



OAK HILL ASSOCIATION OF NEIGHBORHOODS

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Neighbors in service to southwest Travis County

P.O. Box 90906, Austin, TX 78709-0906

ohan.org

## Resolution regarding Temporary Use Permits, Subsection D

**WHEREAS**, the Oak Hill Association of Neighborhoods (OHAN) is an umbrella association of more than 30 neighborhoods in southwest Austin and southwest Travis County, and

**WHEREAS**, the Austin Zoning Code defines Religious Assembly as “regular organized religious worship or religious education in a permanent or temporary building, and

**WHEREAS**, Section 25-2-921 (C) of the Austin Zoning Code prohibits outdoor public, patriotic, historic and religious assembly in zoning districts LA, RR, SF-1, SF-2, and SF-3, and

**WHEREAS**, Section 25-2-921(C) authorizes the building official to issue temporary use permits for outdoor public, patriotic, historic and religious assembly (including, festivals, benefits, and fund raising events) in SF-4 and less restrictive zoning districts, and

**WHEREAS**, in September 2012, City Staff presented a request to the Codes and Ordinances Committee of the Planning Commission to initiate an amendment to Section 25-2-921(C) to “allow institutions such as churches and schools, that have certain residential zoning, to apply for a temporary use permit that would be needed to conduct temporary outdoor events, such as fund-raising events or festivals, and

**WHEREAS**, the Planning Commission recommended an ordinance amending Section 25-2-921(C) that would authorize the building official to issue temporary use permits for outdoor public, patriotic, historic and religious assembly on property with a principal use of religious assembly, primary and secondary educational facilities and community recreation (public), including property in LA, RR, SF-1, SF-2, and SF-3 zoning districts, and

**WHEREAS**, the Planning Commission recommended that the number of temporary use permits that could be issued per property with a principal use of religious assembly, education and community recreation, should be limited to a set number of days per year, and



**WHEREAS**, since the City Council approved the proposed ordinance on first reading on April 25, 2013, City Staff has inserted new subsection D into the proposed ordinance that would authorize “religious services” to occur outdoors in any zoning district without any sort of permit from the City and without any limitations, and

**WHEREAS**, the term “religious services” is undefined by City Code, and

**WHEREAS**, the new subsection D constitutes a significant change to the proposed ordinance and there have been no public hearings on the new subsection D, and

**WHEREAS**, distinguishing a “religious service” from a “non-religious service” would impose an impossible burden on Code Enforcement; and

**WHEREAS**, the new subsection D in the proposed ordinance will adversely affect every neighborhood in the City of Austin, and

**NOW THEREFORE, BE IT RESOLVED**

The Oak Hill Association of Neighborhoods opposes subsection D of the proposed ordinance regarding temporary use permits and asks the City Council to delete subsection D in its entirety from said ordinance.

**Approved by a majority vote November 11, 2013**

A handwritten signature in black ink, which appears to read 'Jim Schissler', is written in a cursive style.

**Jim Schissler, President  
Oak Hill Association of Neighborhoods**