

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

**AN ORDINANCE AMENDING CITY CODE SECTION 25-2-766.23 RELATING TO APPLICATIONS TO AMEND STATION AREA PLANS.****BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-2-766.23 (*Amendments to Station Area Plan*) is amended to read:

**§ 25-2-766.23 AMENDMENTS TO STATION AREA PLAN.**

- (A) Council may, by zoning ordinance, amend a station area plan at any time.
- (B) Amendments to a station area plan may be proposed by land owners at any time ~~[not more than once each calendar year for each property owned]~~.
- (C) For a station area plan that is within an adopted neighborhood plan area, an amendment to the station area plan must be reviewed and approved in accordance with the neighborhood plan amendment process established by council.
- (D) ~~[This subsection prescribes the review process for an amendment to a station area plan that is outside an adopted neighborhood plan area.]~~
  - (1) ~~Except as provided in Paragraph (2), the~~ The director may not accept an application to amend a station area plan until one year after adoption of the plan. After that date, the director may accept an application to amend the plan relating to an individual property at any time ~~[not more frequently than once each 12 months]~~. ~~[An application may be filed for a station area plan west of Interstate Highway 35 only during the month of February and for a station area plan east of Interstate Highway 35 only during the month of July.]~~
  - ~~[(2) The director may accept an application to amend a station area plan at a time other than that prescribed by Paragraph (1) if the director determines that:~~
    - ~~(a) not accepting the application would result in a hardship to the applicant, and the development proposed by the applicant will not adversely affect the public health, safety, or welfare;~~

- 40 (b) the amendment would allow the development of a S.M.A.R.T.  
41 Housing certified project in which at least 40 percent of the  
42 proposed units are reasonably priced; or  
43  
44 (c) the amendment would allow development that:  
45  
46 (i) provides environmental protection that is superior to the  
47 protection that would otherwise be achieved under the  
48 existing station area plan; or  
49  
50 (ii) promotes the recruitment or retention of an employment  
51 center with 100 or more employees.]  
52

53 **PART 2.** This ordinance applies to a station area plan amendment application filed on or  
54 after the effective date of this ordinance.  
55

56 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2023.  
57

58 **PASSED AND APPROVED**  
59

60 §  
61 §  
62 \_\_\_\_\_, 2023 § \_\_\_\_\_  
63 Kirk Watson  
64 Mayor  
65

66  
67 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
68 Anne L. Morgan Myrna Rios  
69 City Attorney City Clerk  
70