

Late Backup

ORDINANCE NO.

#98
11-29-07

1 AN ORDINANCE AMENDING SECTION 25-2-32 AND CHAPTER 25-2,
2 SUBCHAPTER E, SECTION 4.4.5. OF THE CITY CODE RELATING TO
3 VERTICAL MIXED USE BUILDINGS.
4

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

7 **PART 1.** Section 25-2-32(F) (*Zoning Districts And Map Codes*) of the City Code is
8 amended to add the following map code and renumber the remaining map codes
9 accordingly:

10 (9) vertical mixed use building V

11 **PART 2.** Chapter 25-2, Subchapter E, Section 4.3.5. (*Individual Neighborhood*
12 *Consideration of VMU Requirements ("Opt-in / Opt-out Process")*) of the City Code is
13 amended to amend Paragraphs B.4. and B.5. to read:

- 14 4. City Council Decision. After considering the Planning Commission's
15 recommendations, the Council may by ordinance approve, approve with
16 conditions, or deny each opt-in / opt-out request. The Council may
17 concurrently amend the appropriate neighborhood plan. The neighborhood
18 plan amendment process does not apply to the amendment.
- 19 5. Effect of Approval. Following completion of this one-time opt- in/opt-out
20 process:
- 21 a. The director shall indicate on the zoning map with map code "V" each
22 property for which council has approved an exemption from the
23 dimensional standards under Section 4.3.3.E.2, a parking reduction under
24 Section 4.3.3.E.3, additional ground floor commercial uses under Section
25 4.3.3.C.2, or a reduction in the median family income for affordable
26 rental housing under Section 4.3.3.F.2.b. [The Director shall amend the
27 neighborhood plan combining districts and the zoning map to establish a
28 conditional overlay district that shows the final decisions of the City
29 Council on all opt in/opt out requests.]
- 30 b. Any subsequent amendments to the VMU standards in a neighborhood
31 shall require amendment of the applicable neighborhood plan and
32 neighborhood plan combining district.

1 c. Any property owner or neighborhood association may submit an
2 application to change the VMU rules on a specific property or properties
3 by amending the applicable neighborhood plan and neighborhood plan
4 combining district to opt-in to the exemption from the dimensional
5 standards of Section 4.3.3.E.2 and/or for the parking reduction of Section
6 4.3.3.E.3 and/or the additional ground-floor uses identified by Section
7 4.3.3.C.2.

8 **PART 3.** This ordinance takes effect on _____, 2007.

9 **PASSED AND APPROVED**

10
11 §
12 §
13 _____, 2007 § _____
14 Will Wynn
15 Mayor
16

17
18 **APPROVED:** _____
19 David Allan Smith
20 City Attorney
21

22 **ATTEST:** _____
23 Shirley A. Gentry
City Clerk