-OF-WAY

DIVISION 4 : APPEAL; CRIMINAL ENFORCEMENT

§ 25-1-461 APPEAL

§ 25-1-462 CRIMINAL ENFORCEMENT

ARTICLE 11: AMENDMENT PROCEDURE

§ 25-1-501 INITIATION OF AMENDMENT

§ 25-1-502 AMENDMENT; REVIEW

ARTICLE 12: PROJECT DURATION

§ 25-1-531 RELATIONSHIP TO OTHER LAW

§ 25-1-532 DEFINITIONS

§ 25-1-533 GENERAL RULES

§ 25-1-534 EXCEPTIONS TO PROVIDE A ONE-YEAR GRACE PERIOD

§ 25-1-535 EXCEPTIONS TO THE GENERAL RULES

§ 25-1-536 NOTICE OF CONSTRUCTION

§ 25-1-537 EXTENSION OF DEADLINES

§ 25-1-538 VOLUNTARY COMPLIANCE

§ 25-1-539 INCENTIVES FOR UPDATING TO CURRENT REGULATIONS

§ 25-1-540 MANAGED GROWTH AGREEMENTS

§ 25-1-541 WAIVER OF FEES

§ 25-1-542 NONAPPLICABILITY; COUNCIL AGREEMENTS

TITLE 25
LAND DEVELOPMENT

CHAPTER 25-1
GENERAL REQUIREMENTS AND PROCEDURES

ARTICLE 1: GENERAL PROVISIONS

§ 25-1-1 IMPLEMENTATION OF COMPREHENSIVE PLAN.

This title implements the planning policies of the Comprehensive Plan and shall be construed to achieve its purposes.

Source: Section 13-1-5.

§ 25-1-2 APPLICABILITY OF REGULATIONS.

Regulations in this title apply as follows:

(1) all regulations apply to property in the zoning jurisdiction;

(2) water quality, utility district, city utility, and subdivision regulations apply to property in the planning jurisdiction;

(3) Chapter 25-12, Article 4 *(Electrical Code)* applies to a structure served by the city's Electric Utility; and

(4) Chapter 25-12, Article 6 *(Uniform Plumbing Code)* applies to a structure served by the city's Water and Wastewater Utility.

Source: Sections 13-1-4 and 13-1-602.

§ 25-1-3 CONFLICTS.

(A) Requirements of this title are cumulative of requirements that are imposed by other ordinances, rules, or regulations, or by private easements, covenants, restrictions, or agreements. If a conflict occurs, the requirements of this title control.

(B) If there is a difference of meaning or implication between the text of a provision of this title and an illustration or table, the text controls.

Source: Sections 13-1-20 and 13-1-21(d).

ARTICLE 2: DEFINITIONS; MEASUREMENTS

§ 25-1-21 DEFINITIONS.

Unless a different definition is expressly provided, in this title:

(1) ACCESSORY, when used as an adjective to describe a land use, means incidental to, and customarily associated with, a principal use.

(2) ACCOUNTABLE OFFICIAL means the City officer or employee designated by this title or the City Manager with a particular administrative or enforcement responsibility.

(3) ADVISORY BODY means a City board, commission, or other appointed body that does not make a final decision and whose review is not required by state law.

(4) APPROVAL means:

(a) a final decision granting or approving an application; or

(b) an approval granted subject to modifications or conditions.

(5) APPROVAL AUTHORITY means the City officer, employee, or body charged with reviewing and determining whether to approve an application.

(6) ATTACHED, when used with reference to two or more buildings, means having one or more common walls or being joined by a covered porch, loggia, or passageway.

(7) BASE DISTRICT means a zoning district established by this chapter to prescribe basic regulations governing land use and site development.

(8) BLOCK means one or more lots, tracts, or parcels of land bounded by streets, railroads, or subdivision boundary lines.

(9) BUFFER ZONE means a strip of land used to separate one land use from another incompatible land use.

(10) BUILDING COVERAGE means the area of a lot covered by buildings or roofed areas, but excludes ground level paving, landscaping, open recreational facilities, incidental projecting eaves, balconies, and similar features.

(11) BUILDING LINE means a line beyond which a building must be set back from the street line.

(12) BUILDING SERVICE EQUIPMENT means plumbing, mechanical, electrical, and elevator equipment necessary for the occupancy or use of a structure.

(13) CARPORT means a roofed space used as shelter for a parked vehicle.

(14) CHANGE, when used in reference to a land use, means the replacement of an existing use with a new use, or a change in the nature of an existing use. A change of ownership, tenancy, name, or management, or a change in product or service within the same use classification where the previous nature of the use, line of business, or other function is substantially unchanged is not a change of use.

(15) COLLECTOR STREET means a street collecting traffic from other streets and serving as the most direct route to a thoroughfare.

(16) COMBINING DISTRICT means a zoning district established by this title to prescribe regulations to be applied to a site in combination with regulations applicable to a base district.

(17) COMMON AREA means an area held, designed, or designated for the common use of the owners or occupants of a townhouse project, planned unit development, apartment, condominium, mobile home park, or subdivision.

(18) COMMON SIDE LOT LINE means a side lot line between two or more lots.

(19) COMPREHENSIVE PLAN means the plan adopted by the City Council in accordance with Article X, Section 5, of the City Charter.

(20) CONDEMNATION includes a purchase or donation of property under the threat of condemnation, but excludes a dedication of property as a condition of zoning, subdivision, site plan, or building permit approval.

(21) CONDITIONAL USE means a use that is allowed on a discretionary and conditional basis in accordance with the conditional use process established in Chapter 25-2 *(Zoning)*.

(22) CONTRACTOR means a person employed by an owner to develop property.

(23) CORNER LOT means a lot located at the intersection of two streets, or of two segments of a curved street, forming an angle of not more than 135 degrees.

(24) CURB means a vertical sloping structure located along the edge of a roadway, normally constructed integrally with the gutter, that strengthens and protects the pavement edge and clearly defines the pavement edge.

(25) DENIAL means a final decision denying an application.

(26) DEVELOPMENT means the construction or reconstruction of a building or road; the placement of a structure on land; the excavation, mining, dredging, grading, or filling of land; the removal of vegetation from land; or the deposit of refuse or waste on land. Development does not include:

(a) lawn and yard care, including mowing, gardening, tree care, and maintenance of landscaped areas;

(b) removal of trees or vegetation damaged by natural forces;

(c) agricultural activity that is not prohibited by Section 25-8-321 *(Clearing Of Vegetation)*; or

(d) the repair, maintenance, or installation of a utility, drainage or street system that does not disturb land or increase impervious cover.

(27) DIRECTOR, when used without a qualifier, means the director of the Development Review And Inspection Department or the director's designee.

(28) DOMINANT SIDE YARD, when used in reference to a small lot, means the side yard having the larger width.

(29) DRIPLINE, when used in reference to a tree, means a line on the ground encircling the tree that is directly beneath the outermost portion of the tree canopy.

(30) DRIVE-IN SERVICE means the sale of products or the provision of services to occupants in vehicles.

(31) DRIVEWAY means a surfaced area providing vehicular access between a street and an off-street parking or loading area.

(32) DRIVEWAY APPROACH means an area between the roadway and private property designed for and intended to provide vehicular access from the roadway to private property.

(33) DWELLING UNIT means a residential unit other than a mobile home providing complete, independent living facilities including permanent provisions for living, sleeping, eating, and cooking.

(34) EFFICIENCY, when used in reference to a dwelling unit, means a dwelling unit containing not more than 400 square feet of floor area, and not having a bedroom or sleeping area separate from the principal living area.

(35) ENCLOSED means a roofed or covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features, or an open space of less than 100 square feet fully surrounded by a building or walls exceeding eight feet in height.

(36) FLAG LOT means a lot that abuts a street by means of a strip of land that does not comply with the requirements of this chapter for minimum lot width, is not less than 15 feet wide, and is used for access.

(37) FLOOR AREA RATIO means the ratio of gross floor area to gross site area.

(38) FRONT LOT LINE means:

(a) for an interior lot, the lot line abutting the street;

(b) for a corner lot, the lot line designated as the front lot line by a subdivision or parcel map, or, if none, the shorter lot line abutting a street;

(c) for a through lot, the lot line abutting the street that provides the primary access to the lot; and

(d) for a flag lot, the lot line designated as the front lot line by a subdivision or parcel map, or if none, the line determined by the Building Official to be the front lot line.

(39) FRONT YARD means a yard extending the full width of a lot between the front lot line and the front setback line.

(40) GRADE means the horizontal elevation of a finished surface.

(41) GROSS FLOOR AREA means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls. The term includes loading docks and excludes atria airspace, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas.

(42) GROSS SITE AREA means the total site area.

(43) GUTTER means a shallow water drainage area adjacent to a curb.

(44) HEIGHT, when used in reference to a building, means the vertical distance from the average of the highest and lowest grades adjacent to the building to:

(a) for a flat roof, the highest point of the coping;

(b) for a mansard roof, the deck line;

(c) for a pitched or hip roof, the average height of the highest gable; or

(d) for other roof styles, the highest point of the building.

(45) HILL COUNTRY ROADWAY means a roadway described in Chapter 25-2, Subchapter C, Article 11 *(Hill Country Roadway Requirements)*.

(46) HILL COUNTRY ROADWAY AREA means an area described in Chapter 25-2, Subchapter C, Article 11 *(Hill Country Roadway Requirements)*.

(47) HISTORIC DISTRICT means an area included in a historic combining district.

(48) HISTORIC LANDMARK means a structure or area included in a historic combining district.

(49) IMPERVIOUS COVER means the total horizontal area of covered spaces, paved areas, walkways, and driveways, excluding pools, ponds, and fountains.

(50) INTERESTED PARTY means a person who meets the criteria established by Section 25-1-131 *(Interested Parties)*.

(51) INTERIOR LOT means a lot other than a corner lot.

(52) INTERIOR LOT LINE means a lot line not abutting a street.

(53) INTERIOR YARD means a yard, not adjacent to a street, that is determined on the basis of an interior lot line.

(54) INTERNAL STREET means a private street in a mobile home park, planned unit development, planned development area, or other similar development.

(55) LANDSCAPED AREA means an area devoted to plant material, planters, brick, stone, water, aggregate, and other landscape features, excepting smooth concrete or asphalt, where the use of inorganic materials does not predominate over the use of plants.

(56) LARGE LOT means a lot of at least 10,000 square feet.

(57) LOADING SPACE means an area used for loading or unloading goods from a vehicle in connection with the use of the site on which the loading space is located.

(58) LOCAL STREET means a street that serves traffic within a neighborhood or limited residential district, and which is not necessarily continuous through several residential districts.

(59) LOT means:

(a) a parcel of real property with a unique designation shown on a plat, record of survey, parcel map, or subdivision map recorded in the office of the County Clerk; or

(b) a parcel of real property established under zoning or subdivision regulations.

(60) LOT LINE means a line or series of connected line segments bounding a lot.

(61) MAINTENANCE EASEMENT, when used in reference to a small lot, means an easement granted by the owner of one lot to the owner of an adjoining lot for maintenance of a dwelling within five feet of a common side lot line.

(62) MIRRORED GLASS means glass with a reflectivity index greater than 20 percent.

(63) MOBILE HOME means a movable dwelling constructed on a chassis, designed for use without a permanent foundation, and designed to be connected to utilities. The term excludes manufactured modular housing designed to be set on a permanent foundation and recreational vehicles.

(64) MOBILE HOME PARK means a unified development of mobile home spaces for rent or lease, including common areas and facilities for management, recreation, laundry and utility services, storage, and similar services for the convenience of residents.

(65) MUNICIPAL UTILITY DISTRICT means a district created under Chapters 50 and 54 of the Texas Water Code.

(66) NEIGHBORHOOD ORGANIZATION means a an association that has registered as a neighborhood organization under this title.

(67) NOTICE OWNER means the owner of real property as shown on the records of the tax appraisal district in the county in which the property is located.

(68) OPEN SPACE means an outdoor or unenclosed area, located on the ground or on a roof, balcony, deck, porch, or terrace, designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, excluding parking facilities, driveways, utility, and service areas.

(69) PARKING FACILITY means an area on a site for one or more off-street parking spaces together with driveways, maneuvering areas, and similar features, excluding commercial off-street parking and private garages.

(70) PARKING SPACE means an area designated for parking a motor vehicle, excluding an area in a public right-of-way.

(71) PARKING STRUCTURE means a building that includes five or more off-street parking spaces together with driveways, maneuvering areas, and similar features.

(72) PEDESTRIAN WAY means the portion of a street right-of-way not used for a roadway.

(73) PERMITTED USE means a use of property authorized by this title.

(74) PLANNED DEVELOPMENT AREA means a combining district authorized by this chapter or an area subject to a planned development area agreement approved by the City.

(75) PLANNED UNIT DEVELOPMENT means land developed as a single unit under unified control.

(76) PLANNING JURISDICTION means the city and its extraterritorial jurisdiction.

(77) PRELIMINARY PLAN means a map or drawing of a proposed plat, intended for consideration by the Planning Commission or the City Council in accordance with the requirements of this title.

(78) PRINCIPAL USE means the primary function of a site, building, or facility.

(79) QUEUE LINE means an area for temporary parking of motor vehicles while awaiting service or other activity.

(80) QUEUE SPACE means a space for a motor vehicle in a queue line.

(81) PROPERTY means real property.

(82) REAR LOT LINE means the lot line that does not intersect the front lot line, or that is determined in accordance with Section 25-1-22 *(Measurements)*.

(83) REAR YARD means a yard extending the full width of a lot between the rear lot line and the rear setback line, excluding any area located within the street side yard of a corner lot.

(84) RECORD OWNER means the owner of real property as shown by the deed records of the county in which the property is located.

(85) RECREATIONAL VEHICLE means a vehicle or trailer designed for temporary dwelling or recreational purposes, and includes travel trailers, pick-up campers, camping trailers, motor coach homes, converted trucks and buses, boats, and boat trailers.

(86) RELEASE means:

(a) the written certification of the director that a site plan has been approved, that the site plan complies with this title, and that the conditions of approval for the site plan have been satisfied; or

(b) the written certification of the director and the presiding officer of the Planning Commission, that a plat has been approved, that the plat complies with this title, and that the conditions of approval for the plat have been satisfied.

(87) REVISION means a change in an approved or released plan that is initiated by an applicant.

(88) RIGHT-OF-WAY means land dedicated or reserved for streets, utilities, or other public facilities.

(89) ROADWAY means the portion of a street right-of-way used for vehicular travel.

(90) SCREENED means hidden from the view of a person standing at ground level on an abutting site by an architectural or landscape feature that is, or will grow to, at least six feet in height.

(91) SETBACK LINE means a line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a yard and governing the placement of structures and uses on the lot.

(92) SIDE LOT LINE means a lot line intersecting the front lot line and extending a minimum distance of 75 feet.

(93) SIDEWALK means the paved portion of a pedestrian way.

(94) SIDE YARD means a yard extending the depth of a lot from the front yard to the rear lot line between the side lot line and the side setback line. For a corner lot, a street side yard is a yard that extends from the front yard to the rear lot line.

(95) SITE means a contiguous area intended for development, or the area on which a building has been proposed to be built or has been built. A site may not cross a public street or right-of-way.

(96) SITE PLAN means a plan for a development, other than a subdivision construction plan, submitted by an applicant to demonstrate that the development complies with the requirements of this title.

(97) SMALL LOT means a lot with an area of less than 5,750 square feet.

(98) SPECIAL EXCEPTION means the waiver of a requirement because of vested rights established in accordance with the procedures prescribed by Article 7, Division 3 *(Special Exceptions)*.

(99) STAFF means a City employee.

(100) STANDARD LOT means a lot of at least 5,750 square feet and less than 10,000 square feet.

(101) STREET LINE means a lot line abutting a street.

(102) STREET YARD means a yard adjacent to a street and determined on the basis of a street lot line.

(103) STRUCTURAL ALTERATION means a change in the supporting members of a building including load bearing walls, columns, girders, and beams over eight feet long.

(104) STRUCTURE means a building of any kind, or a piece of work artificially built-up or composed of parts joined together in a definite manner.

(105) SUBDIVIDE means:

(a) to divide land into two or more lots or sites for the purpose of sale or development;

(b) to resubdivide an existing lot; or

(c) to combine of two or more lots into the same number or fewer lots with different boundaries.

(106) SUBORDINATE SIDE YARD, when used in reference to a small lot, means the side yard having the smaller width.

(107) SUBSTANDARD LOT means a lot or tract recorded by deed or plat that does not comply with current area, width, or depth requirements, but that complied with the requirements in effect when it was placed on record.

(108) TECHNICAL CODE means the Uniform Building Code, the National Electrical Code, the Uniform Mechanical Code, the Uniform Plumbing

Code, the Uniform Fire Code, the Guidelines for Solar Energy Installations, the Uniform Housing Code, or the Uniform Code for the Abatement of Dangerous Buildings, as adopted by the City Council.

(109) THROUGH LOT means a lot, other than a corner lot, abutting more than one street.

(110) TOWNHOUSE means a dwelling unit having a common wall with or abutting one or more adjoining dwelling units in a townhouse group.

(111) TOWNHOUSE GROUP means two or more contiguous townhouses.

(112) TOWNHOUSE LOT means the portion of a townhouse development that is intended for separate ownership as the location of a single townhouse and associated private yard area.

(113) TRANSPORTATION PLAN means the Austin Metropolitan Area Transportation Plan or an equivalent plan adopted by the City Council as part of the Comprehensive Plan.

(114) UPDATE means additional information, a plan, or a plat submitted by an applicant in response to comments by a review entity.

(115) USE means the conduct of an activity, or the performance of a function, on a site or in a structure.

(116) USE EASEMENT, when used in reference to a small lot, means an easement granted by the owner of a small lot with the subordinate side yard to the owner of a small lot with a dominant side yard along the common lot line, and which allows the occupant of the dwelling unit on the lot having the dominant side yard the use, enjoyment, and privacy of the dominant side yard.

(117) VALUE or VALUATION, when used in reference to a structure, means the estimated cost to replace the structure in kind, based on current replacement costs.

(118) VARIANCE means a waiver of a provision of this title under Article 7, Division 2 *(Variances)*.

(119) WATER CONTROL AND IMPROVEMENT DISTRICT means a district created under Chapters 50 and 51 of the Water Code.

(120) WATER DISTRICT means a district created under Title 4 of the Water Code.

(121) WORKING DAY excludes a Saturday, Sunday, or an official City holiday.

(122) YARD means an open space on a lot adjoining a lot line.

(123) ZERO LOT LINE means a common lot line on which a wall of a structure may be constructed.

(124) ZONING MAP means the zoning district map of the City as adopted by ordinance.

Source: Sections 13-1-22, 13-2-1, 13-2-401, 13-2-435, and 13-5-61.

§ 25-1-22 MEASUREMENTS.

(A) Lot area is the net horizontal area within the lot lines, excluding the portion of the lot:

(1) that provides street access, if the lot is a flag lot; or

(2) that is located below 492.8 feet of elevation above sea level, if the lot is adjacent to Lake Austin.

(B) Lot depth is the horizontal distance between the mid-point of the front lot line and the midpoint of the rear lot line.

(C) Except as otherwise provided in this title, lot width is measured at the front setback line and at a distance of 50 feet to the rear of the front setback line.

(D) In determining required yards and setbacks for an irregularly shaped lot or a lot bounded by only three lot lines, the rear lot line is:

(1) a line ten feet long;

(2) parallel to the front lot line; and

(3) at the most distant location from the front lot line.

(E) A distance from a structure to a line or location is measured from the exterior face of the nearest wall or vertical support of the structure to the line or location. For a structure that does not have a wall or vertical support, the building official shall determine the point of measurement.

Source: Sections 13-2-1, 13-2-602, and 13-2-603.

ARTICLE 3: ACCOUNTABLE ENTITIES

§ 25-1-41 DEVELOPMENT REVIEW AND INSPECTION DEPARTMENT.

The Development Review and Inspection Department ensures that development in the City's planning jurisdiction efficiently and effectively complies with the Comprehensive Plan and City ordinances. The department has the duties and powers prescribed by ordinance or delegated by the City Manager. The City Manager shall appoint a director to manage the department.

Source: Section 13-1-131.

§ 25-1-42 DEPARTMENT OF PLANNING AND ENVIRONMENTAL CONSERVATION SERVICES.

The Department of Planning and Environmental Conservation Services protects, preserves, and enhances the quality of Austin's environment through inspection, monitoring, planning, research, and public education. The department has the duties and powers prescribed by ordinance or delegated by the City Manager. The City Manager shall appoint a director to manage the department.

Source: Section 13-1-132.

§ 25-1-43 WATERSHED PROTECTION UTILITY.

The Watershed Protection Department serves the citizens of Austin by using environmentally responsible, cost-effective water resource management to protect lives, property, and quality of life. The utility has the duties and powers prescribed by ordinance or delegated by the City Manager. The City Manager shall appoint a director to manage the utility.

Source: Section 13-1-130.

§ 25-1-44 DIVISION OF ENVIRONMENTAL REVIEW AND INSPECTION.

The Environmental Review and Inspection Division is a division of the Watershed Protection Utility and ensures that development within the city's planning jurisdiction complies with City drainage and water quality requirements through development approvals, inspection, and monitoring.

Source: Section 13-1-133.

§ 25-1-45 ENVIRONMENTAL OFFICER.

(A) The City Manager shall appoint an environmental officer to advise and direct the city staff and ensure that environmental protection is the highest priority in public and private development.

(B) The environmental officer may receive complaints from citizens, investigate the complaints, and report the findings to the City Manager.

(C) The environmental officer shall deliver a report on Austin's environment to the City Manager and Council each April.

Source: Section 13-1-134(d).

ARTICLE 4: APPLICATION AND APPROVAL

DIVISION 1: GENERAL PROVISIONS

§ 25-1-61 ORDER OF PROCESS.

(A) An applicant must obtain approvals in the following order:

(1) zoning;

(2) subdivision;

(3) site plan; and

(4) building permit.

(B) An applicant may concurrently file applications for the approvals listed in Subsection (A).

Source: Section 13-1-36.

§ 25-1-62 DEVELOPMENT ASSESSMENT.

(A) A person considering development in the planning jurisdiction may request that the director prepare an assessment of the proposed development. The City encourages a development assessment for a residential project of more than 200 acres, or a commercial or mixed use project of more than 50 acres.

(B) A development assessment is based on information provided by the requestor and the requirements applicable at the time of the request.

(C) A development assessment includes:

(1) an explanation of the procedures and requirements of this title for zoning and rezoning, subdivision, site plan approval, and building permits;

(2) an estimate of fees; and

(3) an identification of potential major issues for the project, including whether:

(a) the proposed land use conforms to the Comprehensive Plan and current zoning;

(b) proposed arterials, if any, comply with the Transportation Plan;

(c) proposed collector streets, if any, are adequate for the projected traffic;

(d) there are significant environmental issues;

(e) adequate utilities are available; and

(f) the proposed density or floor area is:

(i) consistent with the requirements of this title;

(ii) appropriate, considering the surrounding land use or zoning; and

(iii) consistent with watershed requirements.

(D) The director shall deliver a development assessment to the requestor within 21 days after the request is received. After its delivery, the requestor may seek a meeting with the director or the director's designee to discuss the development assessment.

Source: Section 13-1-90.

§ 25-1-63 DISAPPROVAL AND DENIAL.

(A) An application that is disapproved may be updated and resubmitted for review before the update deadline expires. A disapproved application that is not updated is denied when the update deadline expires. An application that does not comply with the requirement of the City Code on the update deadline is denied.

(B) An application that is denied may not be updated. A new application is required.

Source: Section 13-1-22.

§ 25-1-64 TRANSFER OF PERMIT OR APPROVAL.

A permit or approval authorizing a particular use of land or a structure transfers with the ownership of the land or structure.

Source: Section 13-1-6.

DIVISION 2: FILING; REVIEW

§ 25-1-81 AUTHORITY TO FILE AN APPLICATION.

A record owner or the record owner's agent may file an application for a permit or approval required by this title. The director or building official may require an applicant to provide evidence of the applicant's authority to file an application.

Source: Section 13-1-30.

§ 25-1-82 APPLICATION REQUIREMENTS.

(A) The director may adopt rules establishing the requirements for an application.

(B) The director or building official may permit an applicant to omit required information from an application that the director or building official determines is not material to a decision on the application. An applicant who disagrees with a determination under this subsection may appeal the decision to the City Manager.

(C) Except as provided in Subsection (B), the director or building official may not accept an application unless the application is complete and the applicant has paid the required fee.

Source: Section 13-1-31.

§ 25-1-83 APPLICATIONS RELATING TO A CLOSED MUNICIPAL SOLID WASTE LANDFILL.

(A) This section applies to an application for approval that may permit the construction or alteration of:

(1) a commercial or public enclosed structure that is designed for use by humans; or

(2) a structure containing three or more dwelling units.

(B) The director or building official may not approve an application for subdivision, site plan, or building permit, and may not recommend approval

of a zoning or rezoning, unless the applicant has delivered to the director or building official:

(1) certification from a registered engineer that the site does not overlie a closed municipal solid waste landfill; or

(2) if the site overlies a solid municipal waste landfill:

(a) a permit from the Texas Natural Resources Conservation Commission; or

(b) written notification from the Texas Natural Resources Commission that a permit is not required.

Source: Section 13-1-37.

§ 25-1-84 PROCESSING CYCLES.

(A) The director may establish regular cycles for consideration of applications by City staff, boards, commissions, and the Council. The City Manager shall advise the Council of the creation or change of a cycle.

(B) An established cycle supersedes conflicting requirements of this title, except the requirements relating to the duration of a project and those mandated by state law.

Source: Section 13-1-33.

§ 25-1-85 SEQUENCE OF REVIEW.

(A) An application may not be placed on a board or commission agenda unless staff review is finished and a staff recommendation is available for board or commission consideration. This requirement does not apply if staff review is not finished by the deadline prescribed by this title.

(B) An application may not be placed on the Planning Commission or Council agenda unless recommendations from all other boards and commissions required to review the application are available for Planning Commission or Council consideration. The director may waive this requirement if the director determines that:

(1) a board or commission did not review the application in a reasonable period of time; and

(2) the delay is attributable to the board or commission and not the applicant.

Source: Section 13-1-110.

§ 25-1-86 BOARD AND COMMISSION SCHEDULE.

The City Manager shall inform a board or commission of the dates that other boards or commissions are scheduled to consider an application. A board or commission shall act diligently to finish its review in accordance with the schedule.

Source: Section 13-1-111.

§ 25-1-87 EXTENSION OF REVIEW PERIOD.

(A) The director or building official may extend a review period one time. The applicant must agree to an extension period that exceeds the length of the original review period.

(B) The director shall give notice under Section 25-1-133(B) *(Notice Of Applications And Administrative Decisions)* of an extension of a review period.

(C) If staff review is not finished at the expiration of an extended review period, the director shall move an application to the next phase of process with the notation that staff review is not finished.

Source: Section 13-1-34.

§ 25-1-88 EXTENSION OF UPDATE DEADLINE.

(A) An applicant may request that the director extend a deadline for submitting an update to an application by filing a written request and justification with the director before the expiration of the deadline.

(1) The director must give notice under Section 25-1-133(B) *(Notice Of Applications And Administrative Decisions)* of an extension request under this subsection.

(2) The director may grant an extension request under this subsection if the director determines that good cause exists for the extension. An extension period may not exceed the length of the original time period for submitting an update to the application.

(3) An interested party may appeal the director's decision under this subsection to the Planning Commission.

(B) If the time required for staff review of an application exceeds the review time provided by this title, the director shall extend the deadline for submitting an update to an application for a time period equal to the number of days by which the actual time for review exceeds the review time provided by this title. The director shall notify the applicant of the new deadline for submitting an update.

Source: Section 13-1-35.

ARTICLE 5: FEES AND FISCAL SECURITY

§ 25-1-111 FEES.

The fees required under this title shall be established by separate ordinance.

Source: Section 13-1-32(a).

§ 25-1-112 FISCAL SECURITY.

(A) An applicant shall post fiscal security required under this title with the director.

(B) The amount of fiscal security posted by an applicant shall equal the estimated cost to the City to do the work for which the fiscal security is required. A qualified professional must provide the director with an estimate of the cost, and the director's approval of the estimate is required.

(C) An applicant may post as fiscal security:

(1) a cash deposit;

(2) a performance bond; or

(3) a letter of credit.

(D) The director shall return the fiscal security to the applicant if the director determines that:

(1) the applicant has obtained a certificate of occupancy, certificate of compliance, or final acceptance letter for the work for which the fiscal security was posted; or

(2) the obligation to do the work for which the fiscal security was posted has terminated.

(E) The director may draw on the fiscal security and pay the cost of fulfilling the applicant's obligations if the director determines that an applicant has breached the obligations secured by the fiscal security. The director shall pay the balance of the fiscal security, if any, to the applicant. The applicant is liable for the cost that exceeds the amount of fiscal security, if any, to the director.

Source: Section 13-1-32(b) through (e).

ARTICLE 6: INTERESTED PARTIES, NOTICE, AND PUBLIC HEARING PROCEDURES

DIVISION 1: INTERESTED PARTIES AND NOTICE

§ 25-1-131 INTERESTED PARTIES.

(A) An interested party is a person who has an interest in a matter that is the subject of a public hearing or administrative decision. A person has an interest if the person:

(1) is the applicant or the record owner of property that is the subject of a public hearing or administrative decision; or

(2) communicates an interest in a matter; and

(a) occupies a primary residence that is within 500 feet of the site of the proposed development;

(b) is the record owner of property within 500 feet of the site of the proposed development; or

(c) is an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

(B) A person communicates an interest in a matter that is the subject of a public hearing by:

(1) delivering a written statement that generally identifies the issues of concern to the body conducting the hearing, either before or during the public hearing; or

(2) appearing and speaking for the record at the public hearing.

(C) A person communicates an interest in a matter that is the subject of an administrative decision by delivering a written statement to the director or by making telephone contact with the director. The communication must:

(1) generally identify the issues of concern;

(2) include the person's name, telephone phone number, and mailing address;

(3) be delivered before the earliest date on which action on the application may occur; and

(4) if the communication is by telephone, be confirmed in writing not later than seven days after the earliest date on which action on the application may occur.

Source: Section 13-1-240.

§ 25-1-132 NOTICE OF PUBLIC HEARING.

(A) For a notice required to be given under this subsection, the director shall give notice of a public hearing before a board or commission by mailing notice not later than the 11th day before the date of the hearing to the:

(1) applicant;

(2) record owner of property located within 300 feet of the subject property;

(3) neighborhood organization; and

(4) parties to an appeal.

(B) For a notice required to be given under this subsection, the director shall give notice of a public hearing before the Council by:

(1) publishing notice not later than the 16th day before the date of the public hearing; and

(2) mailing notice not later than the 16th day before the date of the hearing to the:

(a) applicant;

(b) record owner of property located within 300 feet of the subject property;

(c) neighborhood organization; and

(d) parties to an appeal.

(C) For a notice required to be given under this subsection, the director shall give notice of a public hearing before a board or commission or the Council by:

(1) mailing notice to a neighborhood organization not later than the 11th day before the date of a hearing scheduled before a board or commission and not later than the 16th day before the date of a hearing scheduled before the Council; and

(2) publishing notice not later than the 16th day before the date of a hearing before the Council.

(D) This subsection applies to public hearings on two or more matters related to the same property or development.

(1) One notice may be provided if the hearings are scheduled:

(a) on the same date before the same body; or

(b) before two or more bodies not later than the 45th day after the date of a notice.

(2) The director shall provide notice not later than the date the earliest notice is required.

(E) Notice provided under this section must:

(1) generally describe the subject matter of the public hearing;

(2) identify the applicant and the location of the subject property;

(3) identify the body holding the public hearing and the date, time, and place of the public hearing;

(4) if the decision of the body holding the public hearing may be appealed, describe the procedure and requirements for an appeal; and

(5) include the address and telephone number of the office from which additional information may be obtained.

Source: Section 13-1-200 and Section 13-1-202(b).

§ 25-1-133 NOTICE OF APPLICATIONS AND ADMINISTRATIVE DECISIONS.

(A) For notice required to be given under this subsection, the director shall mail notice not later than the 14th day after the filing of an application to the:

(1) applicant;

(2) notice owner of real property located within 300 feet of the subject property; and

(3) neighborhood organization.

(B) For notice required to be given under this subsection, the director shall mail notice not later than one day after an administrative decision to:

(1) the record owner of the subject property; and

(2) interested parties.

(C) Notice provided under this section must:

(1) describe the general nature of the application;

(2) identify the applicant and the location of the site;

(3) generally describe the proposed development;

(4) identify the entity that may approve the application;

(5) state the earliest date that action under a decision may occur;

(6) describe the procedure and requirements for becoming an interested party;

(7) if the decision may be appealed, describe the procedure for an appeal; and

(8) include the address and telephone number of the accountable official from whom additional information may be obtained.

(D) An accountable official may not make a decision on an application for which notice is required to be provided under this section earlier than the 14th day after the date the notice is issued. The director may permit the decision to be made sooner.

Source: Section 13-1-201 and Section 13-1-202(c).

§ 25-1-134 PROCEDURES AND REQUIREMENTS FOR NOTICE.

(A) Published notice is effective on the date a notice is published in a newspaper of general circulation in the city.

(B) Mailed notice is effective on the date a letter is deposited in a depository of the U.S. Post Office, postage paid, and addressed:

(1) to an applicant, by mailing notice to the property owner or agent at the address shown on the application or on a written change of address form filed with the director or building official;

(2) to a notice owner of real property, by mailing notice to the owner shown on the records of the county tax appraisal district;

(3) to a record owner of real property, by mailing notice to the owner at the street address of the property or, if the property does not have a street address, to the return address shown on the deed; and

(4) to a neighborhood organization, by mailing notice to the agent or officer of the organization at the mailing address specified in the City registration information.

(C) Notice by certified mail, return receipt requested, is only required if prescribed in this title.

(D) Notice by hand delivery may be substituted for notice by mail if the addressee provides a receipt of delivery.

(E) When mailed notice to a notice owner is required:

(1) except as provided in Subsection (E)(2), the director shall prepare the list of notice owners; or

(2) if the county tax appraisal district maintains ownership records on an automated data base that is not accessible by the City, the applicant shall provide a complete list of notice owners from information obtained from the tax appraisal district and shall certify its accuracy on a form provided by the director.

(F) The director shall notify a neighborhood organization of:

(1) an application concerning property located completely or partially within the boundaries of the neighborhood organization; and

(2) a proposed amendment to the text of this title or the Comprehensive Plan.

Source: Section 13-1-202(a) and (b).

§ 25-1-135 POSTING OF SIGNS.

(A) The director shall post a sign required by this title.

(B) A sign must:

(1) specify the type of action pending, the file number, and the name and telephone number of the person to contact for additional information;

(2) be visible from the street; and

(3) be spaced not more than 200 feet apart from another sign for the same application.

(C) If the street frontage of the subject property is less than 200 feet in length, only one sign is required. Not more than three signs are required regardless of the length of the street frontage.

(D) A person may not remove a sign before the earliest date on which action may be taken on the application.

(E) If requested by an applicant, the director may allow the applicant to post a sign. The applicant shall:

(1) place a sign on property in accordance with this section;

(2) provide verification of the placement of the sign in the manner prescribed by the director; and

(3) respond to a complaint not later than 24 hours after receiving the complaint.

Source: Section 13-1-202(d)

§ 25-1-151 CONDUCT OF PUBLIC HEARINGS.

(A) A person shall register to speak at a public hearing with the presiding officer of the body conducting the hearing in the manner provided by the presiding officer.

(B) A person who registers before the hearing may speak at the time provided in Subsection (E). A person who registers after the beginning of a hearing may speak before the close of the hearing with the permission of the presiding officer.

(C) The speaker registration shall identify the name and mailing address of the speaker and the matter to be addressed.

(D) A speaker shall state the speaker's name at the beginning of the speaker's presentation when addressing the body conducting the hearing.

(E) Except as provided in Article 7 *(Appeals, Variances, Special Exceptions, And Adjustments)*, a public hearing shall proceed as follows:

(1) presentation of a report by City staff;

(2) presentation by the applicant, for a hearing on an application;

(3) presentation by interested parties supporting the application or proposal;

(4) presentation by interested parties opposing the application or proposal;

(5) rebuttal by the applicant, for a hearing on an application.

(F) A member of the body conducting the public hearing may ask questions of a person at any time during the hearing. With the approval of the presiding officer, a person may ask a question of another person.

(G) The body conducting a public hearing may limit a speaker's time to address the body. The presiding officer may request that a speaker eliminate repetitious or irrelevant testimony.

Source: Section 13-1-241.

§ 25-1-152 POSTPONEMENT AND CONTINUATION OF PUBLIC HEARINGS.

(A) The body conducting a public hearing may:

(1) postpone a public hearing by announcing the postponement on the date and at the time and location stated in the notice for the scheduled hearing; and

(2) continue a public hearing to a later date by announcing the continuance after the hearing begins.

(B) If the body conducting a public hearing postpones or continues a hearing to a specific date and time not later than 60 days after the date on which the postponement or continuance is announced, the announcement is adequate notice of the next hearing and additional notice is not required.

(C) When a body conducting a public hearing postpones or continues a hearing, the next hearing shall be held at the same location as the original hearing unless a change in location is announced at the time of the postponement or continuance.

(D) If a body does not specify a hearing date and time at the time that a postponement or continuance is announced, notice of the next hearing shall be provided in the manner required for the original hearing.

Source: Section 13-1-203.

§ 25-1-153 CHANGE OF LOCATION OF PUBLIC HEARINGS.

(A) The presiding officer of the body conducting a public hearing may change the location of a hearing for good cause.

(B) The presiding officer shall post a sign notifying the public of the change of location. The sign must:

(1) be prominently displayed at the original location of the hearing on the date and at the time of the original hearing;

(2) identify the hearing being relocated;

(3) state the time, date, and new location of the hearing; and

(4) provided an explanation for relocation.

(C) The hearing shall be postponed a sufficient period of time to provide a reasonable opportunity for interested parties to travel from the original location to the new location of the hearing.

Source: Section 13-1-203.

§ 25-1-154 RECORD OF PUBLIC HEARING.

(A) The body conducting a public hearing shall record each public hearing on audio tape or video tape.

(B) The official record of a public hearing includes:

(1) the audio tape or video tape recording of the public hearing;

(2) written staff reports; and

(3) documentary evidence submitted during a public hearing.

(C) A person may review the official record of a public hearing.

(D) The custodian of the records of the body conducting the hearing may establish rules regarding the time and location for review of the record.

Source: Section 13-1-242.

ARTICLE 7: APPEALS, VARIANCES, SPECIAL EXCEPTIONS, AND ADJUSTMENTS

DIVISION 1: APPEALS

§ 25-1-181 STANDING TO APPEAL.

An interested party has standing to appeal a decision. A body holding a public hearing on an appeal shall determine whether a person is an interested party.

Source: Section 13-1-250.

§ 25-1-182 INITIATING AN APPEAL.

An interested party may initiate an appeal by filing a notice of appeal with the director or building official, as applicable, not later than:

(1) *the 14th day after the date of the decision of a board or commission; or*

(2) the 20th day after an administrative decision.

Source: Section 13-1-251(a).

§ 25-1-183 INFORMATION REQUIRED IN NOTICE OF APPEAL.

The notice of appeal must be on a form prescribed by the director or building official and must include:

(1) the name, address, and telephone number of the appellant;

(2) the name of the applicant, if the appellant is not the applicant;

(3) the decision being appealed;

(4) the date of the decision;

(5) a description of the appellant's status as an interested party; and

(6) the reasons the appellant believes the decision does not comply with the requirements of this title.

Source: Section 13-1-251(a).

§ 25-1-184 NOTICE TO APPLICANT CONCERNING INTERESTED PARTY.

The director shall notify an applicant in writing if there is an interested party to an administrative decision.

Source: Section 13-1-251(b).

§ 25-1-185 NOTICE TO PRESIDING OFFICER AND APPLICANT.

On receipt of a notice of appeal or an amendment of a notice, the director or building official shall promptly notify the presiding officer of the body to which the appeal is made and, if the applicant is not the appellant, the applicant.

Source: Section 3-1-253(a).

§ 25-1-186 MEETING TO RESOLVE ISSUES.

If requested by an interested party, the director shall schedule a meeting to discuss and attempt to resolve the issues raised by an appeal of an administrative decision. The director shall notify all interested parties of a meeting scheduled under this section. All interested parties may attend the meeting.

Source: Section 13-1-251(b).

§ 25-1-187 DEVELOPMENT NOT PERMITTED DURING APPEAL.

(A) Development under a site plan may not occur during the time period during which an appeal of the site plan may be initiated.

(B) An approved plan or permit is suspended on the timely filing of an appeal of the plan or permit.

(C) Development affected by an appeal may not occur pending the final disposition of the appeal.

Source: Section 13-1-252.

§ 25-1-188 SCHEDULING OF PUBLIC HEARING.

A public hearing on an appeal shall be scheduled for the first available meeting for which notice of the hearing can be timely provided.

Source: Section 13-1-253(b).

§ 25-1-189 NOTICE OF PUBLIC HEARING.

(A) The director shall give notice under Section 25-1-132(B) *(Notice Of Public Hearing)* of a public hearing on an appeal to the Council.

(B) Except as provided in Subsection (C), the director shall give notice under Section 25-1-132(A) *(Notice Of Public Hearing)* of a public hearing on an appeal to a board or commission.

(C) The director shall give notice under Chapter 25-12 *(Technical Codes)* and applicable state law of a public hearing on an appeal to a board or commission created by Chapter 25-12 *(Technical Codes)* or having jurisdiction over regulations contained in Chapter 25-12 *(Technical Codes)*.

Source: Section 13-1-253(b).

§ 25-1-190 APPELLATE BURDEN.

The appellant must establish that the decision being appealed is contrary to applicable law or regulations.

Source: Section 13-1-254.

§ 25-1-191 CONDUCT OF PUBLIC HEARING.

(A) Before opening a hearing, a body hearing an appeal shall decide preliminary issues raised by the parties, including whether to postpone or continue the hearing and whether the appellant has standing to appeal.

(B) A public hearing on an appeal shall proceed in the following order:

(1) a report from City staff;

(2) a presentation by the appellant;

(3) comment by persons supporting the appeal;

(4) comment by persons opposing the appeal; and

(5) a rebuttal by the appellant.

Source: Section 13-1-255.

§ 25-1-192 POWER TO ACT ON APPEAL.

A body hearing an appeal may, in accordance with the requirements of this title, exercise the power of the official or body whose decision is appealed. A decision may be upheld, modified, or reversed.

Source: Section 13-1-256.

DIVISION 2: VARIANCES

§ 25-1-211 APPLICATION FOR A VARIANCE.

(A) A person may file an application for a variance with:

(1) the building official for a variance granted by the Board of Adjustment; or

(2) the director for a variance granted by the Planning Commission or the Council.

(B) An application may include a request for:

(1) variances from regulations applicable to the same site; or

(2) similar variances on two or more adjacent parcels with similar characteristics.

(C) The building official or director may require that the applicant provide information that the building official or director determines is necessary to evaluate the variance request.

Source: Section 13-1-280.

§ 25-1-212 REPORT.

(A) For an application for a variance requiring consideration by the Board of Adjustment, the building official shall prepare and file a report with the board not later than the 11th day before the public hearing.

(B) For an application for a variance requiring consideration by the Planning Commission, the director shall prepare and file a report with the Planning Commission not later than the 11th day before the public hearing.

(C) The building official shall make a report described in this section available to the public when the report is filed with the Board of Adjustment or Planning Commission.

Source: Section 13-1-281 and 13-1-282.

§ 25-1-213 REVIEW BY THE ENVIRONMENTAL BOARD.

(A) This section applies to an application for a variance from the requirements of Chapter 25-8, Subchapter A *(Water Quality)*.

(B) The Environmental Board shall consider an application for a variance and forward its recommendation to the Planning Commission.

(C) The Planning Commission shall consider the Environmental Board's recommendation before acting on a variance.

Source: Section 13-1-283(b).

§ 25-1-214 PUBLIC HEARING AND NOTICE.

(A) The Board of Adjustment or Planning Commission, as applicable, shall hold a public hearing on an application for a variance not later than the 45th day after the date the application is filed.

(B) The building official or director, as applicable, shall give notice under Section 25-1-132(A) *(Notice Of Public Hearing)* of a public hearing on an

application for a variance, and, for a variance heard by the Board of Adjustment, by posting one or more signs.

Source: Section 13-1-283(a).

§ 25-1-215 ACTION ON AN APPLICATION.

(A) Except as otherwise provided in this chapter, the Board of Adjustment or the Planning Commission shall act on an application for a variance not later than the next meeting after the public hearing is closed.

(B) The Board of Adjustment or the Planning Commission may:

(1) approve an application for a variance;

(2) approve an application for a variance with modifications; or

(3) deny an application for a variance.

(C) The Board of Adjustment or the Planning Commission may require that a variance be:

(1) revocable;

(2) effective for a specified time period; or

(3) subject to one or more conditions.

Source: Section 13-1-284.

§ 25-1-216 EFFECTIVE DATE OF VARIANCE.

(A) Except as provided in Subsection (B), a decision on a variance is effective immediately.

(B) If a variance is appealable, a decision on the variance is effective:

(1) except as provided in Subsection (B)(2), at the expiration of the time period during which an appeal may be filed; or

(2) if a notice of appeal is filed, when a final decision on the appeal is made.

Source: Section 13-1-285.

§ 25-1-217 EXPIRATION OF VARIANCE.

(A) Except as provided in Subsection (B), a variance expires:

(1) except as provided in Subsection (A)(2), one year after the effective date of the variance; or

(2) on the date established as a condition of approval.

(B) A variance expires on the date an approved plan or permit expires if:

(1) an application for approval of a plan or permit is submitted before a variance expires under Subsection (A); or

(2) the variance is granted in association with the approved plan or permit.

Source: Section 13-1-286.

§ 25-1-218 RESTRICTION ON SIMILAR APPLICATIONS.

If an application for a variance is denied or a variance is revoked, a person may not file an application for the same or a similar variance on the same or a substantially the same site for a period of one year from the date of denial or revocation.

Source: Section 13-1-287.

DIVISION 3: SPECIAL EXCEPTIONS

§ 25-1-231 EFFECT OF SPECIAL EXCEPTION.

A special exception allows a person to use or develop land in a manner not otherwise permitted by this title.

Source: Section 13-1-300.

§ 25-1-232 APPLICATION FOR A SPECIAL EXCEPTION.

(A) A person claiming a vested right to develop property that becomes subject to the City's zoning or extraterritorial jurisdiction may file an application for a special exception with the director.

(B) An application must be on a form prescribed by the director and must include:

(1) the name and address of the applicant;

(2) the address and legal description of the property;

(3) if the applicant is not the record owner of the property, proof that the applicant is the owner's agent;

(4) the date the property became subject to the City's zoning or extraterritorial jurisdiction;

(5) if the property was annexed, the date the Council scheduled public hearings on the annexation and the date notice of the public hearings was published in a newspaper of general circulation;

(6) if a governmental agency has approved or permitted development of the property in accordance with the claimed vested right, or if an application for an approval or permit is pending:

(a) the date the application was filed; and

(b) the date the application was approved;

(7) evidence that establishes reliance by the applicant on the status quo immediately before the property became subject to the City's zoning or extraterritorial jurisdiction; and

(8) evidence of a substantial and irrevocable commitment of resources uniquely suited to the proposed plan of development and which cannot be substantially recovered except by developing the property substantially as proposed.

(C) The director may require that the applicant submit additional information that the director determines is necessary to evaluate the vested right claim.

Source: Section 13-1-301(b).

§ 25-1-233 NOTICE OF APPLICATION.

The director shall give notice under Section 25-1-133(A) *(Notice Of Applications And Administrative Decisions)* of an application for a special exception.

Source: Section 13-1-301(c).

§ 25-1-234 APPROVAL OF A SPECIAL EXCEPTION; APPEAL.

(A) The director may grant or deny a special exception under Subsection (B).

(B) The director shall acknowledge and determine the scope of a vested right if the director determines that:

(1) the applicant reasonably relied on the status quo immediately before the property became subject to the City's zoning or extraterritorial jurisdiction;

(2) the applicant has made a substantial and irrevocable commitment of resources uniquely suited to a proposed plan of development and that cannot be substantially recovered except by developing the property substantially as proposed;

(3) the applicant has made a reasonable effort, under the circumstances and considering the stage of development of the property, to accommodate the public interest in enforcement of all applicable provisions of this title; and

(4) the proposed use or development, if finished in accordance with an approved special exception, will not endanger the public health, safety, or general welfare.

(C) The director may condition approval of a special exception under this section on the applicant's compliance with requirements established by the director.

(D) The director's decision must:

(1) be in writing;

(2) state the findings and conclusions;

(3) describe the scope and limitations of the special exception; and

(4) describe conditions of approval, if any.

(E) An interested party may appeal the director's decision under this section to the Planning Commission.

Source: Sections 13-1-302(b) and 13-1-303.

DIVISION 4: ADJUSTMENTS

§ 25-1-251 APPLICATION FOR ADJUSTMENT.

(A) An application for an adjustment under Chapter 25-8, Subchapter A, Article 12 *(Save Our Springs Initiative)* may be considered only in connection with the review of:

(1) a site plan;

(2) a subdivision; or

(3) other specific development project or proposal.

(B) An applicant may file an application for an adjustment with the director.

(C) An application for an adjustment must be on a form prescribed by the director and must include:

(1) the names and addresses of the applicant and the owner;

(2) the address and legal description of the property;

(3) proof that the applicant is either the record owner or the record owner's agent;

(4) identification of the section of Chapter 25-8, Subchapter A, Article 12 *(Save Our Springs Initiative)* that, as applied to the development project or proposal, the applicant claims violates the United States Constitution, the Texas Constitution, or federal or state statute, and the provisions violated;

(5) a statement of the factual basis for applicant's claims;

(6) a legal brief supporting applicant's claims; and

(7) a description of the adjustment requested, and an explanation of how the adjustment is the minimum required to comply with the conflicting law and provides maximum protection of water quality.

Source: Section 13-1-304.

§ 25-1-252 CONSIDERATION OF APPLICATION FOR ADJUSTMENT.

This section prescribes the order of process for an application for adjustment.

(1) The Law Department shall review an application for adjustment and advise the City Manager.

(2) The City Manager shall present the application and the City Manager's recommendation to the Council.

(3) The Council shall determine whether application of Chapter 25-8, Subchapter A, Article 12 *(Save Our Springs Initiative)* to the applicant's development project or proposal violates the United States Constitution, the Texas Constitution, or federal or state statute. An affirmative determination requires a three-quarters vote of the City Council. If the Council does not make an affirmative determination, the application is denied.

(4) This subsection applies if the Council makes an affirmative determination under Subsection (3).

(a) The Watershed Protection Utility shall review the application and advise the City Manager.

(b) The City Manager shall present the application and the City Manager's recommendation to the Council at a public hearing.

(c) After a public hearing, the City Council shall:

(i) determine the minimum adjustment required to comply with the conflicting law and provide maximum protection of water quality; and

(ii) grant the adjustment.

Source: Section 13-1-305.

ARTICLE 8: CONSTRUCTION MANAGEMENT

DIVISION 1: GENERAL

§ 25-1-281 APPLICABILITY.

This article applies to development that occurs under an approved subdivision construction plan or site plan in the planning jurisdiction of the City.

Source: Section 13-1-830.

§ 25-1-282 PRECONSTRUCTION CONFERENCE REQUIRED.

(A) Except as provided in Subsection (C), the owner of a project, or owner representative, shall participate in a preconstruction conference with accountable officials before starting construction under an approved site plan or subdivision construction plan,

(B) An owner, or owner representative, shall request the accountable official to schedule the preconstruction conference when the owner pays the required inspection fees.

(C) The Director of the Watershed Protection Department may waive the requirement for a preconstruction conference.

Source: Section 13-1-831(a).

§ 25-1-283 NOTICE OF CONFERENCE AND DISTRIBUTION OF PLANS.

(A) The accountable official shall provide notice of the conference to the following persons or entities not later than the second day before the conference:

(1) owner representative;

(2) consulting engineer;

(3) contractors;

(4) county engineers, as appropriate; and

(5) affected utilities and appropriate city departments.

(B) Before convening a preconstruction conference, the accountable official shall distribute approved plans for the development to the persons and entities receiving notice of the conference.

Source: Section 13-1-831(b).

§ 25-1-284 CONFERENCE PROCEDURE.

(A) The conference participants shall exchange telephone numbers and addresses at the conference.

(B) The participants shall discuss:

(1) the sequence of construction;

(2) start dates and schedule of events;

(3) erosion and sedimentation controls;

(4) traffic control barricades;

(5) site supervision;

(6) emergency response;

(7) special conditions or provisions of plans or specifications;

(8) final acceptance guidelines; and

(9) publishing and distribution of minutes of the conference.

Source: Section 131-831(b).

§ 25-1-285 MINUTES OF CONFERENCE.

Before construction begins, the owner's consulting engineer shall prepare and distribute minutes of the preconstruction conference. Conference participants may file exceptions to the minutes. The engineer shall distribute copies of exceptions to the conference participants and shall include the exceptions in the inspection file.

Source: Section 13-1-831(b).

§ 25-1-286 INSPECTION REQUESTS.

(A) The central dispatcher for the City shall coordinate contact between a permittee and an inspector.

(B) A permittee shall contact the central dispatcher to request an inspection.

(C) The accountable official may:

(1) require that a request be made 48 hours before the date the inspection is desired; and

(2) specify the manner in which the request is made.

(D) The central dispatcher shall maintain inspection requests for the city departments.

Source: Section 13-1-833.

§ 25-1-287 INSPECTION RECORD CARD.

(A) A permittee may not begin work under a permit until an inspection record card is posted on the site.

(B) The permittee shall post the card in a readily accessible location.

(C) The inspector shall note each inspection on the record card.

(D) The permittee shall post the record card until the accountable official finds that the permittee meets all City requirements.

Source: Section 13-1-834.

§ 25-1-288 INSPECTION OF EROSION AND SEDIMENTATION CONTROLS AND TREE PROTECTION MEASURES.

(A) The owner shall request an inspection of erosion and sedimentation controls and tree protection measures after the owner installs the controls and measures.

(B) The accountable official shall schedule the inspection. The owner, consulting engineer, and contractor shall attend the inspection.

(C) During the inspection, the owner shall:

(1) demonstrate that the erosion and sedimentation controls and tree protection measures comply with the City's Environmental Criteria Manual; and

(2) present a plan to the inspector that includes future erosion and sedimentation controls, drainage, and utility and street layout.

(D) After two days notice to the owner, the inspector may modify the approved erosion control and construction sequencing if:

(1) the inspector determines that the plans are inadequate;

(2) the inspector confirms the determination with the accountable official in the Watershed Protection Department; and

(3) the accountable official provides written approval of the modification.

(E) The inspector may make minor changes to the erosion control and construction sequencing plans without written approval from an accountable official in the Watershed Protection Department if the modification upgrades erosion controls or reflects construction progress.

(F) Except as provided in Subsection (G), the owner may not begin construction until the accountable official determines that the erosion and sedimentation controls and tree protection measures comply with City requirements.

(G) If the accountable official does not conduct an inspection on or before the fifth day after receiving a request, the owner may proceed with construction.

Source: Section 13-1-832.

§ 25-1-289 REINSPECTION FEE.

(A) Except as provided in Subsection (B), the director may charge a reinspection fee if at the time that an inspector attempts to conduct an inspection, the permittee:

(1) has not finished the work to be inspected;

(2) has not finished corrections previously required by an inspector;

(3) has not posted the record inspection card;

(4) does not make approved plans readily available to the inspector; or

(5) does not provide access to the work on the scheduled inspection date.

(B) Work that was rejected at the first inspection for failure to comply with a technical code may be reinspected without payment of a reinspection fee.

(C) If a reinspection fee is due, additional inspections may not be performed until the reinspection fee is paid.

Source: Section 13-1-835.

DIVISION 2: SUBDIVISION CONSTRUCTION

§ 25-1-311 DISTRIBUTION OF APPROVED PLANS.

The director shall deliver two copies of the released subdivision construction plans and approved plan revisions to the accountable official for inspection.

Source: Section 13-1-860.

§ 25-1-312 SUBSTANTIAL COMPLETION NOTICE.

(A) Approximately 10 days before work under the subdivision construction plans is finished, the owner shall notify the accountable official in writing that the work is substantially complete and shall request a list of work to be completed.

(B) On the day that the owner provides notice under Subsection (A), the consulting engineer shall submit a construction summary report to the accountable official.

Source: Section 13-1-861.

§ 25-1-313 FINAL INSPECTION.

(A) Not later than the fourth day after the owner gives written notice that work under a subdivision construction plan is substantially complete, the accountable official shall:

(1) review the work; and

(2) prepare a report identifying work that does not comply with the construction plans and work that must be performed before the accountable official issues a final acceptance letter.

(B) When the owner finishes the work listed in the report issued under Subsection (A), the accountable official shall modify the report to reflect that the required work is finished.

Source: Section 13-1-862.

§ 25-1-314 ACCEPTANCE BY THE CITY.

(A) The accountable official shall schedule a final acceptance meeting at the site and shall invite the:

(1) consulting engineer;

(2) contractors, as appropriate;

(3) county engineer, as appropriate;

(4) staff of affected utilities and City departments;

(B) The accountable official may not issue a final acceptance letter until:

(1) work identified in the accountable official's report has been completed;

(2) the following items have been submitted:

(a) construction summary report;

(b) consulting engineer's concurrence letter;

(c) reproducible plans, certified "as built" by the consulting engineer;

(d) required one-year warranty bonds;

(e) cash or cashier's check for balances due, if any; and

(3) if the owner executed a developer contract, the conditions of the contract have been satisfied.

(C) The accountable official shall issue an acceptance letter to an owner who meets the requirements of Subsection (B). If the owner has not satisfied all requirements, the accountable official shall issue a list of requirements that the owner must satisfy.

Source: Section 13-1-863.

DIVISION 3: SITE CONSTRUCTION

§ 25-1-331 DISTRIBUTION OF APPROVED PLANS.

(A) The director shall forward to the accountable official two copies of the approved site plan, approved building permit construction plan, approved revision, and applicable specifications for a development.

(B) The building official shall provide a copy of the approved plans required by Subsection (A) to the owner. The owner shall retain the plans at the site during construction and inspections.

Source: Section 13-1-900.

§ 25-1-332 GRADING, DRAINAGE, AND WATER QUALITY FACILITIES.

(A) During construction, the accountable official shall inspect land grading, drainage, and detention and water quality control facilities to determine whether the facilities comply with the released site plan.

(B) After construction of the land grading, drainage, and detention and water quality control facilities on a site is finished, the design engineer must submit a letter to the accountable official stating that the project substantially complies with the approved construction plans.

(C) The accountable official shall perform the final inspection of the facilities after the design engineer submits the letter described in Subsection (B).

(D) Except as provided in Subsection (E), the accountable official may issue a certificate of occupancy or compliance only if the land grading, drainage, and detention and water quality facilities have been completed in accordance with the requirements of the Code, site plan, and building permit construction plan.

(E) Except in the Barton Springs Zone, the accountable official may issue a certificate of compliance or certificate of occupancy before the construction is finished if:

(1) the accountable official determines that the unfinished construction is minor and the facility, as constructed, can perform the task for which it was designed; and

(2) the owner executes an agreement on a form prescribed by the accountable official providing for the finishing of the construction and the posting of fiscal security in the amount and for the length of time determined by the accountable official.

Source: Section 13-1-901.

§ 25-1-333 CONNECTION OF CITY UTILITIES.

(A) Except as provided in Subsection (B), City utilities may be provided to a property if:

(1) for a property located in the extraterritorial jurisdiction of the City, the accountable official issues a certificate of compliance for the development and signs a final acceptance letter for the subdivision infrastructure; or

(2) for a property located in the City's zoning jurisdiction, the building official issues a certificate of occupancy for the building.

(B) If required erosion and sedimentation controls are finished, the accountable official may authorize a temporary electrical connection:

(1) to test building service equipment before a certificate of occupancy or certificate of compliance has been issued; or

(2) to provide electrical service to a building for which a temporary certificate of occupancy has been issued.

Source: Section 13-1-905.

ARTICLE 9: CERTIFICATES OF COMPLIANCE AND OCCUPANCY

§ 25-1-361 CERTIFICATE REQUIRED.

(A) In the zoning jurisdiction and in a municipal utility district that has a consent agreement with the City requiring the issuance of a building permit, a person may not use, occupy, or change the existing use or occupancy of a structure unless the building official has issued a certificate of occupancy for the structure.

(B) In the planning jurisdiction:

(1) for development that does not require a site plan, a person may not use or occupy a structure unless the accountable official has issued a certificate of compliance for the subdivision infrastructure; and

(2) for development that requires a site plan, a person may not use or occupy the development included in the site plan unless the accountable official has issued certificates of compliance for the site plan and the subdivision infrastructure.

Source: Sections 13-1-903, 13-1-904, and 13-1-906.

§ 25-1-362 ISSUANCE OF CERTIFICATE OF COMPLIANCE.

The accountable official shall issue a certificate of compliance if the development has been completed in accordance with the released site plan, construction plans, and other ordinance requirements, as applicable, and for subdivision infrastructure:

(1) in the extraterritorial jurisdiction, the accountable official has signed a final acceptance letter; or

(2) in the zoning jurisdiction:

(a) the accountable official has signed a final acceptance letter; or

(b) the accountable official and the developer have executed a developer agreement.

Source: Section 13-1-903.

§ 25-1-363 ISSUANCE OF CERTIFICATE OF OCCUPANCY.

(A) Except as provided in Section 25-1-364 *(Temporary Certificate Of Occupancy)* and Section 25-1-365 *(Exemption From Compliance)* of this article, the building official shall issue a certificate of occupancy if:

(1) the development has passed required inspections;

(2) the owner satisfies fiscal security requirements;

(3) the development has been completed in accordance with the released site plan, construction plans, and other ordinance requirements, as applicable; and

(4) the accountable official City has signed a final acceptance letter for subdivision infrastructure or the accountable official and the developer have executed a developer agreement, if applicable.

Source: Section 13-1-904(a).

§ 25-1-364 TEMPORARY CERTIFICATE OF OCCUPANCY.

(A) A person may file an application with the building official for a temporary certificate of occupancy before the building or structure is finished.

(B) The building official may issue a temporary certificate of occupancy if the building official determines that the proposed use or occupancy is not a hazard to life, health, or the public safety.

Source: Section 13-1-904(b).

§ 25-1-365 EXEMPTION FROM COMPLIANCE.

(A) This section applies to an existing use or occupancy for which a certificate of occupancy was not issued if:

(1) the structure in which the use or occupancy occurs existed before March 1, 1986;

(2) the use or occupancy was established before March 1, 1986;

(3) the use or occupancy was not subject to an enforcement action on January 1, 1988;

(4) the use is a permitted use or is a nonconforming use; and

(5) the use is not an adult-oriented business use.

(B) The building official shall issue a certificate of occupancy for a use or occupancy described in Subsection (A) if the building official determines that continuing the existing use or occupancy is not a hazard to life, health, or the public safety.

(C) The building official shall issue a certificate of occupancy under Subsection (B) notwithstanding the noncompliance of an existing use or occupancy or of a building in which the use or occupancy occurs with applicable technical code requirements or site development regulations.

Source: Section 13-1-732(f).

ARTICLE 10: ENFORCEMENT

DIVISION 1: COMPLIANCE REQUIRED; INSPECTION

§ 25-1-391 COMPLIANCE WITH TITLE REQUIRED.

A person shall comply with the requirements of this title.

Source: Section 13-1-60.

§ 25-1-392 INSPECTION.

(A) A permit holder must, as a condition of the permit, to allow City inspectors to enter and inspect the land or premises that is the subject of the permit.

(B) An applicant for an approval under this title shall agree in writing to allow City inspectors to enter and inspect the land or premises that is the subject of the application during approval and development.

(C) Entry and inspection under this section must be at a reasonable time for the purpose of investigating or enforcing the requirements of this title.

(D) If the premises are occupied, the City inspector shall present the inspector's credentials and request entry. If the premises are unoccupied, the inspector shall attempt to contact a responsible person and request entry.

Source: Section 13-1-74.

§ 25-1-393 COPY OF RELEASED SITE PLAN AT DEVELOPMENT SITE.

(A) A contractor shall keep a copy of the released site plan at the development site and allow a City inspector to examine it on request.

(B) A contractor's failure to produce the copy of the released site plan on request by a City inspector is prima facie evidence that a released site plan does not exist.

Source: Section 13-1-72(c).

§ 25-1-394 COPY OF RIGHT-OF-WAY USE PERMIT TO BE KEPT ON-SITE.

(A) A permit holder shall keep a copy of the right of way use permit in an accessible place on the construction site or business premises during the period for which the permit is valid.

(B) A permit must state the name of the site manager, supervisor, project superintendent, or prime contractor to be contacted by the inspector or police officer if problems exist.

(C) A permit holder's failure to produce a copy of the permit on request from a police officer, representative of the Public Works and Transportation Department, or City Building Inspector, is prima facie evidence that a permit does not exist.

Source: Section 13-1-71(b).

DIVISION 2: SUSPENSION AND REVOCATION

§ 25-1-411 SUSPENSION OF A PERMIT OR LICENSE.

(A) The accountable official may suspend a permit or license if the official determines that:

(1) the permit or license was issued in error; or

(2) the permit or license holder has not complied with the requirements of this title.

(B) A suspension is effective until the official determines that the permit holder has complied with the requirements of this title.

Source: Section 13-1-63 (a).

§ 25-1-412 SUSPENSION OF A RELEASED SITE PLAN OR APPROVED SUBDIVISION CONSTRUCTION PLAN.

(A) The director may suspend a released site plan or an approved subdivision construction plan if the director determines that:

(1) the site plan was released in error;

(2) the subdivision construction plan was approved in error; or

(3) the development does not comply with this title.

(B) A suspension is effective until the director determines that the applicant has complied with the requirements of this title.

Source: Source 13-1-64 (a).

§ 25-1-413 SUSPENSION OF A CERTIFICATE OF OCCUPANCY.

(A) The building official may suspend a certificate of occupancy if the building official determines that:

(1) the certificate of occupancy was issued in error; or

(2) the structure does not comply with the requirements of the City Code.

(B) A suspension is effective until the building official determines that the person using the building has complied with the requirements of the City Code.

Source: Section 13-1-65 (a).

§ 25-1-414 SUSPENSION AND REVOCATION OF A RIGHT-OF-WAY USE PERMIT.

(A) The Director of the Public Works and Transportation Department may suspend a right-of-way use permit if the Director of the Public Works and Transportation Department determines that the permit holder has not complied with the requirements of the permit.

(B) The Director of the Public Works and Transportation Department may request review by the Compliance Review Committee of a proposed revocation or suspension. The Committee's findings are not binding on the Director of the Public Works and Transportation Department.

(C) The Director of the Public Works and Transportation Department may require that a person found in violation of a permit requirement pay an investigation fee before the director reinstates a suspended or revoked right-of-way use permit. The fee is one-third of the cost of the permit.

(D) A suspension is effective until the Director of the Public Works and Transportation Department determines that the person has complied with the requirements of the permit.

Source: Sections 13-1-66(a) and (d).

§ 25-1-415 SUSPENSION AND REVOCATION OF A VARIANCE OR SPECIAL EXCEPTION.

(A) If the accountable official determines that a person is not in compliance with a requirement of a variance or special exception, the accountable official may suspend the variance or special exception pending compliance.

(B) The body granting the variance or special exception shall hold a public hearing and determine whether the person is in compliance with the requirements of the variance or special exception.

(C) The body shall hold the public hearing not later than the 45th day after notification of the suspension under Section 25-1-418 *(Notice Of Suspension Or Revocation)* . The director shall give notice under Section 25-1-132(A) *(Notice Of Public Hearing)* of the public hearing.

(D) If the body determines that the person is not in compliance with a requirement of the variance or special exception, the body may revoke the variance or special exception or take other action to obtain compliance.

(E) The body's decision to revoke a variance or special exception is effective immediately.

Source: Sections 13-1-62 (a), (c), and (d).

§ 25-1-416 REVOCATION AFTER SUSPENSION.

The accountable official may immediately revoke a person's permit, license, released site plan, approved subdivision construction plan, certificate of occupancy, or right-of-way use permit that has been suspended if the accountable official determines that the person:

(1) did not comply in a reasonable time with the requirements of this title for which the suspension was ordered; or

(2) during the suspension, did not comply with other requirements of this title.

Source: Sections 13-1-63(a), 13-1-64(a) and (c). 13-1-65(a) and (c), 13-1-66(a) and (c).

§ 25-1-417 NOTICE OF INTENT TO SUSPEND OR REVOKE.

(A) An accountable official may give notice to the person affected of the official's intent to suspend or revoke a permit, license, released site plan, approved subdivision construction plan, certificate of occupancy, or right of way use permit under this division.

(B) The notice may specify a reasonable time for compliance with this title. If a time for compliance is specified, the accountable official may not suspend or revoke before the time for compliance has expired.

Source: Section 13-1-61.

§ 25-1-418 NOTICE OF SUSPENSION OR REVOCATION.

The accountable official shall give notice by certified mail, return receipt requested, under Section 25-1-132(B) *(Notice Of Public Hearing)* of a suspension or revocation by the official under this division.

Source: Sections 13-1-62(b) and (d), 13-1-63(b), 13-1-64(b), 13-1-65(b), and 13-1-66(b).

DIVISION 3: ORDERS

§ 25-1-441 STOP WORK ORDER.

(A) If the director determines that a person required to obtain a site plan, subdivision construction plan, or permit has not complied with a requirement of this title, the director may order the person to stop the development of or transportation of construction material to the site until the person complies with the requirements of this title.

(B) While a stop work order is in effect:

(1) a City inspection may not be performed, and work requiring an inspection may not be approved; and

(2) a person may not connect a utility at the site.

(C) If a stop work order is based on a failed inspection, a person may not further develop the site until the development passes a reinspection.

(D) If a stop work order is based on a health or safety hazard, a person may not further develop the site until the director determines that the development complies with the requirements of this title.

(E) If a stop work order is based on a violation of the requirements of this title for a right of way use permit, the order:

(1) must state that no work may be performed at the site if traffic is obstructed, unless the person obtains a right-of-way use permit;

(2) must state that noncompliance may result in the immediate removal of an obstruction from the right-of-way and the arrest of an equipment operator; and

(3) shall require the immediate removal of an obstruction or traffic control device in the public right-of-way.

(F) A City employee shall post a stop work order on the site and mail a copy of the order to the record owner.

Source: Sections 13-1-67(a), (b), (c), (e), (f), and (g).

§ 25-1-442 REMOVE OR RESTORE ORDER.

(A) If the building official determines that building service equipment regulated by the technical codes is hazardous to life, health, or property, the building official may order that the equipment be removed or restored to a safe condition.

(B) A remove or restore order must be in writing, posted on the site, and state a deadline by which compliance must be achieved.

(C) The building official shall mail a copy of the remove or restore order to the record owner.

(D) A person may not use or maintain building service equipment after a remove or restore order is posted.

Source: Section 13-1-68.

§ 25-1-443 ORDER TO CLEAR PUBIC RIGHT-OF-WAY.

Unless a person complies with the requirements of Chapter 15-12 *(Use Of Right-Of-Way)* for a right of way use permit, a police officer may order the person to immediately stop obstructing traffic and remove the obstruction from the public right-of-way. The police officer may:

(1) impound a vehicle, machinery, or equipment;

(2) order the driver to proceed to the Police Department;

(3) remove a barricade or traffic diverting device;

(4) issue a citation to a person who authorized or caused the violation; and

(5) arrest a person who does not comply with the order.

Source: Section 13-1-66 (e).

DIVISION 4: APPEAL; CRIMINAL ENFORCEMENT

§ 25-1-461 APPEAL.

(A) A person may appeal a stop work order, remove or restore order, revocation, or suspension issued under this division by giving written notice to the accountable official not later than the third day after:

(1) the stop work order or remove or restore order is posted; or

(2) the person receives notice of the revocation or suspension.

(B) The notice of appeal must contain:

(1) the name and address of the appellant;

(2) a statement of facts;

(3) the decision being appealed; and

(4) the reasons the decision should be set aside.

(C) The accountable official shall hear the appeal not later than the third working day after the appeal is filed. The appellant, the appellant's expert, and the department may offer testimony to the accountable official.

(D) The accountable official shall affirm or reverse the department's decision not later than the second working day after the hearing. The official shall give written notice of the decision and a statement of the reasons for the decision to the appellant.

(E) The appellant may appeal the accountable official's decision to the Planning Commission or appropriate technical board by giving written notice to the accountable official and the presiding officer of the Planning Commission or appropriate technical board not later than the third working day after receiving notice of the decision. The notice of appeal must contain the information described in Subsection (B).

(F) The Planning Commission or appropriate technical board shall hear the appeal at the next regularly scheduled meeting following receipt of the notice of appeal. An appeal is automatically granted if the Planning Commission or appropriate technical board does not hear the appeal before the 21st day following receipt of the notice of appeal.

(G) A stop work order, remove or restore order, suspension, or revocation remains in effect during the pendency of an appeal under this section.

Source: Section 13-1-69.

§ 25-1-462 CRIMINAL ENFORCEMENT.

(A) Criminal penalties for violations of this title are prescribed by Title 1 *(General Provisions)* of the City Code.

(B) A separate offense is committed each day that a violation of this title continues.

Source: Sections 13-1-60, 13-1-70, 13-1-71, and 13-1-72.

ARTICLE 11: AMENDMENT PROCEDURE

§ 25-1-501 INITIATION OF AMENDMENT.

(A) Other than the City Council, only the Planning Commission may initiate an amendment to the regulations in this title.

(B) An amendment to the zoning map may be initiated in accordance with the procedures in Chapter 25-2 *(Zoning)*.

Source: Sections 13-1-980 and 13-1-990.

§ 25-1-502 AMENDMENT; REVIEW.

(A) This section prescribes the procedure for amending the regulations in this title. The procedure for amending the zoning map is prescribed by Chapter 25-2 *(Zoning)*.

(B) The Council may amend this title after a public hearing. The Council must receive a recommendation required by Subsection (C), (D), or (E) before opening a public hearing or acting on an amendment.

(C) Except as provided in Subsection (D), Planning Commission review of a proposed amendment of this title is required. The Planning Commission must hold a public hearing on the proposed amendment before forwarding its recommendation to the Council.

(D) For a proposed amendment to or repeal of a technical code in Chapter 25-12 *(Technical Codes)*, review by the appropriate technical board, if any, is required.

(E) For a proposed amendment that only affects historic zoning, Historic Landmark Commission review is required. Historic Landmark Commission review must occur before the Planning Commission's review of the proposed

amendment. The Historic Landmark Commission shall forward its recommendation to the Planning Commission and the Council.

(F) Notice of a public hearing required by this section shall be provided in accordance with Section 25-1-132(C) *(Notice Of Public Hearing)*.

Source: Section 13-1-981.

ARTICLE 12: PROJECT DURATION

Source: Ordinance No. 970905-A.

§ 25-1-531 RELATIONSHIP TO OTHER LAW.

(A) This article does not extend a deadline for, or expiration date of, an application or approval under this title.

(B) This article supersedes any conflicting provisions of this title, of other ordinances outside the Code, and of any other rules or regulations adopted under the Code or ordinances.

§ 25-1-532 DEFINITIONS.

In this article:

(1) APPLICATION means an application for approval of a preliminary subdivision plan, final subdivision plat, or a site plan.

(2) CONSTRUCTION means:

(a) for a site plan, the construction of site plan improvements;

(b) for a subdivision, the construction of infrastructure including streets, utilities, water quality facilities, and drainage facilities; or

(c) for a building permit, the construction of the building for which the building permit is issued, but not the construction of any site improvement not a part of the building.

(3) DESIRED DEVELOPMENT ZONE means the area not within the Drinking Water Protection Zone.

(4) DRINKING WATER PROTECTION ZONE means the areas within the Barton Springs Zone, the Barton Creek Watershed, all Water Supply Rural Watersheds, and all Water Supply Suburban Watersheds that are in the City's planning jurisdiction.

(5) FIRST APPLICATION means the first application approved by the City for a project that requires more than one application approval.

(6) INTERESTED PARTY means a person described in Section 25-1-131 *(Interested Parties)* or an officer of an environmental organization registered with the director.

(7) NONPROFIT CORPORATION means a non-profit corporation that has been granted tax exempt status under 26 U.S.C. § 501(c)(3).

(8) NOTICE OF CONSTRUCTION means a notice required for construction other than construction that requires a building permit.

(9) ORIGINAL REGULATIONS means the regulations in effect on the date that the first application in a series of applications for a project was filed.

(10) PROJECT means a proposal for development that has a specific objective and that requires the approval of one or more applications.

(11) REGULATIONS means land development regulations contained in this title or the administrative rules adopted under the City Code.

(12) SMALL PROJECT means a project on less than five acres of land which has been under the continuous ownership by the applicant since August 31, 1987, and is not part of a larger project or development.

(13) SUBSEQUENT REGULATIONS means the regulations in effect on the date that an application other than the first application is filed.

§ 25-1-533 GENERAL RULES.

(A) Except as otherwise provided in this article, an application must comply with the regulations in effect on the date the application is filed.

(B) If a building permit for a building shown on a site plan or a notice of construction expires before construction begins, the project, including the preliminary subdivision plan, expires. If all building permits are not obtainedor a notice of construction is not filed within the time periods contained in Sections 25-1-534 *(Exceptions To Provide A One-Year Grace Period)* and 25-1-535 *(Exceptions To The General Rules)*, the project, including the preliminary subdivision, expires. In that circumstance, the applicant must file a new application and comply with the regulations in effect on the date of the new application.

(C) The expiration date of a site plan approved before September 6, 1997, controls over the exceptions prescribed in this article.

§ 25-1-534 EXCEPTIONS TO PROVIDE A ONE-YEAR GRACE PERIOD.

(A) If an application complies with Subsections (B) and (C), the application may comply with original regulations if all building permits are approved and a notice of construction is filed before September 6, 1998.

(B) This section applies to the following:

(1) except for a small project or a project that is owned by a non-profit corporation, an application for a project within the Drinking Water Protection Zone for which the first application was filed before September 1, 1987; or

(2) an application for a project within the Drinking Water Protection Zone or the Desired Development Zone for which the first application:

(a) was filed on or after September 1, 1987, and before September 6, 1997; and

(b) that was subject to an exemption from water quality regulations under Section 13-2-502 *(Exemptions)*.

(C) A project with an application described in Subsection (B) must have either:

(1) except as provided in Subsection (C)(2), obtained one or more approvals for a final subdivision plat, including subdivision construction plans for infrastructure, for at least 50 percent of the land

area within the project between September 1, 1992, and September 6, 1997; or

(2) obtained one or more approvals for a site plan, excluding subdivision construction plans for infrastructure, for at least 30 percent of the land area within the project between September 1, 1992, and September 6, 1997; or

(3) since September 1, 1992, has incurred direct costs for development of the project (exclusive of land acquisition, interest expense, attorneys fees, allocated corporate overhead, and ad valorem taxes) in the lesser amount of:

(a) 10 percent of the most recent appraised market value of the real property on which the project is located, as established by the applicable Appraisal District; or

(b) $ 1 million.

§ 25-1-535 EXCEPTIONS TO THE GENERAL RULES.

(A) The exceptions prescribed in this section do not apply to an application described in Section 25-1-534 *(Exceptions To Provide A One-Year Grace Period)* of this article.

(B) Within the Drinking Water Protection Zone, the following apply:

(1) Except as provided in Subsection (B)(3), an application for a single family residential subdivision for which the first application was filed on or after September 1, 1987, and before September 6, 1997, may comply with original regulations if a notice of construction is filed before September 6, 1999.

(2) Except as provided in Subsection (B)(3), an application for a project other than a single family residential subdivision project, for which the first application was filed on or after September 1, 1987, and before September 6, 1997, may comply with original regulations if an application for a site plan is approved before September 6, 1998, and all building permits are approved and a notice of construction is filed before September 6, 1999.

(3) An application for a small project or a project owned by a non-profit corporation for which the first application was filed before September 6, 1997, may comply with original regulations if all building permits are approved and a notice of construction is filed before September 6, 2000.

(4) An application for a project for which the first application was filed on or after September 6, 1997, may comply with original regulations if all building permits are approved and a notice of construction is filed within three years of the date the first application is filed.

(5) The applicant for a project for which the first application is filed on or after September 6, 1997, may request that the director grant a single one year extension of the deadline for building permit approval or the filing of notice of construction under Section 25-1-537 *(Extension Of Deadlines)*.

(C) In the Desired Development Zone, the following apply:

(1) An application for a project for which the first application was filed before September 1, 1987, may comply with original regulations if all building permits are approved and a notice of construction is filed before September 6, 1999.

(2) An application for a project for which the first application was filed on or after September 1, 1987, and before September 6, 1997, may comply with original regulations if all building permits are approved and a notice of construction is filed before September 6, 2002.

(3) An application for a project for which the first application is filed on or after September 6, 1997, may comply with original regulations if all building permits are approved and a notice of construction is filed within five years of the date the first application is filed.

§ 25-1-536 NOTICE OF CONSTRUCTION.

A notice of construction must be filed with the director and include a description of the improvements to be constructed. A notice of construction expires 180 days after the notice is filed unless construction has begun or at any time when construction is abandoned.

§ 25-1-537 EXTENSION OF DEADLINES.

(A) An applicant may file a request for an extension authorized by Section 25-1-535(B)(5) (*Exceptions To The General Rules)* with the director not later than 60 days before the deadline prescribed in Section 25-1-535(B)(4) (*Exceptions To The General Rules).*

(B) The director shall grant an extension if the applicant for the extension has:

(1) obtained one or more approvals for a final subdivision plat, including subdivision construction plans for infrastructure, for at least 50 percent of the land area within the project; or

(2) obtained one or more approvals for a site plan, excluding subdivision construction plans for infrastructure, for at least 30 percent of the land area within the project; or

(3) has incurred direct costs for development of the project (exclusive of land acquisition, interest expense, attorneys fees, allocated corporate overhead, and ad valorem taxes) in the lesser amount of:

(a) 10 percent of the most recent appraised market value of the real property on which the project is located, as established by the applicable Appraisal District; or

(b) $ 1 million.

§ 25-1-538 VOLUNTARY COMPLIANCE.

(A) This section applies to projects for which the first application was filed on or after September 1, 1987, and before September 6, 1997.

(B) An application for a project in the Drinking Water Protection Zone that may comply with original regulations may be withdrawn and a new application filed to comply with the regulations in effect on the date the new application is filed. If a new application is filed, all building permits must be approved and a notice of construction filed within 10 years of the date on which the new application is approved. The new application must reduce impervious cover as follows:

(1) Other than in the Barton Springs Zone, impervious cover must be reduced to not more than the lesser of 25 percent of net site area or of

the impervious cover limitations for the net site area under the regulations in effect for the original application; and

(2) Other than in the Barton Springs Zone, impervious cover must be reduced to not more than the lesser of 20 percent of the net site area in any portion of the recharge zones of the Northern Edwards Aquifer and Southern Edwards Aquifer located outside the Barton Springs Zone or of the impervious cover limitations for the net site area under the regulations in effect for the original application.

§ 25-1-539 INCENTIVES FOR UPDATING TO CURRENT REGULATIONS.

An application that may comply with original regulations may be withdrawn and a new application filed that complies with the regulations in effect on the date of the new application. As an incentive, the City Council may approve modifications of site development regulations, other than compatibility standards, water quality regulations, or drainage regulations.

§ 25-1-540 MANAGED GROWTH AGREEMENTS.

An applicant who files the first application for a project after September 5, 1997 may request that the City Council enter into a Managed Growth Agreement for planning and developing large projects, long term projects, or any project which has special benefits that are in the public interest. The agreement may specify the time period during which an application may comply with original regulations and shall establish an expiration date for each application necessary to complete the project if the otherwise applicable expiration date is to be extended.

§ 25-1-541 WAIVER OF FEES.

The director shall waive the filing fee for an application that is required to bring a project into compliance with subsequent regulations under this article.

§ 25-1-542 NONAPPLICABILITY; COUNCIL AGREEMENTS.

(A) This article does not apply to:

(1) Chapter 25-12, *(Technical Codes)*, or Chapter 25-3, *(Traditional Neighborhood District)*, of the City Code;

(2) all zoning regulations;

(3) ordinances and regulations for utility connections;

(4) ordinances and regulations to prevent the imminent destruction of property or injury to persons;

(5) ordinances and regulations regarding the construction of public works located on public lands and easements.

(6) ordinances and regulations necessary to comply with federal or state requirements.

(B) The following agreements are governed by their terms and laws applicable thereto and are not subject to this article:

(1) a planned development area agreement approved by the Council or a planned development area combining district;

(2) a site plan that was specifically incorporated by reference into a public restrictive covenant, and that may be modified, amended, or terminated by only the mutual agreement of the Council and the owners of the property encumbered by the restrictive covenant;

(3) a Planned Unit Development zoning district or a Planned Unit Development Agreement in the extra-territorial jurisdiction;

(4) a site plan approved by Council in connection with a zoning or rezoning request that was specifically incorporated by reference into the ordinance zoning the property covered by the site plan; or

(5) a municipal utility district consent agreement;

(6) a school district development agreement;

(7) a plan for development established in a litigation settlement agreement to which the City is a party; or

(8) Brackenridge Development Agreement.

CHAPTER 25-2
ZONING

SUBCHAPTER A
ZONING USES, DISTRICTS, AND MAP

ARTICLE 1: ZONING USES

§ 25-2-1 USE CLASSIFICATIONS

§ 25-2-2 DETERMINATION OF USE CLASSIFICATION

§ 25-2-3 RESIDENTIAL USES DESCRIBED

§ 25-2-4 COMMERCIAL USES DESCRIBED

§ 25-2-5 INDUSTRIAL USES DESCRIBED

§ 25-2-6 CIVIC USES DESCRIBED

§ 25-2-7 AGRICULTURAL USES DESCRIBED

ARTICLE 2: ZONING DISTRICTS

DIVISION 1: DISTRICTS GENERALLY

§ 25-2-31 PURPOSE OF DISTRICTS

§ 25-2-32 ZONING DISTRICTS AND MAP CODES

§ 25-2-33 HIERARCHY OF ZONING BASE DISTRICTS

DIVISION 2: RESIDENTIAL BASE DISTRICTS

§ 25-2-51	PURPOSES OF RESIDENTIAL DISTRICTS
§ 25-2-52	RESIDENTIAL DISTRICT DESIGNATIONS GENERALLY
§ 25-2-53	LAKE AUSTIN RESIDENCE (LA) DISTRICT DESIGNATION
§ 25-2-54	RURAL RESIDENCE (RR) DISTRICT DESIGNATION
§ 25-2-55	SINGLE FAMILY RESIDENCE LARGE LOT (SF-1) DISTRICT DESIGNATION
§ 25-2-56	SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT DESIGNATION
§ 25-2-57	FAMILY RESIDENCE (SF-3) DISTRICT DESIGNATION
§ 25-2-58	SINGLE FAMILY RESIDENCE SMALL LOT (SF-4A) DISTRICT DESIGNATION
§ 25-2-59	SINGLE FAMILY RESIDENCE CONDOMINIUM SITE (SF-4B) DISTRICT DESIGNATION
§ 25-2-60	URBAN FAMILY RESIDENCE (SF-5) DISTRICT DESIGNATION
§ 25-2-61	TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) DISTRICT DESIGNATION
§ 25-2-62	MULTIFAMILY RESIDENCE LIMITED DENSITY (MF-1) DISTRICT DESIGNATION
§ 25-2-63	MULTIFAMILY RESIDENCE LOW DENSITY (MF-2) DISTRICT DESIGNATION
§ 25-2-64	MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) DISTRICT DESIGNATION
§ 25-2-65	MULTIFAMILY RESIDENCE MODERATE - HIGH DENSITY (MF-4) DISTRICT DESIGNATION

§ 25-2-66 MULTIFAMILY RESIDENCE HIGH DENSITY (MF-5) DISTRICT DESIGNATION

§ 25-2-67 MULTIFAMILY RESIDENCE HIGHEST DENSITY (MF-6) DISTRICT DESIGNATION

§ 25-2-68 MOBILE HOME RESIDENCE (MH) DISTRICT DESIGNATION

DIVISION 3: COMMERCIAL BASE DISTRICTS

§ 25-2-91 PURPOSES OF COMMERCIAL DISTRICTS DESIGNATIONS

§ 25-2-92 COMMERCIAL DISTRICT DESIGNATIONS GENERALLY

§ 25-2-93 NEIGHBORHOOD OFFICE (NO) DISTRICT DESIGNATION

§ 25-2-94 LIMITED OFFICE (LO) DISTRICT DESIGNATION

§ 25-2-95 GENERAL OFFICE (GO) DISTRICT DESIGNATION

§ 25-2-96 COMMERCIAL RECREATION (CR) DISTRICT DESIGNATION

§ 25-2-97 NEIGHBORHOOD COMMERCIAL (LR) DISTRICT DESIGNATION

§ 25-2-98 COMMUNITY COMMERCIAL (GR) DISTRICT DESIGNATION

§ 25-2-99 LAKE COMMERCIAL (L) DISTRICT DESIGNATION

§ 25-2-100 CENTRAL BUSINESS DISTRICT (CBD) DESIGNATION

§ 25-2-101 DOWNTOWN MIXED USE (DMU) DISTRICT DESIGNATION

§ 25-2-102 WAREHOUSE/LIMITED OFFICE (W/LO) DISTRICT DESIGNATION

§ 25-2-103 GENERAL COMMERCIAL SERVICES (CS) DISTRICT DESIGNATION

§ 25-2-104 COMMERCIAL- LIQUOR SALES (CS-1) DISTRICT DESIGNATION

§ 25-2-105 COMMERCIAL HIGHWAY SERVICES (CH) DISTRICT DESIGNATION

DIVISION 4: INDUSTRIAL BASE DISTRICTS

§ 25-2-121 PURPOSES OF INDUSTRIAL DISTRICT DESIGNATIONS

§ 25-2-122 INDUSTRIAL DISTRICT DESIGNATIONS GENERALLY

§ 25-2-123 INDUSTRIAL PARK (IP) DISTRICT DESIGNATION

§ 25-2-124 MAJOR INDUSTRY (MI) DISTRICT DESIGNATION

§ 25-2-125 LIMITED INDUSTRIAL SERVICE (LI) DISTRICT DESIGNATION

§ 25-2-126 RESEARCH AND DEVELOPMENT (R&D) DISTRICT DESIGNATION

DIVISION 5: SPECIAL PURPOSE BASE DISTRICTS

§ 25-2-141 AGRICULTURAL (AG) DISTRICT DESIGNATION

§ 25-2-142 AVIATION SERVICES (AV) DISTRICT DESIGNATION

§ 25-2-143 DEVELOPMENT RESERVE (DR) DISTRICT DESIGNATION

§ 25-2-144 PLANNED UNIT DEVELOPMENT (PUD) DISTRICT DESIGNATION

§ 25-2-145 PUBLIC (P) DISTRICT DESIGNATION

§ 25-2-146 TRADITIONAL NEIGHBORHOOD (TN) DISTRICT DESIGNATION

DIVISION 6: COMBINING AND OVERLAY DISTRICTS

§ 25-2-161 CAPITOL DOMINANCE (CD) OVERLAY DISTRICT PURPOSE AND BOUNDARIES

§ 25-2-162 CAPITOL VIEW CORRIDOR (CVC) OVERLAY DISTRICT PURPOSE

§ 25-2-163 CENTRAL URBAN REDEVELOPMENT (CURE) COMBINING DISTRICT PURPOSE

§ 25-2-164 CONDITIONAL OVERLAY (CO) COMBINING DISTRICT PURPOSE

§ 25-2-165 CONGRESS AVENUE (CA) OVERLAY DISTRICT PURPOSE AND BOUNDARIES

§ 25-2-166 CONVENTION CENTER (CC) OVERLAY DISTRICT PURPOSE AND BOUNDARIES

§ 25-2-167 DOWNTOWN CREEKS (DC) OVERLAY DISTRICT PURPOSE AND BOUNDARIES

§ 25-2-168 DOWNTOWN PARKS (DP) OVERLAY DISTRICT PURPOSE AND BOUNDARIES

§ 25-2-169 EAST AUSTIN (EA) OVERLAY DISTRICT PURPOSE AND BOUNDARIES

§ 25-2-170 EAST SIXTH / PECAN STREET (PS) OVERLAY DISTRICT PURPOSE AND BOUNDARIES

§ 25-2-171 HISTORIC (H) COMBINING DISTRICT PURPOSE

§ 25-2-172 MIXED USE (MU) COMBINING DISTRICT PURPOSE

§ 25-2-173 NEIGHBORHOOD CONSERVATION (NC) COMBINING DISTRICT PURPOSE

§ 25-2-174 PLANNED DEVELOPMENT AREA (PDA) COMBINING DISTRICT PURPOSE

§ 25-2-175 WATERFRONT OVERLAY (WO) DISTRICT PURPOSE AND BOUNDARIES

ARTICLE 3: ZONING MAP

§ 25-2-191 ZONING MAP

§ 25-2-192 DETERMINATION OF DISTRICT BOUNDARIES

SUBCHAPTER B
ZONING PROCEDURES

ARTICLE 1: ZONING PROCEDURES GENERALLY

DIVISION 1: DISTRICT DESIGNATIONS

§ 25-2-221 DISTRICT DESIGNATION REQUIREMENTS

§ 25-2-222 DESIGNATION OF ANNEXED LAND

DIVISION 2: APPLICATIONS

§ 25-2-241 DISTINCTION BETWEEN ZONING AND REZONING

§ 25-2-242 INITIATION OF ZONING OR REZONING

§ 25-2-243 PROPOSED DISTRICT BOUNDARIES MUST BE CONTIGUOUS

§ 25-2-244 REZONING TO REPLACE A PUBLIC RESTRICTIVE COVENANT WITH A CONDITIONAL OVERLAY

§ 25-2-245 CONCURRENT PROCESSING OF MULTIPLE APPLICATIONS

§ 25-2-246 EXPIRATION OF APPLICATION

§ 25-2-247 RESTRICTIONS ON NEW APPLICATIONS

DIVISION 3: NOTICE OF FILING; DIRECTOR'S REPORT

§ 25-2-261 NOTICE OF APPLICATION FILING

§ 25-2-262 DIRECTOR'S REPORT
DIVISION 4: PUBLIC HEARING; ACTION

§ 25-2-281 SCHEDULING OF PUBLIC HEARING

§ 25-2-282 PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

§ 25-2-283 CITY COUNCIL PUBLIC HEARING AND ACTION

§ 25-2-284 REQUIREMENT FOR APPROVAL BY THREE-FOURTHS OF COUNCIL

ARTICLE 2: SPECIAL REQUIREMENTS FOR CERTAIN DISTRICTS

DIVISION 1: CENTRAL URBAN REDEVELOPMENT COMBINING DISTRICT

§ 25-2-311 CENTRAL URBAN REDEVELOPMENT (CURE) COMBINING DISTRICT APPLICABILITY

§ 25-2-312 CURE COMBINING DISTRICT REGULATIONS

DIVISION 2: CONDITIONAL OVERLAY COMBINING DISTRICTS

§ 25-2-331 CONDITIONAL OVERLAY (CO) COMBINING DISTRICTS GENERALLY

§ 25-2-332 CONDITIONAL OVERLAY (CO) COMBINING DISTRICT REGULATIONS

§ 25-2-333 SPECIAL NOTICE FOR CONDITIONAL OVERLAY (CO) COMBINING DISTRICT

DIVISION 3: HISTORIC LANDMARKS AND DISTRICTS

§ 25-2-351 HISTORIC DESIGNATION CRITERIA

§ 25-2-352 APPLICATION REQUIREMENTS

§ 25-2-353 HISTORIC LANDMARK COMMISSION PUBLIC HEARING REQUIREMENT

§ 25-2-354 HISTORIC LANDMARK COMMISSION REVIEW

§ 25-2-355 DESIGNATION ON ZONING MAP

§ 25-2-356 NOTICE OF DESIGNATION TO TAX APPRAISAL DISTRICT

§ 25-2-357 HISTORIC DISTRICT PRESERVATION PLAN

§ 25-2-358 MEDALLIONS

DIVISION 4: NEIGHBORHOOD CONSERVATION COMBINING DISTRICT

§ 25-2-371 NEIGHBORHOOD CONSERVATION (NC) COMBINING DISTRICT REGULATIONS

§ 25-2-372 REQUEST BY NEIGHBORHOOD ORGANIZATION

§ 25-2-373 NEIGHBORHOOD PLANS

§ 25-2-374 PUBLIC HEARINGS; NOTICE

§ 25-2-375 REQUIREMENT FOR APPROVAL BY THREE-FOURTHS OF COUNCIL

DIVISION 5: PLANNED UNIT DEVELOPMENTS

SUBPART A: PREVIOUS APPROVALS; PLANNED UNIT DEVELOPMENTS IN THE EXTRATERRITORIAL JURISDICTION

§ 25-2-391 PLANNED UNIT DEVELOPMENTS APPROVED BEFORE DECEMBER 15, 1988

§ 25-2-392 PLANNED UNIT DEVELOPMENTS IN THE EXTRATERRITORIAL JURISDICTION

SUBPART B: PROJECT ASSESSMENT; LAND USE PLAN

§ 25-2-401 PROJECT ASSESSMENT REQUIRED

§ 25-2-402 LAND USE PLAN REQUIRED

§ 25-2-403 LAND USE PLAN EXPIRATION AND AMENDMENT

SUBPART C: REGULATIONS; VARIANCES

§ 25-2-411 PLANNED UNIT DEVELOPMENT DISTRICT REGULATIONS

§ 25-2-412 VARIANCES

SUBPART D: DEVELOPMENT APPLICATIONS

§ 25-2-421 CONCURRENT CONSIDERATION OF DEVELOPMENT APPLICATIONS

§ 25-2-422 DEVELOPMENT APPLICATIONS MUST COMPLY WITH LAND USE PLAN

§ 25-2-423 REZONING IF DEVELOPMENT APPLICATIONS EXPIRE OR ARE NOT APPROVED

DIVISION 6: PLANNED DEVELOPMENT AREAS; MIXED USE COMBINING DISTRICTS

§ 25-2-441 PLANNED DEVELOPMENT AREAS GENERALLY

§ 25-2-442 MIXED USE (MU) COMBINING DISTRICTS GENERALLY

SUBCHAPTER C
USE AND DEVELOPMENT REGULATIONS

ARTICLE 1: GENERAL PROVISIONS

§ 25-2-471 INTERPRETATION GUIDELINES

§ 25-2-472 BOARD OF ADJUSTMENT VARIANCE AUTHORITY

§ 25-2-473 VARIANCE REQUIREMENTS

§ 25-2-474 REQUIRED FINDINGS

§ 25-2-475 APPEALS

ARTICLE 2: PRINCIPAL USE AND DEVELOPMENT REGULATIONS

DIVISION 1: REGULATION TABLES

§ 25-2-491 PERMITTED, CONDITIONAL, AND PROHIBITED USES

§ 25-2-492 SITE DEVELOPMENT REGULATIONS

DIVISION 2: REQUIREMENTS FOR ALL DISTRICTS

§ 25-2-511 DWELLING UNIT OCCUPANCY LIMIT

§ 25-2-512 LOT SIZE MINIMUM

§ 25-2-513 OPENNESS OF REQUIRED YARDS

§ 25-2-514 OPEN SPACE STANDARDS

§ 25-2-515 REAR YARD OF THROUGH LOT

DIVISION 3: EXCEPTIONS

§ 25-2-531 HEIGHT LIMIT EXCEPTIONS

§ 25-2-532 IMPERVIOUS COVER LIMIT EXCEPTIONS

§ 25-2-533 STREET YARD EXCEPTIONS IN CERTAIN COMMERCIAL AREAS

ARTICLE 3: ADDITIONAL REQUIREMENTS FOR CERTAIN DISTRICTS

DIVISION 1: RESIDENTIAL DISTRICTS

§ 25-2-551 LAKE AUSTIN (LA) DISTRICT REGULATIONS

§ 25-2-552 RURAL RESIDENCE (RR) DISTRICT REGULATIONS

§ 25-2-553 SINGLE-FAMILY RESIDENCE LARGE LOT (SF-1) DISTRICT REGULATIONS

§ 25-2-554 SINGLE-FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT REGULATIONS

§ 25-2-555 FAMILY RESIDENCE (SF-3) DISTRICT REGULATIONS

§ 25-2-556 ADDITIONAL IMPERVIOUS COVER IN SINGLE-FAMILY STANDARD LOT (SF-2) AND FAMILY RESIDENCE (SF-3) DISTRICTS

§ 25-2-557 SINGLE-FAMILY RESIDENCE SMALL LOT (SF-4A) DISTRICT REGULATIONS

§ 25-2-558 SINGLE-FAMILY RESIDENCE CONDOMINIUM SITE (SF-4B) DISTRICT REGULATIONS

§ 25-2-559 URBAN FAMILY RESIDENCE (SF-5) DISTRICT OR TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) DISTRICT RETIREMENT HOUSING USE

§ 25-2-560 MULTIFAMILY RESIDENCE LIMITED DENSITY (MF-1) DISTRICT REGULATIONS

§ 25-2-561 MULTIFAMILY RESIDENCE LOW DENSITY (MF-2) DISTRICT REGULATIONS

§ 25-2-562 MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) DISTRICT REGULATIONS

§ 25-2-563 MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY (MF-4) AND MULTIFAMILY RESIDENCE HIGH DENSITY (MF-5) DISTRICT REGULATIONS

§ 25-2-564 MULTIFAMILY RESIDENCE HIGHEST DENSITY (MF-6) DISTRICT REGULATIONS

§ 25-2-565 SPECIAL SETBACK REQUIREMENTS FOR CERTAIN RESIDENTIAL PROPERTY

DIVISION 2: COMMERCIAL DISTRICTS

§ 25-2-581 CENTRAL BUSINESS DISTRICT (CBD) DISTRICT REGULATIONS

§ 25-2-582 COMMERCIAL HIGHWAY (CH) DISTRICT REGULATIONS

§ 25-2-583 COMMERCIAL RECREATION (CR) DISTRICT REGULATIONS

§ 25-2-584 WAREHOUSE / LIMITED OFFICE (W/LO) DISTRICT REGULATIONS

§ 25-2-585 SPECIAL REQUIREMENTS FOR BUILDINGS IN CERTAIN COMMERCIAL DISTRICTS

DIVISION 3: INDUSTRIAL DISTRICTS

§ 25-2-601 INDUSTRIAL PARK (IP), MAJOR INDUSTRY (MI), AND LIMITED INDUSTRIAL SERVICE (LI) DISTRICT REGULATIONS

§ 25-2-602 RESEARCH AND DEVELOPMENT (R&D) DISTRICT USES

§ 25-2-603 RESEARCH AND DEVELOPMENT (R&D) DISTRICT REGULATIONS

DIVISION 4: SPECIAL PURPOSE DISTRICTS

§ 25-2-621 AGRICULTURAL (AG) DISTRICT REGULATIONS

§ 25-2-622 AVIATION SERVICES (AV) DISTRICT USES

§ 25-2-623 AVIATION SERVICES (AV) DISTRICT REGULATIONS

§ 25-2-624 PUBLIC (P) DISTRICT USES

§ 25-2-625 PUBLIC (P) DISTRICT REGULATIONS

DIVISION 5: COMBINING AND OVERLAY DISTRICTS

§ 25-2-641 CAPITOL DOMINANCE (CD) COMBINING DISTRICT REGULATIONS

§ 25-2-642 CAPITOL VIEW CORRIDOR (CVC) OVERLAY DISTRICT REGULATIONS

§ 25-2-643 CONGRESS AVENUE (CA), EAST SIXTH / PECAN STREET (PS), DOWNTOWN PARKS (DP), AND DOWNTOWN CREEKS (DC) COMBINING DISTRICT REGULATIONS

§ 25-2-644 CONVENTION CENTER (CC) COMBINING DISTRICT REGULATIONS

§ 25-2-645 EAST AUSTIN (EA) OVERLAY DISTRICT USE RESTRICTIONS

§ 25-2-646 MIXED USE (MU) COMBINING DISTRICT PERMITTED USES

§ 25-2-647 MIXED USE (MU) COMBINING DISTRICT REGULATIONS

§ 25-2-648 PLANNED DEVELOPMENT AREA (PDA) PERFORMANCE STANDARDS

§ 25-2-649 PLANNED DEVELOPMENT AREA (PDA) APPROVED BEFORE JANUARY 1, 1985

DIVISION 6: WATERFRONT OVERLAY DISTRICT REQUIREMENTS FOR TOWN LAKE PARK

§ 25-2-671 TOWN LAKE PARK TERMS

§ 25-2-672 TOWN LAKE PARK REGULATIONS

DIVISION 7: WATERFRONT OVERLAY DISTRICT AND *SUBDISTRICT* USES

§ 25-2-691 WATERFRONT OVERLAY (WO) DISTRICT USES

§ 25-2-692 WATERFRONT OVERLAY (WO) SUBDISTRICT USES

DIVISION 8: WATERFRONT OVERLAY DISTRICT AND SUBDISTRICT DEVELOPMENT REGULATIONS

SUBPART A: GENERAL PROVISIONS

§ 25-2-711 APPLICABILITY

§ 25-2-712 DEFINITIONS

§ 25-2-713 VARIANCES

§ 25-2-714 ADDITIONAL FLOOR AREA

SUBPART B: DISTRICT REGULATIONS; SPECIAL REGULATIONS

§ 25-2-721 WATERFRONT OVERLAY (WO) COMBINING DISTRICT REGULATIONS

§ 25-2-722 SPECIAL REGULATIONS FOR PUBLIC WORKS

§ 25-2-723 SPECIAL REGULATIONS FOR PUBLIC RIGHTS-OF-WAY

SUBPART C: SUBDISTRICT REGULATIONS

§ 25-2-731 AUDITORIUM SHORES SUBDISTRICT REGULATIONS

§ 25-2-732 BALCONES ROCK CLIFF SUBDISTRICT REGULATIONS

§ 25-2-733 BUTLER SHORES SUBDISTRICT REGULATIONS

§ 25-2-734 EAST RIVERSIDE SUBDISTRICT REGULATIONS

§ 25-2-735 FESTIVAL BEACH SUBDISTRICT REGULATIONS

§ 25-2-736 LAMAR SUBDISTRICT REGULATIONS

§ 25-2-737 MONTOPOLIS / RIVER TERRACE SUBDISTRICT REGULATIONS

§ 25-2-738 NORTH SHORE CENTRAL SUBDISTRICT REGULATIONS

§ 25-2-739 RAINEY STREET SUBDISTRICT REGULATIONS

§ 25-2-740 RED BLUFF SUBDISTRICT REGULATIONS

§ 25-2-741 SOUTH LAKESHORE SUBDISTRICT REGULATIONS

§ 25-2-742 SOUTH SHORE CENTRAL SUBDISTRICT REGULATIONS

§ 25-2-743 TRAVIS HEIGHTS SUBDISTRICT REGULATIONS

§ 25-2-744 UNIVERSITY / DEEP EDDY SUBDISTRICT REGULATIONS

§ 25-2-745 ZILKER PARK SUBDISTRICT REGULATIONS

ARTICLE 4: ADDITIONAL REQUIREMENTS FOR CERTAIN USES

DIVISION 1: RESIDENTIAL USES

§ 25-2-771 SINGLE-FAMILY RESIDENTIAL LOT SIZE IN MULTIFAMILY DISTRICTS

§ 25-2-772 SINGLE-FAMILY ATTACHED RESIDENTIAL USE

§ 25-2-773 DUPLEX RESIDENTIAL USE

§ 25-2-774 TWO-FAMILY RESIDENTIAL USE

§ 25-2-775 TOWNHOUSES

§ 25-2-776 CONDOMINIUM RESIDENTIAL USE

§ 25-2-777 LODGINGHOUSE RESIDENTIAL USE

§ 25-2-778 RETIREMENT HOUSING USE

DIVISION 2: COMMERCIAL USES

§ 25-2-801 ADULT-ORIENTED BUSINESSES

§ 25-2-802 ART AND CRAFT STUDIO USE

§ 25-2-803 COMMERCIAL BLOOD PLASMA CENTER CONDITIONAL USE REQUIREMENTS

§ 25-2-804 COMMUNICATION SERVICE FACILITIES

§ 25-2-805 DROP-OFF RECYCLING COLLECTION FACILITIES

§ 25-2-806 PLANT NURSERIES

§ 25-2-807 SPECIAL USE IN HISTORIC DISTRICT

§ 25-2-808 RESTAURANTS AND COCKTAIL LOUNGES

DIVISION 3: CIVIC USES

§ 25-2-831 COLLEGE OR UNIVERSITY

§ 25-2-832 PRIVATE SCHOOLS

§ 25-2-833 PUBLIC SCHOOL FACILITY STANDARDS

§ 25-2-834 PUBLIC SCHOOL FACILITY WAIVER

§ 25-2-835 SCHOOL DISTRICT DEVELOPMENT AGREEMENTS

§ 25-2-836 CLUB OR LODGE IN RESIDENTIAL DISTRICT

§ 25-2-837 COMMUNITY RECREATION

§ 25-2-838 EMPLOYEE RECREATION USE

§ 25-2-839 TELECOMMUNICATION TOWERS

§ 25-2-840 GROUP AND FAMILY HOMES

DIVISION 4: OTHER USES

§ 25-2-861 FACILITIES FOR HELICOPTERS AND OTHER NONFIXED WING AIRCRAFT

§ 25-2-862 RECYCLING CENTER

ARTICLE 5: ACCESSORY USES

§ 25-2-891	ACCESSORY USES GENERALLY
§ 25-2-892	APPLICABLE REGULATIONS
§ 25-2-893	ACCESSORY USES FOR A PRINCIPAL RESIDENTIAL USE
§ 25-2-894	ACCESSORY USES FOR A PRINCIPAL COMMERCIAL USE
§ 25-2-895	ACCESSORY USES FOR A COMMERCIAL RECREATION DISTRICT
§ 25-2-896	ACCESSORY USES FOR A PRINCIPAL INDUSTRIAL USE
§ 25-2-897	ACCESSORY USES FOR A PRINCIPAL CIVIC USE
§ 25-2-898	ACCESSORY USES FOR A PRINCIPAL AGRICULTURAL USE
§ 25-2-899	FENCES AS ACCESSORY USES
§ 25-2-900	HOME OCCUPATIONS
§ 25-2-901	ACCESSORY APARTMENTS

ARTICLE 6: TEMPORARY USES

§ 25-2-921	TEMPORARY USES DESCRIBED
§ 25-2-922	APPLICATION; APPROVAL; AND EXTENSION
§ 25-2-923	DETERMINATIONS
§ 25-2-924	CONDITIONS OF APPROVAL
§ 25-2-925	SITE RESTORATION

ARTICLE 7: NONCONFORMING USES

§ 25-2-941 NONCONFORMING USE DEFINED

§ 25-2-942 USES CONFORMING ON MARCH 1, 1984

§ 25-2-943 SUBSTANDARD LOT

§ 25-2-944 DAMAGED STRUCTURE USED FOR A NONCONFORMING USE

§ 25-2-945 ABANDONMENT OF NONCONFORMING USE

§ 25-2-946 DETERMINATION OF NONCONFORMING USE REGULATION GROUP

§ 25-2-947 NONCONFORMING USE REGULATION GROUPS

ARTICLE 8: NONCOMPLYING STRUCTURES

§ 25-2-961 NONCOMPLYING DEFINED

§ 25-2-962 STRUCTURES COMPLYING ON MARCH 1, 1984

§ 25-2-963 MODIFICATION AND MAINTENANCE OF NONCOMPLYING STRUCTURES

§ 25-2-964 RESTORATION AND USE OF DAMAGED OR DESTROYED NONCOMPLYING STRUCTURES

ARTICLE 9: LANDSCAPING

DIVISION 1: GENERAL PROVISIONS

§ 25-2-981 APPLICABILITY; EXCEPTIONS

§ 25-2-982 CONFLICTS WITH OTHER PROVISIONS

§ 25-2-983 FINAL INSPECTION

§ 25-2-984 LANDSCAPE MAINTENANCE REQUIREMENTS

DIVISION 2: REQUIREMENTS FOR A SITE PLAN

§ 25-2-1001 PROCEDURES

§ 25-2-1002 FISCAL SECURITY

§ 25-2-1003 GENERAL REQUIREMENTS

§ 25-2-1004 PLANTS

§ 25-2-1005 TREES

§ 25-2-1006 VISUAL SCREENING

§ 25-2-1007 PARKING LOTS

§ 25-2-1008 IRRIGATION REQUIREMENTS

DIVISION 3: ADDITIONAL SITE PLAN REQUIREMENTS IN HILL COUNTRY ROADWAY CORRIDORS

§ 25-2-1021 APPLICABILITY OF DIVISION

§ 25-2-1022 NATIVE TREES

§ 25-2-1023 ROADWAY VEGETATIVE BUFFER

§ 25-2-1024 RESTORING ROADWAY VEGETATIVE BUFFER

§ 25-2-1025 NATURAL AREA

§ 25-2-1026 PARKING LOT MEDIANS

§ 25-2-1027 VISUAL SCREENING

ARTICLE 10: COMPATIBILITY STANDARDS

DIVISION 1: GENERAL PROVISIONS

§ 25-2-1051 APPLICABILITY

§ 25-2-1052 EXCEPTIONS

DIVISION 2: DEVELOPMENT STANDARDS

§ 25-2-1061 STREET FRONTAGE FOR A CORNER SITE

§ 25-2-1062 HEIGHT LIMITATIONS AND SETBACKS FOR SMALL SITES

§ 25-2-1063 HEIGHT LIMITATIONS AND SETBACKS FOR LARGE SITES

§ 25-2-1064 FRONT SETBACK

§ 25-2-1065 SCALE AND CLUSTERING REQUIREMENTS

§ 25-2-1066 SCREENING REQUIREMENTS

§ 25-2-1067 DESIGN REGULATIONS

§ 25-2-1068 CONSTRUCTION OF PARKING LOTS AND DRIVEWAYS BY CIVIC USES PROHIBITED

DIVISION 3: WAIVERS

§ 25-2-1081 PLANNING COMMISSION OR COUNCIL WAIVER

§ 25-2-1082 ADMINISTRATIVE WAIVER FOR PROPERTY IN DEVELOPMENT RESERVE (DR) DISTRICT

ARTICLE 11: HILL COUNTRY ROADWAY REQUIREMENTS

DIVISION 1: GENERAL PROVISIONS

§ 25-2-1101 DEFINITIONS

§ 25-2-1102 APPLICABILITY

§ 25-2-1103 HILL COUNTRY ROADWAY CORRIDORS IDENTIFIED

§ 25-2-1104 EXCEPTIONS

§ 25-2-1105 WAIVERS

§ 25-2-1106 VOLUNTARY COMPLIANCE

§ 25-2-1107 HILL COUNTRY ROADWAY CORRIDOR FILES AND MAPS

DIVISION 2: DEVELOPMENT STANDARDS

§ 25-2-1121 INTENSITY ZONES

§ 25-2-1122 FLOOR-TO-AREA RATIO OF A NONRESIDENTIAL BUILDING

§ 25-2-1123 CONSTRUCTION ON SLOPES

§ 25-2-1124 BUILDING HEIGHT

§ 25-2-1125 LOCATION OF ON-SITE UTILITIES

§ 25-2-1126 BUILDING MATERIALS

§ 25-2-1127 IMPERVIOUS COVER

§ 25-2-1128 DEVELOPMENT BONUSES

§ 25-2-1129 CRITERIA FOR APPROVAL OF A DEVELOPMENT BONUS

ARTICLE 12: PRINCIPAL ROADWAY REQUIREMENTS

§ 25-2-1151 PRINCIPAL ROADWAYS AND PRINCIPAL ROADWAY AREAS DESCRIBED

§ 25-2-1152 APPLICABILITY

§ 25-2-1153 ACCESS REQUIREMENTS

§ 25-2-1154 LANDSCAPING

ARTICLE 13: BOAT DOCKS

§ 25-2-1171 APPLICABILITY

§ 25-2-1172 DEFINITIONS

§ 25-2-1173 PERMIT REQUIRED FOR DOCK CONSTRUCTION

§ 25-2-1174 STRUCTURAL REQUIREMENTS

§ 25-2-1175 LIGHTING AND ELECTRICAL REQUIREMENTS

§ 25-2-1176 REGULATIONS

§ 25-2-1177 DOCKS EXEMPT FROM CITY LICENSING REQUIREMENTS

§ 25-2-1178 FIRE PROTECTION

§ 25-2-1179 ENVIRONMENTAL PROTECTION

ARTICLE 14: MOBILE HOMES AND RECREATIONAL VEHICLE PARKS

DIVISION 1: MOBILE HOMES

§ 25-2-1201 APPLICABILITY

§ 25-2-1202 DEFINITIONS

§ 25-2-1203 LICENSE

§ 25-2-1204 APPEAL FROM DENIAL

§ 25-2-1205 SITE DEVELOPMENT REGULATIONS FOR MOBILE HOME PARKS

§ 25-2-1206 SITE DEVELOPMENT REGULATIONS FOR MOBILE HOME SUBDIVISIONS

§ 25-2-1207 LOCATION OF MOBILE HOMES OTHER THAN IN MOBILE HOME PARK

§ 25-2-1208 TIE-DOWN OF MOBILE HOMES

§ 25-2-1209 SKIRTING, PORCHES, AND OTHER ADDITIONS

§ 25-2-1210 OTHER RESPONSIBILITIES OF PARK MANAGEMENT

§ 25-2-1211 NOTICE TO CITY

§ 25-2-1212 OTHER RESPONSIBILITIES OF PARK OCCUPANTS

§ 25-2-1213 ANNUAL REGISTER

§ 25-2-1214 ACCESS FOR REPAIRS

§ 25-2-1215 PERMANENT RESIDENTIAL STRUCTURES

§ 25-2-1216 SITE REQUIREMENTS

§ 25-2-1217 STREET CONSTRUCTION; TRAFFIC ACCESS AND CIRCULATION; PARKING

§ 25-2-1218 STREET LIGHTING

§ 25-2-1219 FIRE SAFETY STANDARDS

§ 25-2-1220 RECREATION AREAS

§ 25-2-1221 POTABLE WATER SUPPLY

§ 25-2-1222 WATER DISTRIBUTION SYSTEM

§ 25-2-1223 STANDARDS FOR WATER RISER PIPES AND CONNECTIONS

§ 25-2-1224 SEWAGE DISPOSAL

§ 25-2-1225 ELECTRICAL WIRING AND POWER LINES

§ 25-2-1226 SERVICE BUILDINGS AND OTHER COMMUNITY SERVICE FACILITIES

§ 25-2-1227 REFUSE AND GARBAGE HANDLING

§ 25-2-1228 INSECT AND RODENT CONTROL

§ 25-2-1229 FUEL SUPPLY AND STORAGE

DIVISION 2: RECREATONS VEHICLE PARKS

§ 25-2-1261 DEFINITIONS

§ 25-2-1262 APPLICABILITY OF HOTEL LAWS; REGISTRATION OF GUESTS

§ 25-2-1263 SITE PLAN APPROVAL

§ 25-2-1264 HEALTH AUTHORITY APPROVAL REQUIRED

§ 25-2-1265 TECHNICAL REQUIREMENTS

APPENDIX A
BOUNDARIES OF THE CAPITOL VIEW CORRIDORS

APPENDIX B
BOUNDARIES OF THE WATERFRONT OVERLAY DISTRICT