

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED EAST AND SOUTHEAST OF THE INTERSECTION OF EAST WILLIAM CANNON DRIVE AND MCKINNEY FALLS PARKWAY, AND WEST OF SOUTH U.S. HIGHWAY 183 AND FARM TO MARKET 1625 ROAD AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT AND INTERIM-SINGLE FAMILY RESIDENCE SMALL LOT (I-SF-4A) TO PLANNED UNIT DEVELOPMENT (PUD) COMBINING DISTRICT.

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

PART 1. Pilot Knob Planned Unit Development (Pilot Knob PUD) is comprised of approximately 2,216.978 acres of land located generally east and southeast of the intersection of East William Cannon Drive and McKinney Falls Parkway, and west of South U.S. Highway 183 and Farm to Market 1625 Road, and more particularly described by metes and bounds in Exhibit A incorporated into this ordinance (the “Property”).

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim-rural residence (I-RR) district and interim-single family residence small lot (I-SF-4A) to planned unit development (PUD) combining district on the property described in Zoning Case No. C814-2012-0152, on file at the Planning and Zoning Department, and locally known as generally east and southeast of the intersection of East William Cannon Drive and McKinney Falls Parkway, and west of South U.S. Highway 183 and Farm to Market 1625 Road, and generally identified in the map attached as Exhibit B.

PART 3. This ordinance and the attached Exhibits A through V are the land use plan (the “Land Use Plan”) for the Pilot Knob PUD created by this ordinance. Development of and uses within the Pilot Knob PUD shall conform to the limitations and conditions set forth in this ordinance and in the Land Use Plan. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as modified by the Pilot Knob PUD ordinance, applications must comply with the applicable City Code.

PART 4. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

Exhibit A: Legal Description of the Pilot Knob PUD

Exhibit B: Zoning Map

Exhibit C: Land Use Plan

- 1 Exhibit D. Conceptual Parks and Open Space Plan
- 2 Exhibit E. Parkland and Open Space Tracking Sheet
- 3 Exhibit F. Permitted Land Uses
- 4 Exhibit G. Site Development Regulations
- 5 Exhibit H. Off-Street Parking and Loading Regulations
- 6 Exhibit I. Declaration of Easements and Restrictive Covenants Regarding the
- 7 Maintenance of Drainage Facilities Form
- 8 Exhibit J. Critical Water Quality Zone Transfers
- 9 Exhibit K. Critical Water Quality Zone for Minor Waterways Transferring and
- 10 Receiving Restrictive Covenant Form
- 11 Exhibit L. Proposed Waterway Crossings
- 12 Exhibit M. Wetland Transfer Exhibit
- 13 Exhibit N. Wetlands Transferring and Receiving Restrictive Covenant Form
- 14 Exhibit O. Cut / Fill Exhibit
- 15 Exhibit P. Impervious Cover Map
- 16 Exhibit Q. Tree Conflicts – William Cannon Drive & Slaughter Lane
- 17 Exhibit R. Conceptual Public Art Master Plan
- 18 Exhibit S. PUD Notes
- 19 Exhibit T. Typical Street Sections
- 20 Exhibit U. Project Area
- 21 Exhibit V. Affordable Housing Restrictive Covenant Form

22 **PART 5. Open Space and Parkland Requirements.**

23 The provision of open space and parkland within the Pilot Knob PUD is generally

24 shown in Exhibit D: Conceptual Parks and Open Space Plan attached hereto, described in

25 the accompanying Exhibit D, Notes for Parkland and Open Space Requirements in the

26 Pilot Knob PUD, and detailed in the *Consent Agreement Pilot Knob Municipal Utility*

27 *District Nos, 1, 2, 3, 4, and 5, Article VIII. Parks and Recreational Facilities and other*

28

1 *Community Amenities* (the “Consent Agreement”) between the City of Austin and Carma
2 Easton, LLC, dated May 15, 2012.

3 **PART 6. Environmental.**

4 A. Green Building Rating

- 5 1. All buildings in the Pilot Knob PUD will achieve a two-star or greater rating
6 under the City’s Austin Energy Green Building program or such buildings
7 will achieve a reasonably equivalent rating under a program approved by the
8 City, using the applicable rating version in effect at the time a rating
9 registration application is submitted for the building.

- 10 B. The Pilot Knob PUD will use green water quality controls as described in
11 Environmental Criteria Manual (ECM) Section 1.6.7 (*Green Storm Water*
12 *Quality Infrastructure*), or others as approved by the Watershed Protection
13 Department, to treat 100 percent of the water quality volume required by City
14 Code. Green water quality controls may include, but are not limited to
15 biofiltration ponds, rain gardens, and other non-required vegetation.

- 16 C. Natural channel design techniques are required, as shown in Exhibit S.

- 17 D. This section applies to an application for a single-family residential subdivision
18 and to a site plan application filed for commercial, mixed use, multifamily
19 residential or open space development. An integrated pest management (IPM)
20 plan that complies with Section 1.6.9.2 (D) and (F) of the ECM must be
21 submitted for approval. The Landowner shall provide copies of the IPM Plan to
22 single family residential homeowners and commercial property owners.

- 23 E. All required tree plantings shall utilize tree species included in Appendix F
24 (*Descriptive Categories of Tree Species*) of the ECM, or as approved by the City.

- 25 F. All required tree plantings shall utilize Central Texas native seed stock and
26 provide adequate soil volume, as approved by the City at the time of the
27 development application.

- 28 G. A tree care plan, prepared by a qualified arborist, shall be provided for
29 construction-related impacts within the critical root zone of all trees which are
30 required to be preserved. The tree care plan shall be submitted to the City for
31 review and approval with any development application that results in
32 construction-related impacts, including but not limited to subdivision
33 construction plans, site plans, and residential building permits.

1 H. Riparian Restoration. This section applies along all intermediate and major
2 waterways.

- 3 1. The existing condition of each critical water quality zone (CWQZ) shall be
4 assessed using the Zone 2 functional assessment methodology described in
5 Appendix X of the ECM. The assessment of existing conditions shall be
6 submitted for review and approval with each residential subdivision and
7 commercial site plan.
- 8 2. A CWQZ that is in "Poor (1)" or "Fair (2)" condition shall be restored to
9 "Good (3)" or "Excellent (4)" condition.
- 10 3. A CWQZ that is in "Good (3)" or "Excellent (4)" condition shall not be
11 disturbed, except as otherwise allowed by City Code or this PUD ordinance.
- 12 4. A Riparian Restoration Plan (the "Plan") shall be submitted to the City for
13 review and approval with each residential subdivision and commercial site
14 plan. The Plan must demonstrate that all parameters of the Appendix X
15 "Scoring: Zone 2 – Critical Water Quality Zone" table shall be raised to
16 "Good (3)" or "Excellent (4)" condition.

17 I. When reclaimed water is available to the undeveloped areas of the Pilot Knob
18 PUD, reclaimed water shall be used for irrigation in open space areas as
19 determined by the City, subject to any applicable water use restrictions imposed
20 by the City. Reclaimed water shall not be used for irrigation in CWQZs, CEF
21 buffers, or floodplain. Areas of existing development shall not be required to
22 retrofit for reclaimed water.

23 J. Toilets, bathroom sink faucets, and shower heads that are labeled as meeting the
24 standards of the EPA WaterSense program or a comparable program approved by
25 the Landowner and the City shall be installed in all residential buildings.

26 K. All residential irrigation system components shall be certified as meeting the
27 standards of the EPA WaterSense program or a comparable program approved by
28 the Landowner and the City.

29 **PART 7. Public Facilities.**

30 A. The Landowner shall dedicate a 2.0 net buildable acre site for a future City of
31 Austin Fire/EMS station in a location to be mutually agreed upon by the
32 Landowner and the City, and approximately in the area shown on Exhibit C. The
33 Austin Fire Department must approve the site. The deed for conveyance of title
34 to the site must be delivered by the Landowner to the City by April 13, 2022.
35 The deed to the site will:

1. contain requirements that the City or the Emergency Services District No. 11 (ESD) commence construction of the Fire/EMS station on the site within ten (10) years after conveyance of the site to the City. If construction does not commence within such time period, then the ownership of the site will revert back to the Landowner; and
 2. grant to the Landowner the right to relocate the site to another location within the Project Area with the approval of the City.
- B. The Landowner shall dedicate two school sites which include bringing water, wastewater, and streets to the two sites at no cost to Del Valle Independent School District, in a location to be mutually agreed upon by the Landowner and the School District, and approximately in the areas shown on Exhibit C. Development of the school sites shall be in accordance with the School District Land Development Standards agreement between the Del Valle Independent School District and the City of Austin.
- C. The Landowner shall designate a ten acre site for a future intermodal transfer station and related public transportation facilities for market price sale to City or Capital Metro.

PART 8. Affordable Housing Program.

- A. To ensure future transportation opportunities the Landowner agrees to donate to the Capital Metropolitan Transportation Authority (CapMetro) at least 10 contiguous acres of land suitable for a transit facility, within or adjacent to the Project's planned Town Center, in a location and upon terms agreed upon by CapMetro and the Landowner.
1. The specific location of the planned transit facility site will be determined during the platting process for the Project's Town Center and in a location agreed upon by CapMetro and the Landowner (generally depicted on Exhibit C of this PUD ordinance).
 2. The transfer of ownership will take place once a platted lot can be conveyed to CapMetro.
- B. In order to meet the City's affordable housing goals and to ensure long-term affordability, the Landowner and the Landowner's successors and assigns (collectively referred to as the "Landowner") agree to the following:
1. The affordable housing requirement in the Pilot Knob MUD Consent Agreement is replaced by Pilot Knob PUD ordinance Part 8.

1 2. Ten percent of the total number of multifamily rental housing development
2 units located within the Pilot Knob PUD will be set aside for occupancy by
3 households with incomes at 60 percent of or below the median family
4 income (each an “Affordable Rental Unit,” collective “Affordable Rental
5 Units”) in the Austin metropolitan statistical area for a rental affordability
6 period of forty (40) years (collectively, the “Rental Affordability
7 Requirement”) from the date of a certificate of occupancy. In addition the
8 Landowner agrees to comply with the following:

- 9 a) The Rental Affordability Requirement period for each multifamily
10 development with Affordable Rental Units (the “Affordable
11 Development”) begins on the date a final certificate of occupancy is
12 issued for the Affordable Development.
- 13 b) Affordable Rental Units must be integrated throughout the PUD and
14 included in at least 50 percent of the multifamily developments.
- 15 c) Each lot sold or developed for use as an Affordable Development
16 shall be subject to a restrictive covenant using the form shown in
17 Exhibit V (subject to revision) or agreed upon by the Director of
18 Neighborhood Housing and Community Development (NHCD) and
19 Landowner at the time of the sale or development and recorded in the
20 official public records of the county where the Affordable
21 Development is located.
- 22 d) Income qualifications and rents must comply with NHCD,
23 compliance guidelines. Compliance with the Affordable Housing
24 Requirements will be monitored by NHCD.

25 C. At least ten percent of the total number of units sold as owner-occupied
26 residential housing units located within the Pilot Knob PUD will, through a
27 mechanism agreed upon by the City and Landowner, be made permanently
28 available at a price affordable to households with incomes at 80 percent of or
29 below the median family income (each an “Affordable Ownership Unit,”
30 collective “Affordable Ownership Units”) in the Austin metropolitan statistical
31 area (collectively, the “Ownership Affordability Requirement”).

- 32 1. Making at least 10 percent of the ownership units available for permanent
33 affordability, participation in S.M.A.R.T. Housing allows for 100% of
34 eligible fee waivers for all residential units within the PUD. The
35 Landowner agrees to deposit into a fund the exact amount of all fee
36 waivers received for the development. These funds will be made available

1 to the Austin Housing Finance Corporation (AHFC), or other entity
2 designated by the City, for the purchase of lots or units within the Pilot
3 Knob PUD, down payment assistance for qualified buyers purchasing
4 houses within the Pilot Knob PUD, construction of affordable units and
5 costs associated with administering the affordable ownership program,
6 and other expenditures agreed by the City.

- 7 2. The Landowner will transfer at least 10 percent of the ownership lots to
8 AHFC, or other entity designated by the City, at a sales price to be agreed
9 upon by both parties which is no more than the lesser of \$45,000 plus a 2%
10 increase annually or 90 percent of the market price based on the most
11 recent market rate contract to a builder in the PUD. Lots must be fully
12 developed, buildable and the subdivision accepted by the City of Austin.
- 13 3. All lots transferred by the Landowner to AHFC, or other entity designated
14 by the City, are subject to approval by AHFC or other entity designated by
15 the City. The lots must be integrated throughout the Pilot Knob PUD.
- 16 4. The Affordable Ownership Units constructed on any lot shall have
17 substantially similar architectural design and restrictions as other
18 residential units offered for sale to the general public.
- 19 5. Affordable Ownership units must:
 - 20 a) Be sold to an income eligible household at 80 percent of or below
21 median family income;
 - 22 b) Include resale restrictions that require that resale of the affordable
23 unit must be to a household at 80 percent of or below median family
24 income; and
 - 25 c) Contain restrictions that will cap the equity that can be achieved upon
26 resale of the affordable unit. Equity will be capped at 2 percent
27 annually based on the affordable sales price; and
 - 28 d) Contain a Right of First Refusal to AHFC or other entity designated
29 by the City. If AHFC does not exercise the right of first refusal, then
30 Affordable Ownership units must be sold to income eligible
31 purchasers.

- 32 D. The Landowner is required to make a financial contribution to AHFC, or other
33 entity designated by the City, in an amount calculated as two percent of the total
34 “hard” construction cost MUD reimbursements (up to \$8 million) less the
35 reduction in available MUD bonding capacity due to any decrease in the

1 appraised tax value on the Affordable Ownership Units as a result of those units
2 being in the affordable housing program, if the bonding capacity is less than the
3 MUD reimbursement amount allowable by law. These funds will be used to
4 further the affordability outcomes required by the City. The contribution shall be
5 deposited into the fund to be established under C.1.

- 6 E. The Landowner agrees to enter into an agreement with the City of Austin that
7 ensures the compliance with Part 8 of this PUD ordinance.

8 **PART 9. Transportation and Bicycle Plan.**

- 9 A. Where rear property lines of single family residences abut East William Cannon
10 Drive, Slaughter Lane, McKinney Falls Parkway, and FM 1625, a solid fence of at
11 least six (6) feet in height shall be provided.
- 12 B. Appropriate on-street bicycle facilities, or equivalent acceptable to the City, shall
13 be provided on all roads that are classified as a 4-Lane Primary Collector, a Minor
14 Arterial or a Major Arterial.

15 **PART 10. Art.**

- 16 A. The Pilot Knob PUD will prepare a Public Art Master Plan, which will identify
17 opportunities, guiding principles, and locations within the Project Area for outdoor
18 art installations to be implemented and managed by the Developer. All subsequent
19 operations and maintenance of the artwork will be the responsibility of the
20 Developer or the Owners Association. Approximate public art locations are shown
21 on Exhibit R: Conceptual Public Art Master Plan.

22 **PART 11. Definitions.**

- 23 A. In this ordinance Sections 25-1-21 and 30-1-21 are modified to add or revise the
24 following terms:
- 25 1. ACCESS LOT means a lot on a plat that provides joint access for lots that
26 are to be served by only an alley.
 - 27 2. ACTIVE ADULT COMMUNITY means a planned community for residents
28 who have retired from an active working life.
 - 29 3. AMPHITHEATER means the use of a site for the presentation of plays,
30 motion pictures, concerts, or other performances in a seated outdoor area for
31 up to 2,000 people.
 - 32 4. COMMON COURTYARD means a lot on a plat that provides street
33 frontage and common green area for lots that are served by only an alley.

- 1 5. COMMUNITY CENTER means the use of a site for the provision of
2 meeting, recreational, or social activities primarily for the use of
3 neighborhood residents.
- 4 6. CONSENT AGREEMENT means collectively those agreements included as
5 Exhibit B in Ordinance No. 20120322-031, 20120322-032, 20120322-033,
6 20120322-034 and 20120322-035.
- 7 7. DISTRICT(S) means one or more of the Pilot Knob Municipal Utility
8 Districts.
- 9 8. EMPLOYMENT CENTER means the land use areas identified on Exhibit
10 C: Land Use Plan as EC. The Employment Center land use areas provide
11 for larger scale commercial and employment uses. Regional retail and
12 residential uses, as well as mixed use buildings, are also permitted.
- 13 9. FLAG LOT is modified such that the minimum width of the flag is ten (10)
14 feet for a lot abutting a common open space and an access lot and is to be
15 overlaid with a joint use access easement. Driveway access will be
16 restricted to the joint use access easements.
- 17 10. LAND USE AREA means the following use categories into which the Pilot
18 Knob PUD is divided and as identified on Exhibit C: Land Use Plan –
19 Mixed Residential, Employment Center, Town Center, and Open Space.
- 20 11. MIXED RESIDENTIAL AREA means the land use areas identified on
21 Exhibit C: Land Use Plan as MR-1 and MR-2. The Mixed Residential land
22 use areas allow a wide diversity of residential building types, including
23 single family, multi-family as well as sites for office, commercial, civic, and
24 mixed use buildings.
- 25 12. MANSION HOUSE means a structure on one lot designed to appear like a
26 large single family residence, but that is divided into four to six units, each
27 with an individual entry.
- 28 13. OPEN SPACE means the land use areas identified on Exhibit C: Land Use
29 Plan as OS. The Open Space land use areas are intended to provide a
30 continuous system of open space for the Pilot Knob PUD community, and
31 include community facilities.
- 32 14. PLAYFIELD means an outdoor sodded or pervious area used for
33 noncommercial recreational uses. Typical uses include baseball, football
34 and soccer fields.

15. ROW HOUSE means an attached two or three-story townhouse on its own lot.
16. SHOP HOUSE means a row house with a ground level workspace or commercial space and upper level living space.
17. TOWN CENTER means the land use area identified on Exhibit C: Land Use Plan as TC-1. The Town Center land use area is a mixed-use district providing neighborhood retail/commercial and service uses along a pedestrian-oriented shopping street and multiple sites for higher density office, residential housing, and civic uses. Mixed use buildings are permitted.
18. YARD HOUSE means a detached single family residence. An accessory dwelling unit may be constructed.

PART 12. Code Modifications. In accordance with Chapter 25-2, Subchapter B, Article 2, Division 5 (*Planned Unit Development*) of the Code, the following site development regulations apply to the Pilot Knob PUD instead of otherwise applicable City regulations:

A. General

1. Section 25-1-21(103) (*Definition of Site*) is modified to provide that a site in the Pilot Knob PUD may cross a public street or right-of-way.
2. Section 25-1, Article 14 (*Parkland Dedication*) is modified such that Exhibit D: Conceptual Parks and Open Space Plan and Exhibit D, Notes for Parkland and Open Space Requirements in the Pilot Knob PUD shall satisfy all parkland dedication requirements. Parkland and open space shall be tracked in accordance with Exhibit E: Parkland and Open Space Tracking Sheet. Modifications to this document may be made if agreed upon by the City and the Applicant, without requiring a PUD amendment.

B. Zoning.

1. Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) of the City Code is amended to provide that the boundaries of the Pilot Knob PUD may be noncontiguous.
2. Section 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.1 (*Compliance Required*) is modified to allow additional land area that is located within the Project Area, to be amended into the Pilot Knob PUD, without having to demonstrate additional compliance and superiority with this division. The Project Area is defined as the additional land depicted in the

1 attached Exhibit U: Project Area, all or a part of which may be added to the
2 Land and annexed into the District.

- 3 3. Section 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.3.1.D.
4 (*Minimum Requirements*) is modified to allow that either all buildings in the
5 Pilot Knob PUD will achieve a two-star or greater rating under the City's
6 Austin Energy Green Building program, or that such buildings will achieve a
7 reasonably equivalent rating under a program approved by the City, using the
8 applicable rating version in effect at the time a rating registration application
9 is submitted for the building.
- 10 4. Section 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.3.1.J.
11 (*Minimum Requirements*) is modified to allow gated roadways for a
12 congregate living, convalescent services, retirement housing (large site), or
13 retirement housing (small site) use, provided that connectivity for pedestrian
14 and bicycle uses is maintained.
- 15 5. Section 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.3.2
16 (*Additional Requirements*) and Chapter 25-2, Subchapter E (*Design Standards*
17 *and Mixed Use*) are modified as follows:
- 18 a. A block is a parcel of land defined by streets, internal circulation routes
19 and/or publicly accessible pedestrian ways. A block may be defined on
20 up to two sides by external property lines, provided that internal
21 circulation routes are stubbed out to an external property line.
 - 22 b. A block may be measured to and from property lines, right-of-way lines
23 or publicly-accessible pedestrian ways (i.e. easement boundaries).
 - 24 c. There may be up to 20 blocks which may be greater than five acres and
25 less than 10 acres each.
 - 26 d. All roadways within the Pilot Knob PUD are considered "Suburban
27 Roadways" for the purposes of applying Chapter 25-2, Subchapter E
28 regulations, with the exception of Slaughter Lane, which is considered a
29 Core Transit Corridor.
 - 30 e. Chapter 25-2, Subchapter E, Article 2, Section 2.2.2.B.1.b (*Planting*
31 *Zone*) is modified such that this requirement is subject to Travis County
32 approval.
- 33 6. Subsection 3.2.2.C. (*Residential Uses*) of Section 25-2, Subchapter B, Article
34 2, Division 5, Subpart C (*Planned Unit Development Regulations*) is modified
35 such that the site development regulations of Exhibit C: Land Use Plan,

Exhibit F: Permitted Land Uses, and Exhibit G: Site Development Regulations shall apply.

7. Subsections 3.2.3.B, D, and E (*Nonresidential Uses*) of Section 25-2, Subchapter B, Article 2, Division 5, Subpart C (*Planned Unit Development Regulations*) are modified such that the number of curb cuts or driveways shall not apply to the Pilot Knob PUD.
8. Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*) shall be replaced with Exhibit F: Permitted Land Uses.
9. Section 25-2-492 (*Site Development Regulations*) shall be replaced by Exhibit C: Land Use Plan and Density Table, Exhibit F: Permitted Land Uses, and Exhibit G: Site Development Regulations.
10. Section 25-2-517 (*Requirements for Amphitheaters*) is modified such that a Land Use Commission approval is not required.
11. Section 25-2-812(C)(2) (*Mobile Food Establishments*) is modified so that a mobile food establishment is a permitted use within all areas of the Pilot Knob PUD.
12. Sections 25-2-1006(A)(1) and 25-2-1006(A)(2) (*Visual Screening*) are modified so that only the structural components of a green water quality facility or a green stormwater drainage facility is subject to the visual screening requirements of this section.
13. Section 25-2-1032(A)(1) (*Trees Required*) is modified so that lots having an area of 2,500 square feet or less require that only one tree be planted.
14. Except as provided in this subsection, Section 25-2-1051, Subchapter C, Article 10 (*Compatibility Standards*) does not apply within the Pilot Knob PUD.
15. Notwithstanding the above provision, development outside of the Pilot Knob PUD triggers the compatibility standards of Section 25-2, Subchapter C, Article 10 (*Compatibility Standards*).

C. Traditional Neighborhood District.

1. The compatibility standards in Subsections (A), (B), (C), (D) and (E) of Chapter 25-3-86 (*Compatibility Standards*) apply to development within the Pilot Knob PUD.

D. Subdivision.

1. Section 25-4-62 (*Expiration of Approved Preliminary Plan*) is modified to provide that an approved preliminary plan covering land in the Pilot Knob PUD expires 10 years after the date of filing the application.
2. Sections 25-4-132(B) and 30-2-132(B) (*Easements and Alleys*) are modified to provide that off-street loading and unloading facilities shall be provided on all commercial and industrial lots, except as modified in Exhibit H: Off-Street Parking and Loading Regulations.
3. Sections 25-4-174 and 30-2-174 (*Lot Size*) shall be replaced by Exhibit G: Site Development Regulations.
4. Sections 25-4-232(C)(1 through 21) and 30-2-232 (*Small Lot Subdivisions*) shall be replaced by Exhibit G: Site Development Regulations.
5. Sections 25-4-232 and 30-2-232 (*Small Lot Subdivisions*) are modified so that the maintenance of a common area or access easement is the responsibility of the adjoining property owner, the homeowners' association, or the MUD.
6. Sections 25-4-232(D)(2) and 30-2-232(D)(2) (*Small Lot Subdivisions*) are modified to include a description of the requirements of Exhibit G: Site Development Regulations.
7. Sections 25-4-232(D)(5) and 30-2-232(D)(5) (*Small Lot Subdivisions*) are modified to include provisions obligating the adjoining property owner, or the homeowners' association to maintain common areas and access easements.
8. Sections 25-4-233(E) and 30-2-233(E) (*Single-Family Attached Residential Subdivision*) are replaced by Exhibit G: Site Development Regulations.
9. Sections 25-4-233(F)(1) and 30-2-233(F)(1) (*Single-Family Attached Residential Subdivision*) are modified to require that development and use of the lots comply with Exhibit G: Site Development Regulations.

E. Transportation.

1. Section 25-6-2(A) (*Driveway Approaches Described*) is modified to provide that a Type 1 driveway approach is a concrete driveway approach that provides access from a roadway to property on which a yard house, row house, shop house, or mansion house with a driveway that serves four or fewer parking space is located.
2. Section 25-6-2(B) (*Driveway Approaches Described*) is modified to provide that a Type 2 driveway approach is a concrete driveway approach that provides access from a roadway other than a principal roadway to a property

1 used for a purpose other than a yard house, row house, shop house, or
2 mansion house with a driveway that serves four or fewer parking spaces.

- 3 3. Section 25-6-113(A) (*Traffic Impact Analysis Required*) is modified with
4 respect to that certain Traffic Impact Analysis (TIA) prepared by Jacobs,
5 dated January 27, 2015, and submitted to the City of Austin and Travis
6 County for review and approval. Prior to full purpose annexation, the TIA
7 may be amended, as required by Travis County. After full purpose
8 annexation, the approved TIA may be amended, as required by the City of
9 Austin. The TIA and its subsequent amendments shall be kept on file at the
10 Development Services Department. Cost estimates for traffic improvements
11 must be approved by Travis County and will be provided with every phasing
12 agreement, in accordance with the recommendation of the approved TIA, as
13 amended for each preliminary plan/final plat.
- 14 4. Section 25-6-116 (*Desirable Operating Levels for Certain Streets*) does not
15 apply within the Pilot Knob PUD.
- 16 5. Section 25-6-117(D)(1) (*Waiver Authorized*) does not apply within the Pilot
17 Knob PUD.
- 18 6. Section 25-6-141(B)(1) (*Action on Application*) does not apply within the
19 Pilot Knob PUD.
- 20 7. Sections 25-6-171 and 30-3-71 (*Standards for Design and Construction*) are
21 modified to provide that Travis County may administratively approve the use
22 of innovative or alternate roadway designs that are not listed in the
23 Transportation Criteria Manual, City of Austin Standards and Standard
24 Specifications, or Exhibit T: Street Sections.
- 25 8. Sections 25-6-172 and 30-3-72 (*Arterial Streets*) do not apply within the Pilot
26 Knob PUD.
- 27 9. Section 25-6-292(C) (*Design and Construction Standards*) is modified to
28 provide that direct vehicular access from a lot to an alley is permitted in all
29 areas of the Pilot Knob PUD.
- 30 10. Section 25-6, Article 7 (*Off-Street Parking and Loading*) is modified and shall
31 be replaced by Exhibit H: Off-Street Parking and Loading Regulations.
- 32 11. Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading*
33 *Requirements*) is modified and replaced by Exhibit H: Off-Street Parking and
34 Loading Regulations.

1 F. Drainage.

- 2 1. Sections 25-7-153 and 30-4-153 (*Detention Basin Maintenance and*
3 *Inspection*) are modified to provide that a detention basin located in an open
4 space or right-of-way land use area, prior to full purpose annexation of the
5 area, will be financed, operated and maintained by the Property Owner. The
6 Declaration of Easements and Restrictive Covenants Regarding the
7 Maintenance of Drainage Facilities shown in Exhibit I shall be used for each
8 development application, where applicable. Modifications to this agreement
9 may be made, if agreed upon by the City and the Applicant, without requiring
10 a PUD amendment. Upon full-purpose annexation by the City, the City will
11 accept and maintain all detention basins on the Property.

12 G. Environmental.

- 13 1. Sections 25-8-42 and 30-5-42 (*Administrative Variances*) are modified to
14 allow the Director of the Watershed Protection Department to grant a variance
15 from a requirement of Section 25-8-341 and 30-5-341 (*Cut Requirements*) or
16 Section 25-8-342 and 30-5-342 (*Fill Requirements*), for a cut or fill of not
17 more than 15 feet in the areas identified in the attached Exhibit O: Cut/Fill
18 Exhibit. The application must meet the requirement of findings, as required in
19 Section 25-8-42 and 30-5-42.
- 20 2. Sections 25-8-64(B)(5) and 30-5-64(B)(5) (*Impervious Cover Assumptions*)
21 are modified as follows: For lots smaller than 3,300 square feet, impervious
22 cover is assumed at 75 percent for each lot.
- 23 3. Sections 25-8-92(B)(1) and 30-5-92(B)(1) (*Critical Water Quality Zones*
24 *Established*) are modified such that for a minor waterway, the boundaries of
25 the critical water quality zone are located 50 feet from the centerline of the
26 waterway.
- 27 4. Sections 25-8-92(B)(4) and 30-5-92(B)(4) (*Critical Water Quality Zones*
28 *Established*) are modified such that for a minor waterway, the minor
29 waterway may be reduced and replaced on a one-to-one basis using one
30 of the methods listed below:
- 31 a. Providing a 50-foot wide setback from the centerline of waterways
32 having a contributing drainage area of less than 64 acres, as long as it is
33 an extension of a Critical Water Quality Zone (CWQZ) for a minor
34 waterway, and/or

- 1 b. Increasing the buffer width established by the 50-foot wide centerline
2 setback (total width of 100 feet centered on the waterway) to an average
3 width of 200 feet for waterways having a contributing drainage area of
4 less than 320 acres. The added buffer width does not need to be centered
5 on the waterway centerline.
- 6 c. If the mitigation area is an intermediate or major waterway, then it must
7 be restored to “Good” or “Excellent” condition, as specified in the code
8 modification to Section 25-8-261(G) and 30-5-261(G) (*Critical Water*
9 *Quality Zone Development*).
- 10 d. Additional mitigation methodologies may be presented to and reviewed
11 for approval by the Watershed Protection Department, which may
12 include but not be limited to such factors as the preservation of otherwise
13 unprotected riparian zones or other features having superior
14 environmental value.
- 15 e. Mitigated minor waterways shall be tracked utilizing Exhibit J: Critical
16 Water Quality Zone Transfers and Exhibit K: Critical Water Quality
17 Zone for Minor Waterways Transferring and Receiving Restrictive
18 Covenant Form. Modifications to Exhibit K may be made, if agreed
19 upon by the Director of the Watershed Protection Department and the
20 Applicant, without requiring a PUD amendment.
- 21 5. Sections 25-8-231 and 30-5-231 (*Water Quality Control Maintenance and*
22 *Inspection*) are modified to provide that a water quality control facility located
23 in an open space or right-of-way land use area, prior to full purpose
24 annexation of the area, will be financed, operated and maintained by the
25 Property Owner or Developer or District(s). The Declaration of Easements
26 and Restrictive Covenants Regarding the Maintenance of Drainage Facilities
27 shown in Exhibit I shall be used for each development application, where
28 applicable. Modifications to this agreement may be made, if agreed upon by
29 the City and the Developer, without requiring a PUD amendment. Upon full
30 purpose annexation by the City, the City will accept and maintain all water
31 quality control facilities on the Property.
- 32 6. Sections 25-8-261(B)(3)(e) and 30-5-261(B)(3)(e) (*Critical Water Quality*
33 *Zone Development*) are modified to allow a hard surfaced trail to run parallel
34 to the creek closer than otherwise allowed by this section to provide below-
35 grade crossings under major arterial roadways, as long as the length of trail
36 within the otherwise restricted area is limited to that necessary based on
37 functionality, accessibility standards, or making a transition between within

1 and outside the restricted zone and is placed outside the erosion hazard zone.
2 If it is not feasible to place the trail outside of the erosion hazard zone, then
3 the creek bank may be armored to the extent necessary to protect the trail
4 from erosion damage.

- 5 7. Sections 25-8-261(G)(2) and 30-5-261(G)(2) (*Critical Water Quality Zone*
6 *Development*) are modified to allow floodplain modifications if necessary for
7 the riparian restoration required by Part 6, Section G of this PUD ordinance.
8 Floodplain modifications for any development other than PUD-required
9 restoration shall comply with applicable City Code.
- 10 8. Sections 25-8-262 and 30-5-262 (*Critical Water Quality Zone Street*
11 *Crossings*) are modified as follows:
- 12 a. The existing crossing of Cottonmouth Creek by Colton Bluff Springs
13 Road may be modified, realigned, shifted or replaced without triggering
14 the restrictions under Sections 25-8-262(B)(1) and 30-5-262(B)(1).
 - 15 b. With the realignment of FM 1625, Sections 25-8-262(B)(2)(a) and 30-
16 5-262(B)(2)(a) are modified to allow the intermediate waterway portion
17 of North Fork Dry Creek to be crossed by one collector street or larger
18 classification roadway at a minimum spacing of 1,000 feet.
 - 19 c. Sections 25-8-262(B)(3)(a), 30-5-262(B)(3)(a) and Sections 25-8-
20 262(B)(4), 30-5-262(B)(4) are modified such that roadways, including
21 local streets and residential streets may cross a minor critical water
22 quality zone at a minimum spacing of 900 feet.
 - 23 d. These locations are shown on Exhibit L: Proposed Waterway
24 Crossings. They may be modified administratively and additional
25 crossings may be approved by the Director of the Watershed Protection
26 Department.
- 27 9. Sections 25-8-282 and 30-5-282 (*Wetland Protection*) are modified to add that
28 wetland provision and mitigation are tracked using Exhibit M: Wetland
29 Transfer and Exhibit N: Wetlands Transferring and Receiving Restrictive
30 Covenant Form, so that mitigation for a removed wetland may occur in a
31 current phase of development in order to provide mitigation for removal in a
32 future phase of development. Modifications to Exhibit N may be made if
33 agreed upon by the City and the Applicant, without requiring a PUD
34 amendment.

10. Sections 25-8-392 and 30-5-392 (*Uplands Zone*) are modified to allow 65 percent impervious cover (“Total PUD Impervious Cover”) based on gross site area of the Property. Based on a gross site area of 2,216.978 acres, the Pilot Knob PUD is allowed a total impervious cover of 1,441.04 acres. The maximum allowable impervious cover for each individual site within the Property is based on Exhibit P: Impervious Cover Map.
11. Section 25-8-642 (*Administrative Variance*) is modified to allow the Director of Development Services Department to grant an administrative variance from 25-8-641 for heritage trees if required for construction of either William Cannon Drive or Slaughter Lane, only after making the findings required in 25-8-642. Areas of potential impact are shown in Exhibit Q: Tree Conflicts – William Cannon Drive & Slaughter Lane. Transplanting a heritage tree is not considered removal if the criteria in ECM Section 3.5.4.E are met.

H. Utility Service.

1. Section 25-9-1(*Applicability*) is modified such that if the code provisions of Subchapter 25-9 conflict with those in the Consent Agreement, the provisions of the Consent Agreement govern.

I. Sign Regulations.

1. Section 25-10-81 (*Sign Districts Described: Hierarchy Established*) is modified to provide that the Pilot Knob PUD is divided into the sign districts that correspond to the land use areas set forth in Exhibit C: Land Use Plan.
2. Section 25-10-191(F) (*Sign Setback Requirements*) is modified to permit a sign within 12 feet of a street right-of-way if it is not located within the sight safety triangle established in Figure 6-6 of the TCM.

PART 14. City Council approves the Pilot Knob PUD for participation in the S.M.A.R.T. Housing Program.

PART 15. The portions of this ordinance modifying provisions in City Code Chapters 30-3 (*Transportation*) and 30-4 (*Drainage*) take effect on the effective date of Travis County approval of those provisions, whether approved administratively or approved by the Travis County Commissioners Court. The remainder of this ordinance takes effect on _____, 2015.

PASSED AND APPROVED

_____, 2015 § _____
 § _____
 § _____
 Steve Adler
 Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Jannette S. Goodall
City Attorney City Clerk