

**ORDINANCE AMENDMENT REVIEW SHEET**C3  
1**Amendment:** C20-2012-016 Temporary Outdoor Public Assembly**Description:** Consider an amendment to an ordinance amending chapter 25-2-921 of the City Code relating to temporary outdoor public assembly, to allow religious and educational institutions to hold temporary outdoor public assemblies.**Proposed Language:** See attached draft ordinance.**Staff Recommendation:** Staff recommends this amendment.**Background:** Initiated by Planning Commission on September 25, 2012

Under the current code, certain temporary outdoor events are only allowed in certain zoning districts, depending on the number of attendees at said events. These events can include public, religious, patriotic, or historic assembly or exhibit, including a festival, benefit, fund raising even, or similar use. Temporary outdoor public assembly events held by churches and schools, which often have residential zoning, are currently prohibited or restricted in conducting temporary outdoor events if their zoning is residential. The proposed code amendment would allow properties whose principal use is religious, educational, or community recreation, to apply for a temporary use permit to hold a temporary outdoor public assembly event, up to four events per property, per year.

**Board and Commission Actions**

**Planning Commission Subcommittee on Codes and Ordinances** – Voted to send this item to full Planning Commission on January 15, 2013. Vote: 4-0.

Voted to send this item to full Planning Commission on February 19, 2013, with the following amendment: Cap the number of temporary permits for this type of event at four per year per property. Vote: 6-0.

**Planning Commission** – A public hearing was held at Planning Commission on January 22, 2013, with a motion to postpone and send the item back to Codes and Ordinances Subcommittee for further discussion. Vote: 8-0.

A public hearing has been set for March 12, 2013.

**Council Action**

**City Council** – A public hearing at City Council has been set for March 21, 2013.

**Ordinance Number:** NA**City Staff:** Greg Dutton**Phone:** 974-3509**Email:** greg.dutton@austintexas.gov

C3/2

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 25-2-921 OF THE CITY CODE  
RELATING TO TEMPORARY USES.**

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

**PART 1.** Subsection (C) of City Code Section 25-2-921 (*Temporary Uses Described*) is amended as follows:

(C) An outdoor public, religious, patriotic, or historic assembly or exhibit, including a festival, benefit, fund raising event, or similar use that typically attracts a mass audience may be permitted as a temporary use under this division if:

(1) the use is located on a property whose principal developed use is religious assembly, private primary educational facilities, private secondary educational facilities, public primary educational facilities, or public secondary educational facilities or community recreation (public), and the number of events does not exceed four per year per property;

(2) ~~[(1)]~~for a gathering of not more than 50 persons, the use is located in an SF-4 or less restrictive zoning district;

(3) ~~[(2)]~~for a gathering of more than 50 persons, the use is located in an LO or less restrictive zoning district; or

(4) ~~[(3)]~~for an exhibit, the use is located in a GR or less restrictive zoning district.

**PART 2.** This ordinance takes effect on \_\_\_\_\_, 2013.

**PASSED AND APPROVED**

\_\_\_\_\_, 2013      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingwell  
   Mayor

**APPROVED:** \_\_\_\_\_  
Karen M. Kennard  
City Attorney

**ATTEST:** \_\_\_\_\_  
Janette Goodall  
City Clerk