

APPLICANT REDLINES

June 1, 2020

ORDINANCE NO. 20061116-053

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY COMMONLY KNOWN AS THE GOODNIGHT RANCH PUD LOCATED AT THE EAST SIDE OF OLD LOCKHART HIGHWAY BETWEEN NUCKOLS CROSSING ROAD AND CAPITOL VIEW DRIVE AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base zoning district from interim rural residence (I-RR) district to planned unit development (PUD) district on the property described in File C814-04-0187 SH on record at the Neighborhood Planning and Zoning Department, as approximately ~~703 254~~ <sup>695.53</sup> acres of land, more or less, out of the Santiago del Valle Grant, being more particularly described by metes and bounds in Exhibit A (*Description of Property*) incorporated into this ordinance (the "Property"), locally known as the property located at the east side of Old Lockhart Highway between Nuckols Crossing Road and Capitol View Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit B (*Zoning Map*)

**PART 2.** This ordinance, together with the attached Exhibits ~~A~~ <sup>J</sup> through I, are the land use plan for the Goodnight Ranch planned unit development district (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in this ordinance and in the Goodnight Ranch planned unit development land use plan. If this ordinance and the attached exhibits conflict, the ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City in effect on the effective date of this ordinance apply to the PUD.

**PART 3.** 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	Description of Property
Exhibit B	Zoning Map
Exhibit C	Land Use Plan
Exhibit D	Environmental Background Information
Exhibit E	Zoning Use Summary Table
Exhibit F	Site Development Regulations
Exhibit G	<del>Density Table</del> Compatibility Setbacks

Exhibit H  
Exhibit I  
Exhibit J

~~Street Cross Section Table and Illustrations~~ Density Table  
~~Parking Regulations and Ratios~~ Street Cross Section Table and Illustrations  
Parking Regulations and Ratios

#### PART 4. Definitions

##### A In this ordinance

1 LAND USE AREA means the following use categories into which the PUD is divided on Exhibit C (*Land Use Plan*) Neighborhood Mixed Use, Mixed Residential, and Open Space

2 NEIGHBORHOOD MIXED USE AREA means the land use areas identified on Exhibit C The Neighborhood Mixed Use Area serves as the center of the community, containing a variety of residential land uses as well as compatible retail, commercial, civic and public services to meet the needs of community residents Office, multi-family residences and mixed use buildings are permitted The Neighborhood Mixed Area is pedestrian-oriented, and it is designed to encourage pedestrian movement between this Area and the Mixed Residential Area The Neighborhood Mixed Area is oriented to the public framework of streets and open spaces

<INSERT> NEIGHBORHOOD MIXED USE VERTICAL AREA (See attached)

3 MIXED RESIDENTIAL AREA means the land use areas identified on Exhibit C The Mixed Residential land use areas allow a wide diversity of residential building types, including single family, multi-family as well as sites for commercial, civic, and mixed use buildings

<INSERT> ONION CREEK METRO PARK DISTRICT (See attached)

4 OPEN SPACE means the land use areas identified on Exhibit C The Open Space land use areas are intended to provide a continuous system of open space through the Goodnight Ranch PUD and include safety services and educational facilities, civic uses and commercial uses

5 ROW HOUSE means an attached two or three-story townhouse on its own lot

which may include single family attached residential, bed and breakfast, and short-term rental uses.

6 LIVE/WORK SHOPHOUSE means a row house with ground level workspace or commercial space and upper level living space The work space or commercial space and living space must be used and occupied by the same owner or occupant/tenant. An occupant/tenant may be located

on one or more lots.

<INSERT>

NEIGHBORHOOD MIXED USE-VERTICAL AREA means the land use area identified on Exhibit C. The Neighborhood Mixed Use-Vertical Area, adopted in the Imagine Austin Comprehensive Plan as a neighborhood center on the Growth Concept Plan, serves as a dense, mixed-use core integrating a mix of commercial, housing and civic uses, concentrates people and activities within the Area and fronts on Slaughter Lane, a designated high capacity transit corridor. The Neighborhood Mixed Use-Vertical Area may contain a variety of residential land uses as well as compatible retail, commercial, civic and public services to meet the needs of the community residents. Office, multi-family residences and mixed use buildings are permitted. The Neighborhood Mixed Use-Vertical Area is pedestrian-oriented, and it is designed to encourage pedestrian movement between this Area, the Neighborhood Mixed Use Area and the Mixed Residential Area. The Neighborhood Mixed Area-Vertical is oriented to the public framework of streets and open space.

<INSERT>

ONION CREEK METRO PARK DISTRICT means a political subdivision of the State of Texas created by the Legislature as Chapter 3924, Special District Local Laws Code under the authority of Article XVI, Section 59, and Article III, Sections 52 and 52-a, Texas Constitution, comprising approximately 701.655 acres. The creation of the District was consented to by the City of Austin in the Consent Agreement by and Among the City of Austin, Texas Onion Creek Metro Park District and the Austin Goodnight Ranch LP, effective August 13, 2014.



12. BLOCK LENGTH means a distance measured along the block face and separated by any of the following, to include public or private streets, parks, open space, paseos and drainage easements so long as the separation is a minimum of 20 feet in width and includes pedestrian access

7 MANSION HOME means <sup>one building</sup> a ~~structure~~ <sup>with a minimum of 450 square feet per unit</sup> on one lot designed to appear like a large single family residence, but that is divided into two to ~~six~~ <sup>eight</sup> units, each with an individual entry. Mansion Home which may include duplex residential, small lot single family residential, retirement housing (small site/large site), two-family residential, bed and breakfast, and short-term rental uses.

8 MULTIFAMILY HOME means ~~condominiums or apartments~~ which may include multifamily residential, condominium residential, retirement housing (small site/large site), group home, bed and breakfast, and short-term rental uses.

9 MULTI-USE BUILDING means a building used for both commercial and residential uses

10 YARD HOUSE means a detached single-family residence <sup>which may include uses such as bed and breakfast, and short-term rental</sup> One accessory dwelling unit containing not more than 700 square feet of gross building area may be constructed over the garage

11. AUTO COURT means a group of dwelling units from 2-8 that may access off a private driveway. The Auto Court may or may not be subdivided residential lots or all within a single lot

B All other terms have the meaning provided in the Code

11. PASEO COURT means a group of dwelling units from 2-8 that may be accessed by a private driveway. The Paseo Court may consist of one or more subdivided lots for each unit. Each unit within a Paseo Court shall be subject to building permit review.

## PART 5. Use Regulations

A The locations of the land use areas within the PUD are shown on Exhibit C (*Land Use Plan*)

B Permitted, conditional and prohibited uses applicable to each land use area are shown in Exhibit E (*Zoning Use Summary Table*)

**PART 6.** In accordance with Section 25-2-411(A) (*Planned Unit Development District Regulations*) of the City Code, the following site development regulations apply to the PUD instead of otherwise applicable City regulations

### A Zoning

1 Section 25-2-243 (*Proposed District Boundaries Must be Contiguous*) does not apply to the PUD

2 Subsection (I)(4)(a) of Section 25-2-411 (*Planned Unit Development District Regulations*) is modified to provide that the front and side yard requirements for nonresidential uses in the PUD are as established in Exhibit F (*Site Development Regulations*)

3 Subsection (I)(5) of Section 25-2-411 (*Planned Unit Development District Regulations*) is modified to delete the requirement that the number of curb cuts and driveways be shown on the land use plan

13. ACCESSORY DWELLING UNIT (ADU): An ADU is an additional dwelling unit to a primary dwelling unit and is permitted on a Property developed with a residential use

- 4 Subsections (K)(1) and (2) of Section 25-2-411 (*Planned Unit Development District Regulations*) are modified to provide that the open space requirement for the PUD is as established in Exhibit F (*Site Development Regulations*)
- 5 This section applies to compatibility standards within the PUD

**Reference Exhibit G Compatibility Setbacks**

Within the boundaries of the Goodnight Ranch PUD, compatibility standards as outlined in Chapter 25-2, Subchapter C, Article 10 of the Code apply, except as modified below

- a) Compatibility standards shall not apply on a residential use to residential use basis, as set forth in Section 25-2-1051(C) (*Applicability*)
- b) The following are established as compatibility standards applicable to commercial and other permitted uses
  - i) Section 25-2-1065 (A) (*Scale and Clustering Requirements*) shall apply
  - ii) A 25-foot wide vegetative buffer area, measured from a property line of a residential use to a building, shall be provided and maintained between residential uses to the following commercial and civic uses automotive rentals, business or trade school, business support services, cocktail lounge, commercial off-street parking, consumer repair services, convenience storage, custom manufacturing, drive-through services, food preparation, hotel-motel, indoor entertainment, indoor sports and recreation, intensive recreational uses as defined in 25-2-1067 (F) (*Design Regulations*) of the Code, off-site accessory parking, outdoor entertainment, plant nursery, printing and publishing, service station, software development, theater, and veterinary services
  - iii) Improvements permitted within a vegetative buffer zone area are hike and bike trails, pedestrian trails, sidewalks, solid fences, detention facilities, water quality facilities and drainage facilities consisting primarily of earthen structures, utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required by the City of Austin

- iv) A 25-foot wide vegetative buffer area as described in Part 6 (A) (5) (b) (ii) does not apply to a Multi-Use Building or a Live/Work Shophouse
- v) The front yard setback requirements under Section 25-2-1064 (*Front Setback*) do not apply
- vi) Within 50 feet of an undeveloped platted residential lot (measured to the nearest setback line on the property), a commercial building may not exceed three stories or 40 feet in height. Within 50 feet of a developed residential building, a commercial building may not exceed two stories or 30 feet above the height of the existing residential use. Beyond 50 feet from a developed residential building, a commercial building may be constructed to the permitted height as set forth in this PUD
- vii) All exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent properties. Exterior lighting may not exceed 0.25 footcandles across the source property line
- viii) The noise level of mechanical equipment may not exceed 60 decibels at the property line
- ix) Dumpsters and permanently placed refuse receptacles must be located at least 25 feet from adjacent residential uses. The location of and access to dumpsters or any other refuse receptacles must comply with the Transportation Criteria Manual
- x) Commercial and civic uses must be screened in accordance with this subsection. Yards, fences, vegetative screening, or berms shall be provided to screen off-street parking areas containing 12 or more parking spaces on a single site, mechanical equipment, storage areas, and areas for refuse collection. A fence used for screening may not exceed a height of six feet unless otherwise permitted in the Land Development Code. The property owner must maintain fences, berms, and vegetative screening



(xi) A 100-foot wide buffer area shall be provided between property developed with a residential use and a custom manufacturing use or limited warehousing and distribution use. A 150-foot wide buffer area shall be provided between property developed with residential use and a light manufacturing or general warehousing and distribution use. The buffer areas shall be measured from the property line of property developed with Residential Uses to a building with the following uses: custom manufacturing, limited warehousing and distribution, general warehousing and distribution, and light manufacturing. Exterior bulk chemical storage, High-hazard Group H occupancies as defined in the Building Code, and distillation processes are prohibited under the land use definitions of custom manufacturing, limited warehousing and distribution, general warehousing and distribution, and light manufacturing.

~~xi) A 100-foot wide buffer area, measured from the property line for property developed with residential uses to a building developed with industrial, commercial or civic uses, shall be provided and maintained between all residential areas and property developed as research assembly services, research services, research testing services and postal facilities exceeding 10,000 square feet~~

xii) Improvements <sup>permitted</sup> within the 100-foot buffer <sup>any setback or buffer</sup> area are hike and bike trails, pedestrian trails, solid fences, detention facilities and water quality facilities consisting primarily of earthen structures, drainage facilities, underground utility improvements, overhead electric or communication lines, streets, alleys, driveways, surface parking facilities limited to 12 spaces or fewer or those requirements that may be otherwise required by the City of Austin or specifically authorized in this ordinance

~~c) Notwithstanding Subsection 5, development outside of the PUD triggers the compatibility standards of Chapter 25-2, Article 10 (Compatibility Standards) to development within the PUD~~

open space amenities, including seating, play structures, signage, pavilions, gazebos, and other pedestrian oriented streetscapes and shade structures, lighting, art features, landscape planting, irrigation, public restrooms,

## B Site Development

Site development regulations applicable to each land use area are established in Exhibits ~~E~~ <sup>F</sup> (Site Development Regulations) and ~~F~~ <sup>G</sup> (Density Table)

~~F~~ <sup>F</sup> ~~G~~ <sup>G</sup>

A building containing one or more office uses that total 25,000 square feet or more shall include shower facilities for bicycle riders. Such a building containing more than 25,000 square feet, but less than 50,000 square feet of office uses shall provide one private unisex facility. A building containing more than 50,000 square feet, but less than 100,000 square feet of office uses shall provide a minimum of two unisex facilities. A building containing more than 100,000 square feet, but less than 500,000 square feet of offices uses shall provide private shower facilities with two showers for each of both sexes. The facilities shall be separate from the office toilet facilities and include an area for changing clothes and storing personal items. The facilities may be located outside of the building in a common area accessible to all buildings subject to this requirement. The shower facilities shall also be provided if the office building includes retail uses as well, but in such mixed-use facilities there is no requirement that the showers be accessible to anyone other than the office and retail employees of the building.

Subsection 25-5-81 (B) is modified as follows:

(B) Except as provided in Subsection (C), (D), and (E) of this section, a site plan expires five years after the date of its approval.

## C Landscaping

- 1 Subsection (B) of Section 25-2-1003 (*General Requirements*) is modified to provide that a street yard 1,000 square feet or less in size is not required to be landscaped
- 2 Subsection (C) of Section 25-2-1006 (*Visual Screening*) does not apply to development within the PUD
- 3 Section 25-2-1007 (*Parking Lots*) is modified to provide that a parking area with 12 motor vehicle parking spaces or less is not required to have landscaped islands, peninsulas, or medians



## D Subdivision

- 1 Subsection (H) (K) and (L) of Section 25-3-52 (*Subdivision Layout Requirements*) applies to development within the PUD
- 2 Subsection (N) of Section 25-3-52 (*Subdivision Layout Requirements*) is modified to provide the following , **excluding to the boundary of the PUD**
  - a) The maximum block length is 800 feet The Director of the Watershed Protection and Development Review Department may approve a length up to 1,000 feet in length based on topography or existing street layout
  - b) A block length that exceeds 800 feet must be traversed by a pedestrian path near the midpoint
  - ~~c) The maximum block width is 300 feet The Director of the Watershed Protection and Development Review Department may approve a block width up to 400 feet based on topography or existing street layout~~
  - d) There is no limit to the block length for open space that is parallel to a right-of-way internal to the PUD
- 3 Except as modified in this Subsection, Subsection (C) of Section 25-3-82 (*Vehicular Access*) applies to the PUD  
 , **but not required.** **auto paseo court,**
  - a) Direct vehicular access from a ~~single family~~ residential lot to an alley is permitted and preferred Lots containing ~~multi-family~~ residential, condominium, mixed-use, commercial and civic uses do not require direct vehicular access from a lot to an alley
  - b) Except for the uses noted in Part 6 (D)(3)(a), direct vehicular access from a lot to a street is not permitted except as follows
    - i) if a lot does not abut and take access to an alley or
    - ii) the Director of the Watershed Protection and Development Review Department determines it is warranted by exceptional circumstances
  - c) Notwithstanding the above, vehicular access from a single family residential lot to a street is permitted provided that  
 , **alley or driveway**

- 1) a lot does not abut and take access to an alley <sup>or driveway,</sup> or access is taken to a street [with a standard cross-section as set forth in the Transportation Criteria Manual, and]
- ii) driveway separation requirements are met

4. Subsection 25-4-62 is modified as follows:

(a) An approved preliminary plan expires seven years after the date the application for approval of the preliminary plan is submitted.

- 5 ~~4~~ Subsection (A)(1) of Section 1 3 2 (*Classification Design Criteria*) of the Transportation Criteria Manual, may be utilized when it can be demonstrated that significant off-street parking will not occur or that off-street parking ratios are comparable to that achieved under the density provisions of single family residence standard lot (SF-2) district zoning

6. Section 25-4-171 (*Access to Lots*) is modified to provide that a lot that fronts on a common courtyard or access lot and that abuts an alley is not required to abut a dedicated public street.

E Transportation

- 1 Subsection (A) of Section 25-6-2 (*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 or Mansion Home with a driveway that serves four or fewer parking spaces is located
- 2 Subsection (B) of Section 25-6-2 (*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 property used for a purpose other than a yard house, row house, mansion home with a driveway that serves four or fewer parking spaces is located
- 3 Section 25-6-173 (*Collector Streets*) does not apply to development within the PUD and is replaced by Exhibit H (*Street Cross Section Table and Illustrations*)
- 4 Subsection (A) of 25-6-292 (*Design and Construction Standards*) applies to the PUD
- 5 Section 25-6-321 (*Existing Driveway*) applies to the PUD
- 6 Section 25-6, Article 7 (*Off-Street Parking*) and Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) do not apply in



the PUD Development in the PUD shall comply with Exhibit ~~L~~<sup>J</sup> (*Parking Regulations and Ratios*)

7 Subsections (A) (B) and (C) of Section 25-3-81 (*Roadway Design*) and Subsection (I) of Section 25-3-52 (*Subdivision Layout Requirements*) is modified to provide that streets, alleys, and pedestrian paths shall be designed and constructed in accordance with the Traditional Neighborhood District Manual, except as modified in Exhibit ~~H~~<sup>I</sup> (*Street Cross Section Table and Illustrations*)

8 Section 25-3-84 (*Parking Area Design and Construction Standards*) is modified to provide that design and construction guidelines for parking and loading facilities, circulation area, and queuing areas do not apply to the PUD

9 Street connections to Capitol View Drive and Cheryl Lynn Drive are not required

10. On street parking on public or private streets shall be counted towards the required parking

11. Private streets are permitted in accordance with Section 1.4.3 "E" of the TCM.

#### F Sign Regulations

1 The Neighborhood Mixed Use Area is subject to the commercial sign district regulations contained in Chapter 25-10

2 The Mixed Residential Area is subject to the neighborhood sign district regulations contained in Chapter 25-10

#### **PART 7.** This part is applicable to the location and site development of a Fire/EMS station site

A A Fire/EMS station site shall be reserved for a period of twenty years from the effective date of the zoning ordinance of the Goodnight Ranch PUD, and fee simple dedication of the site to the City of Austin prior to or concurrent with the issuance of a building permit for the Fire/EMS station upon a written request from the City of Austin. The City may release the reservation of the site prior to the twenty year period if the City has constructed or is in the process of constructing a Fire/EMS station site within 1/5 roadway miles of the reserved site

B The Fire/EMS station site shall have 45,000 square feet of impervious cover in development rights after any required boundary street impervious cover



deduction The development rights may be based on the net site area calculation of the tract or assigned from some other tract on the PUD

- C The specific location of the Fire/EMS station site shall be determined prior to approval of the first Preliminary Plan or final plat application that includes any PUD tracts on the south side of Slaughter Lane
- D The initial location of the Fire/EMS station site may be approved by the Director of the Neighborhood Planning and Zoning Department in accordance with the provisions of Section 25-2-403 of the Land Development Code
- E The specific location of the Fire/EMS station site may be changed by mutual agreement between the developer and the City as long as the new station site meets all of the same site development and location criteria The relocation of the Fire/EMS station site may be approved by the Director of the Neighborhood Planning and Zoning Department in accordance with the provisions of Section 25-2-403 of the Land Development Code
- F The Fire/EMS station site shall be located on a roadway classified as a Neighborhood Center Boulevard, Neighborhood Main Street or Neighborhood Avenue, as described in Exhibit H, and in a manner that permits alignment with a full-function median break approved by the Watershed Protection and Development Review Department, or its successor
- G Any roadway segment intersecting the southern right-of-way boundary line of Slaughter Lane shall be classified as a Neighborhood Center Boulevard, Neighborhood Main Street or Neighborhood Avenue for a minimum of 1500 feet south of the intersection with the Slaughter Lane right-of-way boundary line
- H The fiscal posting for the final plat that abuts the Fire/EMS station site shall include fiscal posting for a traffic signal pre-emption device at the intersection of that roadway and Slaughter Lane
- I Street parking is prohibited on the roadway segment abutting the Fire/EMS station site An advance traffic control device system that may include signage, markings, and flashing lights, or other devices as approved by the City of Austin shall be required

**PART 8.** This Part 8 is applicable to the development of public elementary and secondary schools within the PUD Notwithstanding anything herein to the contrary, the Austin Independent School District's development of schools within the PUD shall be governed by the School District Land Development Standards Agreement by and between the City of Austin and the Austin Independent School District, as amended from time to time

**PART 9.** This ordinance takes effect on November 27, 2006


Except as specifically provided under this ordinance, the property may be developed by regulations applicable under the City Code.

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**PASSED AND APPROVED**

November 16, 2006


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§

  
Will Wynn  
Mayor

**APPROVED:**

  
David Allan Smith  
City Attorney

**ATTEST:**

  
Shirley A. Gentry  
City Clerk

**PART X.** This Part X is applicable to development of open space and trails within the PUD, Notwithstanding anything herein to the Contrary, The Onion Creek Metro Park District's Development of open Space and Trails shall be governed by the Consent Agreement by and Among the City of Austin, Texas Onion Creek Metro Park District and the Austin Goodnight Ranch LP, effective August 13, 2014 and any future amendments and if there is a conflict between the PUD and the Consent Agreement and it's Amendments the Consent Agreement and it's Amendments shall control. Section 7.04 Timing of the First Amendment to the Consent Agreement by and Among the City of Austin, Texas Onion Creek Metro Park District and the Austin Goodnight Ranch LP, dictates the process of trail and open space improvements.

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