

ORDINANCE NO.

1 **AN ORDINANCE AMENDING CITY CODE SECTIONS 25-1-21 TO DEFINE**
2 **AMPHITHEATER AND ADDING A NEW SECTION 25-2-517 TO REGULATE**
3 **THE APPROVAL OF AMPHITHEATERS AND AREAS FOR PUBLIC**
4 **ASSEMBLY.**

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

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8 **PART 1.** City Code Section 25-1-21 (*Definitions*) is amended to add a new definition of
9 “amphitheater” to read as follows and to renumber the remaining definitions accordingly:

10 (4) AMPHITHEATER means an open-air structure or manmade area specifically
11 designed and used for public assembly of 100 or more people and the viewing of a central
12 stage capable of being used for entertainment and performances.

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14 **PART 2.** City Code Chapter 25-2, Article 2, Division 2 (*Requirements for All Districts*)
15 is amended to add a new Section 25-2-517 to read:

16 **§ 25-2-517 REQUIREMENTS FOR AMPHITHEATERS.**

17 (A) Construction of an amphitheater requires a site plan approved in accordance
18 with the requirements of Section 25-5, Article 3 (*Land Use Commission Approved Site*
19 *Plans*), regardless of whether the amphitheater is associated with a principal or accessory
20 use. A decision by the Land Use Commission on an application for an amphitheater is
21 subject to appeal under Section 25-5-149 (*Appeal to Council*).

22 (B) An amphitheater legally constructed or permitted prior to {insert effective date
23 of ordinance} is not subject to this section or to Section 25-2-963 (*Modification and*
24 *Maintenance of Noncomplying Structures*) and may be altered or modified in accordance
25 with regulations applicable to the base zoning district.*

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27 **PART 3.** This ordinance takes effect on _____, 2012.

PASSED AND APPROVED

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_____, 2012

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Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

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