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ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 25-2-647 OF THE CITY CODE  
RELATING TO MIXED USE COMBINING DISTRICT REGULATIONS AND  
VERTICAL MIXED USE BUILDINGS.

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

PART 1. Section 25-2-647 (*Mixed Use (MU) Combining District Regulations*) of the  
City Code is amended to add Subsection (H) to read:

(H) This subsection applies to a vertical mixed use building.

(1) In this subsection:

(a) NET FRONTAGE LENGTH is determined by subtracting required  
drive aisles and stairs that occur at the building perimeter from the  
gross length of building frontage.

(b) VERTICAL MIXED USE BUILDING means a building that meets  
the following requirements:

(i) A use on the ground floor must be different from a use on an  
upper floor.

(ii) Along not less than 75 percent of the net frontage length, the  
building must be designed for at least two commercial uses in  
ground floor spaces that each have:

1. a customer entrance that opens directly onto the sidewalk;

2. a depth of not less than 24 feet;

3. a height of not less than 12 feet, measured from the finished  
floor to the bottom of the structural members of the ceiling;  
and

4. a front facade with not less than 50 percent of the wall area  
between two and 10 feet above grade constructed of glass  
with a visible transmittance rating of 0.6 or higher.

(iii) Motor vehicle parking is not permitted between the front  
building facade and the front lot line.

1 (2) A vertical mixed use building is not subject to:

2 (a) except as provided in Paragraph (4), the minimum site area  
3 requirements of Subsection (G); or

4 (b) the following requirements of Section 25-2-492(C) (*Site*  
5 *Development Regulations*):

6 (i) minimum front yard setback;

7 (ii) minimum street side yard setback;

8 (iii) minimum interior yard setback; or

9 (iv) except as provided in Paragraph (4):

10 1. maximum floor area ratio; or

11 2. maximum building coverage.

12 (3) The minimum off-street parking requirement for a vertical mixed use  
13 building is 60 percent of that prescribed by Chapter 25-6, Appendix A  
14 (*Tables Of Off-Street Parking And Loading Requirements*).

15 (4) This paragraph applies to a vertical mixed use building located on  
16 property zoned as a neighborhood plan (NP) combining district before  
17 (effective date of ordinance).

18 (a) The council may, by ordinance, require the vertical mixed use  
19 building to comply with:

20 (i) the minimum site area requirements of Subsection (G); or

21 (ii) the maximum floor area ratio or maximum building coverage  
22 requirement prescribed by Section 25-2-492(C) (*Site*  
23 *Development Regulations*).

24 (b) The neighborhood planning or contact team for the NP combining  
25 district may, not later than (90<sup>th</sup> day after effective date of  
26 ordinance), submit an application to the city manager requesting  
27 that the council require one or more vertical mixed use buildings in  
28 the district to comply with the minimum site area requirements,  
29 maximum floor area ratio requirement, or maximum building  
30 coverage requirement.

1 (c) The planning commission shall review a request and make a  
2 recommendation to council not later than (135<sup>th</sup> day after effective  
3 date of ordinance).

4 (d) The council shall consider the planning commission's  
5 recommendation and act on a request not later than (135<sup>th</sup> day after  
6 effective date of ordinance).

7 (5) This subsection expires on the effective date of an ordinance adopting  
8 commercial design standards that include requirements for vertical  
9 mixed use buildings.

10 **PART 2.** The director of the neighborhood planning and zoning department shall  
11 provide a copy of this ordinance to each neighborhood planning or contact team for a  
12 neighborhood plan combining district zoned before (effective date of ordinance).

13 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

14 **PASSED AND APPROVED**

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18 \_\_\_\_\_, 2006

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Will Wynn  
Mayor

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23 **APPROVED:** \_\_\_\_\_  
24 David Allan Smith  
25 City Attorney  
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27 **ATTEST:** \_\_\_\_\_  
28 Shirley A. Gentry  
City Clerk