ORDINANCE NO. __________

AN ORDINANCE AMENDING CHAPTER 25-2 OF THE CITY CODE TO CREATE THE EAST RIVERSIDE CORRIDOR (ERC) ZONING DISTRICT AND PROVIDING FOR A REGULATING PLAN ESTABLISHING USE AND SITE DEVELOPMENT REGULATIONS FOR THE ERC DISTRICT; TO ADOPT THE REGULATING PLAN FOR THE ERC DISTRICT; AND TO APPROVE A COLLECTOR PLAN UNDER SECTION 25-6 ARTICLE 2 (RESERVATION AND DEDICATION OF RIGHT-OF-WAY) OF THE CITY CODE FOR THE EAST RIVERSIDE CORRIDOR AREA.

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

PART 1. Subsection (E) of Section 25-2-32 (Zoning Districts and Map Codes) of the City Code is amended to read:

(E) Special purpose base districts and map codes are as follows:

1. development reserve DR
2. aviation services AV
3. agricultural AG
4. planned unit development PUD
5. public P
6. traditional neighborhood TN
7. transit oriented development TOD
8. North Burnet/Gateway NBG
9. East Riverside Corridor ERC

PART 2. Chapter 25-2, Subchapter A, Article 2, Division 5 (Special Purpose Districts) of the City Code is amended to add a new section 25-2-149 to read:

§25-2-149 EAST RIVERSIDE CORRIDOR (ERC) DISTRICT.

(A) East Riverside Corridor (ERC) district is the designation for an identified area of existing auto-oriented commercial and multifamily uses that is the subject of an
approved master plan for redevelopment of the area into an urban mixed-use neighborhood that is more pedestrian friendly and takes advantage of access to existing and future transit options and the area’s key position in the urban core.

(B) An ERC designation may be applied only within the boundaries identified in the East Riverside Corridor Regulating Plan.

PART 3. Chapter 25-2, Subchapter C, Article 3 (Additional Requirements for Certain Districts) of the City Code is amended to add a new Division 12 to read:

Division 12. East Riverside Corridor District Requirements.

§25-2-768.01. APPLICABILITY.

This division applies in the East Riverside Corridor (ERC) district.

§25-2-768.02 REGULATING PLAN.

(A) Council by ordinance shall adopt and may at any time amend a regulating plan for the ERC district that:

(1) establishes the permitted and conditional uses;

(2) prescribes site development regulations, including maximum and minimum development parameters;

(3) prescribes requirements for street, streetscape, and other public area improvements; and

(4) establishes other appropriate regulations or modifies or waives a requirement of this title.

(B) For property governed by this division, this division and a regulating plan adopted under this section supersedes the other provisions of this title to the extent of conflict.

(C) The site development standards in Article 4.2 (General Development Standards) of the Regulating Plan are the only parts of the regulating plan that are requirements of Chapter 25-2 (Zoning) of the City Code for purposes of Section 25-2-472 (Board of Adjustment Variance Authority) of the City Code.

(D) Except for amendments to Figure 1-2 (East Riverside Corridor Subdistrict Map), amendments to the regulating plan are subject to the procedures prescribed by
Section 25-1-502 (Amendment: Review) for amendments to Title 25 and not the procedures prescribed by Chapter 25-2, Subpart B (Zoning Procedures).

(E) Amendments to Figure 1-2 (East Riverside Corridor Subdistrict Map) of the regulating plan are subject to the procedures prescribed by Chapter 25-2, Subpart B (Zoning Procedures). Approved amendments to Figure 1-2 will also be reflected as necessary in Figure 1-7 (East Riverside Corridor Height Map) and Figure 1-8 (East Riverside Corridor Development Bonus Height Map) of the regulating plan.

PART 4. Chapter 25-2, Subchapter E, Subsection 1.2.3.A (General Exemptions), is amended to read:

1.2.3. Exemptions.

A. General Exemptions. The following types of development are exempt from the requirements of this Subchapter:

1. Development that does not require a site plan under Chapter 25-5;

2. Development in the following zoning districts:
   a. Agricultural (AG) district;
   b. Aviation (AV) district; and
   c. Traditional neighborhood (TN) district.

3. Development built pursuant to the overlay district provisions of the university neighborhood overlay (UNO) district;

4. Development built pursuant to an adopted transit station area plan;

5. Development built pursuant to the Robert Mueller Municipal Airport Redevelopment Plan;

6. Development built pursuant to an adopted downtown plan;

7. Development of an industrial use or data center; and

8. Interior remodeling of a building;

9. Development built pursuant to the regulating plan for the North Burnet/Gateway (NBG) district; and
10. Development built pursuant to the regulating plan for the East Riverside Corridor (ERC) district.

PART 5. Council adopts "The Regulating Plan for the East Riverside Corridor Zoning District, Austin, Texas," attached to this ordinance as Exhibit "A", as the regulating plan for the ERC district.

PART 6. Council approves Figure 1-5 (East Riverside Corridor Collector Street Map) of "The Regulating Plan for the East Riverside Zoning District, Austin, Texas" as a collector plan for purposes of Section 25-6, Article 2 (Reservation and Dedication of Right-of-Way) of the City Code. Alignments shown in the collector plan are approximate and may be adjusted for purposes of determining alignments under Section 25-6-54 (Alignment) of the City Code.

PART 7. This ordinance takes effect on ________________, 2013.

PASSED AND APPROVED

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__________________________ 2013 §

Lee Leffingwell
Mayor

APPROVED: ___________________________ ATTEST: ________________________________

Karen M. Kennard
City Attorney

Jannette S. Goodall
City Clerk