

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

**AN ORDINANCE ESTABLISHING A TEMPORARY PROGRAM TO EXTEND CERTAIN SITE PLANS EXPIRED PRIOR TO THE REPEAL OF PROJECT DURATION; AND WAIVING CITY CODE SECTIONS 25-1-82, 25-1-217, 25-1-502, 25-5-44, 25-5-62, AND 25-5-81.**

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

**PART 1.** The city council makes the following findings:

(A) Prior to the adoption of Ordinance No. 20130328-019, site plans were subject to multiple expiration periods that complicated the development process and caused confusion for applicants.

(B) This confusion, coupled with a downturn in the economy, resulted in the expiration of many site plans that were begun in good faith and in full compliance with then-current regulations.

(C) The provisions of this ordinance establish a temporary program authorizing the director, under certain conditions, to approve extensions that reinstate previously expired site plans and allow additional time for construction to begin.

**PART 2. EXTENSION OF EXPIRED SITE PLANS.**

(A) A request to extend an expired site plan in accordance with this section must be submitted on a form approved by the director and include the fee required for a site plan extension.

(B) The director may approve a request to extend an expired site plan under this section if:

(1) the site plan application was submitted on or after January 1, 2006, and filed for review under regulations in effect on the date of submittal;

(2) the site plan expired under former City Code Chapter 25-1, Article 12 (*Project Duration*);

(3) the property included in the site plan was:

(a) located in the City's full-purpose jurisdiction on the date the site plan application was submitted; and

(b) not subject to a notice of construction issued following expiration of the site plan; and

1 (4) the director finds that the request meets the criteria required for a one-  
2 year administrative extension under Section 25-5-62 (*Extension of Released Site*  
3 *Plan by the Director*).

4 (C) A site plan extended under this section expires one year after the extension is  
5 approved, unless the Land Use Commission grants an additional extension under Section  
6 25-5-63 (*Extension of Released Site Plan by the Land Use Commission*).

7 (D) Extension of a site plan under this section includes any variances or waivers  
8 previously approved in connection with the site plan.  
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10 **PART 3.** City Code Section 25-1-217 (*Expiration of Variance or Special Exception*),  
11 Section 25-1-502 (*Amendment; Review*), Section 25-5-44 (*Release of Previously*  
12 *Approved Site Plan*), Section 25-5-62 (*Extension of Released Site Plan by the Director*),  
13 and Section 25-5-81 (*Site Plan Expiration*) are waived to the extent of a conflict with this  
14 ordinance.  
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16 **PART 4.** This ordinance expires on September 1, 2014. Expiration of this ordinance  
17 does not affect the validity of a site plan extended in accordance with Part 2 of this  
18 ordinance.  
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20 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2013.  
21

22 **PASSED AND APPROVED**  
23

24 \_\_\_\_\_, 2013 §  
25 §  
26 § \_\_\_\_\_  
27 Lee Leffingwell  
28 Mayor  
29

30  
31 **APPROVED:** \_\_\_\_\_  
32 Karen M. Kennard  
33 City Attorney

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk