

## A U S T I N C I T Y C O U N C I L

## AGENDA

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Wednesday, August 09, 2006

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**Public Hearings and Possible Actions**  
**RECOMMENDATION FOR COUNCIL ACTION**
**ITEM No. 20**

**Subject:** Conduct a public hearing and approve an ordinance amending the City Code to establish design standards for commercial, multi-family and mixed use development. The design standards ordinance includes regulations addressing building location, streets and walkways, pedestrian and vehicular connections, parking, exterior lighting, screening, open space, shading, building design, and related land development code amendments.

**Additional Backup Material**

(click to open)

- ☐ [Staff Report](#)
- ☐ [Council Resolution of 2-26-04 - Attachment 1](#)
- ☐ [Design Standards Draft of 5-12-05 - Attachment 2](#)
- ☐ [Final CDS Revisions - Attachment 3](#)
- ☐ [LCD Amendments - Attachment 5](#)
- ☐ [Environmental Board Recommendation - Attachment 6](#)
- ☐ [PC Recommendation of 4-26-05 - Attachment 7](#)
- ☐ [PC Recommendation of 7-11-06 - Attachment 7B](#)
- ☐ [ZAP Recommendation - Attachment 8](#)
- ☐ [Design Commission Recommendation - Attachment 9](#)
- ☐ [Design Commission Comments](#)
- ☐ [MU Subchapter - Attachment 4-](#)

**For More Information:** George Adams, 974-2146

**Boards and Commission Action:**(Recommended by Planning Commission, Zoning and Platting Commission; Design Commission and, Environmental Board)

**Prior Council Action:** May 25, 2006, by Resolution No. 20060525-051

**COMMERCIAL DESIGN STANDARDS  
STAFF REPORT**

On February 26, 2004, the City Council approved a resolution directing the City Manager, in consultation with stakeholders, to prepare recommendations for citywide design standards (See Attachment 1: City Council Resolution 040226-27)

In order to implement the Council's direction, a Task Force was convened to consider research and input from the public, stakeholder groups, and individuals. The Task Force produced a policy report entitled "*Raising the Design Standards in Austin, Texas.*" (See Attachment 2: Design Standards Task Force Report, May 12, 2005). The policy report identified a number of areas where regulatory improvements are necessary in order to raise the bar of development quality in Austin. The general intent was to develop regulations that foster a built environment of aesthetic and sustainable value, enhance economic development efforts and promote Austin's unique character and natural environment.

The policy report included sections on development orientation, parking, land use, signs, stormwater management, connectivity, exterior lighting, screening and compatibility and building design. A major innovation of the policy report is its focus on roadways as an organizing feature for development regulations.

On May 12, 2005 the City Council held a public hearing on the Commercial Design Standards Task Force Report. The Council deferred action on the Development Orientation and Building Design sections of the report and forwarded the remainder of the report to the City Manager to develop an ordinance. After additional review the Council forwarded the Development Orientation and Building Design sections of the report to the City Manager for codification on May 26, 2005. On November 17, 2005 the City Council approved a series of amendments to the Task Force Report (See Attachment 3: November 17, 2005 Revisions to Commercial Design Standards Task Force Report).

On March 2, 2006 the City Council approved authorization to negotiate and execute a contract with Clarion Associates to draft an ordinance based on the Commercial Design Standards Task Force Report. Since that time Clarion Associates have worked to translate the Task Force Report into a user-friendly, legally enforceable ordinance.

Clarion Associates reviewed the Task Force Report and produced a document titled "*Diagnosis and Proposed Outline for Citywide Design Guidelines*". This document identified areas needing clarification and major recommendations of the Consultant. The results of the diagnosis were presented to the Council's Land Use and Transportation Subcommittee on February 13, 2006 and to City Council on March 2, 2006.

On May 23, 2006 Clarion Associates presented an overview of the draft ordinance to the Commercial Design Standards Task Force and on May 24, 2006 to a larger stakeholders group. On June 9, 2006 the Task Force, other stakeholders, staff and the Consultant participated in a workshop to "test" the draft ordinance by applying the standards to a number of development sites. The workshop helped to identify a

number needed revision to the Design Standards ordinance. Since the workshop the Task Force has continued to refine the ordinance.

**Major Elements of the Design Standards Ordinance and Significant Changes from Current Standards or Process**

A brief overview of the major elements of the Design Standards ordinance and a description of significant changes in current standards or processes is provided below. The draft Design Standards and Mixed Use Ordinance is provided as Attachment 4.

**ARTICLE 1 GENERAL PROVISIONS** defines how the Design Standards are applied, establishes exemptions from the standards and describes how the Design Standards relate to the existing Land Development Code (LDC). Applicability of the standards varies by roadway type, land use and zoning district. Certain zoning districts and areas such as the RMMA redevelopment are exempted from the standards. The Conflicting Provisions section (1.2.4) describes how the Design Standards relate to the existing Land Development Code. In general, the Design Standards take precedence unless expressly stated otherwise in this section.

Article 1 also describes a process and criteria for minor modifications to development standards for preservation of environmental or historic resources and defines a process and criteria for Alternative Equivalent Compliance which allows flexibility in meeting the design standards so long as the result is equal, or superior, to strict application of the standards.

In many cases the Conflicting Provisions section of the ordinance will require staff to make a determination as to whether the Design Standards or the existing LDC provision should apply. This will entail a learning period for both staff and applicants. The Alternative Equivalent Compliance provisions of the ordinance represent a new step in the development review process. The draft ordinance provides two options for submittal of alternative compliance plans – informal and formal. New processes, application and review materials will need to be established for Alternative Equivalent Compliance.

**ARTICLE 2 SITE DEVELOPMENT STANDARDS** includes regulations intended to ensure that buildings relate appropriately to surrounding developments and streets and promote efficient pedestrian and vehicle circulation while creating a unique and identifiable image for development in Austin.

Under Article 2 the location of buildings and parking, sidewalk, and streetscape standards vary by roadway type. Five roadway types are defined: Core Transit Corridor, Internal Circulation Route, Urban Roadways, Suburban Roadways and Highways/Hill Country Roadways. A hierarchy of roadway types is established with more stringent standards applied to Core Transit Corridors and less restrictive standards applied to Highways or Hill Country Roadways. Along the highest priority roadways (Core Transit Corridors, Internal Circulation Routes and Urban Roadways) wider sidewalks and street trees are required.

Article 2 also provides standards for the location of building entryways, establishes requirements, exemptions, and impervious cover allowances for a system of internal driveways and sidewalks for large sites known as Connectivity, establishes provisions for reducing required parking, defines screening standards for mechanical equipment, utilities and exterior lighting and defines new standards for private common open space on larger sites.

Article 2 includes a number of significant changes to development standards including:

- Wider sidewalk requirements (min. 12-15' depending on roadway type), and in the case of Core Transit Corridors a requirement for street trees;
- Site development standards along Core Transit and Urban roadways that require buildings to be placed closer to the street;
- Connectivity standards that require a network of internal driveways and sidewalks for large sites.

The standards included in Article 2 will require staff training and the development of new application and review materials. The site plan and license agreement process will be most affected by the new standards included in Article 2.

**ARTICLE 3: BUILDING DESIGN STANDARDS** includes regulations intended to address the physical appearance of buildings subject to the ordinance. Article 3 includes general requirements for glazing and shading to ensure that buildings facades are pedestrian-friendly and additional standards to improve building design. Under the latter section an applicant must choose from a menu of options to meet a flexible, point-based requirement for building design. All buildings subject to this section must reach a minimum number of points, with additional points required for certain building types (e.g., buildings with trademarked design features and large single-use buildings)

Article 3 will entail a new area of review for city staff. Currently staff reviews for site design standards at the site plan stage and for building code compliance at the building permit stage. The Building Design standards will add an additional review of certain exterior building elements to the current building code review.

**ARTICLE 4 , MIXED USE** includes standards and incentives for Mixed Use development. Article 4 summarizes the districts in which mixed use development is allowed in Austin and also the types of mixed use development that may occur. Generally, mixed use development may occur horizontally, in different buildings on a site, or vertically, in a Neighborhood Mixed Use or Vertical Mixed Use (VMU) building. This Article combines elements of the current Austin City Code relating to mixed use development with new material providing additional incentives and standards for mixed use projects.

Vertical Mixed Use is a key concept of the Design Standards ordinance and Article 4 includes several major provisions designed to define and encourage VMU. First is the establishment of the Vertical Mixed Use Overlay District. The overlay district applies to commercially zoned sites located on a Core Transit Corridor or Future Core Transit Corridor. The purpose of the overlay district is to encourage mixed use development patterns along the Core Transit Corridors. The second major provision is the definition of a VMU building. To be considered as Vertical Mixed Use a building must meet the following standards:

- Must include at least two uses, one of which must be residential;
- Must be designed to accommodate pedestrian-oriented commercial space along at least 75% of the net building frontage;
- May include certain ground floor commercial uses such as general retail sales and restaurant;

Article 4 also defines alternative site development standards for VMU buildings and a process for neighborhood review of these standards. Alternative VMU site development standards include waiver of:

- Minimum site area standards;
- Floor-to-area ratio;

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- Building coverage;
- Minimum front and side setbacks; and,
- Reduced parking requirements.

Under the provisions of the ordinance either Neighborhood Planning Teams or Neighborhood Associations, as applicable, will have a 90 day period after adoption of the ordinance to develop a recommendation as to whether the alternative standards should apply along the Core Transit Corridors within their area. The Planning Commission will review the neighborhood recommendations and provide a recommendation to the Council who will make a final determination.

The initial preparation, processing and management of the VWU overlay district, the proposed alternative standards and neighborhood review process will require significant staff resources. Once in place these elements will require additional staff research as projects move through the development review process.

**ARTICLE 5** DEFINITIONS includes terms used throughout the Design Standards ordinance.

**Additional Code Amendments related to the Design Standards Ordinance**

There are several LDC code amendments described in the Task Force report that are not included in the Design Standards ordinance. A number of these are being processed as amendments to the Land Development Code including cross-references between the LDC and the Design Standards subchapter, standards for service stations, and repeal of current mixed use standards that will now reside in Article 4 of the Design Standards (See Attachment 5 for these specific LDC amendments).

The Task Force Report also identified major amendments to the Landscape and Sign regulations of the Land Development Code. Early in the process of developing an ordinance Clarion Associates recommended the landscape and sign ordinance amendments be incorporated in Chapters 25-2 and 25-10 of the Land Development Code. More recently the Task Force recommended that Clarion develop a format similar to the Design Standards for the Landscape and Sign amendments. These will be new subchapters of the LDC and will follow the Design Standards ordinance as separate ordinance amendments. Staff anticipates having these amendments available for review in mid-to-late September 2006.

**Potential Impact on Review Process and Measures to Mitigate Impacts**

The Design Standards include new areas of review, potentially increased workload, and additional complexity in interpreting development regulations. To meet these challenges the City Manager has recommended adding new staff to commercial building plan review, right-of-way management and building inspection. The city has also retained Clarion Associates to assist in developing new application and review materials and to provide training for staff on the Design Standards. Finally, the implementation of the Design Standards ordinance will be deferred approximately 135 days from the time of adoption to allow staff, the development community and neighborhoods to transition to the new code provisions.

**Attachments**

Attachment 1: City Council Resolution 040226-27

Attachment 2: Commercial Design Standards Task Force Report – May 12, 2005

Attachment 3: November 17, 2005 Revisions to Commercial Design Standards Task Force Report

Attachment 4: Design Standards and Mixed Use Ordinance, July 20, 2006

Attachment 5: LDC Amendments Related to the Design Standards Ordinance

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Attachment 6: Environmental Board recommendations on Commercial Design Standards Task Force Report

Attachment 7: Planning Commission recommendations on Commercial Design Standards Task Force Report and Design Standards Ordinance (July 7, 2006 Draft)

Attachment 8: Zoning and Platting Commission recommendations on Commercial Design Standards Task Force Report

Attachment 9: Design Commission recommendations on Commercial Design Standards Task Force Report

**RESOLUTION NO. 040226-27**

**WHEREAS**, the City of Austin has among the lowest design standards of communities in the Central Texas region; and

**WHEREAS**, in neighboring communities and throughout the country, national retailers routinely construct stores with higher design standards than the stores these retailers construct in Austin; and

**WHEREAS**, national retailers construct to a higher standard in neighboring communities because the communities have higher design standards than Austin has; and

**WHEREAS**, high quality architecture and good urban design contribute to an improved civic and natural environment, enhance quality of life, sustain economic development and maintain a community's unique identity; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager, in consultation with stakeholders, shall prepare recommendations for citywide design standards for commercial and retail development. These recommended citywide design standards shall constitute the best practices of the standards adopted by communities around the nation and shall require design standards that reflect Austin's unique historic, landscape and architectural character. The recommendations shall include, at a minimum, citywide design standards relating to landscaping, materials for building façades, use of windows, façade articulation, lighting, convertibility,

design modularity, development orientation, transit and pedestrian amenities, public spaces, neighborhood access, parking, signage and screening of loading, mechanical equipment, storage and trash; and

**BE IT FURTHER RESOLVED:**


The City Manager, in consultation with stakeholders and utilizing prior corridor planning initiatives, shall identify corridor types for design character analysis and planning as well as propose code amendments to address corridor-specific design issues. The corridors identified shall be placed in at least two categories: (1) urban corridors; and (2) corridors with high scenic value. The City Manager shall also present a timetable for commencing individual corridor planning, beginning with the concurrent commencement of two corridor planning efforts, one for the highest priority urban corridor and the other for the highest priority corridor with high scenic value; and

**BE IT FURTHER RESOLVED:**

The City Manager shall present these recommendations to the City Council for review and comment by the Design Commission and other required boards and commissions. The City Manager shall present the recommendations to the Council on or before April 30, 2004.

**ADOPTED:** February 26, 2004

**ATTEST:**

  
Shirley A. Brown  
City Clerk



# RAISING THE DESIGN STANDARDS IN AUSTIN, TX

Proposed Code Amendments to Improve Commercial Design

Prepared by Councilmember Brewster McCracken's Task Force

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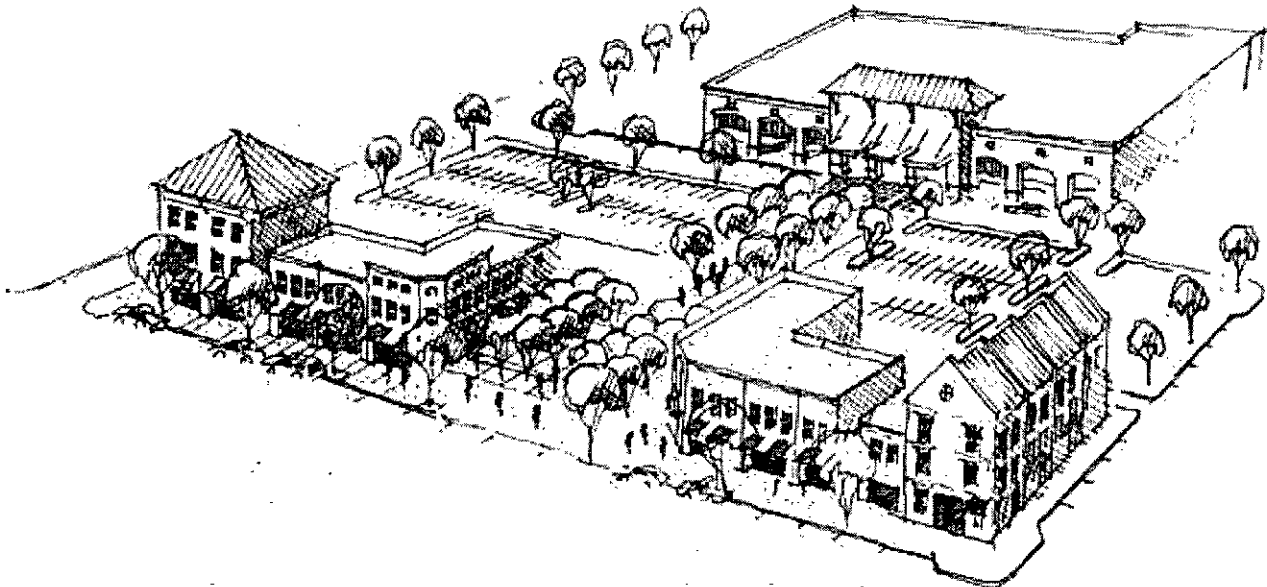
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## **BACKGROUND**

### **City Council Resolution**

On February 26, 2004 City Council, in response to the findings that the City of Austin has among the lowest design standards of communities in the Central Texas region, directed the City Manager by resolution (#040226-27) "...to prepare recommendations for citywide design standards for commercial and retail development. These recommended citywide design standards shall constitute the best practices of the standards adopted by communities around the nation and shall require design standards that reflect Austin's unique historic, landscape and architectural character..." The Council resolution specifically asked for standards for commercial development related to:

- Landscaping
- Building façade materials
- Use of windows
- Façade articulation
- Lighting
- Convertibility
- Design modularity
- Development orientation
- Transit and pedestrian amenities
- Public spaces
- Neighborhood access
- Parking
- Signage
- Screening of loading, mechanical equipment, storage and trash

### **Task Force Research**

The Task Force, organized by Councilmember Brewster McCracken, met over several months to consider research and input from the public, various stakeholder groups and individuals. The Task Force consisted of Mayor Pro-Tem Jackie Goodman, Councilmember Raul Alvarez, Councilmember Brewster McCracken, (and their aides), Design Commissioners Girard Kinney and Richard Weiss and Planning Commissioners Chris Riley and Matthew Moore. City staff participated in Task Force meetings as well. The Task Force sought to understand the preferences of citizens and the regulations of other cities prior to developing a recommendation, by reviewing the following:

- Results of the web-based survey of Austin residents and visitors conducted between March 12, 2004 and April 16, 2004. There was a record-setting 5,469 respondents.
- Development requirements in other US cities.
- Interviews of planners in other communities with design regulations.
- Input from individual members of the Austin real estate community.
- Input from public meetings with open Stakeholder group consisting of design and real estate professionals and neighborhood and environmental activists.
- Findings by Robert Gibbs, national retail design expert, and the input from work sessions he led with the stakeholder group.

## PROPOSAL

### Structure

The intent of these new regulations is to create a built environment of aesthetic and sustainable value that enhances economic development efforts to promote Austin's unique character and natural environment and that upholds an efficient development review process.

The proposed new regulatory system will raise standards for all non-residential and mixed-use development, but within a regulatory structure offering options and flexibility, not strict requirements. **New commercial development will be subject to a set of minimum site and building design standards; recognizing that all new development, regardless of size, should be subject to minimum standards** (See Applicability section below for when proposed minimum requirements would be triggered).

The major change in this proposal is in how development will be regulated. **Certain development regulations (such as development orientation, signage and landscaping) will be tied to the development parcel's roadway frontage(s)**, recognizing both that the roadway provides access to the site and to the urban design framework. The Applicability section below indicates which amendments apply to which roadway types. The Roadway types proposed are:

- i. Transit Roadways (roadways to be determined)
- ii. Neighborhood Roadways (roadways not considered Transit, Highway or Hill Country).
- iii. Highways (see map page 4)
- iv. Hill Country Roadways (see map page 5)

### Applicability

Not all site plan and building plan permits must comply with the proposed code amendments. The table on page 6 summarizes when a development must comply with a proposed code amendment. In all cases, any regulation from the Neighborhood Plan Combining District (NPCD), Neighborhood Conservation Combining District (NCCD), Traditional Neighborhood Development (TND) and all zoning overlays supersede these proposed code amendments to the extent of conflict. **Specifically, compatibility standards and neighborhood plans supersede these proposed code amendments to the extent of conflict.** In addition, the current Code requirements apply where the proposed code amendments do not change the current requirements.

Currently the code does not specifically define what a redevelopment project is, but instead states for certain regulations, such as for water quality in LDC Section 25-8-26, at what point a project triggers compliance.

**Redevelopment:** In general, projects that completely redevelop a site should comply with the Commercial Design Standards although the Task Force encourages the

identification and adoption of incentives to encourage redevelopment and subsequent compliance with the new standards.

For projects that are partially redeveloping a site the Task Force proposes the following:

- Partial redevelopment should not increase the degree of noncompliance with the Commercial Design Standards.
- Existing City of Austin standards and processes for redevelopment need to be identified and understood. Existing standards are the logical starting point for similar rules related to the Commercial Design Standards.
- There should be a graduated scale or trigger for compliance with the Commercial Design Standards based on the scope of redevelopment.

## Summary of Proposed Code Amendments

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PCA #	Brief Description	Applicability	Trigger	Roadways	Page #
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PCA #	Brief Description	Applicability	Trigger	Roadways	Page #
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BD-3	Options to improve building design	All commercial zoning and VMU zoning. Applies to any buildings zoned for industrial use or warehouse use at the point their use is converted to commercial	Projects that require site plans, except additions	All	47
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## DEVELOPMENT ORIENTATION

### **Key Issues**

Orientation refers to where buildings sit on a site as well as where their principal entrances or “storefronts” are located. Currently in Austin’s code, regulations related to orientation, such as building setbacks, depend solely on the property’s zoning. While this approach is common throughout the US, there are three key problems with it:

- The building setbacks and other site development regulations are the same for each property within the same zoning district regardless of where the property is located and what kind of roadway provides its principal access. For example, a property located on a two-lane neighborhood collector street with GR zoning has the same setback and height requirements as a property with GR zoning on a major highway. The desired orientation of a commercial development depends primarily on what roadway it is on and what area of town it is in, but the current code does not consider these differences.
- Linking site development regulations solely by base zoning district results in zoning for site regulations, instead of zoning for land uses. For instance, it is not uncommon for an applicant to request CS zoning for the site development regulations, but only wanting GR uses.
- Along a single stretch of roadway, there are often a variety of zoning districts, each with different site development regulations. Currently, there could be three adjacent parcels on the same roadway with the same land use but with three different setback, height, impervious cover and FAR requirements.

In addition, survey results showed that a strong majority (70.5%), including the majority of real estate professionals, want to see a change in development orientation along non-highway roadways (Urban Roadways) so that buildings are built close to the street. In addition, cities around the US, including San Antonio, TX, Dallas, TX, San Diego, CA, Milwaukee, WI, Sarasota, FL and Portland, OR are now requiring buildings close to the street along certain roadways or within non-downtown zoning districts.



### **Proposed Code Amendments**

Some optional items contain ongoing obligations. To ensure ongoing compliance, all site plans shall list the obligations for the site, and notices of all site plans shall be filed with the county clerk.

#### **DO-1: Definitions**


To improve the responsiveness of zoning to location, to remove the inconsistency of having different regulations for the same use on the same roadway, and to create a cohesive development pattern, development orientation will be dependent on the roadway type where the development occurs.

**"Core Transit Corridors"**: are defined as the following roads and road sections:

1. Lamar between Airport (north) and Ben White (south)
2. Guadalupe
3. S. Congress to Stassney
4. Barton Springs to Robert E. Lee
5. W. Fifth
6. W. Sixth between Guadalupe and Pressler
7. Riverside to Pleasant Valley
8. Anderson between Burnet and Mopac
9. Burnet between 45<sup>th</sup> and Anderson
10. S. 1<sup>st</sup> to Ben White
11. E. 7<sup>th</sup> to Pleasant Valley
12. E. Cesar Chavez to Pleasant Valley
13. MLK, Lamar to Airport
14. 38<sup>th</sup> Mopac to Speedway

Criteria for adding Core transit corridors in the future:

1. Population density
2. Neighborhood plan

- 
3. Corridor plan
  4. Transit facilities

In the neighborhood planning process, stakeholders should consider and make recommendations concerning roadways they wish to designate as core transit corridors within the neighborhood boundary.

The taskforce recommends that the following roadways be considered core transit roadways in the future:

1. S. Congress from Stassney to Slaughter
2. Slaughter from I35 to Mopac
3. 7<sup>th</sup> St. from Pleasant Valley to 183
4. Lamar from Anderson to Howard
5. Manor from Dean Keaton to 183
6. Airport from Manor to Lamar
7. Oltorf
8. 51<sup>ST</sup> from Manor to Airport



**“Urban Roadways”** are defined by the following boundaries:

1. (northern boundary) Mesa to Loop 360, Loop 360 to Great Hills, Great Hills to Braker, Braker to Burnet, Burnet to 183, 183 to Manor
2. (eastern boundary) Manor to Airport Blvd, Airport Blvd to 7<sup>th</sup>, 7<sup>th</sup> to Pleasant Valley to Ben White Blvd.;
3. (southern boundary) Ben White;
4. (western boundary) Mopac except for area bounded by Lake Austin Blvd., Exposition, Windsor, Pecos, 38<sup>th</sup>, Balcones, Mesa, Spicewood Springs.

The taskforce recommends that the urban core boundaries be extended in the future to the following boundaries:

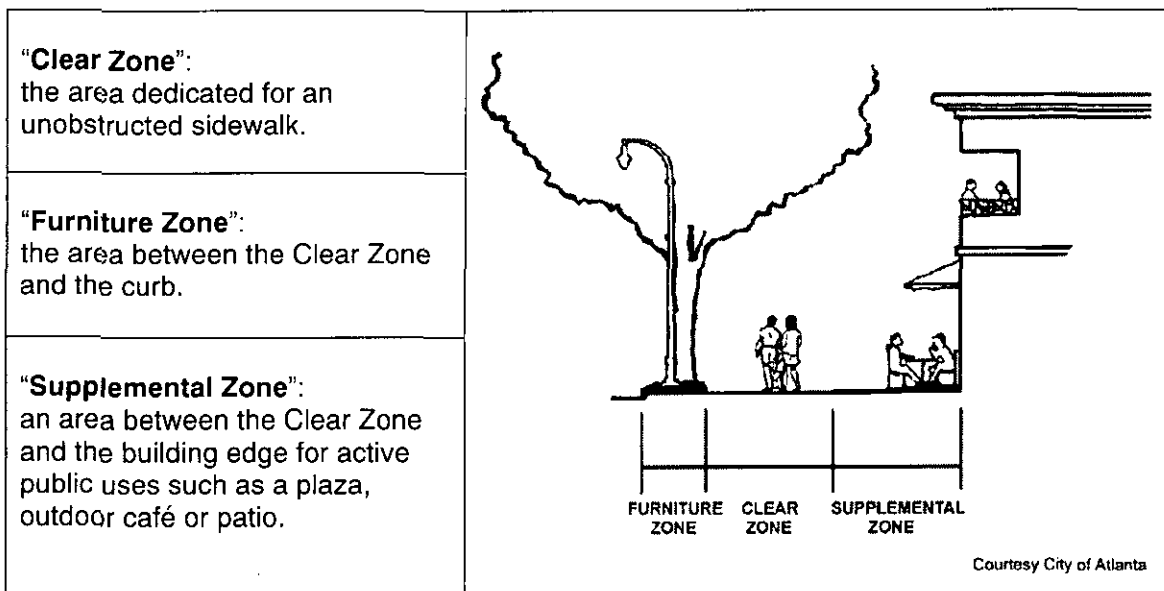
1. Metric to Parmer and Parmer to Burnet on the North
2. 183 to 71 on the East
3. Slaughter to the South

**"Local Roadways":** all roadways that are not Transit, Hill Country or Highway Roadways.

**"Hill Country Roadways":** This roadway type applies on all properties within 1000 feet of FM 2222, FM 2244, FM 620, Loop 360 and Southwest Parkway.

**"Highways":** all freeways, parkways, expressways, and frontage roads identified in the Austin Area Metropolitan Transportation Plan.

**"Internal Circulation Route":** either a public street or a private drive edged by a curb within a development. An Internal Circulation Route may be designed as a matter of right for speeds as low as 20 miles per hour.



DO-2	Development Orientation on Core Transit Corridors	Core Transit Corridors
Applies to:	All zoning districts except single family. All new buildings, except additions to existing buildings.	

Along Core Transit Corridors, all buildings must be built up to the Clear Zone or the Supplemental Zone along the Core Transit Corridor with the following exceptions:

1. If the lot is deep enough for at least two blocks, <sup>1</sup> buildings may be built up to the Clear Zone on an internal block adjacent to an Internal Circulation Route subject to the requirements of C-2.
2. The following do not have to be built up to the Clear Zone along that roadway so long as parking is not located between the building frontage facing the street:
  - a. civic buildings
3. Within each zoning category along Core Transit Corridors, a VMU-option overlay is established subject to the following:
  - a. In areas subject to a Neighborhood Plan, VMU structures may not contain uses prohibited for that lot under the Neighborhood Plan
  - b. In areas that have not undergone the neighborhood planning process, the VMU overlay is limited to commercially zoned properties.
4. Any surface parking along a Core Transit Corridor must have a row of shade trees between the curb and the parking area.

A central land use goal that resulted from the Envision Central Texas process is to promote increased mixed use infill development. To achieve this goal, public infrastructure improvements are critical along Core Transit Corridors. Therefore, the City Council sets the following policy directives concerning infrastructure: (1) Core Transit Corridors shall receive top priority for sidewalk construction; (2) Austin Energy shall develop and implement a plan to bury utility lines in conjunction with sidewalk construction; (3) the Director of Public Works shall develop and implement a plan to plant street shade trees in conjunction with sidewalk construction; and (4) the City Manager shall develop a program for VMU buildings on Core Transit Corridors to rebate the cost of moving public infrastructure that impedes the developability of property along Core Transit Corridors.

<sup>1</sup> The minimum block length is 276 feet in any direction.

<b>DO-3</b>	<b>Development Orientation on Urban Roadways</b>	<b>Urban Roadways</b>
<b>Applies to:</b>	All zoning districts except residential. All new buildings, except additions to existing buildings.	

1. On Urban Roadways, buildings must be built up to the Clear Zone or Furniture Zone along that roadway and parking is prohibited between the building(s) and the front property line unless the development meets the exceptions set forth below.
  - a. If the lot is deep enough for more than one block, buildings may be built up to the Clear Zone on an internal block along an Internal Circulation Route subject to the requirements of C-2.
2. On sites 400 feet deep or less, parking may be located in front of a building if—
  - a. at least 40% of the street frontage consists of continuous building façade (divided into no more than two buildings) or 20% of continuous VMU building façade (divided into no more than two buildings) located within 30 feet of the property line; and
  - b. there is a row of shade trees between the curb and the parking area; and
  - c. A sidewalk at least 6 feet wide lined by shade trees leads to the main customer entrance from the property line. No more than one drive aisle can cross the sidewalk. For multi-tenant developments, there must be a path at least every 330 feet.
3. For sites located on a corner on Urban Roadways,
  - a. the building(s) within 100 feet of the corner may not have a parking area between the building and the property line from the corner.
  - b. the development may not contain an auto-oriented use with the following exceptions:
    - I. A drive-through aisle may be located behind the store (example: Walgreens on 45<sup>th</sup> and Guadalupe).

DO-4	Development Orientation on Local Roadways	Local Roadways
<b>Applies to:</b>	All non-residential zoning districts (exempt certain land uses, such as industrial). All new buildings, except additions to existing buildings. (auto repair, screened parking, garage doors, loading areas):	

The preferred development model on Local Roadways is to refrain from placing parking between the building and the street. On Local Roadways, this is not required, but if the building is built up to the Clear Zone or Furniture Zone along a Local Roadway, the project is exempt from the connectivity requirements in C-2.

1. Parking along the street frontage must have—
  - a. a row of shade trees between the curb and the parking area; and
  - b. a sidewalk at least 6 feet wide lined on both sides by shade trees leading to the main customer entrance from the property line. No more than two drive aisles can cross the sidewalk. For multi-tenant developments, there must be a path at least every 330 feet.

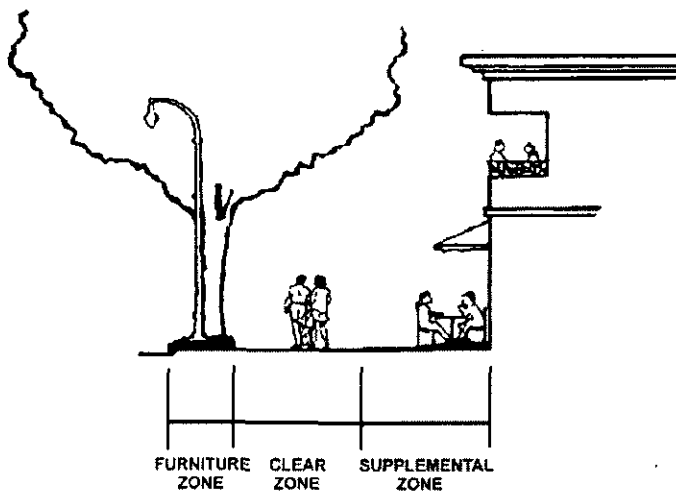
A shaded sidewalk at least 6 feet wide leading to the main customer entrance. No more than two drive aisles can cross the sidewalk.  
*Example from Raleigh code.*



2. For sites located on a corner on Local Roadways,
  - a. the building(s) within 100 feet of the corner may not have a parking area between the building and the property line unless—
    - I. a landscape barrier of shade trees is planted for the entire length of the parking area between the curb and the parking area; or
    - II. the building is brought up to the property line on one of the two corner street frontages.
  - b. the development may not contain an auto-oriented use unless
    - I. a landscape barrier of shade trees is planted for the entire length of the development between the curb and the parking area or
    - II. the building is brought up to the property line on one of the two corner street frontages.

<b>DO-5</b>	<b>Development Orientation on Internal Circulation Routes</b>	
<b>Applies to:</b>	All non-residential zoning districts (exempt certain land uses, such as industrial). All new buildings, except additions to existing buildings. (auto repair, screened parking, garage doors, loading areas):	

1. Along Internal Circulation Routes (whether built as public streets or as private drives), all buildings must have an adjacent sidewalk to the entrance, followed by an Internal Circulation Route.
2. Parking is prohibited between the building entrance and the curb edge of the Internal Circulation Route. (See Atlanta example below and diagrams in C-1.)
3. Parallel parking and head-in parking are allowed on an Internal Circulation Route.
4. Internal Circulation Routes (whether public roads or private drives) may be designed as a matter of right for speeds as low as 20 miles per hour
  - a. Policy: to promote pedestrian safety and pedestrian-oriented development



*Atlanta's Design Standards set out the relationship of buildings to sidewalks and private drives or streets.*

Courtesy City of Atlanta

*Development orientation for buildings along public streets or within a development containing a street-like internal circulation system.*

<b>DO-6</b>	<b>Orient building(s) according to roadway type hierarchy.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	<p>For Transit Roadways, all zoning districts.  For Neighborhood, Highway and Hill Country Roadways, all non-residential zoning districts (exempt certain land uses, such as industrial).  All new buildings, except additions to existing buildings. In no case would this require orienting development toward a street with zoning of SF6 or below.</p>	

1. At least one customer entrance must either:
  - a. face the principle street and connect directly to principal street sidewalk as established through the roadway type hierarchy indicated in the table above (Transit Roadway first, etc. if building is located at intersection of two Transit and Urban Roadways, the priority street is that which offers the highest level of transit service.); or
  - b. if the principle entrance does not face the street—
    - I. the building must be built up to the property line,
    - II. the building edge on-street must provide
      - A. continuous shade/shelter to the front entrance and
      - B. glazing over 50% of the façade along the street.
    - III. the entrance must be less than 100 feet from the street face of the building; and
    - IV. there must be a buffer strip of shade trees between the building and the parking area.
2. In determining orientation, the following priorities shall govern:
  - a. Internal Circulation Route
  - b. Core Transit Corridor
  - c. Urban Roadway
  - d. Local Roadway
  - e. Highway or Hill Country Roadway
    - I. Unless the higher road runs parallel to the highway and is within 660 feet of the Highway or within 1,000 feet of Hill Country Roadway (i.e., a highway development would not have to orient to the urban/local roadway next to a highway)



<b>DO-7</b>	<b>Allow exceptions to maximum front setback to protect natural features and historically-significant resources.</b>	<b>Urban and Neighborhood Roadways</b>
<b>Applies to:</b>	All non-residential zoning districts (exempt certain land uses, such as industrial). All new buildings, except additions to existing buildings.	

**To protect natural or historic features**

If any of the following are within the development orientation area, the setback area shall be increased administratively only to the extent needed to preserve or accommodate the feature.

1. Protected tree,
2. Significant stand of trees (to be defined in landscaping code)
3. Critical environmental feature
4. Natural drainage feature
5. Storm water detention facility placed in the setback due to topography and impractical to build underground
6. Historically-significant resource (determination made by Historic Preservation Officer)
7. Significant scenic amenities not located at the street front shall be granted an administrative waiver

<b>DO-8</b>	<b>Allow Alternative Compliance</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All sections of DO.	

To encourage creative and original design, any applicant not wishing to comply with one or more of the Development Orientation provisions may apply to the Director of the department reviewing the application, or its designee, for the applicable permit under this Alternative Compliance provision. Projects seeking an alternate means of compliance under this section may present their proposal to the Design Commission for a letter of support, which may help city staff in evaluating the merits of the proposal.

The Alternative Compliance request shall be granted if the Director makes one of the following findings:

1. The alternative presented in the request is reasonable given the site characteristics of the particular site in questions; or
2. The alternative presented in the request is consistent with good design and the spirit and intentions of the applicable provision, taking into consideration the type of Roadway on which the site is located; or
3. The alternative presented in the request is reasonably necessary to prevent a material change in how one or more of the users of the building in question would function if the request were not granted from their normal way of functioning.

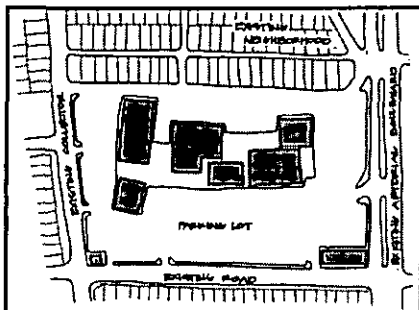
## CONNECTIVITY

### Key Issues

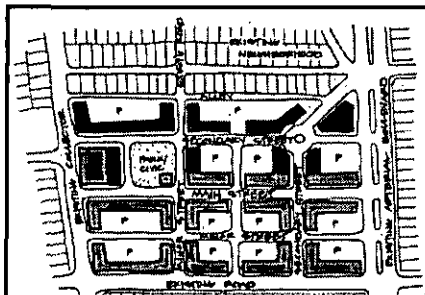
Connectivity refers to how people get to and move within the commercial development, either by foot, bike or motorized transport. Of importance to many of those taking the survey and those concerned with traffic and air quality, is ensuring that access to commercial development is feasible and comfortable by means other than the automobile. These proposed amendments will also help create a built environment that encourages walking and cycling, thus helping to improve air quality and make Austin a fit city.

### Proposed Code Amendments

<b>C-1</b>	<b>Create street-like internal circulation system.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All zoning districts on Core Transit Corridors and Urban Roadways. For Local, Highway and Hill Country Roadways, all non-residential zoning districts (exempt certain land uses, such as industrial). Projects that require site plans, except additions to existing buildings.	



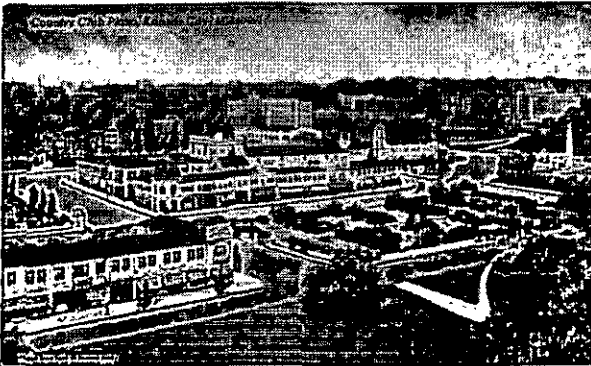
Austin's code currently allows commercial and industrial street block lengths of 2,000 feet, and this is only triggered when a street must be constructed through the site, which is rare. To put the 2,000 block length in perspective, downtown blocks are 276 feet by 276 feet. Therefore, a 2,000-foot by 2,000-foot block is the size of 53 downtown blocks. In most cases, commercial development occurs on large sites that are not required to provide internal public streets. This results in "superblocks" of development. Superblocks limit connectivity, increase traffic congestion within the site and on local roadways and complicate redevelopment.



To mitigate the impact of superblocks, any site plan for a development larger than 660 feet in depth and 330 feet in length, measured from curb to curb, must comply with the following:

1. Site must be divided into blocks no longer than 660 feet by 330 feet from curb to curb. The maximum block length applies both to blocks containing building and blocks containing parking fields (a 660' x 330' foot block creates over 217,000 buildable square feet).
  - a. The maximum block length standard does not apply to sites zoned for office in the *Drinking Water Protection Zone*.
  - b. The maximum block length standard also does not apply to a Corporate Campus.
    - I. A "Corporate Campus" is defined as a site for a single company larger than 10 acres with at least three office buildings larger than 50,000 square feet each.
  - c. The maximum site block length of 660' x 330' does apply to all sites zoned for office in the *Desired Development Zone*.
    - I. For office developments in the *Desired Development Zone* larger than 660' x 330', the maximum office height is increased to 80 feet. This height increase remains subject to compatibility standards.
    - II. Developments in the *Desired Development Zone* larger than 660' x 330' shall receive the same impervious cover credit for Internal Circulation Routes as land condemned for public roadways (provided they are built to the block length standards).
2. An Internal Circulation Route connecting the blocks must form an interconnected grid-like system. Parking is not permitted within Internal Circulation Routes except for parallel parking or head-in parking adjacent to the curb.
  - a. Contiguous green space and plazas are not subject to the block-length requirements, but if the contiguous green space or plaza is longer than 150 feet, it must include a pedestrian and bicycle shared use path every 150 feet.
3. Curbside parallel parking is permitted on each new public street.
4. The Fire Code is revised to treat internal private drives the same as city public streets for purposes of parallel and head-in parking provided the private drive meets *City of Austin* street width standards.

Provide 5 foot sidewalks along all blocks, including blocks containing surface parking. *(See Country Club Plaza and Gresham OR examples below.)* For each Internal Circulation Route and street subject to amendment C-1, a sidewalk is provided on each side. A similar requirement already exists for subdivision developments and for commercial and office blocks edged by public streets. A sidewalk is not required along the frontage of Highways or Hill Country Roadways.



*Country Club Plaza in Kansas City, Missouri, opened in 1924. It is the nation's first greenfield suburban shopping center specifically designed for shoppers arriving by cars.*

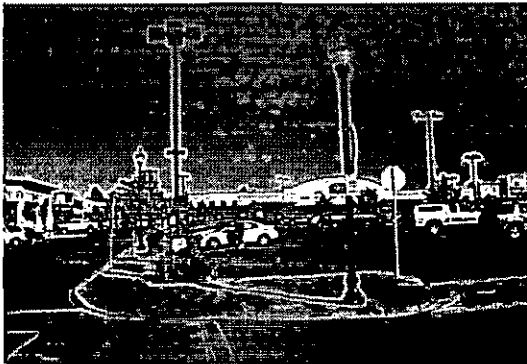
Country Club Plaza followed the conventional format of parking lots in front of the stores, but it did this with a block system of internal drives set up as streets and with the parking lot across the private drives from the stores.

This design has enabled the shopping center to intensify into a mixed use district. Many of the original surface lots are now parking garages or buildings.

Local examples:

La Frontera

Mueller big box area



Gresham OR development with sidewalks surrounding each parking block.

<b>C-2</b>	<b>Options to improve traffic congestion and improve pedestrian, bicycle and vehicular connectivity.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All non-residential zoning districts (exempt certain land uses, such as industrial). All new buildings, except additions to existing buildings.	

To improve traffic congestion and enhance car and pedestrian connectivity, all sites or developments larger than 3 net developable acres shall be required to select at least five of the options below.

If a site or development provides surface parking that amounts to more than 125% of the parking required in Appendix A (the table in the LDC that lists land uses and their respective minimum parking requirements), the site or development must select at least seven of the options below.




Core Transit Corridors and Urban and Local Roadway sites that comply with maximum setbacks of 15 feet and do not have parking between the building and the street do not have to comply with this requirement.

A "shaded sidewalk" means either

1. a sidewalk at least 8 feet wide made of pervious concrete with native shade trees at 20-40 foot intervals or of standard concrete with the trees planted in grates, or
2. a 5 foot sidewalk adjacent to a landscape strip at least 10 feet wide planted with shade trees, or
3. a sidewalk covered with weather-protection materials (such as awnings).

#### **Options:**

1. *Provide vehicular and pedestrian connections between sites.*
  - a. Provide private drive or public street connections and sidewalk connection to existing private drives or public streets and sidewalks on adjacent sites.
  - b. (worth 2 points)
2. *Provide shaded sidewalk alongside building façade facing street and parking lot.*
  - a. For at least 70 percent of all building frontages adjacent to or facing parking, a shaded sidewalk at least 6 feet wide and raised above the level of the parking via a defined edge is provided adjacent to the building. ADA ramps alongside the building must also be shaded.

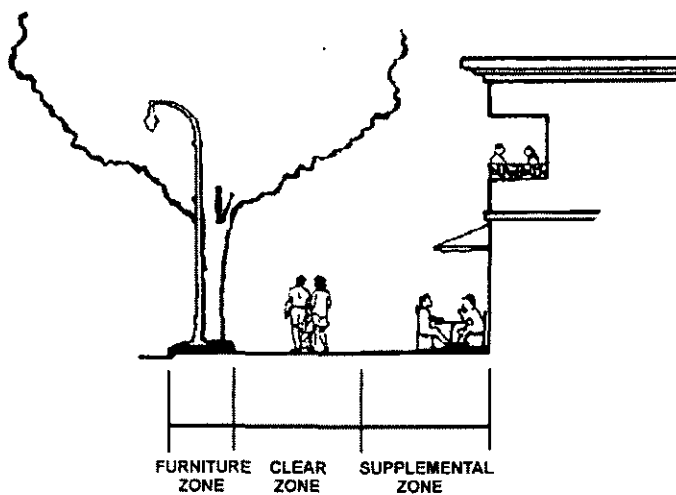
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3. *Provide shaded sidewalks within site to all buildings.*
    - a. For all sidewalks within a site, provide shade along at least 75% of sidewalks either through shade trees planted in the Furniture Zone at 20-30 foot intervals or through awnings.
  4. *Provide pedestrian and bicycle connections from adjacent ROW.*
    - a. Where public ROW or parkland is adjacent to the property line, provide pedestrian and bicycle access from that ROW to the building entrance. The pedestrian and bicycle access points must be fully accessible during operating hours.
  5. *Provide shaded sidewalk alongside driveways that intersect with a public street.*
  6. *Provide solar power shading devices in parking lots.*
  7. *Provide pedestrian connection to adjacent residential development.*
    - a. If there is a non-residential development adjacent to the site, provide a pedestrian connection to those buildings, up to the property line, and to an existing pathway if one is present on the adjacent site.
  8. *Use at least 3 inch caliper trees for all new plantings in parking lots.*
  9. *Do not locate utility lines beneath surface parking areas.*
    - a. This is designed to facilitate future redevelopment.
  10. *Limit curb cuts.*
    - a. Connections between site and adjacent arterials and highways occur no more frequently than every 330 feet. An Internal Circulation Route built to full streetscape standards does not count as a curb cut.
  11. *At least 50% of the provided parking is constructed of concrete or pervious pavement (for example, pavers, open grid pavement system, pervious concrete).*
    - a. If located in the Edwards Aquifer Recharge zone, only concrete may be used to satisfy this option.
  12. *Enhance physical fitness opportunities and multi-modal connectivity by providing shower facilities.*

Land Use	Requirement
Office uses	1 shower facility and 3 lockers for buildings more than 10,000 sf <sup>2</sup>
Commercial uses	1 shower facility and 3 lockers for every building exceeding 50,000 sf of gross floor area
Industrial uses	1 shower facility and 3 lockers for every building exceeding 100,000 sf of gross floor area

<b>C-3</b>	<b>City action to improve pedestrian connectivity and encourage streetscape improvements</b>	<b>Core Transit Corridors</b>
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The Director of Planning and Zoning shall define street frontage dimensions for all Core Transit Corridors in the manner set forth in the diagram from Atlanta's code attached below. The required frontage shall include continuous Clear Zones for sidewalks and Furniture Zones for street trees and/or parallel parking.

The Director of Planning and Zoning shall also prepare a plan for rebating the cost of building sidewalks in the Clear Zone and planting street trees and burying utility lines in the Furniture Zones along Transit Roadways. The Director of Planning and Zoning shall complete these items no later than October 1, 2005.



*Atlanta's Design Standards set out the relationship of buildings to sidewalks and private drives or streets.*

Courtesy City of Atlanta

*Development orientation for buildings along public streets or within a development containing a street-like internal circulation system.*

<sup>2</sup> ADA requirements may not permit a single unisex shower if the expected occupant load exceeds 10. The number of required showers may be increased to 2 ADA showers.





## PARKING

### Key Issues

For many development projects, surface parking lots account for the largest impervious cover on sites, creating or exacerbating the following problems:

- **Visually-blighted environment:** A positive public view from our roadways is critical, as this is the view from which most visitors and residents experience, understand and form an image of the city. Large parking lots offer little visual appeal and tend to detract from the appeal of adjoining buildings and natural environments.
- **Reduced pedestrian accessibility:** Many surface parking lots, due to their extreme size, detract from the pedestrian's ability to comfortably and quickly access the principal entrance.
- **Effect on transportation choices:** An abundance of free parking focuses attention and resources on the automobile, and tends to discourage the use of alternative modes of transportation.
- **Inefficient use of land:** Many retailers exceed Austin's current minimum parking requirement in order to assure more than ample parking during the highest peak shopping days.

### Proposed Code Amendments

<b>P-1</b>	<b>Allow reduction of minimum parking requirements.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All non-residential zoning districts.	

The minimum off-street parking requirement shall be reduced:

- a) By 1 space for each on-street parking space located in the ROW directly adjacent to the site<sup>3</sup>.
- b) By 40% for all VMU buildings.<sup>4</sup>
- c) By up to 10% to preserve significant trees, and up to 20% to preserve protected trees<sup>5</sup>. If the applicant provides more parking spaces than the minimum required, the additional parking spaces may not result in the removal of significant stands of trees or protected trees.
- d) By 3 spaces for each drive that connects to a drive on adjacent property.

<sup>3</sup> Similar ordinances have been adopted in Greensboro, NC, Charlotte, NC and San Diego, CA.

<sup>4</sup> As with the University Neighborhood Overlay, the existing 20% central city parking reduction is not applied

<sup>5</sup> Similar ordinances have been adopted in San Antonio, TX, Dallas, TX, Sarasota, FL and Nashville, TN.

- e) By 20 spaces for every car sharing vehicle provided or VMU buildings with at least 100 residential units.
- f) By 1 space for each shower facility and 3 lockers provided.

<b>P-2</b>	<b>Allow on-street parking to be constructed in the public ROW.</b>	<b>Core Transit Corridors, Urban and Local Roadways</b>
<b>Applies to:</b>	All non-residential zoning districts.	

Along Core Transit Corridors, Urban and Local Roadways, parallel parking spaces should be provided within the ROW immediately abutting the development.

On Core Transit Corridors, a development is entitled as a matter of right to parallel parking within the ROW immediately abutting the development. The Director of Public Works may designate certain areas along Core Transit Corridors as not subject to this entitlement, but the Director may not designate more than 20 percent of the frontage of any Core Transit Corridor as exempt from this entitlement. Beginning September 1, 2005, if the Director has not designated an area as exempt from this entitlement and an application to place parking in the ROW is submitted, this application shall be administratively granted immediately. Approval shall be granted administratively immediately upon submission of an application.

On Local Roadways, approval of parallel parking within the ROW is subject to the approval of the Director of Public Works.



## LANDSCAPE

### Key Issues

The comments from the survey and Task Force discussions indicated that the natural environment is a defining feature of Austin's character and the key element of its attractiveness. In reviewing the current landscape ordinance, stakeholders found that there was not enough incentive to preserve undisturbed areas of native vegetation and so this proposal aims to strengthen natural area preservation.

In addition, landscape needs depend on the development orientation of the site, and since development orientation will vary by roadway type, so will some of the landscape requirements. The table below presents the site characteristics typical of sites for each roadway type and the landscape goals for each roadway.

	<b>Core Transit, Urban &amp; Local Roadway</b>	<b>Hill Country Roadway</b>	<b>Highway</b>
<b>Characteristics</b>	<ul style="list-style-type: none"> <li>• Buildings close to the street</li> <li>• Combination of undeveloped and developed sites</li> <li>• Close to residential areas</li> </ul>	<ul style="list-style-type: none"> <li>• Building setback varies based on site conditions.</li> <li>• Mostly undeveloped, heavily-wooded sites.</li> <li>• Hilly terrain, with some steep slopes</li> <li>• Close proximity to nature preserves</li> <li>• Endangered species and plants</li> </ul>	<ul style="list-style-type: none"> <li>• Building setback varies based on site conditions and developer preference.</li> <li>• Combination of undeveloped and developed sites.</li> <li>• High noise levels</li> <li>• Often major entryways into the city</li> </ul>
<b>Landscape Goals</b>	<ul style="list-style-type: none"> <li>• Provide shade along public sidewalks for pedestrians</li> <li>• Facilitate future, compact redevelopment</li> <li>• Provide additional screening from residential uses.</li> </ul>	<ul style="list-style-type: none"> <li>• Protect /buffer existing preserves</li> <li>• Emphasize landscape preservation and clustering instead of replacement mitigation</li> <li>• Focus on creating functional, connected wildlife habitat</li> </ul>	<ul style="list-style-type: none"> <li>• Focus on appearance from highway</li> <li>• Facilitate future, compact redevelopment</li> </ul>

### **Proposed Code Amendments**

<b>L-1</b>	<b>Revise general city-wide landscape requirements.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All non-residential land uses when landscaping requirement is triggered (25-2-981).	

Current landscaping requirements apply, as currently stated in the Code, with the following revisions that apply city-wide to all roadway types.

- a) To maintain Austin's distinctive natural environment and to conserve water, plants and trees permitted in the "Grow Green" program and other Native Species may be used to satisfy landscape requirements. (The Grow Green list in the Environmental Criteria Manual will be expanded considerably to include many other species that are particularly suited for street trees and for providing shade.)
- b) Unless otherwise noted, "shade" shall mean any plants or structures that provide at least 50% opaque cover during the summer months from April to September.
- c) Maintain requirement to provide one tree no more than 50 feet from any parking space, but require that all landscape islands in parking lots are a

minimum of 15 feet wide, rather than 8 feet to allow trees to achieve greater canopy and longer life. (except for projects attempting to keep the site envelope smaller; and projects where tree protection measures that require larger islands)

- d) All required shade trees shall have a minimum caliper of 3" at time of planting rather than the 1 ½" currently required.
- e) Require 1 or 2 bubblers (depending on species) to be located within the drip line of each planted shade tree.
- f) All required ornamental trees shall have a minimum caliper of 1-1/2" at time of planting or if sumac and other similar species are used;
- g) Allow the preservation of any natural areas (left undisturbed) to count 1.5 times their surface area toward the minimum required landscape areas of the site. These shall be non-irrigated areas. Any areas that are re-vegetated to become natural areas shall receive temporary irrigation systems for a 2 year period and will also be counted toward 1.5
- h) Require heavily-wooded sites (a TBD number of caliper inches per acre) to be processed through an alternative compliance method to allow for highest level of natural landscape preservation possible. (This will require a rules change to require these sites to inventory non-survey trees that are 1" caliper and greater, rather than the current code requirement of only surveying 6" caliper or greater.
- i) Define significant stand of trees.

<b>L-2</b>	<b>Require new landscape standards for each Roadway.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All non-residential land uses when landscaping requirement is triggered (25-2-981).	

On all roadway types, when parking is built up to the sidewalk, the parking lot must be shielded by a landscape buffer.

<b>Proposed</b>		
<b>Core Transit and Local Roadways</b>	<b>Highways</b>	<b>Hill Country</b>
Buildings are located close to the street along Transit and Transit and Local Roadways, and though there is not an extensive frontyard	Highways must comply with current city-wide landscaping requirements, and as amended in L-1, and the following additional	All current hill country landscaping requirements apply, and as amended in L-1, with the following additional requirement:

Proposed		
<p>to landscape, providing shade is important along streetfronts where public sidewalks are located. The city-wide landscaping requirements apply to all Transit and Local Roadways, however projects that comply with the maximum front building setback requirement can elect to not satisfy the 25% landscape yard requirement and instead have:</p> <ul style="list-style-type: none"> <li>Plant various tree species spaced between 20 and 30 feet at intervals appropriate for selected tree species along the sidewalk (either on the private property or in ROW, depending on <i>developer preference</i>, utility easement location and approvals from City for license agreement). The planting area must be (a) a sidewalk made of pervious concrete, (b) a sidewalk made of standard concrete with the trees planted in grates or (c) a landscape strip at least 8 feet wide adjacent to the sidewalk.</li> <li>Light-colored awnings or other pedestrian cover at least eight feet deep projecting from the building (<i>option available only if buildings are located within 15 feet of the property line</i>).</li> </ul>	<p>requirements:</p> <ul style="list-style-type: none"> <li>Along at least 25 percent of the frontage adjacent to the highway, provide (or preserve) a minimum 15' deep landscape buffer planted with shade trees spaced at approximately 20 foot centers. This requirement is in addition to the 25% frontyard landscaping requirement.</li> </ul>	<ul style="list-style-type: none"> <li>If the site is located adjacent to dedicated parkland or conservation easement (including BCP and water protection lands), there must be a native vegetated, undisturbed setback, or if preferred by AWU and AFD, a defensible space, of 100 feet from the affected property line. If both this setback and the required roadway vegetative buffer would be more than 20% of the site, the roadway vegetative buffer can be reduced equal to 20% of the square footage of the property.</li> </ul>



## LAND USE

### Proposed Code Amendments

<b>LU-1</b>	<b>Provide pedestrian service with drive-in services.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All new drive-in services.	

A business that offers a drive-in service with no walk-in service must provide safe and convenient access for pedestrians.

<b>LU-2</b>	<b>Options to mitigate undesirable features of service stations.</b>	<b>Core Transit, Urban, Local, Hill Country</b>
<b>Applies to:</b>	All new service stations.	

If the planned land use is a service station, the service station must meet the following minimum standards:

- a) The street frontage of the service station land must be screened by building or landscape buffer that includes shade trees as referenced in L-2.
- b) The number of vehicles that can be serviced simultaneously cannot exceed 16 and the number of vehicle queue lanes cannot exceed 8.

<b>LU-3</b>	<b>New zoning provision of Vertical Mixed Use (VMU)</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All property currently zoned "MU."	

To encourage mixed use development, a zoning provision within the MU zoning category will be created titled "Vertical Mixed Use" or "VMU." Owners of any property with MU zoning may administratively elect to build under the VMU subdivision.

A VMU building is a building that has the characteristics of the following features:

1. The ground floor must have a different use from upper floors.
2. The building has no front or side setbacks subject to the exceptions allowed in DO-6.
3. The ground floor must have active uses that open onto the sidewalk.
4. Up to 10% of the ground floor may incorporate residential units.

5. The ground floor active uses must comprise at least 75% of the net length of frontage. (Net frontage is determined by taking the gross length of street frontage and subtracting required drive aisles and stairs that occur at the building perimeter subject to the exceptions allowed in DO-5.)
6. Spaces for ground level pedestrian uses shall be at least 24 feet deep.

<b>LU-4</b>	<b>Provide amenity on large sites</b>
<b>Applies to:</b>	All site plans larger than 5 acres (net developable land).

For a site that is 5 acres or larger, 2% of the site must be devoted to one of the following types of amenities:

- i. Plazas (subject to design rules in criteria manual)
- ii. Playgrounds
- iii. Natural undisturbed and contiguous open space.
- iv. Landscape areas designed for public use.

The areas may be placed in one contiguous location or in separate, distinct areas, which together meet the minimum area of 2% of the site.

A fee may be paid in-lieu of providing an amenity only in the urban core. The fee may be paid to any organization on a list of nonprofit organizations approved by the Director of Planning and Zoning.

The fee will be based on building square footage and will be used by the City to fund parks in the area or open space. Similar legislation may be found in the US, including locally in Round Rock, TX. Open space is required in their C-2 commercial zoning district.

<b>LU-5</b>	<b>Options to promote Envision Central Texas and CAMPO recommended land use patterns.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All site plans.	

A central result of the Envision Central Texas process and a core recommendation of CAMPO staff is that Central Texas developments need to mix uses to reduce suburban sprawl and traffic congestion.

Therefore, all developments with any of the Preferred Items may elect to take all of the Development Bonuses on that site.

<b>Preferred item</b>	
Development contains at least 100 lineal feet of VMU buildings.	
<b>Development Bonuses</b>	
Queuing requirements are reduced by 50 percent for each drive-through service in the development.	Buildings in the development may aggregate points in BD-5 rather than each building needing the minimum number of points.
Reduce by 2 the number of options needed to comply with C-2 for each 100 lineal feet of VMU buildings.	

<b>Preferred Item</b>	
Development contains an integrated mix of uses, with at least 25% of the built area dedicated to at least two designated uses. Integrated means the uses are in walking distance from each other—i.e., not more than ¼ mile apart—and connected by sidewalks.	
<b>Development Bonuses</b>	
	Buildings in the development may aggregate points in BD-5 rather than each building needing the minimum number of points.
Queuing requirements are reduced by 50 percent for each drive-through service in the development.	Reduce by 2 the number of options needed to comply with C-2.





## EXTERIOR LIGHTING

### Key Issues

The Land Development Code currently does not regulate exterior lighting, except if triggered by compatibility standards when single-family zoning or uses are located near commercial uses.

Poor lighting causes four major problems:

1. *Reduces public safety.* Glare and excessive contrast makes it difficult to see well at night. In fact, the major reason older drivers prefer not to drive at night is due to the glare caused by poor lighting<sup>6</sup>. Excessive contrast makes it difficult for the eyes to adjust quickly resulting in impaired vision, which can lead to tragedy for pedestrians, cyclists and drivers.
2. *Wastes energy.* Lighting that is excessive, poorly configured or ineffective wastes energy and money.
3. *Causes light trespass.* Even if a residential area is not located within the area that triggers compatibility standards for a commercial development, light may still trespass onto residential areas.
4. *Creates light pollution.* The inability to see the night sky due to city lighting is light pollution. The pollution reduces the attractiveness of Austin as a place to live and inhibits both basic amateur and professional astronomical viewing.

Many cities throughout the US have adopted city-wide lighting ordinances including Tucson, AZ, Albuquerque, NM, Seattle, WA and Hailey, ID.

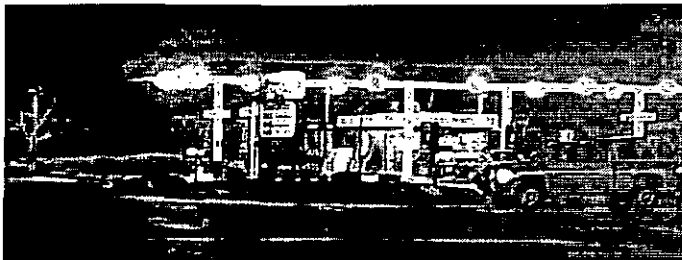


Photo A.  
Poor lighting

Photos from [www.darksky.org](http://www.darksky.org)



Photo B.  
Good lighting

<sup>6</sup> International Dark Sky Association [www.darksky.org](http://www.darksky.org)

### Proposed Code Amendments

<b>EL-1</b>	<b>Use fully-shielded and full cut off light fixtures for certain exterior lighting applications.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All site plans and building permits.	

The following outdoor lighting applications shall be illuminated by fixtures that are both fully-shielded and full cut-off:

- public street and pedestrian lighting;
- parking lots;
- roadways and pathways;
- buildings and structures;
- recreational areas;
- billboards;
- product display area lighting;
- building overhangs and open canopies.

### New Definitions

**Fully-Shielded.** A lighting fixture constructed in such a manner that the light source is not visible when viewed from the side and all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

**Full Cut-off:** A luminaire light distribution where zero candela intensity occurs at or above an angle of 90 above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80 above nadir. This applies to all lateral angles around the luminaire.

**Light fixture.** The complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket); a light fixture.

### Submission of Plans and Evidence of Compliance with Code

All building permit plans must submit the following information:

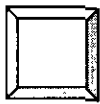
- a) Location on the premises of all lighting fixtures, both proposed and any already existing on the site and in adjacent ROWs;
- b) Description of all lighting fixtures, both proposed and existing. The description may include, but is not limited to, catalog cuts and illustrations by manufacturers (including sections where required).

### Lamp or Fixture Substitution

Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the designated official for approval, together with adequate information to assure compliance with this Code, which must be received prior to substitution.

### Non-Conforming Lighting

All outdoor lighting fixtures lawfully installed prior to and operable on the effective date of this Code are exempt from all requirements of this code until January 1, 2015. Compliance with the intent of this Code at all State and Federal facilities is encouraged.



## **SIGNS**

### Key Issues

*Four main concerns were expressed in the stakeholder discussions and survey comments about signage in Austin:*

1. Survey results indicated that "monument" signs are preferable to pole signs on scenic roadways. Projecting and hanging signs are preferable on transit and neighborhood roadways, where development will be located close to the public sidewalk, however these are currently not permitted.
2. Upward lit and internally-lit signs contribute to light pollution and glare.
3. Address numbers are difficult to find, and sometimes are not present at all, making it difficult to find a business. Improving the visibility of street addresses also helps emergency service personnel find a place.
4. The basic and most important function of signage is to identify the destination. This function is often lost because signage appears to be so unregulated that competition for dominance for the attention of the viewer makes it difficult to find a single sign among the cacophony of signage. The beauty of the landscape and architecture is thus obscured by the proliferation of signs.

Currently the City of Austin does not have sign inspection, and enforcement is extremely limited, responding only to registered complaints. To insure that current and the proposed new regulations are enforced, the Task Force will propose a fee ordinance in the near future to require annual sign fees to support enforcement staff.

Changes to all the commercial sign districts are proposed, however please note that the historic district signage requirements are not affected by this proposal.

### **Proposed Code Amendments**

<b>S-1</b>	<b>Add new sign definitions.</b>	<b>All</b>
<b>Applies to:</b>	All signs subject to sign ordinance, as currently stated in Code.	

Currently, the sign ordinance defines commercial flag, freestanding sign, multi-tenant center sign, projecting sign, roof sign, sidewalk sign and wall sign. The Task Force recommends defining and permitting the following other types of signs not currently defined in the Code:

***Awning sign.*** Any awning containing signage used to identify a business, profession, service, product, or activity conducted, sold or offered on the premises.

***Hanging sign.*** A sign that is suspended from the underside of a horizontal plane surface projecting from the building or is directly attached to the building façade and majority of sign area is perpendicular to the building facade. This includes projecting signs.

***Internally Illuminated Sign.*** A sign illuminated by light sources enclosed entirely within the sign cabinet and not directly visible from outside the sign.

***Monument sign.*** Any freestanding sign that does not have more than 15% free clearance between the face of the sign and the ground or is supported by a monolithic structure which is the same width or greater than the rest of the sign.

***Pole sign-*** A freestanding sign that has more than 15% free clearance between the face of the sign and the ground.

<b>S-2</b>	<b>Revise city-wide sign regulations.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All signs subject to sign ordinance, as currently stated in Code.	

1. If the sign is produced by an artist selected from the juried image registry maintained by the Arts in Public Places (AIPP) Program, the allowable sign area may be increased by 100%, as long as the company name and logo do not exceed the maximum sign district area. AIPP website:  
<http://www.ci.austin.tx.us/aipp/>
2. Internally illuminated signs are permitted only if constructed with an opaque background and translucent text and symbols. Internally illuminated signs are prohibited on Hill Country Roadways only.
3. New pole signs will be prohibited on all Core Transit Corridors and Urban and Local Roadways. All existing pole signs citywide will be reclassified to be permitted non-conforming uses.

4. Whenever an applicant seeks a new signage permit for a property containing a pole sign, all non-conforming pole signs will be required to be removed as a condition of the permit.
  - a. An exemption to this provision exists for existing multi-tenant pole signs. New multi-tenant pole signs are still prohibited on all Core Transit, Urban and Local Roadways and all Neighborhood Roadways.
5. The sign area calculation includes all applications of stripes, graphics and trade mark paint colors that constitute corporate branding.  
Except for:
  - a. prototype colors that are light colors as recommended in the green building matrix.
  - a. awnings that provide pedestrian cover over pathways.

S-3	Revise sign districts, areas and heights		ALL Roadways
Applies to:	All signs subject to sign ordinance, as currently stated in Code.		

As part of the proposal to tie regulations to roadway type, the Task Force proposes that the sign ordinance be modified to reflect the creation of the Highway, Hill Country Roadway and Core Transit, Urban and Local Roadway Types.

Current Regulations			Proposed Regulations		
Sign Districts	Applicability	Signs Permitted	Sign Districts	Applicability	Signs Permitted
Expressway Corridor	IH-35, US 183, US 290, SH 71	<ul style="list-style-type: none"> <li>Freestanding or roof</li> <li>Wall</li> <li>Commercial flag</li> </ul>	Highway	Designated AMATP highways	<ul style="list-style-type: none"> <li>Pole, monument or roof</li> <li>Perpendicular Wall</li> <li>Awning or Commercial Flag</li> </ul>
Scenic Roadway	Roadways listed in LDC 25-10-6 <sup>7</sup> and Hill Country Roadways	<ul style="list-style-type: none"> <li>Freestanding</li> <li>Wall</li> </ul>	Hill Country Roadway	Currently-designated Hill Country Roadways	<ul style="list-style-type: none"> <li>Monument</li> <li>Perpendicular Wall</li> </ul>
Local Sign	TND, NPCD Infill options	<ul style="list-style-type: none"> <li>Wall, awning, berm or hanging sign</li> </ul>	Transit & Local Roadway	All other roadways	<ul style="list-style-type: none"> <li>Monument</li> <li>Perpendicular Wall or Awning or Commercial Flag</li> <li>Sidewalk</li> </ul>
Neighborhood Commercial	LO, LR, CR and W/O zoning districts	<ul style="list-style-type: none"> <li>Freestanding</li> <li>Wall</li> <li>Commercial flag</li> </ul>			
Commercial Sign	Includes land not in any other sign district.	<ul style="list-style-type: none"> <li>Freestanding or roof</li> <li>Wall</li> <li>Commercial flag</li> </ul>			

<sup>7</sup> The following are subject to the Scenic Roadway sign district regulations (those in bold are Hill Country Roadways): Arterial 8 (Adelaide Dr./Forsythia Dr.); Barton Springs Road; Loop 1; **Loop 360** (south of US 183); **RM 620** (from SH 71 to Anderson Mill Road); **RM 2222** (west of Mopac); **RM 2244**; Lake Austin Blvd.; West Cesar Chavez St.; Riverside Drive; Spicewood Springs Road (from Mesa Dr to Loop 360); William Cannon Dr (Brodie to Southwest Pkwy); Escarpment Blvd (William Cannon Dr. to Arterial 11 (SH45); Arterial 5 (McKinney Falls Pkwy from US 183 to William Cannon Dr.); FM 973 (from SH 71 to US 183); SH 71 east of IH 35; US 183 South of SH 71; Cameron Rd. (north of 183); Parmer Lane (except for the area between Loop 1 and IH 35); Stassney Lane, east of IH 35; Slaughter Lane; and Old Spicewood Springs Rd. (from Loop 360 to Old Lampasas Trail); **Southwest Parkway**.

**Table of Proposed Changes to the Sign Area and Height Requirements**

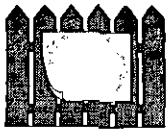
Sign Districts	Signs Permitted	Proposed Sign Area and Height
<b>Highway</b>		
	(1) Monument or Roof for each street frontage	Decrease current maximum size and height applicable to the Expressway Sign District: <ul style="list-style-type: none"> <li>• Pole, Monument and Roof Sign Area <b>FROM</b> 60sf sign area for lots with less than 86 linear feet of street frontage, or 300 sf sign area for lots with more than 86 linear feet of street frontage <b>TO</b> TOTAL signage (all signs) 100 sf for single tenant, and 100 sf for each additional tenant up to a maximum of 300sf.</li> <li>• Pole Sign Height <b>FROM</b> the greater of 35 feet above frontage street pavement grade; or 20 feet above grade at the base of the sign <b>TO</b> 35 feet above finished grade of sign.</li> <li>• Monument Sign Height <b>TO</b> 12 feet above finished grade of sign.</li> <li>• Roof Sign Height <b>FROM</b> lesser of five feet above the building façade or five feet above the maximum height permitted for a freestanding sign <b>TO</b> the same (maintain current requirements).</li> </ul>
	(1) Projecting or Hanging for each store	Projecting or hanging signs cannot exceed: <ul style="list-style-type: none"> <li>• 35 square feet in area</li> <li>• Lesser of 6 feet, or distance equal to 2/3 the width of abutting sidewalk (same as current downtown requirements for projecting signs)</li> </ul>
	(1) Awning or Commercial Flag, for each store	Signs on awnings and commercial flags count towards wall sign area calculation.
	Wall	<b>FROM</b> Wall cannot exceed 20% of building façade area of the first 15 feet of the building and 10% of total building façade area, OR 64sf, whichever is less <b>TO</b> 1 sf for each 1 lineal feet of building façade to a maximum of 400 sf.
<b>Hill Country Roadway</b>		<b>Along Hill Country Roadways, the signs must comply with the Hill Country building materials requirements.</b>
	(1) Monument	Maintain current requirements: Sign area cannot exceed 0.4 square feet for each linear foot of street frontage or 64 square feet.
	Wall	<b>FROM</b> total sign area (including all signs, except freestanding) is limited to 10% of the façade area of the first 15 feet of the building <b>TO</b> 1 sf for each 1 lineal feet of building façade to a maximum of 400 sf.

Core Transit, Urban, Local Roadway s		
	(1) Monument for each street frontage	<ul style="list-style-type: none"> <li>• Maintain current requirements: Sign area cannot exceed 0.4 square feet for each linear foot of street frontage or 64 square feet</li> <li>• A monument sign cannot exceed 12 feet in height above finished grade of sign.</li> </ul>
	(1) Projecting or Hanging for each store	Projecting or hanging signs cannot exceed: <ul style="list-style-type: none"> <li>• 35 square feet in area</li> <li>• Lesser of 6 feet, or distance equal to 2/3 the width of abutting sidewalk (same as downtown requirements for projecting signs)</li> </ul>
	Awning	Counts towards wall sign area calculation.
	Wall	<b>FROM</b> Wall cannot exceed 10% of building façade area of the first 15 feet of the building (in neighborhood commercial sign districts) and 20% of the first 15 feet of the building façade (in commercial sign districts), <b>OR</b> 64sf, whichever is less <b>TO</b> 1 sf for each 1 lineal feet of building façade to a maximum of 400 sf.
	(1) Commercial Flag for each store	Counts towards wall sign area calculation.
	Sidewalk	Maintain current requirements

<b>S-4</b>	<b>Provide visible street address numbers.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All non-residential land uses.	

Street addresses, visible from the public ROW, must be located on the sign or the building. The street address, up to 10 square feet, does not count towards sign area.





## SCREENING & COMPATIBILITY

### Key Issues

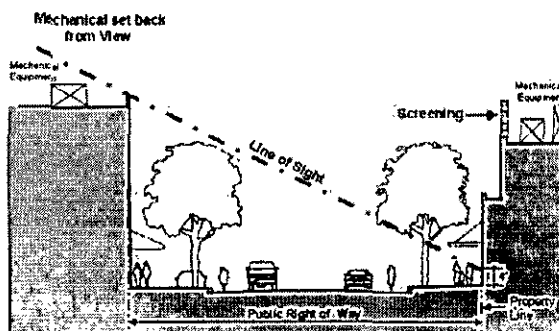
Two of the goals of this initiative is to improve the quality of development near neighborhoods and to reduce the visual impacts of the more unattractive components of development, such as dumpsters and loading areas. Several amendments are proposed to accomplish both goals.

### Proposed Code Amendments

<b>SC-1</b>	<b>Options to screen equipment and utilities.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All non-residential zoning districts. Projects that require site plans.	

Currently, screening of mechanical equipment, trash dumpsters and other utilities is required when residential uses are located near the commercial development and in the downtown CBD and DMU zoning districts. The Task Force wants to extend this requirement city-wide to all commercial development, regardless of location. For all non-residential development within the City of Austin, regardless of roadway type, at least 2 of the following three options shall be chosen:

- All mechanical, solid waste and utility-related equipment must be screened from public view, including rooftop equipment. (Major utility facilities and antennae are exempt from requirement.) See illustration below.
- Set storage, utilities, trash collection and loading areas at least 20 feet away from all sidewalks and residential uses. The accessible ADA route required to serve the storage, trash collection and loading area is not considered in determining compliance with this option.
- Structural screening of dumpsters and loading areas consists of same building materials as the main building.





## STORMWATER MANAGEMENT

### Key Issues

Concerns about the design of stormwater management facilities were expressed in the survey comments and during stakeholder discussions. Many stormwater facilities are constructed with concrete walls and are not integrated aesthetically or functionally into the site, resulting in an unattractive facility, even if screened with vegetation.

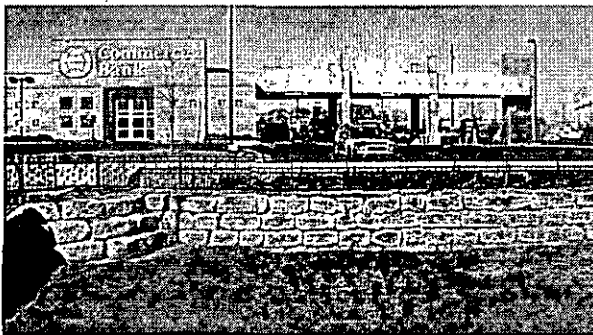
### Proposed Code Amendments

<b>SM-1</b>	<b>Construct attractive stormwater facilities.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All new stormwater facilities (triggered by subdivision and site plan).	

All stormwater facilities are required to comply with the requirements below.

- All supporting walls of structural facilities that extend within 50 feet of a public ROW must be constructed of or faced with stone.
- If fencing is required, chain-link fences are prohibited if within 50 feet of the public ROW.

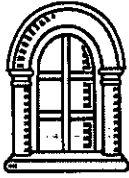
Landscaping around the facilities would still be required, however use of plants to screen the facility would not be required.



Facility constructed of stone and would comply with proposal SM-1.



Facility that complies with current requirements, but not with proposed SM-1.



## BUILDING DESIGN

### Key Issues

Building design is regulated in many communities throughout the US (an estimated 3,000 cities<sup>8</sup>) to improve the look of the community, and in some communities, to enforce a certain character or style. For instance, in Sante Fe, NM adobe-style buildings are required. In Austin, as heard from stakeholders and as seen in some survey comments, diversity in building design is important, so the proposal is not prescriptive about requiring buildings to be of a certain style. The proposal instead provides options that help insure buildings have visual appeal and contain functional design elements, including shade and weather protection, that make the pedestrian experience at all sites pleasant.

These Building Design standards aim to strengthen Austin's unique character and help buildings to better function in Austin's environment. Creating buildings with appropriate human scale, lessening the impact of branded architecture that does not speak to our unique character and conditions, and increasing quality, adaptability, and sustainability in Austin's building stock are additional goals that these building standards address.

**Alternate Means of Compliance-** in an effort to insure that these standards do not restrict creativity or stifle innovation, the building design standards may be satisfied if the applicant can demonstrate to staff that a non-compliant proposed design meets the spirit and intentions of the design standards. Projects seeking an alternate means of compliance may present their proposed design to Austin's Design Commission for a letter of support, which may help city staff in evaluating the merits of the alternate design. The extent to which buildings containing national retailer branding on their façade (other than attached signs) may submit a request for an alternative compliance waiver shall be addressed in the code drafting of criteria.

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<sup>8</sup> American Planning Association

<b>BD-1</b>	<b>Pedestrian frontages.</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	All non-residential land uses (except office and non-transit roadway industrial). Land use exemption list applies (tbd). Projects that require building permits, except additions and interior and exterior remodels.	

This section refers to any building frontage visible and accessible to the public (i.e. oriented to the street, open space, parking, etc.). These areas shall be designed with pedestrian functionality and activity in mind, including opportunities for windows, shade/shelter, building entrances, and pedestrian amenities. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50% of the sidewall) are not required to comply with BD-1 standards.

#### A. Glazing on building facades

Glazing provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street, promotes reusability, and provides a human scale element on building facades.

1. At least 40% of the front wall area that is between 2 and 10' above grade shall consist of glazing, at least half of which is clear glazing.
2. At least 25% of the wall area between 2 and 10 feet on all other publicly visible facades must consist of glazing.
3. Second-floor front facades must provide a minimum of 25% glazing between 3' and 8', as measured from that story's finished floor level.
4. If a single story building has a façade higher than 20 feet, the façade area above 15 feet is subject to the same window requirement as the second floor requirement.
5. To facilitate the development of a street wall, any façade that is built up to an interior mid-block property line is not required to have glazing on that façade if no prohibitions and no contractual or legal impediments exist that would prevent a building being constructed on the adjacent property up to the wall of the façade.
6. An administrative waiver may be granted for buildings that cannot comply with this regulation because of the function of the building, as long as the building (a) is designed to allow for the future addition of glazing (i.e. concrete tilt wall panels would be required to have knock out panels at least 12' wide x 12'tall over 25% over the waived façade, (b) the façade facing the street meets the glazing requirement and (c) the building no national retailer branding on its façade. In addition, the façade receiving the waiver must achieve a level of façade articulation as specified in BD-4)

## B. Building entrances

Like windows, multiple building entrances help prevent long continuous wall planes and promote pedestrian activity along building frontages.

1. Building entrances shall be located at intervals of no more than 75' along the primary public façade. If the primary public façade is not the street facing façade, there must be a shaded pedestrian pathway (as described in the connectivity section) linking the street and the building entrance.
2. If building entrances are located greater than 75' apart (or there is a single entrance point on a façade greater than 150'), the areas between the entrances (or from building edge to the entrance) shall incorporate landscape areas, raised planters, at least 25 linear feet of see-through glazing for each 100 feet of frontage, and shaded pedestrian amenities that connect the entrances.

## C. Shade and Shelter

Austin's climate requires shade and shelter amenities in order to accommodate pedestrian activity. Shaded pathways will provide greater connectivity between sites and allow for a more continuous and walkable network of buildings. Shading/ shelter along building facades will help connect the building to the site and better respond to Austin's conditions. Shade and shelter devices include covered walkways, awnings, canopies, balconies, etc.

1. Building facades along the street shall have a shaded pathway or shade device along 50% of the façade.
2. Building entrances shall be located under a shade device.
3. Buildings within the site shall be shaded along all public areas and pedestrian pathways to the building entrances (at least 50% of all frontages facing parking shall be shaded or have a shelter device).

*A building may receive an administrative waiver of the shade device requirement by demonstrating how the proposed landscape design satisfies the shade requirement along building frontages through landscaping.*

<b>BD-2</b>	<b>Waive annual license fee for pedestrian cover and trees in ROW.</b>	<b>Urban and Local</b>
<b>Applies to:</b>	All land uses on Urban and Neighborhood Roadways.	

Currently in the CBD and DMU zoning districts, owners of buildings with pedestrian cover, such as awnings or balconies over the public sidewalk, do not pay an annual license fee, which is typically charged by the City for all private structures in the ROW. This amendment would extend that to all zoning districts to encourage the construction of buildings with pedestrian cover over the public sidewalk.

In addition, trees planted in the ROW will be considered pedestrian cover, and the annual license fee for those will be waived too. It is the policy of the City Council that shade trees are an important component of the public right-of-way just as utility lines are an important component. Therefore, by October 1, 2005, the Director of Public Works shall complete a plan for all Transit Roadways specifying how and where shade trees may be planted in the ROW at intervals not less than every 30 feet. As of October 1, 2005, approval of an application to plant shade trees in the ROW along Transit Roadways in the locations and manner specified in the Director's plan shall be granted administratively immediately upon submission of the application.

BD-3	Options to improve building design	ALL Roadways
<b>Applies to:</b>	<p>All commercial zoning (except office). Applies to any buildings zoned for industrial use or warehouse use at the point their use is converted to commercial Land use exemption list applies.</p> <p>Projects greater than 10,000 s.f. (and projects &lt; 10,000 s.f. that contain any exterior prototype design features of a chain store) that require building plans, except additions and interior and exterior remodels.</p> <p>Projects less than 10,000 sq ft. that do not contain any exterior prototype design features of a chain store are exempted from this section.</p>	

The purpose of these Building Design standards is to increase the quality of the building stock in Austin and encourage buildings that function, both aesthetically and contextually, within the fabric of Austin, while discouraging prototype or standardized formula buildings that do not speak to our unique character and conditions.

This section is intended to mitigate some of the design features that do not speak to the unique character of Austin, and help improve the character and massing of Austin's building stock.

Each building plan must earn 1 point from the matrix below except as follows:

1. A building that has any portion of the exterior consisting of prototype design features by a national chain must earn at least 5 points, two of which must come from Group B.
2. A building must earn 3 points if it has prototype design features by a national chain BUT has no prototypical designs above 12 feet and has no prototypical roof or parapet design.
3. If the building plan shows any of the design features listed below, one additional point must be earned for each design feature (except as noted).
  - a. Building is one story and greater than 20 feet tall, floor to bottom of roof structure.
  - b. Building façade exceeds 200 feet without entrances every 75 feet.
  - c. Individual use is greater than 100,000 s.f.
  - d. Building is a pad building located in the CBD with any of the following features (2 negative points):
    - I. drive-through;
    - II. building is separated from other buildings by surface parking on at least two sides;

- e. False fronts or shaped parapets are created to increase apparent size of building or house signage/corporate identity logos, etc.
  - I. If used, building parapets must not be greater than 50% higher than the distance of the building from grade to roof.
  - II. For example, a building that is 20 feet tall from the grade to the roof cannot have a parapet greater than 10 feet tall from roof to top of parapet.
- f. Concrete block is used on more than 25% of a façade visible to the public (2 points if concrete block is used on more than 75%)
- g. EIFS is used as a material on the ground floor (below 10')
- h. Pad building with drive-in (Core Transit Corridor only).

VMU buildings are exempted from BD-3. Points are listed for VMU buildings for the sole purpose of providing aggregation values for LU-5.



Group A 3 points	Group B 2 points	Group C 1 point
VMU structure (1 extra point if VMU structure contains at least 25% residential and 25% of either office or retail) <sup>9</sup>	Provide "liner" stores (at least 75% of building façade must be storefronts for at least two other uses).	Green Building rating: 1 point for each star above code required minimum (if applicable). No double credit for Green Building points from Group B
	"Sustainable roof"	Building contains liner stores inlaid into façade of user. (1 point for each liner store)
	Building integrates solar power generation into building design (e.g., rooftop solar panels or Building Integrated Photovoltaics)	Façade articulation
	Green building rating of 2 stars.	Primary entrance design
		Roof design
		Building materials
		Glazing on ground-floor facades that face the street or parking lot have a Visible Transmittance (VT) of 0.6 or higher.
		Improves storefronts to new regulatory standard for glazing type/size & shading.
		Complies with neighborhood design guidelines, as prescribed in the Urban Design Criteria Manual.
		90% of all frontages facing parking shall be shaded or have a shelter device

<sup>9</sup> VMU structures are exempted from BD3. Points are assigned purely for aggregating point values for LU-5.

### **Definition of Options**

1. **Façade Articulation** is one of the following design features, none of which can be national chain prototype features:
  - a. Changes in plane with a depth of at least 24 inches, either diagonally, horizontally, or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
  - b. Changes of color, texture, or material, either diagonally, horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
  - c. A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches.
2. **Primary Entrance Design** consists of at least three of the following design elements at the primary entrance (none of which can be national chain prototype features), so that the primary entrance is architecturally prominent and clearly visible from the abutting street:
  - a. Architectural details such as arches, friezes, tile work, murals, or moldings.
  - b. Integral planters or wing walls that incorporate landscaping or seating.
  - c. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.
  - d. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.
  - e. A repeating pattern of pilasters projecting from the façade wall by a minimum of eight inches or architectural or decorative columns.
3. **Roof Design** must have at least one of the following design elements, none of which can be national chain prototype features:
  - a. Parapets with horizontal tops having height changes of at least one foot occurring horizontally no less than every 100 feet.
    - i. Parapets that do not have horizontal tops must have pitched or rounded tops with a pattern that repeats or varies no less than every 100 feet.

- II. All parapets must have detailing such as cornices, moldings, trim, or variations in brick coursing.
- b. Sloping roofs with at least two of the following design elements:
  - I. Slope of at least 5:12.
  - II. Two or more slope planes.
  - III. *Overhanging eaves extending at least three feet beyond the supporting wall.*
- 4. A **sustainable roof** is roofing that has either:
  - a. a Solar Reflectance Index (SRI)<sup>10</sup> as required in the table below for a minimum of 75% of roof surface; OR
  - b. a vegetated roof for at least 50% of the total roof area with a rainwater collection system; OR
  - c. a combination of a vegetated roof with rainwater collection system and SRI-compliant roof for at least 75% of roof area.

Low-slope roof: less than or equal to 2:12	SRI = 78
Steep slope roof: > 2:12	SRI = 29
- 5. **Building materials** are defined as
  - a. limestone or
  - b. brick
    - I. if the building user will be a chain store, the brick color shall not be the same as or substantially similar to any of the prototypical brick colors used by the chain store.

<sup>10</sup> Solar Reflectance Index (SRI) combines reflectivity and emittance to measure a roof's overall ability to reject solar heat. The Environmental Energy Technologies Division at Lawrence Berkeley National Laboratory (<http://eande.lbl.gov/CoolRoof/membrane.htm>) lists SRI values associated with several different brands and types of low-slope membranes. Steep slope roofing applications can be found with a SRI up to 62.]

<b>BD-4</b>	<b>Alternative to BD-3 for single story buildings larger than 100,000 square feet.</b>	<b>ALL Roadways</b>
Applies to:	All non-residential land uses (except office). Land use exemption list applies. Projects that require building plans, except additions less than 30% of total square footage or less than 5,000 square feet and interior and exterior remodels.	

Large buildings such as big box stores play a significant affect on the built environment due to their size and the amount of land they use. They can be difficult to adapt to different uses.

Instead of complying with BD-3, a single story commercial building larger than 100,000 square feet may elect as a matter of right to comply with the following standards:

1. Building façade consists of 75% masonry or limestone excluding the window area and rear service area on sides visible to the public.
2. Use of prototypical franchise designs above 12 feet and use of prototype roof and prototype parapet design features is prohibited.
3. Façade articulation (as defined in BD-3).
4. Building has 40% glazing on the front façade (at least half of which is clear and see-through into the store) and 25% glazing and cutouts for an additional 25% glazing on sides visible to the public.
5. Building has a Green building rating of at least 2 stars.

<b>BD-5</b>	<b>Alternative to BD-3 for Drive in Services and Pad Buildings on larger sites</b>	<b>ALL Roadways</b>
<b>Applies to:</b>	Pad buildings and single use Drive in Services.	

Pad sites are generally set to the front of large lots and are the most visible buildings from the street frontage.

Instead of complying with BD-3, a pad building may comply with the following standards:

1. Use of prototypical franchise designs above seven feet is prohibited (i.e., no prototype roof designs).
2. The portion of the building below seven feet consists of either
  - a. Limestone; or
  - b. brick that has a different color than the prototype brick color; or
  - c. for a building that occupies a pad or portion of a building within a planned project or shopping center, the building has similar design characteristics and shares vocabulary with the rest of the shopping center. This includes use of similar materials, patterns, rhythms, and proportions to the rest of the center.
3. Pad sites shall not have any parking located between the building and the street on Core Transit Corridors, Urban Roadways and Local Roadways.

**Revisions to Design Standards Codification  
November 2005**

**Approved by City Council on November 17, 2005 (Item 46)**

**1. DO-1: Core Transit Corridor Definitions**

- a. Change northern boundary of Lamar to Banyon
- b. Add Airport from Lamar to I-35
  - l. Keep the section of Airport from I-35 to Manor in the future CTC section
- c. For list of suggested future CTC's, add Far West from Mopac to western side of Chimney Corner
- d. Definition of Internal Circulation Route amended:

**"Internal Circulation Route"**: either a public street or a private drive edged by a curb within a development. An Internal Circulation Route may be designed as a matter of right at the sole discretion of the developer for speeds as low as 20 miles per hour. An Internal Circulation route may be closed off to auto traffic to create a pedestrian-only street so long as the Internal Circulation Route meets the design criteria described in this definition (i.e., roadway edged by a curb). An Internal Circulation Route shall not be treated as a curb cut.

**2. DO-2: Development orientation on CTC's**

- a. Add the roads designated as future CTC's to the VMU overlay

**3. C-1: Create street-like internal circulation system**

- a. Permit internal blocks abutting ICR's to be subdivided so individual blocks can be sold off and developed.
- b. Amend C-1(1) language on impervious cover credit as follows:
  - 1. Developments outside the Barton Springs Zone larger than 660' x 330' shall receive the same impervious cover credit as land condemned for public roadways for the following:
    - a. Internal Circulation Routes (provided they are built to the block length standards)
    - b. Sidewalks and curbs along Internal Circulation Routes and adjacent public roadways.
    - c. Public plazas

- i. (impervious cover credit only transfers to VMU structures and structured parking with first floor liner stores)
  - d. Publicly accessible greenbelts with running trails or bike paths
    - i. (impervious cover credit only transfers to VMU structures and structured parking with first floor liner stores)
  - e. Publicly accessible parks or children's playgrounds
    - i. (impervious cover credit only transfers to VMU structures and structured parking with first floor liner stores)

c. Amend C-1(1) language to permit No Parking signs instead of red painted curbs

A property owner may elect at the property owner's sole discretion to place no parking signs in lieu of painting curbs red. If the property owner elects to place no parking signs, the property owner does not have to paint the curbs red.

d. Amend C-1(1) to allow a single block up to 660 by 660 feet.

On sites larger than 15 acres, the site may contain one block with a maximum dimension of 660 feet by 660 feet for each 30 acres (i.e., one 660 x 660 block on a site 15-30 acres, two 660 x 660 blocks on a 30-60 acre site, etc.).

4. **C-2: Options to Improve Traffic Congestion**

- a. Allow exception for pad buildings with only one curb cut and clarify definitional inconsistency

To improve traffic congestion and enhance car and pedestrian connectivity, all sites or developments larger than 3 net developable acres shall be required to select at least five of the options below.

If a site or development provides surface parking that amounts to more than 125% of the parking required in Appendix A (the table in the LDC that lists land uses and their respective minimum parking requirements), the site or development must select at least seven of the options below.

Transit and Urban and Local Roadway sites that do not have parking between the building and the street do not have to comply with this requirement. Transit and Urban and Local Roadway sites less than three net developable acres that have parking between the building

and the street shall be required to select at least three of the options below.

When a pad building with a drive-in is only permitted a single curb cut, the pad building site may contain a circulation lane between the building and the curb without triggering the requirements of this section. The circulation lane may not have parking and cannot be wider than 14 feet.

5. **C-3: City action to encourage streetscape improvements**

- a. Expand sidewalk and street tree rebate and clarify that these only apply to VMU and to UNO-compliant structures

The Director of Planning and Zoning shall prepare a plan for rebating the cost of building sidewalks in the Clear Zone and planting street trees and burying utility lines in the Furniture Zones. The rebates only apply for VMU structures and only apply to costs incurred for improvements in the public right-of-way (which are normally public sector financial obligations).

The rebate may be structured in the following fashion: (1) the developer pays the costs of the improvements; (2) the cost is rebated over a period of years from a percentage of the property tax increment realized through higher property valuations; and (3) the rebate is not paid in any year in which the property valuation is lower than the pre-improvement value and the tax payment is lower than the tax payment for the property for the year prior to the improvement.

Within UNO, a VMU development that meets UNO standards may receive a rebate for an entire block.

6. **LU-3: New Zoning Provision of Vertical Mixed Use**

- a. To encourage mixed use development, a zoning provision within the MU zoning category will be created titled "Vertical Mixed Use" or "VMU." Owners of any property with MU zoning may administratively elect to build under the VMU subdivision.
- b. The Task Force requests that Clarion prepare a new separate zoning district of VMU as a going forward option for rezoning. This new zoning district may contain different tiers with different heights for each tier. The new zoning district will be considered as part of final code adoption.
- c. A VMU building shall have the following features:
- l. The ground floor must be designed to have a different use from upper floors. The second floor may be designed to have the same use as the ground floor so long as there is



at least one more floor above that has a different use from the first two floors.

- II. The building has no front or side setbacks. Portions of the building may be set back for public plazas with no gates and with active uses at grade opening directly onto the plaza. The setback restrictions are subject to the alternative compliance exceptions allowed in DO-8.
  - III. The ground floor is designed to accommodate active uses that open onto the sidewalk along at least 75% of the net length of frontage. (Net frontage is determined by taking the gross length of street frontage and subtracting required drive aisles and stairs that occur at the building perimeter subject to the exceptions allowed in DO-5.)
  - IV. Spaces for ground level pedestrian uses shall be at least 24 feet deep.
  - V. VMU structures 60 feet high or less are not subject to density caps, FAR or building coverage restrictions but are still subject to height restrictions and compatibility standards.
    - A. The density caps, FAR and building coverage restrictions are relics of the city's current Euclidean suburban-oriented development code. Within 90 days of final passage by Council of the codification of these standards, city staff shall present this new standard to the Neighborhood Planning Teams for each Neighborhood Plan in existence at the time of code adoption. Neighborhoods with already approved Neighborhood Plans may request by the 90<sup>th</sup> day to opt out of this specific provision for all or some of the VMU-eligible properties within their planning area. The Planning Commission will review any requests and Council will consider whether to approve or deny any request within 45 days of the 90-day deadline. This is a one-time only request to opt-out and opting out will not be a subject of future Neighborhood Plans.
- d. The City Manager shall prepare a plan to establish a dedicated development review team for VMU and Integrated Mixed Use projects.
- I. The dedicated development review team shall include license reviews.
  - II. Any VMU developments or Integrated Mixed Use developments submitted for review shall be assigned to this dedicated team and shall receive review priority over any non-VMU and non-Integrated Mixed Use submissions.

- III. VMU and Integrated Mixed Use developments shall receive the same expedited review deadlines as exist in the SMART housing program. These deadlines shall include deadlines for license reviews and approvals.
- e. For VMU projects, the City Manager shall prepare a program to waive fees, permit deferred payment of development fees and permit fees in lieu of on-site compliance. The program shall include, at a minimum, the following:
  - I. For infill redevelopment projects, VMU developments do not have to pay the parkland dedication fee.
    - A. VMU greenfield projects still must pay the parkland dedication fee.
  - II. Extend to VMU projects all fee-in-lieu of programs available in the CBD relating to fees in lieu of on-site detention. The Task Force also requests that Clarion prepare new standards reflecting national best practices relating to storm water, regional detention and water quality treatment methods. These standards shall apply to VMU structures and Integrated Mixed Use developments only.
  - III. Because VMU structures are designed to promote more pedestrian-oriented communities, reimburse VMU projects for any required offsite traffic improvements and do not count any project pedestrian traffic as part of the calculation to determine whether a traffic impact analysis is required.
- f. For VMU redevelopment sites with existing curb cuts, permit flexibility on spacing if the VMU development reduces the overall number (to accommodate, e.g., parking garage entrances)
- g. The Task Force requests that Clarion prepare an amendment to the Austin Building Code to clarify that VMU structures do not have to meet office or retail standards in the residential portions of VMU structures.
- h. Create a separate Green Building standard for VMU (currently, AE has different standards for residential and commercial, which creates difficulties in vertical mixed use with residential).

7. **LU-5: Options to promote Envision Central Texas recommended land use patterns**

a. Expand VMU overlay to promote shift of single use large sites to mixed use land patterns:

- I. Redevelopment of Large Single Use Developments: A VMU-option overlay is established for developments larger than 3 acres along (1) Highways, (2) Hill Country Roadways, (3) Local Roadways and (4) Urban Roadways. The overlay has the following limitations:
  - A. In areas subject to a Neighborhood Plan that are not located on Core Transit Corridors or future Core Transit Corridors, the overlay only applies to properties with an MU designation and may not contain uses prohibited for that lot under the Neighborhood Plan.
  - B. In areas that have not undergone the neighborhood planning process, the VMU overlay applies only to commercially zoned properties and does not apply to properties zoned exclusively for residential.
  - C. The VMU structure entitlement only extends to VMU buildings constructed as part of a block system meeting the requirements of C-1 and C-2.
  - D. The redevelopment must comply with compatibility standards.

b. Additional development bonus for mixed use redevelopments:

All developments with any of the Preferred Items may elect to take all of the Development Bonuses on that site.

<b>Preferred item</b>	
Development contains at least 100 lineal feet of VMU buildings.	
<b>Development Bonuses</b>	
Queuing requirements are reduced by 50 percent for each drive-through service in the development.	Buildings in the development may aggregate points in BD-5 rather than each building needing the minimum number of points.
Reduce by 2 the number of options needed to comply with C-2 for each 100 lineal feet of VMU buildings.	Existing impervious cover is grandfathered for the VMU structures and their accompanying structured parking. This grandfathering overrides any current impervious cover or setback requirements or overlays.

<b>Preferred Item</b>	
Integrated Mixed Use Development: the uses are in walking distance from each other (i.e., not more than ¼ mile apart), the uses are connected by sidewalks or Internal Circulation Routes, and one of the following applies:  (1) Site contains at least two uses, and two of the uses each comprise at least 25% of the built area; or  (2) 20% of the building footprint consists of VMU structures.	
<b>Development Bonuses</b>	
Queuing requirements are reduced by 50 percent for each drive-through service in the development.	Buildings in the development may aggregate points in BD-5 rather than each building needing the minimum number of points.
Existing impervious cover is grandfathered subject to the following limitations: A. The re-development meets the standards of C-1, C-2 and DO-5; and B. The grandfathered impervious cover may only be transferred to VMU structures and their accompanying structured parking. This grandfathering overrides any current impervious cover or setback requirements or overlays.	Reduce by 2 the number of options needed to comply with C-2.
For redevelopment projects larger than 5 acres, the VMU parking standards apply to the entire redevelopment so long as 20 percent of the building footprints consist of VMU structures.	



## Signs

### 8. **Enforcement: clarify sign fee provision**

To insure that current and the proposed new regulations are enforced, the City Manager shall prepare a fee ordinance to require annual sign fees to support enforcement staff.

### 9. **S-2: Revise city-wide sign regulations**

- a. S-3: New pole signs will be prohibited on all Urban and Transit Roadways and all Neighborhood Roadways. New pole signs are not prohibited on Highways and are not prohibited within the first 660 feet from a Highway. All existing pole signs citywide in the areas subject to the prohibition will be reclassified to be permitted non-conforming uses.
- b. **S-2(4)-provision regarding trigger for removal of non-conforming signs**
  1. When an applicant seeks a new sign permit for a property containing a pole sign, all non-conforming pole signs for the applicant's business in that development will be required to be removed as a condition of the permit.
  2. This requirement is subject to the following exemptions and exceptions:
    - a. An exemption to this provision exists for existing multi-tenant pole signs. (New multi-tenant pole signs are still prohibited on all Urban and Transit Roadways and all Neighborhood Roadways.)
    - b. This requirement applies only to the sign permit applicant and does not trigger a requirement for non-applicants located in the same development to remove their pole signs.
    - c. The following do not, by themselves, require removal of a pole sign:
      - i. The sign is being re-faced, receiving maintenance, repainting or repair if the cabinet as a whole is not replaced;
      - ii. A replacement of the sign is needed due to any damage caused by a terrorist act, weather or any other act of God; or
      - iii. The federal, state or local government requires relocation of the sign.

10. **S-2(5): exceptions to sign area calculation's inclusion of corporate branding:**

The sign area calculation includes all applications of stripes, graphics and trade mark paint colors that constitute corporate branding. This calculation is subject to the following exemptions and exceptions:

1. The following are not included in sign area calculations:
  - a. prototype colors that are light colors as recommended in the green building matrix;
  - b. awnings that provide pedestrian cover over pathways;
  - c. canopies that have sign faces no higher than three feet.
2. A pad building may dedicate up to 25% of the total roof area for branding (such as painted stripes) without triggering inclusion of that area in the sign area calculation under the following circumstances:
  - a. The 25% area is compact and contiguous;
  - b. The building contains no other application of stripes, graphics or trade mark paint colors that constitute corporate branding.

If a pad building meets these requirements, the roof area will not be included in the sign area calculation, and only the attached signs will be included in the building's sign area calculation.

11. **S-3: Revise maximum size for wall signs**

Wall signs cannot exceed one square foot for each one lineal foot of building façade to a maximum of 400 square feet. This maximum size is subject to the following exception: any business with less than 64 lineal feet of building façade is permitted a sign up to 64 square feet.

12. **S-4: Information sign provisions:**

1. Street addresses, visible from the public ROW, must be located on the sign or the building.
2. The following do not count toward sign area calculations:
  - a. The street address, up to 10 square feet;
  - b. Directory signs;
  - c. Menu signs;
  - d. Directional signs.

## Building Design

13. **BD-5: Standards for drive-in and pad buildings:**

- a. Clarify that BD-5 does not apply to pad buildings on Core Transit Corridors

14. **BD-3: Building Design**

- a. The following is an example of a building that would meet the standards contained in BD-3:

Pad building not located on a Core Transit Corridor

- I. The pad building is a national chain prototype with the following:
- A. a natural stone façade, and
  - B. metallic roof with uncolored metallic finish, and
  - C. minimum 2-star Green Building, and
  - D. Glazing on ground-floor facades that face the street or parking lot have a Visible Transmittance (VT) of 0.6 or higher, and
  - E. 90% of all frontages facing parking are shaded or have a shelter device.
- b. Clarify that building design requirements apply to exterior remodels and do not apply to interior remodels



ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 14-11-43 OF THE CITY CODE RELATING TO LICENSE AGREEMENTS; AMENDING SECTION 25-2-32 OF THE CITY CODE RELATING TO ZONING DISTRICTS AND MAP CODES; REPEALING AND REPLACING SECTION 25-2-172 OF THE CITY CODE RELATING TO MIXED USE DISTRICTS; ADDING SECTION 25-2-812 TO THE CITY CODE RELATING TO DRIVE-THROUGH FACILITIES; ADDING SECTION 25-2-813 TO THE CITY CODE RELATING TO SERVICE STATION USES; AMENDING CHAPTER 25-2 OF THE CITY CODE TO ADD SUBCHAPTER E RELATING TO DESIGN STANDARDS AND MIXED USES; AMENDING SECTION 25-6-478 RELATING TO REDUCED PARKING IN CERTAIN GEOGRAPHIC AREAS; AMENDING SECTION 25-8-63 OF THE CITY CODE RELATING TO IMPERVIOUS COVER CALCULATIONS; AND REPEALING SECTIONS 25-2-442, 25-2-646, AND 25-2-647 OF THE CITY CODE RELATING TO MIXED USE COMBINING DISTRICTS.

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

PART 1. Section 14-11-43 (*Annual Fee*) of the City Code is amended to amend Subsections (A) and (F) to read:

- (A) Except as provided in Subsections (C), ~~and~~ (E), and (F) and Section 14-11-46 (*Waiver for Subterranean Tunnel*), the holder of an approved license agreement shall pay the City an annual license fee.
- (F) The city manager shall waive an annual license fee if the city manager determines that:
- (1) the license agreement ~~[relates to property zoned central business (CBD) or downtown mixed use (DMU) and]~~ authorizes landscaping, overhead pedestrian cover, or a roof drain on adjacent public property; and
  - (2) the overhead cover, if any, is provided by a projection from a building, including a balcony or awning, or an arcade that is open to the street.

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

(8) vertical mixed use

VMU

**PART 3.** Section 25-2-172 (*Mixed Use Combining District Purpose*) of the City Code is repealed and replaced with a new Section 25-2-172 to read:

**§ 25-2-172 MIXED USE (MU) COMBINING DISTRICT AND VERTICAL MIXED USE (VMU) OVERLAY DISTRICT.**

Mixed use (MU) combining districts and vertical mixed use (VMU) overlay districts are described and governed by Subchapter E, Article 4 (*Mixed Use*).

**PART 4.** Chapter 25-2 (*Zoning*) of the City Code is amended to add Section 25-2-812 to read:

**§ 25-2-812 DRIVE-THROUGH FACILITY.**

A business that has a drive-through facility but does not have walk-in service must provide safe and convenient access for pedestrians to the drive-through facility.

**PART 5.** Chapter 25-2 (*Zoning*) of the City Code is amended to add Section 25-2-813 to read:

**§ 25-2-813 SERVICE STATION USE.**

A service station use:

- (1) must be screened from the street by a building or a landscape buffer that includes shade trees;
- (2) may not have more than 16 fuel dispensers; and
- (3) may not have more than eight vehicle queue lanes.

**PART 6.** Chapter 25-2 (*Zoning*) of the City Code is amended to add Subchapter E to read as shown on Attachment "A".

**PART 7.** Section 25-6-478(A) (*Reduced Parking In Certain Geographic Areas*) of the City Code is amended to read:

(A) Except as provided in Subsection (B), this section applies in the area bounded by:

- (1) Highway 183 from Burnet Road to Highway 71;
- (2) Highway 71 from Highway 183 to Loop 1;
- (3) Loop 1 from Highway 71 to Lake Austin Boulevard;
- (4) Lake Austin Boulevard from Loop 1 to Exposition Boulevard;

- (5) Exposition Boulevard from Lake Austin Boulevard to 38<sup>th</sup> Street;
- (6) 38<sup>th</sup> Street from Exposition Boulevard to Loop 1;
- (7) Loop 1 from 38<sup>th</sup> Street to RM Road 2222;
- (8) RM Road 2222 from Loop 1 to Mesa Drive;
- (9) Mesa Drive from RM Road 2222 to Spicewood Springs Road;
- (10) Spicewood Springs Road from Mesa Drive to Loop 360;
- (11) Loop 360 from Spicewood Springs Road to Great Hills Trail;
- (12) Great Hills Trail from Loop 360 to Highway 183;
- (13) Highway 183 from Great Hills Trail to Braker Lane;
- (14) Braker Lane from Highway 183 to Burnet Road; and
- (15) Burnet Road from Braker Lane to Highway 183.
- ~~[(1) Highway 183 from Loop 360 to Highway 71;~~
- ~~(2) Highway 71 from Highway 183 to Loop 1;~~
- ~~(3) Loop 1 from Highway 71 to Lake Austin;~~
- ~~(4) Lake Austin from Loop 1 to Dry Creek;~~
- ~~(5) Dry Creek from Lake Austin to Ranch Road 2222;~~
- ~~(6) Ranch Road 2222 from Dry Creek to Mesa Drive;~~
- ~~(7) a line parallel to, and 200 feet west of Mesa Drive from Ranch Road 2222 to Jollyville Road;~~
- ~~(8) Jollyville Road from Mesa Drive to Loop 360; and~~
- ~~(9) Loop 360 from Jollyville Road to Highway 183.]~~

**PART 8.** Section 25-8-63 (*Impervious Cover Calculations*) of the City Code is amended to add Subsection (D) to read:

- (D) Chapter 25-2, Subchapter E, Section 2.3.1.B.1.e. (*Impervious Cover Credit*) provides for certain exclusions from impervious cover calculations for large development sites outside the Barton Springs Zone.

1 **PART 9.** Section 25-2-442 (*Mixed Use Combining Districts Generally*), Section 25-2-  
2 646 (*Mixed Use Combining District Permitted Uses*), and Section 25-2-647 (*Mixed Use*  
3 *Combining District Regulations*) of the City Code are repealed.

4 **PART 10.** This ordinance takes effect on \_\_\_\_\_, 2006.

5 **PASSED AND APPROVED**

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9 \_\_\_\_\_, 2006

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13 **APPROVED:**

14 \_\_\_\_\_  
15 David Allan Smith  
16 City Attorney  
17  
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**ATTEST:**

Will Wynn  
Mayor  
Shirley A. Gentry  
City Clerk



## ENVIRONMENTAL BOARD MOTION

Date: March 23, 2005

Subject: Commercial Design Standards

Motioned By: Mary Ruth Holder

Seconded By: Timothy Riley

### **Recommendation**

The Board recommends the adoption of design standards for commercial development that would further the following goals: protect and restore air and water quality; encourage pedestrian, bicycle and public transportation; minimize urban heat island effect; provide for landscaping with a diversity of native and naturalized species; provide for additional water conservation; and reduce light pollution.

The Board further recommends that during the ongoing process of drafting these standards and before they are presented to City Council for action, the Task Force working on the Proposed Code Amendments to Improve Commercial Design work very closely with staff of the Watershed Protection and Development Review Department (WPDRD) to maintain the efficient development review process currently being used by that Department; preserve all water quality protections afforded by current Code provisions; and ensure that staff has the appropriate training and resources to administer the new standards.

The board recommends the following specific to the Proposed Code Amendments to Improve Commercial Design currently being developed by the Task Force and still in draft form (by category in the March 21, 2005 draft standards):

### Connectivity

Maintain connectivity provisions in order to promote pedestrian, bicycle and public transportation and help restore air quality.

## Parking

To reduce run off associated with parking lot impervious cover, discourage inefficient uses of land, and encourage the use of alternative modes of transportation the Board recommends the following amendments to item P-1:

Maximum parking limits should be established for all buildings greater than 50,000 square feet to allow not more than one (1) parking space for every 250 square feet of building space;

If a site provides 100% or more of the parking required in Appendix A (the table in the LDC that lists land uses and their respective minimum parking requirements), at least four (4) points must be earned from the table set forth in item P-1 of the March 21, 2005 draft; and

Small businesses for which future uses may require additional parking should be allowed to preserve temporary open space that may be replaced with parking pursuant to city authorization.

## Landscape

Add a requirement for rooftop rainwater harvesting for commercial development that would serve to augment landscape irrigation for purposes of water conservation;

Any changes to the Grow Green standards should be made in coordination with WPDRD and Water Utility Department water conservation staff;

Wherever the standards call for the use of native trees or native and naturalized plants, they should require a diversity of plant species to help prevent the spread of diseases such as oak wilt;

Amend L-1 to add a subsection "j" (similar to that which appears in the December 8, 2004 draft but with a different replacement value) that provides: a bond must be posted prior to site clearing through issuance of a CO for the value of the protected and significant trees (or stands of trees) to be preserved. The value is equivalent to ¼ replacement costs.

Add to L-4, "Require new Hill Country Roadway Landscape Standards," the following language in underlined and in italics: "If the site is located adjacent to dedicated parkland, *city or county preserve, City Wildland, or* conservation easement, there must be native vegetated or undisturbed setback of 100 feet from the affected property line;" In addition consult with City Wildlands and Travis County Balcones Canyonlands Preserve staff concerning this provision and how it fits into the city and county's fire protection plan for open space prior to finalizing the standards; and

Work with WPDRD staff to develop canopy coverage standards to achieve urban heat island affect reduction goals and to determine appropriate minimum caliper inches of landscape trees needed to allow for flexibility of soil types and tree diversity.

## Land Use

Revise items LU-4 (“Provide amenity of large sites”) and LU-5 (“Options to promote development of better places”) so these items apply to sites/developments that are three (3) acres rather than five (5) acres. (The three acre trigger was a standard contained in the December 8, 2004 draft.);

In item LU-4, clarify that 10% of the site must be devoted to one “or more” of the amenities listed by inserting the words “or more” in the first sentence under the box in that section; and

## Exterior Lighting

Retain current exterior lighting provisions to reduce light pollution.

## Stormwater Management

The standards must ensure that any requirement for aesthetically pleasing stormwater facilities does not detract from the effectiveness of such facilities and that these standards will not, in any fashion, weaken water quality requirements presently contained in the Land Development Code.

## Building Design

With regard to item BD-4 (applicable to single story buildings larger than 100,000 feet), the Board recommends that the Task Force consult with the Austin Energy and other city departments as may be appropriate to obtain a cost/benefit analysis for a requirement of a 3 star Green Building energy rating prior to substituting a 2 star Green Building energy rating (a 3 star rating requirement was contained in the March 3, 2005 draft).

## **Rationale**

The board reviewed and considered the Task Force working draft of the Proposed Code Amendments to Improve Commercial Design dated March 21, 2005. The board appreciates this opportunity to comment on this draft proposal. The standards being developed by the Task Force contain thoughtful innovations and present a welcome opportunity to improve the quality of life in Austin. The board understands that this document is a draft and that the Task Force is still working on these standards. Items such as the identification of “transit roadways” and the land use exemption list discussed in footnote 1 of the draft’s Summary have yet to be developed. There are also outstanding questions and the need for continuing dialog and refinement of parking and landscaping requirements.

The Board believes it is especially important for the Task Force to work with staff of the WPDRD prior to making their final recommendations to Council in order to maintain the development review efficiencies staff has achieved and to ensure that the standards can be integrated with the current water quality protections in a way that supports and enhances those

protections. For example, no standard for building design should cause an unintended consequence of lessening water quality protections needed to protect environmentally sensitive areas like the Barton Springs zone. On the other hand, building design standards may be helpful in creating opportunities to enhance water quality and erosion protections needed for water bodies in the urban core.

The Board also believes it is important for the Task Force to have input from the Water Utility Department's water conservation staff so that these standards take advantage of the opportunity they present to enhance the city's water conservation and reuse program, including Peak Reduction, with new landscaping and building design standards. The Board encourages the Task Force to work with the Austin Energy and other city departments to determine the appropriateness of requiring a 3 star Green Building energy rating for single story commercial buildings over 100,000 square feet. Subsequent drafts of the proposed Code amendments should continue to seek opportunities to further each goal discussed in paragraph one of this motion.

Vote        6-0-0-2

For:        Ascot, Curra, Holder, Maxwell, Moncata, Riley,

Against:   None

Abstain:   None

Absent:    Ahart, Anderson

Approved By:



**CITY PLANNING COMMISSION**

**April 26, 2005**

**CITY HALL – COUNCIL CHAMBERS**

**301 W. 2<sup>ND</sup> STREET**

**1<sup>st</sup> Floor**

**CALL TO ORDER – 6:00 P.M. COMMENCE 6:10PM; ADJOURN 10:39PM**

\_\_\_\_ John-Michael Cortez

\_\_\_\_ Matthew Moore, Secretary

\_\_\_\_ Cid Galindo

\_\_\_\_ Jay Reddy

\_\_\_\_ Cynthia Medlin, Vice-Chair

\_\_\_\_ Chris Riley, Chair

\_\_\_\_ Keith L. Jackson

\_\_\_\_ Dave Sullivan, Parliamentarian

**3. Code C20-05-001 - Commercial and Retail Design Standards**

**Amendment:**

Request:

Consider amendments to Austin's Land Development Code, Title 25, and to Volume I, City Code, Chapter 14 to create design standards for commercial and retail development. Detailed information about the proposed amendments is available on the City of Austin website at: [http://www.ci.austin.tx.us/development/commercial\\_design.htm](http://www.ci.austin.tx.us/development/commercial_design.htm)

Staff:

George Adams, 974-2146, [george.adams@ci.austin.tx.us](mailto:george.adams@ci.austin.tx.us)  
Katie Larsen, 974-6413, [katie.larsen@ci.austin.tx.us](mailto:katie.larsen@ci.austin.tx.us)  
Neighborhood Planning & Zoning

**PUBLIC HEARING**

**Bruce Shelton**, said he has concerns about signage, lighting and the impact on small businesses. He thinks what would be unfair is requiring a sign to be removed if the sign must be changed for a new tenant. Another concern is interpretation with staff.

**Dallas Kelley** with Real Estate Council of Austin said that there are still concerns, and there is not a consensus, especially with development orientation. Commissioner Sullivan asked her if there are any specific concerns, or just a general concern.

Ms. Kelley said that there would be an increase in costs that will be passed on to the smaller shops in larger multi-tenant centers.

Ms. Kelley said that though reduced parking will help single user small businesses, some neighborhoods do not like on-street parking.

**Laura Morrison** said she participated in the discussions as a neighborhood representative. In particular she kept an eye out for those amendments that impacted neighborhoods and may have had an impact. The ANC has a subcommittee that has and will review this.

**Jackie Goodman**, Mayor Pro Tem, said the design standards time has come, back in 1993. The Citizens Planning Committee recommended design standards in 1995. She mentioned Mayor Riley's presentation about Charleston SC. The largest steps should be taken without impacting the interests that are part of the city. The reason that the Planning Commission was created and separated from Zoning and Platting Commission was to be able to focus on these issues. We are extraordinarily famous for planning, notorious for not implementing. We need to take this step being careful not to hurt anything, celebrating what will make great city. She thanked the Commission for their service. She mentioned that once upon a time Council had a standard agenda item that offered Board and Commissions opportunities to report to Council on high profile items and the smaller items that may get lost in the shuffle. She has asked the CMO to add that back to the Council agenda.

***MOTION: CLOSE THE PUBLIC HEARING***

***VOTE: 8-0 (DS-1<sup>st</sup>, CG-2nd)***

Commissioner Sullivan asked about staff policy issues and Ms. Larsen explained there is a table that provides detailed staff comments and some of the major concerns are with on-street parking, maximum parking and interpretation of connectivity requirements.

Commissioner Galindo expressed his concerns about overhead utilities. He would like to offer a recommendation on this document that would result in overhead utilities. He suggested an SC-2, that all overhead utilities be buried within boundaries of all site plans.

Commissioner Galindo and Commissioner Sullivan requested amendment to motion to overhead utilities must be buried on-site within site plan (from overhead post to underground on the site). The City staff should look into an incentive plan to bury overhead utility lines on site and in the public ROW.

Commissioner Riley said that burying overhead utilities in the public ROW can be in the Connectivity menu. Commissioner Sullivan suggested building design. Ms. Larsen said burial of overhead utilities in public ROW could be an option in the connectivity amendments, but an advantage to having it in the building design point system is that from the point the amendments are approved, burying overhead utilities will be an option for more projects. Commissioner Galindo wants burial of overhead utilities on the site to be mandatory for all sites, not part of an option system.

Commissioner Moore said that there are private property issues, so he would rather see an incentive based approach where maybe the developer could work with the City to bury the utilities in the ROW too.

Commissioner Reddy said requested an amendment to in DO-1 to increase the size of the Urban and Transit Roadway core area. The north boundary would be Parmer Lane, eastern boundary would be 183, southern boundary would be Slaughter and the western boundary would be 360. Accepted.

**MOTION: APPROVE APRIL 25, 2005 TASK FORCE DRAFT WITH THE FOLLOWING CHANGES:**

- **EXPAND BOUNDARIES OF URBAN AND TRANSIT ROADWAYS:**
  - **NORTH BOUNDARY: PARMER LANE**
  - **SOUTH BOUNDAR: SLAUGHTER LANE**
  - **EAST BOUNDARY: HIGHWAY 183**
  - **WEST BOUNDARY: LOOP 360**
- **INCENTIVIZE BURIAL OF OVERHEAD UTILITIES ON-SITE AND IN PUBLIC ROW**

**VOTE: 7-0 (DS-1<sup>st</sup> JR-2<sup>nd</sup>; JMC- LEFT EARLY)**

Commissioner Sullivan quoted from a song that said it took 40 years to turn America into a strip mall, why does it take so long to change that. It may seem fast, but need to make up for the mistakes.

**Planning Commission recommendation on Design Standards Ordinance**  
**July 11, 2006**

That the City Council consider:

- 1) Defining a process to add Core Transit Corridors and Future Core Transit Corridors over time – e.g., as a result of Neighborhood Plans or of passing a local population or employment-level threshold;
- 2) Ordinance or rule changes to encourage alley access to development sites so as to facilitate off-street parking in the rear;
- 3) Direct staff to evaluate whether full or partial impervious cover credit should be permitted for Green Roofs;
- 4) Adding language to the ordinance to ensure compliance with accessibility standards;
- 5) Providing alternative building placement standards for narrow sites with resulting hardships on Core Transit Corridors;
- 6) Exempting large Data Center projects from the Design Standards because of their security needs, but also discouraging them from placement on Urban Streets and Core Transit Corridors by making them conditional uses;
- 7) Identifying ways to streamline the license agreement process along Core Transit Corridors so as to facilitate more street trees and outdoor activity;
- 8) Consider creation of two Task Forces to consider:
  - a. A long-term program to bury overhead utility lines on Core Transit Corridors
  - b. Examine options for Compatibility regulations to encourage mixed use development along Core Transit Corridors

That the Council:

- 1) Exclude UNO with the exception of property fronting on Guadalupe Street
- 2) Affirm that the Great Streets Streetscape standards apply Downtown and that Great Streets remain an optional program Downtown;

**CITY ZONING AND PLATTING COMMISSION**  
**SPECIAL CALLED MEETING**  
**April 25, 2005 [ANNOTATED]**  
**ONE TEXAS CENTER, 5<sup>TH</sup> FLOOR**  
**CONFERENCE ROOM 500**

CALL TO ORDER – 6:00 P.M.

**COMMENCED: ~6:15PM**

\_\_\_\_\_ Betty Baker - Chair  
\_\_\_\_\_ John Philip Donisi  
\_\_\_\_\_ Jay Gohil  
\_\_\_\_\_ Clarke Hammond - Secretary

**ADJOURNED: ~8:35PM**

\_\_\_\_\_ Melissa Whaley Hawthorne- Assist. Sec.  
\_\_\_\_\_ Keith Jackson - Parliamentarian  
\_\_\_\_\_ A Joseph Martinez – Vice-Chair  
\_\_\_\_\_ Janis Pinnelli  
\_\_\_\_\_ Teresa Rabago

**CONDUCT OF PUBLIC HEARINGS**

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those FAVORING the request.
4. Applicant's presentation (5 minutes).
5. Others favoring the request (3 minutes).
6. Chair calls on those OPPOSING the request.
7. Primary presentation (5 minutes).
8. Others opposing the request (3 minutes).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

**CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE (RED BOOK).**

Any interested party aggrieved by a decision of the Zoning & Platting Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Zoning & Platting Commission.

The Commission may recommend additional future land use designations that have not been requested or future land use designations that are more or less intensive than the requested future land use. The Commission may also recommend zoning that includes combining districts such as mixed use, conditional overlays, or other combining districts.

## **AGENDA POSTING & POSTPONEMENT POLICIES**

### **AGENDA POSTING POLICY**

Normally when placing an item on a future agenda, commissioners should inform the chair prior to a meeting and announce the item under Items from Commission at the end of the agenda.

If the topic is of a sensitive nature or may be considered outside the scope of the Commission's charge, then the chair may request that it be presented to the Executive Committee for consideration prior to being placed on the agenda.

- An item that arises during the conduct of a meeting may be announced during the pertinent discussion or at the end of the meeting.
- If no objection is raised to the posting of an item, a vote and a second on the posting will not be required.
- If a disagreement arises on the posting of an item, the Commission will act upon the posting by a motion and vote.

### **POSTPONEMENT POLICY**

- All postponement requests from the public normally should be made in writing by 10:00 a.m. the Monday before the Zoning & Platting Commission meeting. The request should be submitted to the case manager. The date and time should be noted on the letter to staff, in addition the reason for postponement and the requested postponement date.
- The party requesting the postponement should attend the Zoning & Platting Commission meeting, in case of a discussion postponement.
- The Zoning & Platting Commission will normally grant, upon voting, a first request notified as described above for postponement by an applicant or neighborhood association.
- Second and/or subsequent request for postponement, depending on the reasons, may or may not be granted by the Zoning & Platting Commission. The commission must, however, vote on the request.
- Individual commissioners may request postponements to be voted on by the full commission.

## **CORRESPONDENCE WITH THE ZONING & PLATTING COMMISSION**

*E-mail:* E-mail addresses for individual Commissioner's are available on the last page of this agenda.

*Mail:* Neighborhood Planning & Zoning Department  
Attn: Zoning & Platting Commission Liaison  
P.O. Box 1088, Austin TX, 78767

*Fax:* Fax: (512) 974-6054

### **MORE INFORMATION**

COA Development Web:  
Land Development Code:

[www.cityofaustin.org/development/](http://www.cityofaustin.org/development/)  
[www.cityofaustin.org/development/ldc1.htm](http://www.cityofaustin.org/development/ldc1.htm)

## **A. REGULAR AGENDA**

### **EXECUTIVE SESSION (No public discussion)**

The Zoning & Platting Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Zoning & Platting Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

### **CITIZEN COMMUNICATION:**

1. The first four (4) speakers signed up to speak will each be allowed a three-minute allotment to address their concerns regarding items *not* posted on the agenda.

***NO SPEAKERS.***

### **CODE AMENDMENT**

- |                           |   |
|---------------------------|---|
| <b>3. Code Amendment:</b> | <b>C2O-05-001 - Commercial and Retail Design Standards</b>  |
| Request:                  | Consider amendments to Austin's Land Development Code, Title 25, and to Volume I, City Code, Chapter 14 to create design standards for commercial and retail development. Detailed information about the proposed amendments is available on the City of Austin website at: <a href="http://www.ci.austin.tx.us/development/commercial_design.htm">http://www.ci.austin.tx.us/development/commercial_design.htm</a> |
| Staff:                    | George Adams, 974-2146, <a href="mailto:george.adams@ci.austin.tx.us">george.adams@ci.austin.tx.us</a><br>Katie Larsen, 974-6413, <a href="mailto:katie.larsen@ci.austin.tx.us">katie.larsen@ci.austin.tx.us</a><br>Neighborhood Planning & Zoning  |

***1<sup>ST</sup> MOTION: [K.J; C.H 2<sup>ND</sup>] (SIMILAR TO THE SECOND MOTION) FAILED; (4-4) B.B; J.P; T.R; M.W – NAY; J.M – ABSENT***

***2<sup>ND</sup> MOTION: ZAP Motion for Commercial Design:***

***MOTION: Endorse the April 25, 2005 Task Force report with the following conditions and concerns:***

***VOTE: [K.J, C.H 2<sup>ND</sup>] (5-3) B.B, J.P, T.R – NAY; J.M – ABSENT***

***Considerable Concerns were raised about:***

#### **In general:**

- ***Pedestrian Accessibility;***
- ***Impacts on meeting ADA accessibility requirements;***
- ***Process for variances;***
- ***Fiscal impacts on small businesses;***
- ***Impact on adjacent residential uses;***

- *Block lengths being applied to the buildings particularly on larger stores; taking away from building articulation.*

*Development Orientation:*

- *Locating loading/unloading deliveries and dumpsters behind buildings built to the street.*

*Landscape:*

- *Tree planting requirements and potential conflict with underground utilities.*

*Connectivity:*

- *Curb cut and driveway spacing requirements and potential conflict with TxDOT requirements.*

*Storm water Management:*

- *Does the City permit use of stone only structural walls for facilities?*

*Building Design*

- *Some options for building design would result in building design more typical of the northeast than the south.*

*Signage*

*Specific Suggested Changes*

*Land Use:*

- *Allow funds to be used for historic preservation and civic uses such as libraries.*

*Screening:*

- *SC-1: Parts a and c are similar.*



**B. OTHER BUSINESS****ITEMS FROM THE COMMISSION**

*The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call Sylvia Arzola, Neighborhood Planning & Zoning Department, at 974-6448, for information, text phone users route through Relay Texas at (800) 735-2989.*

**Ms. Betty Baker**201 E. 2<sup>nd</sup> Street

Austin, TX. 78701

Contact Phone: (512)442-5371 hm.

E-mail Address: bbaker5@austin.rr.com

Nominated By: Mayor Pro-Tem Jackie Goodman

**Mr. Joseph Martinez**

42 Waller Street

Austin, TX. 78702

Contact Phone: (512)474-8148

E-Mail Address:

josephmartinez@yahoo.com

Nominated By: Consensus

**Mr. John Philip Donisi**

1700 Frost Bank Plaza

816 Congress Avenue

Austin, TX. 78701

Contact Phone: (512)472-8021 wk.

E-Mail Address: jdonisi@austin.rr.com

Nominated By: Council Member Danny Thomas

**Mrs. Melissa Whaley Hawthorne**

508 Oakland Avenue

Austin, TX. 78703

E-Mail Address: apsinc@hga.com

Nominated By: Council Member Betty Dunkerley

**Mr. Jay A. Gohil**

10201 Tenava Court

Austin, TX. 78726

Contact Phone: (512)258-4248

E-Mail Address: jay@jaygohilrealty.com

Nominated By: Mayor Will Wynn

**Mrs. Janis Pinnelli**

P.O. Box 50038

Austin, TX. 78763

Contact Phone: (512)478-7816

E-Mail Address: Pinnelli@flash.net

Nominated By: Consensus

**Mr. Clarke Hammond**

1303 Hillside Avenue

Austin, TX. 78704

Contact Phone: (512)441-3861

E-Mail Address: chammond1@austin.rr.com

Nominated By: Council Member Daryl Slusher

**Ms. Teresa Rabago**

612 W. Johanna Street

Austin, TX. 78704

Contact Phone: (512)447-9613

E-Mail Address: trabago@austin.rr.com

Nominated By: Council Member Raul Alvarez

**Mr. Keith B. Jackson**504 E. 42<sup>nd</sup> Street

Austin, TX. 78751

Contact Phone: (512)327-6840

E-mail Address: kbjackson@pbsj.com

Nominated By: Council Member Brewster McCracken



# AUSTIN DESIGN COMMISSION

RICHARD WEISS  
CHAIR

ELEANOR MCKINNEY  
VICE CHAIR

JOAN HYDE  
PERRY LORING  
CLAUDE KINNEY  
JOHN PATTERSON  
JUAN E. COTERA  
PHILIP REED  
HOLLY KENCANNON

POLLYANNE MELTON  
STAFF LIAISON

May 11, 2005

Mayor Will Wynn  
Mayor Pro Tem Jackie Goodman  
Council Member Daryl Slusher  
Council Member Raul Alvarez  
Council Member Betty Dunkerley  
Council Member Brewster McCracken  
Council Member Danny Thomas

The City of Austin  
PO Box 1088  
Austin, Texas 78767

Re: Commercial Design Standards Proposed Code Amendments Revisions

Dear Mayor and Council,

In an effort to get the Commercial Design Standards drafted in to ordinance language, the Design Commission Design Standards Task Force supports Council approval of the proposed Development Orientation and Building Development sections of the Policy Document. However, the task force believes that the Development Orientation section has some serious issues that need further exploration and refinement in order to successfully achieve the stated goals of the Design Standards. Some of these issues are as follow:

1. DO-1: We support the inclusion of Core Transit Corridors, but the list of designated roadways needs further review and public input prior to Codification.
2. DO-2 and DO-3: One of the original goals of the Commercial Design Standards was to make redevelopment easier in the urban core. The current draft significantly eases Development Orientation restrictions on local roadways (i.e. suburbs) and restricts Development Orientation in the urban core without offering strong enough incentives for redevelopment. While we support the Development Orientation goals, the imbalance of restrictions may create a disincentive to develop in the areas where we desire the most intense growth.
3. DO-2 and D-3: We support the inclusion of a 15' maximum setback (as was stated in previous drafts) in order to allow for a landscape area sufficient for mature tree growth.

4. DO-4: On local Roadways, the incentives for pushing development to the street (as opposed to developing with parking in front of the building) are not explicit and may not be significant enough to sway development toward a more pedestrian friendly model.
5. The Design Commission Task Force fully supports the inclusion of DO-6, which allows for Alternate means of Compliance, but we feel that the allowing for Alternate Means of Compliance justifies more stringent Development Orientation regulations on Local Roadways (which have been removed in recent iterations).
6. City funded Sidewalk Construction is the major incentive offered for development on Core Transit Corridors, but it is critical that this public investment is implemented with standards that accomplish the following goals:
  - a. Allowing for mature tree growth in the sidewalk furniture zone, which requires either continuous tree lawns or trenches, or tree wells considerably larger than those currently allowed in the R.O.W.
  - b. Coordination with public works, Austin Energy, and private utility providers, in order to bury utilities prior to or during new sidewalk construction
  - c. Sequencing sidewalk projects to insure that new sidewalk construction creates a continuous street edge, and to insure that whatever sections are redeveloped are done so completely, as opposed to larger sections being redeveloped without utility coordination and tree infrastructure considerations.

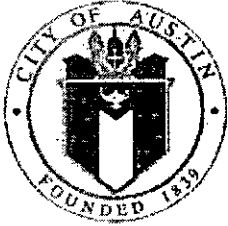
While we appreciate Councilmember McCracken's attempts to come to consensus with all of the stakeholder groups, the Design Commission Task Force believes that the above points still need refinement in order to achieve the goals originally established for the Commercial Design Standards. After these sections are approved, The Design Commission hopes to remain involved in the process of continued testing and ultimate codification of the Design Standards ordinance.

Thank you again for your tireless effort in developing Commercial Design Standards that will improve the character and functionality of our city.

Sincerely,



Richard Weiss, Chair  
Austin Design Commission



# AUSTIN DESIGN COMMISSION

ELEANOR MCKINNEY  
CHAIR

PHILIP REED  
VICE CHAIR

JUAN COTTERA

JOAN HYDE

HOLLY KINCANNON

GERARD KINNEY

PERRY LORINZ

JOHN C. PATTERSON

RICHARD WEISS

July 31, 2006

Mayor Will Wynn  
Council Member Sheryl Cole  
Council Member Betty Dunkerley  
Council Member Jennifer Kim  
Council Member Lee Leffingwell  
Council Member Brewster McCracken  
Council Member Mike Martinez

Re: Design Standards and Mixed Use Subchapter

POLLYANNE MELLON  
STAFF LIAISON

Dear Mayor and Members of the City Council,

Thank you for the opportunity to review the latest draft of the proposed Commercial Design Standards Ordinance, presented to the Commission on July 24<sup>th</sup>, 2006. The Design Commission fully supports the city in its efforts to institute higher design standards within the urban core and throughout the city.

Attached is a list of questions, clarifications, and concerns that we have discovered while reviewing the latest draft, issued July 21<sup>st</sup>, 2006. While many of the issues are minor, one significant issue is that the document exempts city utility services from following site development standards, specifically section 2.6 Screening Equipment and Utility requirements. The Design Commission strongly believes that the City should lead by example, and all of our municipal buildings, including those built for utilities, should exemplify the principles outlined in this document whenever possible. We have submitted this list to George Adams and Jim Robertson at the Neighborhood Planning and Zoning Department, and we are available and interested in providing additional input and clarification.

Thank you again for your commitment to implementing these urban design principles.

Sincerely,

Eleanor McKinney, Chair  
Austin Design Commission

Enc.

Cc:  
Laura Huffman, Assistant City Manager  
Greg Guernsey, Director, Neighborhood Planning and Zoning  
File

The Design Commission appreciates the opportunity to review the latest draft of the proposed Commercial Design Standards Ordinance, presented to the Commission on July 24<sup>th</sup>, 2006 and fully supports efforts to institute higher design standards within the urban core and throughout the city.

Attached is a list of questions, clarifications, and concerns that we have discovered while reviewing the latest draft, issued July 21<sup>st</sup>, 2006. While many of the issues are minor, one significant issue is that the document exempts city utility services from following site development standards, specifically section 2.6 Screening Equipment and Utility requirements. The Design Commission strongly believes that the City should lead by example, and all of our municipal buildings, including those built for utilities, should exemplify the principles outlined in this document whenever possible. We have submitted this list to George Adams and Jim Robertson at the Neighborhood Planning and Zoning Department, and we are available and interested in providing additional input and clarification.

**DESIGN STANDARDS comments on the draft (not the track changes version)**

Page 9 Section 1.5.3 A.2. "the appropriate Land Use Commission"

Page 10 Section 1.5.3 B.2.b. replace *landscaping* with **landscape**

Page 12 Section 2.1 Intent 2.1.11 Consider "create a **distinct and identifiable set of standards** for development in Austin." *Unique* and *image* are not defined and are vague.

Page 15 Section 2.2.2 B.1.b "average spacing not less than 30 ft on center or **as coordinated with public works and Austin Energy for Streetscape lighting.**"

Page 17 Figure 10 and 11- The Design Commission is concerned about the required depth with *above ground utilities on narrow sites or in cases where one lot may have the ability to bury power lines and an adjacent lot cannot.*

Page 18 Figure 12. Change *Right of Way* to **edge of established curb line**. It is unlikely that the R.O.W. would be in that location

Page 20 Section 2.2.2 C.2.c *safety fencing* should be replaced with **guardrail**. The guardrail would only be required if alcohol is being served or if the terrace is greater than 29" off of the ground. There is a concern that the maximum height of 4' should read as a minimum height of 42"/maximum height of 48' and there should be a porosity requirement.

Page 25 Figure 23 Show clear zone and furniture zone in the diagram

Page 32 Section 2.2.4 D2 A diagram would be helpful

Page 34 Section 2.2.5 B.1. There seems to be a perpendicular shaded sidewalk requirement (from principle street to building) missing from this section

Page 34 Section 2.2.5 B.1 On Narrow lots there may need to be an exception for the building length (a long narrow building where the narrow length of the building is longer than the width of the net lot frontage)

Page 40 General note about pervious pavement. Since no credit is currently given for pervious pavement and it is considerably more expensive than regular pavement, the pervious pavement requirement seems onerous.

Page 41 Section 2.3.1.6. There needs to be mention of a required deed restriction granting permanent access along the internal circulation route if an internal block is subdivided.

Page 43 Connectivity options- there still seem to be too few choices for most lots. Also, what if a developer is willing to provide access to a neighboring residential project but the neighboring project does not want to grant access (do you get points for trying?).

Page 44 Section 2.4.2.B "significant stands of trees" needs to be defined

Page 45 Section 2.5.2.A For existing fixtures that are to remain, a description and/ or profile indicating compliance should suffice

Page 47 Section 2.6.1 City Utility Facilities should not be exempt from these provisions. They should have to meet alternate compliance or demonstrate some level of compliance.

Page 48 Section 2.7.3 Standards 2 percent of the (gross or net?) site area

Page 49 Section 2.7.3B Add 5. Sinkholes/ Karst areas

Page 50 Section 2.7.3F Fee in lieu need to be defined and should be used to support the district as opposed to going in to the general fund (similar to the affordability proposal)

Page 52 Section 3.2.2 Figure 42 Can you align the outer edges of the windows on the first floor with the outer edges of the windows on the second floor. The graphic does not look balanced.

Page 52 Section 3.2.2. B. publicly visible facades adjacent to property lines (where future development may occur on the adjacent lot) or where the building codes do not allow unprotected openings shall be exempted from this requirement

Page 56 Group C only has one option "Option worth 3 points"

Page 70 Section 4.3.4 Compatibility Standards- Compatibility standards based on use in areas where MU zoning has already been established should be reviewed. The compatibility based on use (as opposed to zoning) where the lot triggering compatibility is zoned MU but is being used as sf-5 or more stringent has the ability to compromise the continuity of Mixed use developments (i.e. an MU development having to comply with a 25' buffer next to a lot zoned for MU but being used for single family)

Page 71 The opt in/ opt out process does not seem equitable in areas that do not have neighborhood plans (no real body to opt in or out) and the provision needs to be reviewed and clarified. Also, the effect of this provision will have on the mixed use incentives/ opportunities cannot be measured or dealt with until after the neighborhoods have made their determinations. This provision is troublesome on many levels.

# DESIGN STANDARDS & MIXED USE SUBCHAPTER

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## Austin, Texas



**MAY 22, 2006**

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**BASED ON THE MAY 2005 TASK FORCE REPORT:**  
*Raising the Design Standards in Austin, Texas*





## DESIGN STANDARDS AND MIXED USE SUBCHAPTER

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## BACKGROUND

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On February 26, 2004, the Austin City Council directed the City Manager by resolution "...to prepare recommendations for citywide design standards for commercial and retail development. These recommended citywide design standards shall constitute the best practices of the standards adopted by communities around the nation and shall require design standards that reflect Austin's unique historic, landscape and architectural character...."

In order to implement the Council's direction, a specially appointed Task Force met over several months to consider research and input from the public, various stakeholder groups, and individuals. The Task Force sought to understand the preferences of Austin citizens and the design regulations of other cities prior to developing a recommendation.

The Task Force produced, and in May 2005 the City Council adopted, a policy report entitled "*Raising the Design Standards in Austin, Texas.*" The policy report identified a number of areas where regulatory improvements are necessary in order to raise the bar of development quality in Austin. The general intent was to develop regulations that will foster a built environment of aesthetic and sustainable value, enhance economic development efforts, promote Austin's unique character and natural environment, and ensure an efficient development review process.

The proposals for new standards were intended to raise the level of quality for all non-residential and mixed-use development, but within a regulatory structure offering options and flexibility, not strict requirements. New development would be subject to a set of minimum site and building design standards, recognizing that all new development, regardless of size, should be subject to minimum standards. The following topics were addressed in the policy report:

- Development orientation;
- Parking;
- Land use;
- Signs;
- Stormwater management;
- Connectivity;
- Exterior lighting;
- Screening and compatibility; and
- Building design.

In each of these topic areas, the policy report discussed the key issue generally and proposed regulatory language to address the issue. In a few areas, specific ordinance language was proposed, but in most areas the proposed language recommended general approaches rather than actual ordinance language. In some areas, the proposed new standards would be new for Austin, while in other areas the proposed standards would require amendments to the Austin Code.

In the summer of 2006, the City of Austin adopted this Subchapter, which is intended to implement the Council-approved policy report by establishing a clear, user-friendly, and legally enforceable ordinance that will result in improved development quality in Austin. This Subchapter is officially known as Subchapter E of Chapter 25-2 of the City Code.

## HOW TO USE THIS SUBCHAPTER

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### **Applicability is Based on Adjacent Roadway and Type of Development**

This Subchapter recognizes that development should reflect and respond to its location within the city. For example, a commercial development in a suburban location can (and often should) look and function differently than a commercial development in downtown Austin. Because roadways provide both access to a site and define the urban design framework of the city, roadway types have been used as an organizing tool to establish many of the new development standards in this Subchapter. This approach is intended to help ensure a cohesive development pattern along Austin's streets and remove some of the inconsistency that arises from having a variety of zoning districts fronting a single roadway.

Because many of the standards in this Subchapter are defined based on roadway type(s) near the property, an important first step in the development process is to determine the roadway types that are adjacent to a site. The size of the site and the type of development (residential, commercial, mixed use, etc.) also need to be considered, since different standards may apply. The applicability chart in Article 1 summarizes the applicability of all the standards in this Subchapter, based on type of adjacent roadways and development activity.

The following different types of roadways are identified in this Subchapter:

**Core Transit Corridors** include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Existing Core Transit Corridors have been designated and are defined in Article 5 and shown on Figure 1.<sup>1</sup> Examples include South Congress Avenue (north of Stassney Lane) and Anderson Lane (between Burnet Road and Mopac). Additional Core Transit Corridors may be designated in the future through neighborhood planning processes.

**Hill Country Roadways** include FM 2222, FM 2244, FM 620, Loop 360, and Southwest Parkway. Standards in this Subchapter that reference the Hill Country Roadway designation apply to all properties within 1000 feet of these roadways.

**Highways** include all freeways, parkways, expressways, and frontage roads identified in the Austin Area Metropolitan Transportation Plan, except for Core Transit Corridors.

**Internal Circulation Routes** are public streets or private drives edged by a curb within a development.

**Suburban Roadways** are roads outside the Urban Roadway Boundary defined below that are not Core Transit, Hill Country, or Highway Roadways.

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<sup>1</sup> NOTE: Need to add future Core Transit Corridors to map.

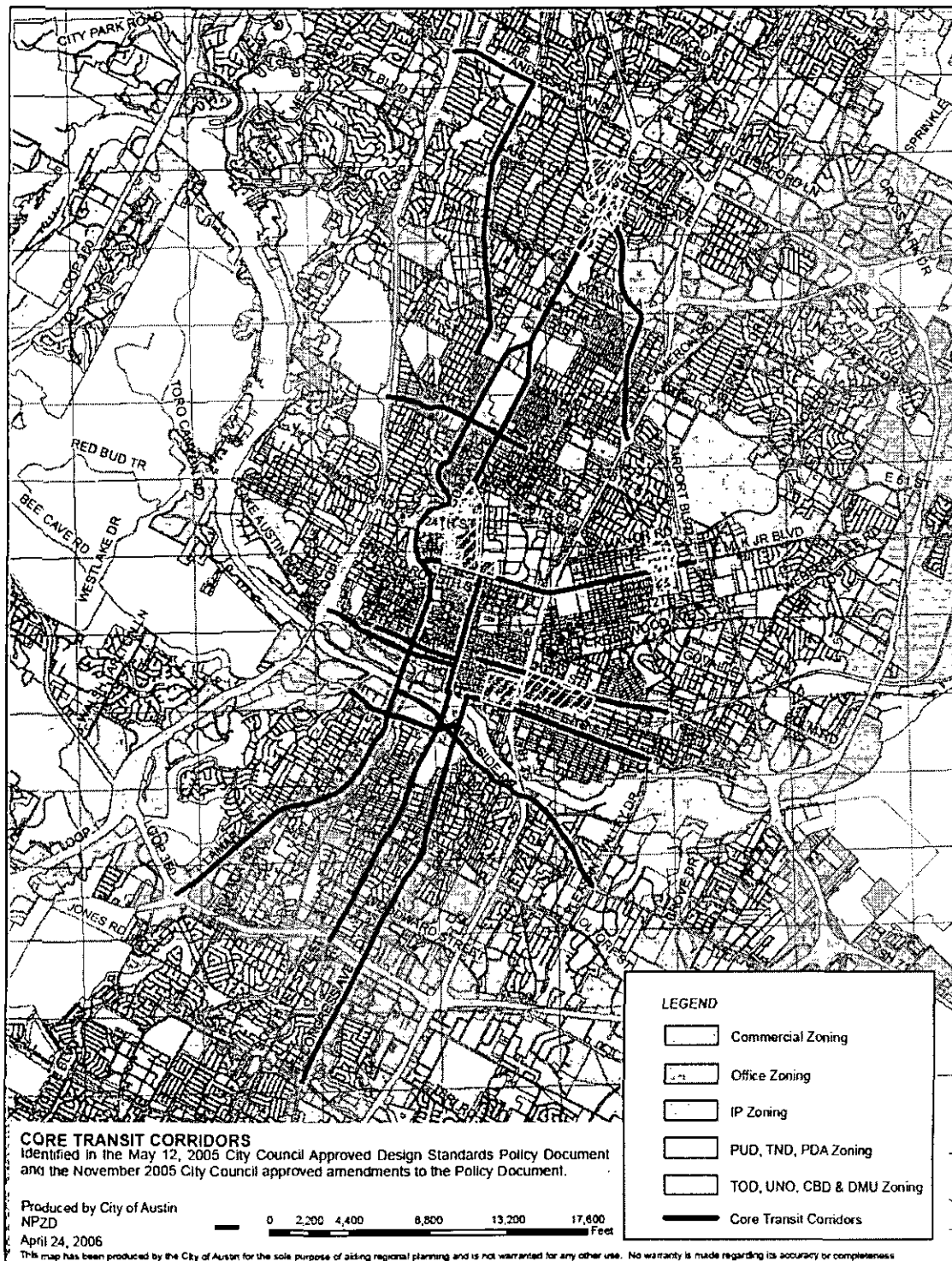


Figure 1: Core Transit Corridor Map

**Urban Roadways** are roads other than those designated as Core Transit Corridors and Highways located within the following boundaries, as shown on Figure 2:<sup>2</sup>

- *Northern Boundary:* Mesa to Loop 360, Loop 360 to Great Hills, Great Hills to Braker, Braker to Burnet, Burnet to 183, 183 to Manor
- *Eastern Boundary:* Manor to Airport Blvd, Airport Blvd to 7th, 7th to Pleasant Valley to Ben White Blvd.
- *Southern Boundary:* Ben White
- *Western Boundary:* Mopac except for area bounded by Lake Austin Blvd., Exposition, Windsor, Pecos, 38th, Balcones, Mesa, Spicewood Springs

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<sup>2</sup> NOTE: There is strong interest in making the boundary for Urban Roadways the same as the boundary for the central city reduced parking area. Further discussion is necessary with the legal department about the best way to implement this change.

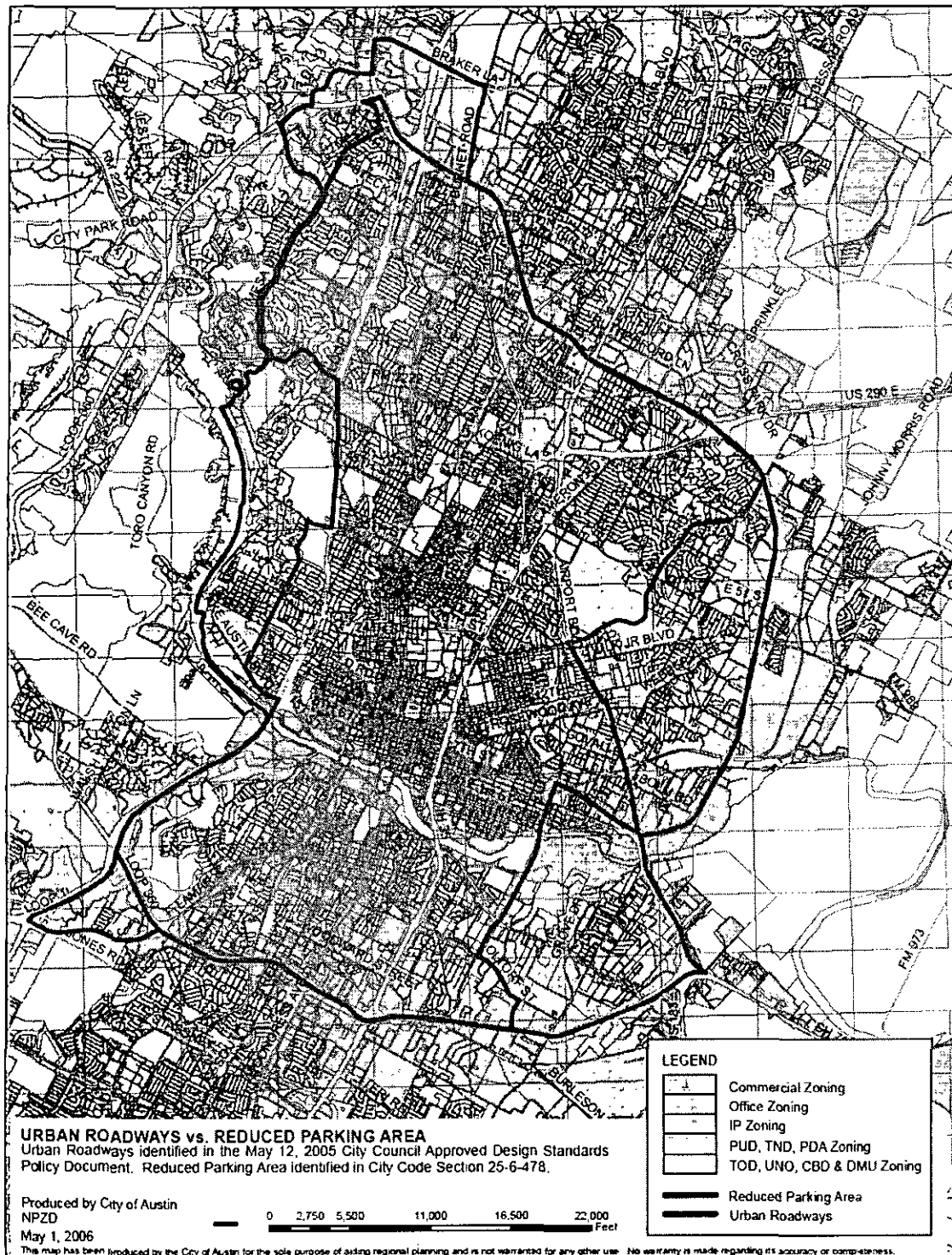


Figure 2: Urban Roadways Boundary



## How This Subchapter is Organized

This Subchapter is divided into five Articles.

**Article 1** includes **General Provisions** that should be reviewed for all development and redevelopment projects. Most importantly, a chart summarizes the applicability of the various standards based on roadway types and development types.

To allow flexibility in administering this Subchapter, this Article includes a “minor modification” provision that allows for City staff to approve small deviations from otherwise applicable standards in order to protect natural or historic features or to address unique site conditions.

The Article also encourages creativity and innovative design by allowing an applicant to propose an alternative approach to meeting the standards of the Subchapter through the “alternative equivalent compliance” provision.

**Article 2** includes **Site Development Standards** intended to ensure that buildings relate appropriately to surrounding developments and streets, promote efficient pedestrian and vehicle circulation, and provide adequate parking in safe and appropriate locations, while creating a unique and identifiable image for development in Austin. In particular, standards in this Article address the following:

- Relationship of buildings to streets and walkways (based on roadway type);
- Connectivity (based on roadway type);
- Parking;
- Exterior lighting;
- Screening of equipment and utilities; and
- Private common open space and pedestrian amenities.

**Article 3** includes **Building Design Standards** intended to address the physical appearance of buildings subject to this Subchapter. Included are:

- General requirements for glazing and shading to ensure that buildings facades are pedestrian-friendly; and
- Additional options to improve building design. An applicant may choose which of these options to meet from a flexible, point-based menu. All buildings subject to this section must reach a minimum number of points, with additional points required for certain building types (e.g., buildings with trademarked design features, large buildings or long facades, and buildings using a large percentage of certain building materials.)

**Article 4** includes standards and incentives for **Mixed Use** development. This Article is intended to summarize the districts in which mixed use development is allowed in Austin and also the types of mixed use development that may occur. Generally, mixed use development may occur horizontally in different buildings on a site, or vertically in a Neighborhood Mixed Use or Vertical Mixed Use (VMU) building. This Article combines elements of the current Austin City Code relating to mixed use development with new material providing additional incentives and standards for developing mixed use projects.

**Article 5** includes **Definitions** for terms used in this Subchapter.

## ARTICLE 1: GENERAL PROVISIONS

---

### 1.1. GENERAL INTENT<sup>3</sup>

This Subchapter generally addresses the physical relationship between commercial and other non-residential development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the City Council's vision for a more attractive, efficient, and livable community. The general purposes of this Subchapter include:

- 1.1.1. To provide appropriate standards to ensure a high quality appearance for Austin and promote good design while also allowing flexibility, individuality, creativity, and artistic expression;
- 1.1.2. To strengthen and protect the image, identity, and unique character of Austin and thereby to enhance its business economy;
- 1.1.3. To protect and enhance residential neighborhoods, commercial districts, and other areas by encouraging physical development that is of high quality and is compatible with the character, scale, and function of its surrounding area;
- 1.1.4. To encourage developments that relate well to adjoining public streets, open spaces, and neighborhoods; and
- 1.1.5. To provide for and encourage development and redevelopment that contains a compatible mix of residential and nonresidential uses within close proximity to each other, rather than separating uses.

### 1.2. APPLICABILITY<sup>4</sup>

#### 1.2.1. General Applicability

The applicability of this Subchapter varies by section and is dependent on the type of principal street that the subject lot or site faces and on the type of development activity proposed. The following table summarizes the applicability of each section of this Subchapter. Only those sites and projects that meet both the principal street and development type thresholds in the table are subject to the particular standard. General exemptions from the requirements from this Subchapter are listed in Subsection 1.2.3. below, and additional exemptions from specific standards are listed in subsequent sections of this Subchapter.

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<sup>3</sup> NOTE: Most of the intent statements in this draft are new and are based on text from the policy report and conversations with officials and staff.

<sup>4</sup> NOTE: The applicability requirements are complex and could be stated in a number of ways. One common approach is to state general rules of applicability up front, and then carve out specific exceptions to those rules as necessary later in the Ordinance. This is not a good solution for this document, however, since there's so much variation from the "general rules," and since some standards have broader applicability than the general rules. Another approach would be to craft a distinct applicability section for each set of standards – however, this would make it difficult to get a big-picture understanding of the Ordinance. After experimenting with both approaches, we've proposed in this draft a hybrid solution that combines a general up-front summary table with additional applicability citations in each subsequent section. The Task Force, staff, and other reviewers should review the language carefully to ensure that we've captured the intent of the policy report.

---

Section	Standard	Applies if the Principal Street Is:	Applies to the Following:
<b>ARTICLE 2: SITE DEVELOPMENT STANDARDS</b>			
<b>2.2: Relationship of Buildings to Streets and Walkways</b>	2.2.2. Building Location Along Core Transit Corridors	Core Transit Corridor	- All zoning districts - Single-family residential uses are exempt, in addition to the general exemptions in Section 1.2.3.
	2.2.3. Building Location Along Urban Roadways	Urban Roadway	All non-residential zoning districts
	2.2.4. Building Location Along Suburban Roadways	Suburban Roadway	All non-residential zoning districts
	2.2.5. Building Location Along Internal Circulation Routes	Internal Circulation Route	All non-residential zoning districts
	2.2.6. Building Entryways	Core Transit Corridor	All zoning districts
<b>2.3: Connectivity</b>	2.3.1: Internal Circulation Systems for Large Sites	- Core Transit Corridor - Urban Roadway	- All zoning districts (development of any site larger than 660 feet by 330 feet) - See additional exemptions in 2.3.1.B.
		- Suburban Roadway - Highway - Hill Country Roadway	- All non-residential zoning districts (development of any site larger than 660 feet by 330 feet) - See additional exemptions in 2.3.1.B.
	2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity	All roadway types	- Projects of three net developable acres or more in all non-residential zoning districts - Projects of less than three net developable acres that have parking between the building and the street
<b>2.4: Parking</b>	All standards	All roadway types	All non-residential zoning districts
<b>2.5: Exterior Lighting</b>	All standards	All roadway types	All zoning districts
<b>2.6: Screening of Equipment and Utilities</b>	All standards	All roadway types	- All non-residential zoning districts - The following uses are exempt, in addition to the general exemptions of Section 1.2.3.: major utility facilities, local utilities services use, electric service transformers within the right-of-way, antenna
<b>2.7: Private Common Open Space and Pedestrian Amenities</b>	All standards	All roadway types	All site plans five acres in size or larger

Section	Standard	Applies if the Principal Street Is:	Applies to the Following:
<b>ARTICLE 3: BUILDING DESIGN STANDARDS</b>			
<b>3.2: Pedestrian Frontages</b>	All standards	All roadway types	<ul style="list-style-type: none"> <li>- Development of any non-residential land use</li> <li>- Section applies to any building frontage visible and accessible to the public. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewalk) are exempt.</li> </ul>
<b>3.3: Options to Improve Building Design</b>	All standards	All roadway types	<ul style="list-style-type: none"> <li>- Development of any commercial use of 10,000 square feet or more that requires a building permit</li> <li>- Development of any commercial use of less than 10,000 square feet that contains any exterior trademarked design features</li> <li>- Any building zoned for industrial use or warehouse use at the point its use is converted to commercial</li> <li>- Office development is exempt from this section</li> <li>- VMU buildings are exempt from this section</li> </ul>
<b>ARTICLE 4: MIXED USE</b>			
All sections	All standards	All roadway types	All development in zoning districts that allow mixed use development

### 1.2.2. New Construction, Redevelopment, and Major Rehabilitation

If a particular standard of this Subchapter is applicable to development on a particular site based upon the table above, then that standard shall be applicable to the following activity:

- A. New construction; and
- B. Redevelopment or major rehabilitation, which for purposes of this Subchapter shall include any project that will, combined with all other redevelopment or rehabilitation of the site that has occurred since the effective date of this Subchapter:
  1. Generate 2,000 vehicle trips or more per day above the estimated trip level on the effective date of this Subchapter, or
  2. Increase the site's impervious cover by 25 percent or more beyond the amount of impervious cover existing on the effective date of this Subchapter.

### 1.2.3. Exemptions<sup>5</sup>

The following types of development are exempt from the requirements of this Subchapter:

- A. Development that does not require a site plan under Chapter 25-5;
- B. Development in the following zoning districts:
  - 1. Agricultural (AG) district;
  - 2. Aviation (AV) district; and
  - 3. Traditional neighborhood (TN) district;
- C. Development built pursuant to the overlay district provisions of the university neighborhood overlay (UNO) district;
- D. Development of an industrial use; and
- E. Interior remodeling of a building.

### 1.2.4. Conflicting Provisions

- A. If the provisions of this Subchapter are inconsistent with provisions found in other adopted codes, ordinances, or regulations of the City of Austin not listed in Subsection B. below, this Subchapter shall control unless otherwise expressly provided.
- B. The following provisions supersede the requirements of this Subchapter to the extent of conflict:<sup>6</sup>
  - 1. Subchapter C, Article 3 (*Additional Requirements for Certain Districts*);
  - 2. Subchapter C, Article 4 (*Additional Requirements for Certain Uses*);
  - 3. Subchapter C, Article 10 (*Compatibility Standards*); and
  - 4. Regulations applicable to a:
    - a. Barton Springs Zone overlay district;
    - b. Conditional overlay (CO) combining district;
    - c. Central urban redevelopment (CURE) combining district;
    - d. Neighborhood conservation (NC) combining district;
    - e. Neighborhood plan (NP) combining district;
    - f. Planned development area (PDA) combining district;
    - g. Planned unit development (PUD) district; or

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<sup>5</sup> NOTE: Based upon discussions with staff and our review of the Austin Code, we suggest exempting the TN and UNO districts in order to respect the tailored design standards that already have been negotiated in those districts by various developers, neighborhood groups, and others. We also suggest exempting AG, which we assume is scarce in Austin. Staff suggests exempting AV.

<sup>6</sup> NOTE: This provision recognizes the specially negotiated districts that may have their own design standards.

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- h. Waterfront overlay (WO) district (except that the redevelopment provisions of this Subchapter in Sections 2.3.1, *Internal Circulation Systems for Large Sites*, and 4.3.1, *Vertical Mixed Use Buildings*, shall apply to the WO district).

#### **1.2.5. State and Federal Facilities<sup>7</sup>**

Compliance with the standards of this Subchapter at all state and federal facilities is encouraged.

### **1.3. REVIEW PROCESS<sup>8</sup>**

The standards of this Subchapter shall be applied in the normal review process for site plans as set forth in Chapter 25-5 of the Austin Code. In addition to meeting the review criteria specified in Chapter 25-5, each site plan application shall evidence compliance with the standards of this Subchapter.

### **1.4. MINOR MODIFICATIONS<sup>9</sup>**

#### **1.4.1. Purpose and Scope**

“Minor modifications” are small deviations from otherwise applicable standards of this Subchapter that may be approved by the Director in order to protect natural or historic features or to address unusual site conditions. Minor modifications are to be used when the limited nature of the modification requested, and the unlikelihood of any adverse effects on nearby properties or the neighborhood, make it unnecessary to complete a formal variance process.

#### **1.4.2. Applicability**

The Director may approve minor modifications of up to a maximum of ten percent (or up to a maximum of 20 percent to protect an existing natural site feature) from any numeric development standard in this Subchapter, provided that the applicable Approval Criteria below are met. However, in no circumstance shall the Director approve a minor modification that results in:

- A. An increase in overall project intensity, density, or impervious cover;
- B. A change in permitted uses or mix of uses;

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<sup>7</sup> NOTE: We propose moving this sentence here to the front of the Ordinance and giving it general applicability; it applies only to the lighting section of the policy report.

<sup>8</sup> NOTE: Staff agrees with this provision, but notes that more internal city discussion is necessary to understand and address when certain provisions are reviewed (e.g. building design) and who does the review. Additional staff resources likely will be needed to implement this review.

<sup>9</sup> NOTE: This is intended to implement DO-7 from the policy report. However, as discussed in the Diagnosis, this proposed text broadens the authority for minor modifications to all standards in this Ordinance. Also, the proposed text does not carry forward the policy report's list of natural features that can be protected using this tool. Instead, the text emphasizes how and why the modification authority may be used, rather than trying to list all the unusual features that might trigger the need for a modification.

C. A change in the requirements of any of the following provisions:

1. Subchapter C, Article 3 (Additional Requirements for Certain Districts);
2. Subchapter C, Article 4 (Additional Requirements for Certain Uses);
3. Subchapter C, Article 10 (*Compatibility Standards*); or

D. A change in conditions attached to the approval of any subdivision plan, site plan, or special use.

#### **1.4.3. Procedure**

The Director may initiate or approve a minor modification allowed under this section at any time prior to submittal of the staff report on the application to another decision-making body or prior to final decision if the Director is the final decision-maker. The Director shall specify any approved minor modifications and the justifications for such modifications on the pending development application for which the modifications were sought.

#### **1.4.4. Approval Criteria**

The Director may approve a minor modification from the terms of this Subchapter only upon finding that the modification meets all of the criteria below:

- A. The requested modification is in general conformity with the stated purposes of this Subchapter;
- B. The requested modification meets all other applicable zoning, building, drainage, water quality, and safety code requirements;
- C. The requested modification does not result in encroachment into a recorded easement;
- D. The requested modification will have no significant adverse impact on the health, safety, or general welfare of surrounding property owners or the general public, or such impacts will be substantially mitigated; and
- E. The requested modification is necessary to compensate for some practical difficulty or some unusual aspect of the site of the proposed development not shared by landowners in general.

## **1.5. ALTERNATIVE EQUIVALENT COMPLIANCE<sup>10</sup>**

### **1.5.1. Purpose and Scope**

To encourage creative and original design, alternative equivalent compliance allows development to occur in a manner that meets the intent of this Subchapter, yet through an alternative design that does not strictly adhere to the Subchapter's standards. The procedure is not a general waiver of regulations. Rather, the procedure permits a site-specific plan that is equal to or better than the strict application of a prescribed standard.

### **1.5.2. Applicability**

The alternative equivalent compliance procedure shall be available only for the following sections of this Subchapter:

- A. Section 2.2, Relationship of Buildings to Streets and Walkways;
- B. Section 2.3, *Connectivity*;
- C. Section 2.4, *Parking*; and
- D. Article 3, Building Design Standards.

The alternative equivalent compliance procedure shall also be available for Chapter 25-10, *Sign Regulations*.

### **1.5.3. Pre-Application Conference Required**

An applicant proposing to use alternative equivalent compliance shall request and attend a pre-application conference prior to submitting the site plan or applicable permit for the development, to determine the preliminary response from the Director. Based on that response, the site plan or permit application shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested. Projects seeking an alternate means of compliance under this section may present their proposal to the Design Commission for a letter of support, which may help in evaluating the merits of the proposal.

### **1.5.4. Decision-Making Responsibility**

Final approval of any alternative compliance proposed under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. Administratively approved projects proposing alternative compliance shall receive written approval of the alternative compliance from the Director.

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<sup>10</sup> NOTE: This implements DO-8 from the policy report. As with the prior section, the proposed text broadens this authority beyond the DO standards. The city already has a similar provision in place for landscaping (Section 25-2-1001C).



#### **1.5.5. Criteria**

Alternative equivalent compliance may be approved only if the following criteria have been met:

- A.** The proposed alternative achieves the intent of the subject standard to the same or better degree than the subject standard;
- B.** The proposed alternative achieves the goals and policies of any applicable city or neighborhood plan and the Austin City Code to the same or better degree than the subject standard;
- C.** The proposed alternative results in benefits to the community that are equivalent to or exceed benefits associated with the subject design standard; and
- D.** The proposed alternative design imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Subchapter.

#### **1.5.6. Effect of Approval**

Alternative compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests.

## ARTICLE 2: SITE DEVELOPMENT STANDARDS

### 2.1. INTENT

The standards of Article 2 are intended to use site planning and building orientation in order to:

- 2.1.1. Ensure that buildings relate appropriately to surrounding developments and streets and create a cohesive visual identity and attractive street scene;
- 2.1.2. Ensure that site design promotes efficient pedestrian and vehicle circulation patterns and creates a high-quality pedestrian environment appropriate to the roadway context;
- 2.1.3. Promote the design of an urban environment that is built to human scale to encourage attractive street fronts and other connecting walkways that accommodate pedestrians as the first priority, while also accommodating vehicular movement;
- 2.1.4. Ensure that parking areas provide safe and efficient access to buildings; and
- 2.1.5. Create a unique and identifiable image for development in Austin.

### 2.2. RELATIONSHIP OF BUILDINGS TO STREETS AND WALKWAYS

#### 2.2.1. Overview of Roadway Types

In this Subchapter, roadway types are used as an organizing tool for certain development standards. In this Section 2.2, sidewalk, building placement, and streetscape standards and building entryway location are determined by the roadway type that is adjacent to the site. The following five roadway types are listed from highest to lowest priority for purposes of this Subchapter:

- A. Core Transit Corridor;
- B. Internal Circulation Route;
- C. Urban Roadway;
- D. Suburban Roadway; and
- E. Highway or Hill Country Roadway.

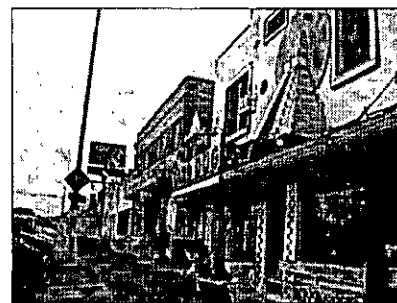


Figure 3: Example of a core transit corridor (South Congress)



Figure 4: Example of an internal circulation route (Jefferson Center)



Figure 5: Example of a highway (I-35)



Figure 6: Street tree/furniture zone example



Figure 7: Example of a clear zone

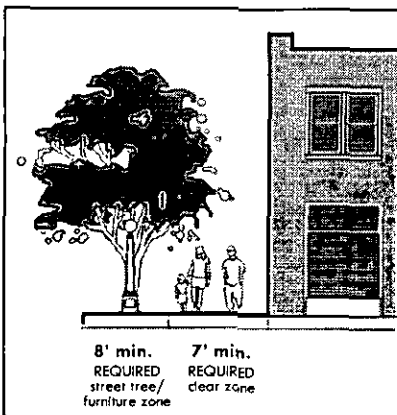


Figure 8: Core transit corridor sidewalk requirements

The roadway with the highest level of priority adjacent to the lot or site is considered the “principal roadway” for purposes of this Subchapter. For a lot or site that is adjacent to more than one roadway of equal priority, the development shall be subject to the standards associated with the roadway with the highest level of transit service, as determined by the Director, or if the roadways do not have transit service or the level of transit service is equal, the roadway designated by the lot owner.

## 2.2.2. Building Location Along Core Transit Corridors<sup>11</sup>

### A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.2: Building Location Along Core Transit Corridors	Core Transit Corridor	<ul style="list-style-type: none"> <li>- All zoning districts</li> <li>- Single-family residential uses are exempt, in addition to the general exemptions in Section 1.2.3.</li> </ul>

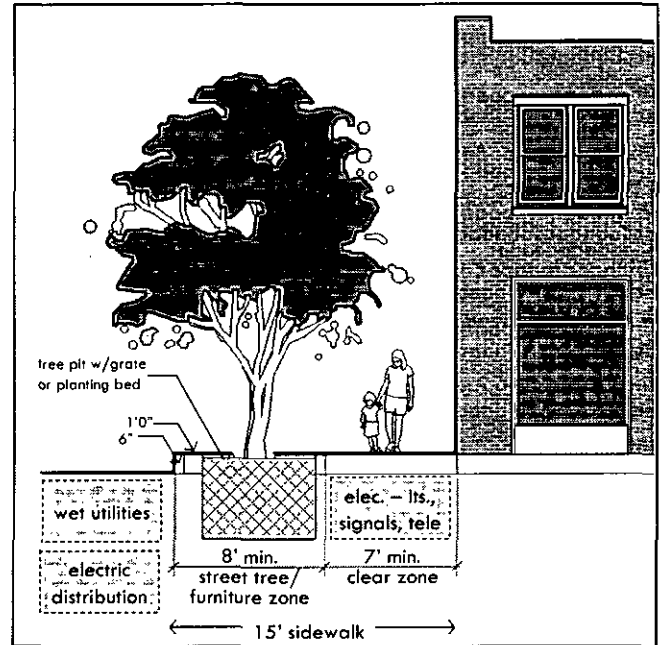
### B. Sidewalks

In order to create an environment that is supportive of pedestrian and transit mobility, public sidewalks shall be located along all Core Transit Corridors. No sidewalk shall be less than 15 feet in width, unless otherwise approved as part of the site plan review process. The 15-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 15-foot minimum requirement, with a sidewalk easement provided. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a clear zone. (See Figures 6 - 8.) The following standards shall apply to these zones:

<sup>11</sup> NOTE: This section implements DO-2. The biggest change from the policy report is that we have recommended new language to implement the zone concept (street tree/furniture, clear, supplemental). A total of 15 feet is proposed for discussion purposes – eight feet for a furniture zone and seven feet for a clear zone. The sidewalk standards proposed here need to be coordinated with existing Austin sidewalk specifications.

### 1. Street Tree/Furniture Zone<sup>12</sup>

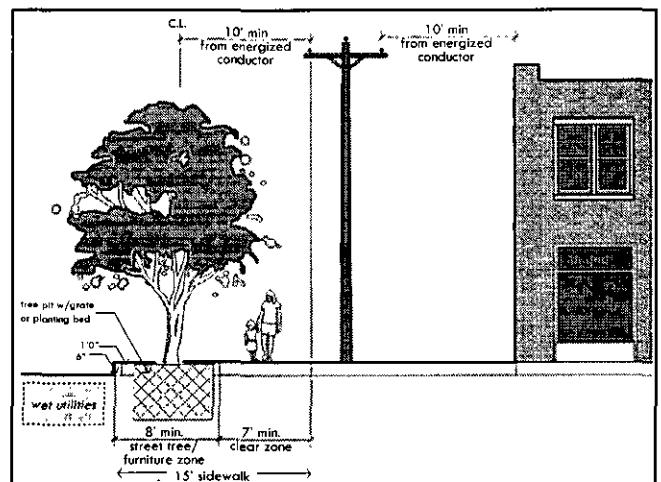
- a. The street tree/furniture zone shall have a minimum width of eight feet (from face of curb) and shall be continuous and located adjacent to the curb.
- b. The zone shall be planted with street trees at an average spacing not greater than 30 feet on center. In addition, the zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.



**Figure 9:** Location of underground utilities along core transit corridor with no supplemental zone

### 2. Clear Zone

The clear zone shall be a minimum width of seven feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards. The clear zone shall be unobstructed by any permanent or nonpermanent element for a minimum width of seven feet and a minimum height of eight feet. (See Figures 6 – 10.)

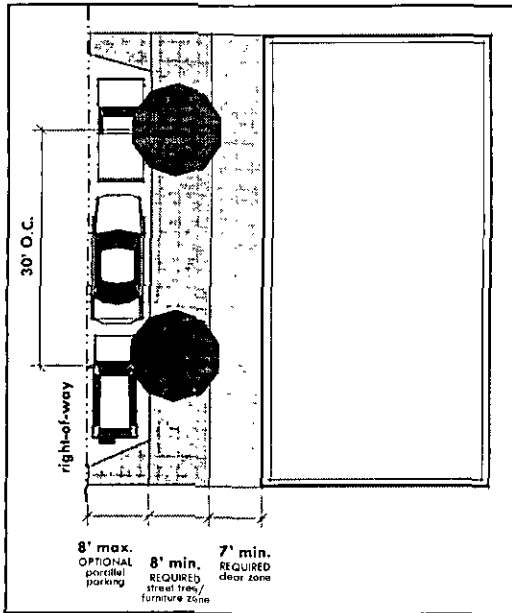


**Figure 10:** Use of optional supplemental zone to provide required setback from existing above-ground electric utilities

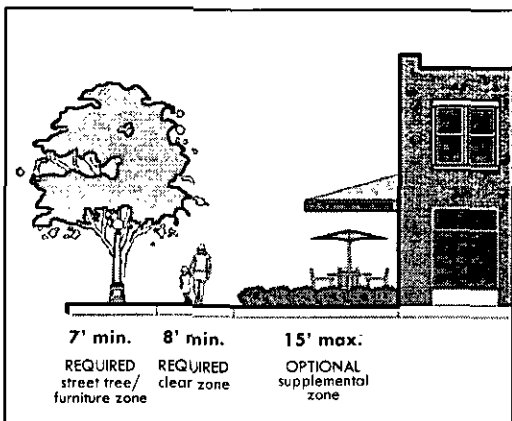
### 3. Utilities

Electric service lines shall be underground from the building to the property line. Utility lines within the right-of-way shall be placed underground to the maximum

<sup>12</sup> NOTE: Both illustrations on this page are based on discussions with staff. They should be evaluated during the testing process.



**Figure 11:** Optional parallel parking located outside of the existing curb line



**Figure 12:** Core transit corridor with optional supplemental zone (no above-ground utilities)

extent practicable. Options for street tree planting and location of utilities are illustrated in Figures 9 and 10.

#### 4. Alternative Requirements for Shallow Lots

On lots with a depth of 100 feet or less, the total sidewalk may be reduced to 12 feet, consisting of a seven-foot minimum street tree/furniture zone and a five-foot clear zone.

#### 5. Alternative Requirements for On-Street Parallel and Head-in Parking<sup>13</sup>

At the option of the applicant and subject to the approval of the Director of Public Works (based on administrative criteria to be adopted), parallel or head-in parking may be provided in a cut-in inside of the existing curb line immediately abutting the development. If such parking is provided, it shall be a maximum of eight feet in width (parallel) or 15 feet (head-in) and shall meet ADA requirements. The sidewalk requirements of this section shall continue to apply, with both a clear zone and street tree/furniture zone provided, the street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces, and both zones meeting the requirements of subsections 1. and 2. above. (See Figure 11.)

#### 6. Connections to Adjacent Sidewalks

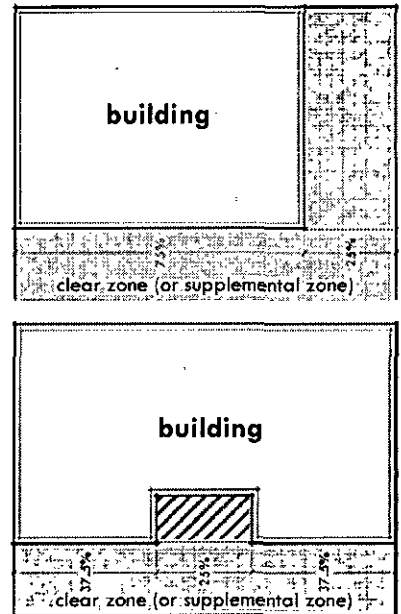
[RESERVED; This new section will need to discuss how to handle the transition between new sidewalks constructed under this subchapter, and existing or future sidewalks on adjacent properties.]

#### C. Supplemental Zone (Optional)

A supplemental zone may be provided at the option of the applicant between the street-facing façade line and the required clear zone. (See Figure 12.) The following standards apply to supplemental zones:

<sup>13</sup> NOTE: This partially addresses the issue introduced in P-2 in the policy report ("On-Street Parking in the Public Right-of-Way.") Clear criteria are needed in this ordinance to guide the Director's decision. The staff's responses to the policy recommendations provide further guidance and limitations as to where such parking should be allowed. The city will need to do an on-the-ground planning evaluation to apply the criteria to specific roadways.

1. If provided, the supplemental zone shall be a maximum of 15 feet wide.
2. The following elements may be located within the supplemental zone:
  - a. Accessory outdoor dining, provided that the dining area may be separated from the sidewalk only with planters, shrubs, or fencing with a maximum height of 42 inches;
  - b. Balconies, pedestrian walkways, porches, handicap ramps, stoops; provided, however, that no such feature shall extend beyond the supplemental zone without a license agreement;
  - c. Terraces, provided that they have a maximum finished floor height of 24 inches above the sidewalk elevation and shall be surrounded by permanent safety fencing with a maximum height of four feet; and
  - d. Landscaping and water features.
3. Where overhead utilities are located on the inner side of the clear zone (away from the street), a supplemental zone shall be provided for a minimum of 10 feet from the energized conductor.<sup>14</sup> (See Figure 9.)

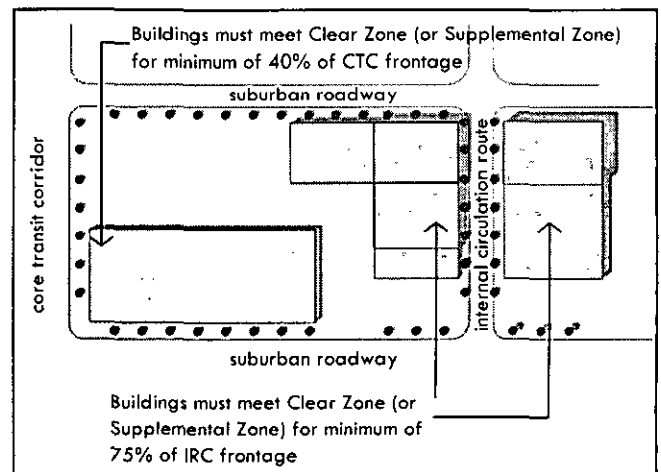


**Figure 13:** Examples of permitted building placement along core transit corridors. Parking is not permitted in the hatched area between the street-facing facade and the sidewalk.

#### D. Building Placement

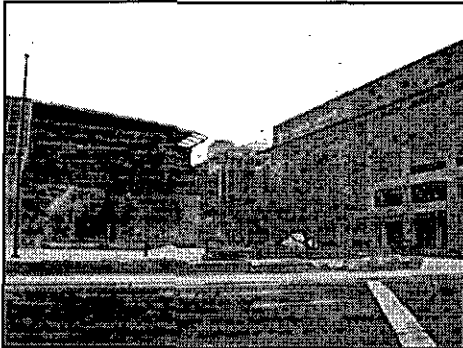
Notwithstanding the minimum setback requirements of the base zoning districts, at least 75 percent of the frontage along the Core Transit Corridor must consist of continuous building façade built to the clear zone, or the supplemental zone if one is provided, (See Figure 13.) except as follows:

1. If the lot or site is at least 660 feet by 330 feet and thus subject to the connectivity requirements in Section 2.3 of this Subchapter, buildings shall meet the building placement requirements along the Internal



**Figure 14:** Building placement options on large sites adjacent to core transit corridors

<sup>14</sup> NOTE: This exception came up very recently in conversations with staff. It should be discussed further as part of the testing workshop.



**Figure 15:** The Austin City Hall is set back from the street in some areas, while other non-civic buildings meet the street. This is a traditional urban design technique intended to emphasize the importance of civic uses.

Circulation Route in section 2.2.3. below. In such cases, only 40 percent of the frontage along the Core Transit Roadway must consist of continuous building façade. (See Figure 14.)

2. In order to provide greater flexibility to create a distinctive architectural statement, civic buildings do not have to be built up to the clear zone, so long as parking is not located between the building frontage facing the principal street and the street. (See Figure 15.)

#### E. Parking

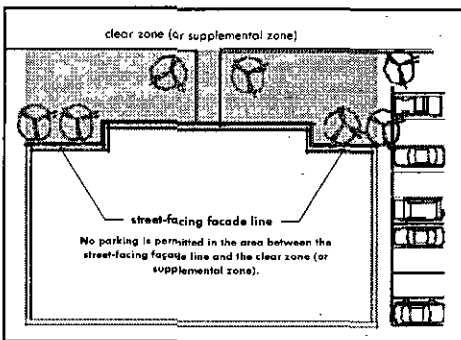
1. Parking is prohibited between the Core Transit Corridor and the corresponding street-facing façade line. (See Figure 16.)
2. Any surface parking along a Core Transit Corridor shall have landscape screening in accord with Section 25-2-1006 of the LDC between the clear zone (or the supplemental zone if provided) and the parking area. The screening method chosen must include shade trees.<sup>15</sup>

### 2.2.3. Building Location Along Internal Circulation Routes<sup>16</sup>

#### A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
<b>2.2.3. Building Location Along Internal Circulation Routes</b>	Internal Circulation Route	All non-residential zoning districts



**Figure 16:** Parking to the side of a building is permitted but screening is required between the parking and the sidewalk. No parking is permitted between the building and the sidewalk on a core transit corridor.

#### B. Sidewalks

Publicly accessible sidewalks shall be provided along all Internal Circulation Routes (whether built as public streets or as private drives). Sidewalks shall comply with the standards for Core Transit Corridors, as provided in Section 2.2.2.B.

<sup>15</sup> NOTE: The Code (LDC) requires landscape screening for all parking areas visible from a street and the Environmental Criteria Manual has detailed standards for screening or buffering. To enhance the user-friendliness of this new ordinance, staff recommends using these existing standards. Clarion agrees with this recommendation.

<sup>16</sup> NOTE: This implements DO-5 from the policy report.

**C. Building Placement**

Notwithstanding the minimum setback requirements of the base zoning districts, at least 75 percent of the frontage along the Internal Circulation Route must consist of continuous building façade built to the clear zone (or supplemental zone if provided).

**D. Parking**

1. Parking is prohibited between the Internal Circulation Route and the corresponding street-facing façade line.
2. On-street parallel parking and head-in parking are allowed on an Internal Circulation Route, subject to compliance with fire access standards.

**2.2.4. Building Location Along Urban Roadways<sup>17</sup>**

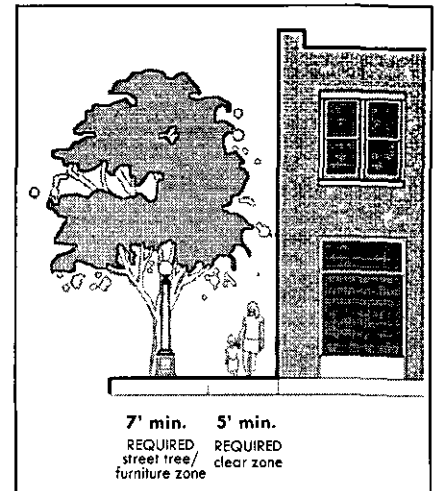
**A. Applicability**

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.4. Building Location Along Urban Roadways	Urban Roadway	All non-residential zoning districts

**B. Sidewalks<sup>18</sup>**

Public sidewalks shall be located along all Urban Roadways. Sidewalks shall be no less than 12 feet in width, unless otherwise approved as part of the site plan review process. (See Figure 17.) The 12-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 12-foot minimum requirement, with a sidewalk easement provided. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a clear zone. The following standards apply:



**Figure 17: Urban roadway sidewalk requirements**

<sup>17</sup> NOTE: This section implements DO-3 from the policy report.

<sup>18</sup> NOTE: Section DO-3 says that buildings must be built "up to the clear zone or furniture zone"; however, Section C-3 says "The Director...shall define street frontage dimensions for all Core Transit Corridors..." It is thus unclear whether clear and furniture zones are required along Urban Roadways. Since the city already requires sidewalks on such sites and DO-3 references the zones, we've drafted this to mirror the section for core transit corridors.



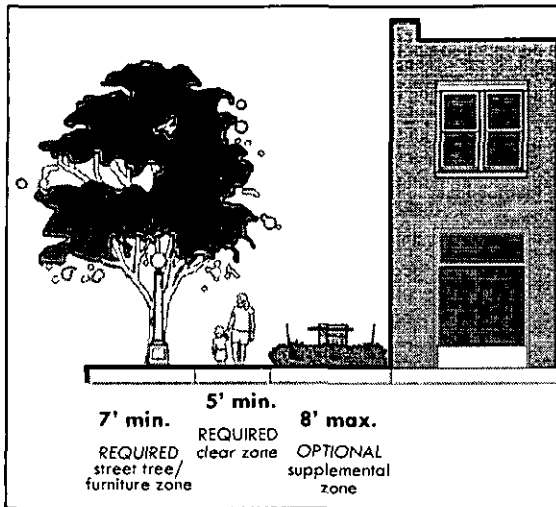


Figure 18: Urban roadway with optional supplemental zone

### 1. Street Tree/Furniture Zone

The street tree/furniture zone shall have a minimum width of seven feet and shall be continuous and located adjacent to the curb.

### 2. Clear Zone

The clear zone shall be a minimum width of five feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards. The clear zone shall be unobstructed for a minimum width of five feet and a minimum height of eight feet.

### 3. Supplemental Zone (Optional)

A supplemental zone may be provided, at the applicant's option, between the street-facing façade line and the required clear zone. If provided, the supplemental zone shall be a maximum of eight feet wide and shall comply with the standards above in Section 2.2.2.C. (See Figure 18.)

## C. Building Placement

Notwithstanding the minimum setback requirements of the base zoning districts, at least 40 percent of the street frontage along the Urban Roadway must consist of continuous building façade built up to the clear or supplemental zone. (See Figure 19.) However, if the lot is subject to the connectivity requirements in Section 2.3, buildings may be built up to the sidewalk on an internal block along an Internal Circulation Route, and only 20 percent of continuous building frontage is required alongside the Urban Roadway. (See Figure 20.)

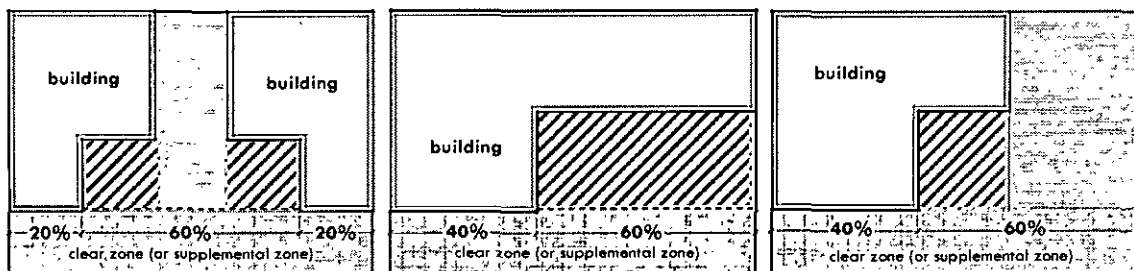


Figure 19: Examples of permitted building placement on urban roadways. Parking is generally not permitted in the hatched area between the street-facing building facade and the sidewalk.

#### D. Parking

Parking is prohibited between the building(s) and the property line adjacent to the Urban Roadway. However, on sites 400 feet deep or less, parking may be located between the street-facing façade line and the Urban Roadway if:

1. At least 60 percent of the street frontage along the Urban Roadway consists of continuous building façade (divided into no more than two buildings) (see Figure 19), or 40 percent of the street frontage consists of continuous vertical mixed use building façade (divided into no more than two buildings), built up to the clear zone (or supplemental zone if provided); and
2. Any surface parking along an Urban Roadway shall have landscape screening in accord with Section 25-2-1006 of the LDC; and
3. A shaded sidewalk leads to the main customer entrance from the clear zone (or supplemental zone if one is provided). No more than one drive aisle can cross the sidewalk. For multi-tenant developments, there must be a sidewalk at least every 330 feet of Urban Roadway frontage. (See Figure 21.)

#### E. Corner Sites

For sites located on a corner and adjacent to at least one Urban Roadway:

1. No parking may be located within 100 feet of a corner; and
2. Drive-through facilities are prohibited on the façade facing the Urban Roadway.

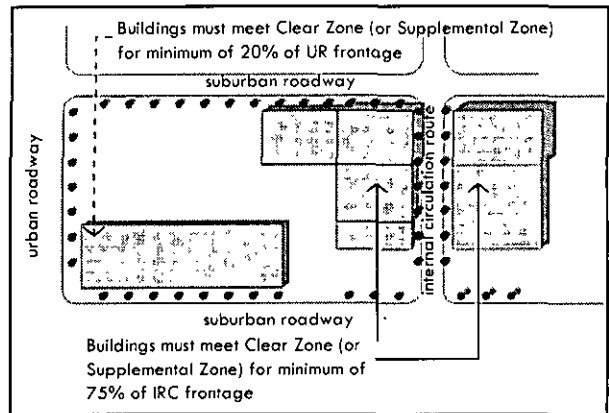


Figure 20: Building placement options on large sites adjacent to urban roadways

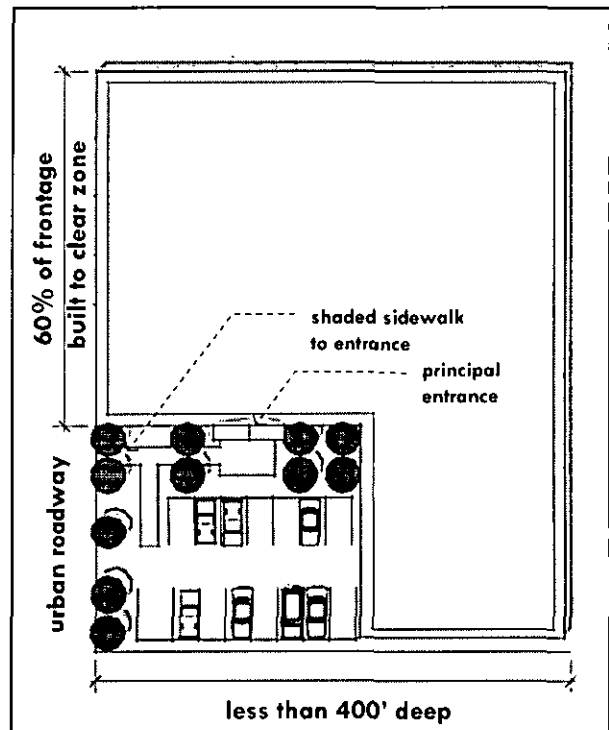


Figure 21: Parking at urban roadway on shallow lots



**Figure 22:** Examples of shaded sidewalks

## 2.2.5. Building Location Along Suburban Roadways<sup>19</sup>

### A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.5. Building Location Along Suburban Roadways	Suburban Roadway	All non-residential zoning districts

### B. Sidewalks<sup>20</sup>

Public sidewalks shall be located along all Suburban Roadways and shall comply with the standards for sidewalks along Urban Roadways in Section 2.2.3. above.

### C. Building Placement and Parking

1. The preferred development model on Suburban Roadways is to refrain from placing parking between the building and the street. On Suburban Roadways this is not required, but if the building is built up to the required sidewalk, the project is exempt from the connectivity requirements in Section 2.3. below.
2. Parking along the street frontage must have:
  - a. Landscape screening in accord with Section 25-2-1006 of the LDC; and
  - b. A shaded sidewalk leading to the main customer entrance from the property line. No more than two drive aisles may cross the sidewalk. For multi-tenant developments, there must be a path for at least every 330 feet of frontage along

<sup>19</sup> NOTE: This section implements DO-4 from the policy report. The term "Suburban Roadway" is proposed as a replacement for the term "Local Roadway." Since the Local Roadways are primarily outside the central city, we think a new term other than "local" is necessary to avoid confusion. "Suburban" is proposed for discussion purposes.

<sup>20</sup> NOTE: As with Urban Roadways, the policy report is unclear as to whether sidewalks are required along Suburban Roadways. The text says nothing about sidewalks, yet the fact that a building should be built to the "clear zone" or "furniture zone" implies a sidewalk may be required in some instances. After discussions with staff, we suggest that the Suburban Roadways have a mandatory sidewalk requirement similar to the other roadways.

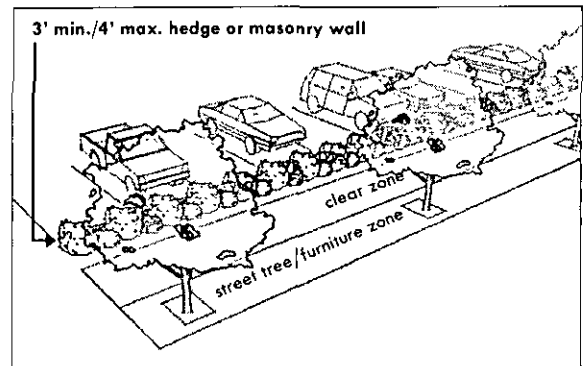
the suburban roadway frontage. (See Figure 22.)

#### D. Corner Sites

For sites located on a corner on Suburban Roadways:

1. Parking is prohibited within 100 feet of the corner, unless:

- a. Landscape screening is provided in accord with Section 25-2-1006 of the LDC (See Figure 23.); and
- b. One hundred percent of the street frontage facing the principal street consists of continuous building facade.



**Figure 23:** Required screening when parking is located near suburban roadway corners

2. The development may not contain an auto-oriented use unless it meets option a. or b. in 2.2.5.D.1. above. For purposes of this provision, auto-oriented uses shall consist of the following: any use with a drive-through service facility; automotive rentals; automotive repair services; automotive sales; automotive washing; commercial off-street parking; equipment sales; off-site accessory parking; service station; and vehicle storage.

## 2.2.6. Building Entryways<sup>21</sup>

### A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.2.6. Building Entryways	Core Transit Corridor	All zoning districts
	- Suburban Roadway - Highway - Hill Country Roadway - Urban Roadway	All non-residential zoning districts

### B. Standards

1. At least one customer entrance should face the principal street and connect directly to the sidewalk along the principal street. However, a building is not required to have at least one customer entrance facing the principal street if it meets the following requirements:

- Regardless of the applicable building frontage requirements of Sections 2.2.2 through 2.2.5. above, at least 80 percent<sup>22</sup> of the street frontage must consist of continuous building façade that is built up to the clear zone (or supplemental zone if provided);
- The building elevation facing the street must provide a continuous shaded sidewalk linking the principal street and the building entrance; and
- The entrance must be less than 100 feet from the street-facing façade line of the building. (See Figure 24.)

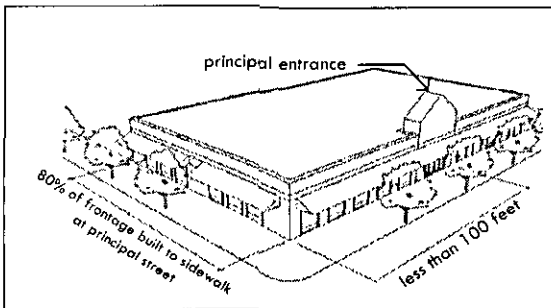


Figure 24: Requirements for a principal entrance that does not face the principal street



Figure 25: When multiple entrances are not provided, long walls should be broken up with glazing and other pedestrian amenities

<sup>21</sup> NOTE: This section generally implements DO-6 from the policy report. However, we have also folded in the "building entrance" requirements from BD-1 from the policy report, which deals with pedestrian frontages, since there is so much overlap between the two sections.

<sup>22</sup> NOTE: 80 percent is a very high standard, but it is only required for buildings that do not have a customer entrance facing the principal street and connected to the sidewalk. The bar should be set high for such buildings.

2. A row of shade trees between the building and the parking area shall be provided at an average spacing not greater than 30 feet on center.
3. Building entrances shall be located at intervals of no more than 75 feet along the primary public façade. If building entrances are located more than 75 feet apart (or there is a single entrance point on a facade greater than 150 feet), the areas between the entrances (or from building edge to the entrance) shall incorporate landscape areas, raised planters, at least 25 linear feet of transparent glazing for each 100 feet of frontage, and shaded pedestrian amenities that connect the entrances. (See Figure 25.)<sup>23</sup>
4. In no case shall this section require orienting a building entryway toward a street with zoning of SF6 or lesser density.

## 2.3. CONNECTIVITY

### 2.3.1. Internal Circulation Systems for Large Sites<sup>24</sup>

#### A. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.3.1. Internal Circulation Systems for Large Sites	<ul style="list-style-type: none"> <li>- Core Transit Corridor</li> <li>- Urban Roadway</li> </ul>	<ul style="list-style-type: none"> <li>- All zoning districts (development of any site larger than 660 feet by 330 feet)</li> <li>- See additional exemptions in subsection B.</li> </ul>
	<ul style="list-style-type: none"> <li>- Suburban Roadway</li> <li>- Highway</li> <li>- Hill Country Roadway</li> </ul>	<ul style="list-style-type: none"> <li>- All non-residential zoning districts (development of any site larger than 660 feet by 330 feet)</li> <li>- See additional exemptions in subsection B.</li> </ul>

<sup>23</sup> NOTE: This standard (3) is somewhat confusing as drafted and should be examined during the testing process. Is the task force's intent for all of these features to be provided?

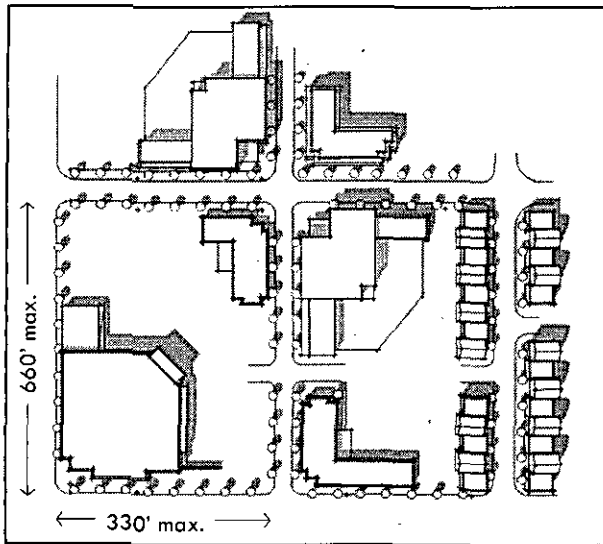
<sup>24</sup> NOTE: This implements C-1 from the policy report.

## B. Standards

Any site for a development that is larger than 660 feet in depth and 330 feet in length, measured from property line to property line, must comply with the following:

### 1. Maximum Block Size

Unless exempted below, the site shall be divided into blocks no longer than 660 feet by 330 feet from curb to curb. (See Figure 26.) The maximum block length applies both to blocks containing buildings and blocks containing surface parking. This standard shall not require the block front adjacent to a Hill Country Roadway to be divided in a manner inconsistent with state highway access spacing requirements.



**Figure 26:** Example of an interconnected grid-like system for internal circulation. Blocks must not exceed 660' by 330' in most cases.

#### a. Exemption: Corporate Campuses<sup>25</sup>

The maximum block length standard does not apply to a corporate campus. For purposes of this exemption, a "corporate campus" is defined as a site for a single company larger than ten acres with at least three office buildings larger than 50,000 square feet each, and a maximum of ten percent of the total building square footage of the site devoted to commercial uses.

#### b. Exemption: Sites Over 30 Acres

On sites 30 acres or larger, the site may contain one block with a maximum dimension of 660 feet by 660 feet for each 30 acres.

#### c. Exemption: Office Sites in Drinking Water Protection Zone or Water Supply Watershed

The maximum block length standard does not apply to any site in the Drinking Water Protection Zone or a Water Supply Watershed designated as a neighborhood office (NO), limited office (LO), or general office (GO) district.

<sup>25</sup> NOTE: We've added a suggested new limitation on retail uses, to allow smaller retail shops and personal uses that would support the office-workers on the site.

**d. Offices in the Desired Development Zone<sup>26</sup>**

The maximum block length of 660 feet by 330 feet applies to a site in the Desired Development Zone that is designated as a neighborhood office (NO), limited office (LO), or general office (GO) district, subject to compliance with the following additional requirement:

- (i) For office development sites in the Desired Development Zone larger than 660 feet by 330 feet, the maximum office height is increased to 80 feet. This height increase remains subject to compatibility standards.

**e. Impervious Cover Credit**

- (i) Development sites outside the Barton Springs Zone larger than 660 feet by 330 feet shall receive the same impervious cover credit as land condemned for public roadways for the following:

- (1) Internal Circulation Routes (provided they are built to the block length standards);
- (2) Sidewalks and curbs along Internal Circulation Routes and adjacent public roadways;

- (ii) Developments outside the Barton Springs Zone larger than 660 feet by 330 feet shall receive the same impervious cover credit as land condemned for public roadways for the following features; however, the impervious cover credit only transfers to VMU structures and structured parking with first-floor liner stores:

- (1) Public plazas;
- (2) Publicly accessible greenbelts with running trails or bike paths; and

---

<sup>26</sup> NOTE: This subsection incorporates the November 2005 amendments. WPDR has a number of concerns with this section and they have provided extensive technical comments. We need more time to study their comments and consult with them and other staff departments before suggesting possible changes to this language.



- (3) Publicly accessible parks or children's playgrounds.

**2. Internal Circulation System Required**

- a. Internal Circulation Routes connecting the blocks must form an interconnected, grid-like transportation system on the site. (See Figure 27.)
- b. Contiguous green spaces are not subject to the block-length requirements, but if the green space is longer than 150 feet, it must include a pedestrian and bicycle shared use path as a mid-block connection every 150 feet.

**3. Curbside Parallel or Head-in Parking Allowed<sup>27</sup>**

Curbside parallel or head-in parking is permitted on each new public street or Internal Circulation Route subject to compliance with Fire access standards.

**4. Subdivision of Internal Blocks**

Internal blocks abutting Internal Circulation Routes may be subdivided to allow for the sale and development of individual blocks.

**2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity<sup>28</sup>**

**A. Applicability**

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
<b>2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity</b>	All roadway types	<ul style="list-style-type: none"> <li>- Projects of three net developable acres or more in all non-residential zoning districts</li> <li>- Projects of less than three net developable acres that have parking between the building and the street</li> </ul>

<sup>27</sup> NOTE: The Fire Department has recently processed an amendment to the Fire Code to address this concern. The amendment states that fire apparatus access roads shall have an unobstructed width of not less than 25 feet, except for approved security gates, and an unobstructed vertical clearance of not less than 14 feet. Exceptions may be allowed if the street meets specified criteria (including city minimum street width standards).

<sup>28</sup> NOTE: This implements C-2 from the policy report, including the November 2005 amendments.

**B. Standards**

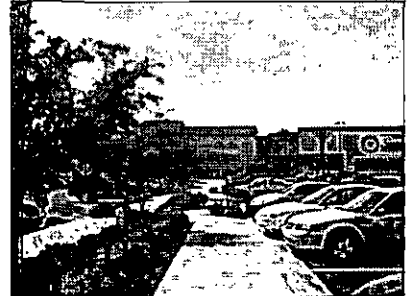
**1. Vehicular and Pedestrian Connections Between Sites<sup>29</sup>**

All sites or developments subject to this section shall:

- a. Provide private drive or public street connections to existing private drives or public streets on adjacent sites; and
- b. Where a public street is adjacent to the property line, provide direct pedestrian and bicycle access from that street to a customer entrance. The pedestrian and bicycle access points must be fully accessible during operating hours. (See Figure 27.)

**2. Additional Measures to Improve Connectivity<sup>30</sup>**

All sites or developments subject to this section shall select and comply with at least three of the options in the table below. However, if a site or development provides surface parking that amounts to more than 125 percent of the parking required in Appendix A (*Tables of Off-Street Parking and Loading Requirements*), the site or development must select and comply with at least five of the options in the table below.



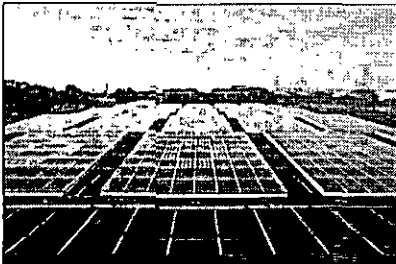
**Figure 27:** Example of a pedestrian/bicycle connection from sidewalk to building entrance

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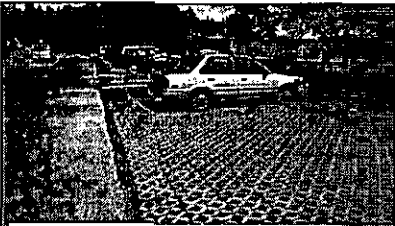
<sup>29</sup> NOTE: These were the first and fourth "options" in the policy report (though the parkland portion of option 4 has been kept in the table). As noted in the Diagnosis, we propose making them mandatory, since they are typical standards and compliance is not difficult so long as there is clear advance notice of the requirements when designing the site. If the community agrees to make these standards mandatory, and also agrees with the other changes discussed in the next footnote, then the minimum number of point totals required in the table should be revisited.

<sup>30</sup> NOTE: Per the Diagnosis, we removed the broad exemption for sites that do not have parking between the building and the street, since that already is required by the building location requirements. Also, the requirement for three-inch tree caliper trees in parking lots has been removed as an option, since it is now required for all new trees as part of the landscaping amendments. We also have consolidated the shading requirements from this table with the other shading requirements in the building design section.

Article 2: Site Development Standards  
Section 2.3. Connectivity  
Subsection 2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity



**Figure 28:** Example of solar power shading devices in a parking lot



**Figure 29:** Example of pervious paving surface

Option	Description / Comments
Provide pedestrian and bicycle connections from adjacent parkland.	Where public parkland is adjacent to the property line, provide pedestrian and bicycle access from the trail or walkway system on that parkland to the building entrance. The pedestrian and bicycle access points must be fully accessible during operating hours and shall meet city standards for pedestrian and bike ways.
Provide solar power shading devices in parking lots. (See Figure 28.)	Devices shall comply with requirements of administrative rules on this subject.
Provide pedestrian connection to adjacent residential development.	If there is a residential development adjacent to the site, provide a pedestrian connection to those buildings, up to the property line, and to an existing pathway if one is present on the adjacent site.
Internal utility lines should be located in drive aisles or Internal Circulation Routes, rather than under parking areas.	Do not locate utility lines beneath surface parking areas. This is designed to facilitate future redevelopment.
Limit curb cuts.	Connections between site and adjacent arterials and highways occur no more frequently than every 330 feet. An Internal Circulation Route built to full streetscape standards does not count as a curb cut.
At least 50 percent of the provided parking is constructed of concrete or pervious pavement (for example, pavers, open grid pavement system, pervious concrete). (See Figure 29.)	If located in the Edwards Aquifer Recharge zone, only concrete may be used to satisfy this option. Open grid pavement systems may be used in areas providing fire access only if shown to meet Fire Department load-bearing requirements.
Enhance physical fitness opportunities and multi-modal connectivity by providing shower facilities.	To comply with this option, the site must meet one of the following minimum size thresholds and provide the listed facilities: <ul style="list-style-type: none"> <li>• <i>Office uses:</i> 1 shower facility and 3 lockers for buildings more than 10,000 square feet (ADA requirements may not permit a single unisex shower if the expected occupant load exceeds 10. The number of required showers may be increased to 2 ADA showers)</li> <li>• <i>Commercial uses:</i> 1 shower facility and 3 lockers for every building exceeding 50,000 square feet of gross floor area</li> <li>• <i>Industrial uses:</i> 1 shower facility and 3 lockers for every building exceeding 100,000 square feet of gross floor area</li> </ul>

## 2.4. PARKING

### 2.4.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.4. Parking	All roadway types	All non-residential zoning districts

### 2.4.2. Reduction of Minimum Off-Street Parking Requirements<sup>31</sup>

This section provides for reductions in the minimum off-street parking requirements in Chapter 25-6, Article 7, *Off-Street Parking and Loading*. The minimum off-street parking requirement shall be reduced as follows:

- A. By one space for each on-street parking space located adjacent to the site on a public street.
- B. By up to 10 percent to preserve significant stands of trees or protected trees in addition to those required to be preserved by the Code, pursuant to protection measures specified in the ECM. If the applicant provides more parking spaces than the minimum required, the additional parking spaces may not result in the removal of significant stands of trees or protected trees.
- C. By 20 spaces for every car-sharing vehicle provided in a program that complies with the requirements prescribed by administrative rule, as determined by the Director.
- D. By one space for each shower facility with three or more lockers provided for employees in a nonresidential building.

Unless otherwise specified, the above reductions may be applied cumulatively, but in no case may the minimum off-street parking requirements for a project be reduced by more than 40 percent.

<sup>31</sup> NOTE: This implements P-1 from the policy report. Note that by-right parallel parking (P-2) is, at least partially, addressed by Section 2.2.2.B.5.

## 2.5. EXTERIOR LIGHTING<sup>32</sup>

### 2.5.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.5: Exterior Lighting	All roadway types	All zoning districts

### 2.5.2. Standards

#### A. Submission of Plans and Evidence of Compliance

All site plan applications shall include a description of all lighting fixtures, both proposed and those that will remain on the site, as well as any existing or proposed fixtures to be located in adjacent right-of-ways after completion of the project. The description may include, but is not limited to, catalog cuts and illustrations by *manufacturers (including sections where required)*, that demonstrate compliance with the standards of this Subchapter.

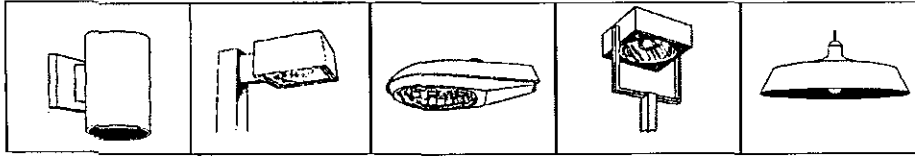
#### B. Fully Shielded and Full Cut-off Light Fixtures Required

The following outdoor lighting applications shall be illuminated by fixtures that are both fully-shielded and full cut-off: (See Figure 30.)

1. Public street and pedestrian lighting;<sup>33</sup>
2. Parking lots;
3. Pathways;
4. Buildings and structures;
5. Recreational areas;
6. Billboards;
7. Product display area lighting; and
8. Building overhangs and open canopies.

<sup>32</sup> NOTE: This implements EL-1 from the policy report. There is strong interest in making these requirements applicable to all development in Austin, not just the projects subject to this Subchapter. If that is done, the standards should be adopted as a separate amendment to the LDC and removed from this draft Subchapter.

<sup>33</sup> NOTE: The public street lighting requirement requires further discussion with Austin Energy. This standard is carried forward from the policy report, but AE has commented that the standard will have a direct impact on AE resources and budget.



**Figure 30:** Examples of fully-shielded light fixtures

**C. Lamp or Fixture Substitution**

Should any outdoor light fixture or the type of light source therein be changed after site plan or building plan approval has been granted, a change request must be submitted to the Director for approval, together with adequate information to assure compliance with this Subchapter, which must be received prior to substitution.

**D. Non-Conforming Lighting**

All outdoor lighting fixtures lawfully installed prior to and operable on the effective date of this Subchapter are exempt from all requirements of this Subchapter until January 1, 2015.

## 2.6. SCREENING OF EQUIPMENT AND UTILITIES<sup>34</sup>

### 2.6.1. Applicability<sup>35</sup>

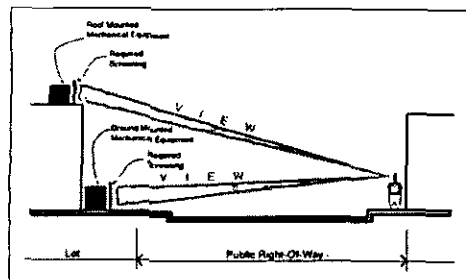
The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.6: Screening of Equipment and Utilities	All roadway types	<ul style="list-style-type: none"> <li>- All non-residential zoning districts</li> <li>- The following uses are exempt, in addition to the general exemptions of Section 1.2.3.: major utility facilities, local utilities services use, electric service transformers within the right-of-way, antenna</li> </ul>

<sup>34</sup> NOTE: This implements SC-1 of the policy report. Based on the Diagnosis and subsequent discussions with officials, we recommend that all three standards be mandatory, rather than listed as options.

<sup>35</sup> NOTE: Discussion needed on definition of "major utility." Is the intent to exempt all utility facilities from these screening requirements, or just the largest facilities? Is this distinction already captured in the Austin code?

## 2.6.2. Standards



**Figure 31:** Screening of mechanical equipment

All development subject to this section shall comply with the following requirements:

- A.** Solid waste collection areas and mechanical equipment, including equipment located on a rooftop, shall be screened from the view of a person standing on the property line on the far side of an adjacent public street. (See Figure 31.)
- B.** Storage, solid waste collection, and loading areas must be located at least 20 feet or more from any public street, public sidewalk, internal pedestrian walkway, or building with a residential use (not including VMU structures). This setback requirement does not apply to an accessible route to those areas required by the Americans with Disabilities Act.
- C.** Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials for solid waste collection and loading areas shall be the same as, or of equal quality to, the materials used for the primary building and landscaping.

## 2.7. PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES<sup>36</sup>

### 2.7.1. Purpose

Open air and semi-enclosed public gathering spaces can act as central organizing elements in a large development. They can also help to shape the relationship between different land uses and provide focal points and anchors for pedestrian activity. Goals and requirements for common open space and pedestrian amenities complement the Austin Code's requirements for dedicated public open space and parks, and serve similar purposes.

<sup>36</sup> NOTE: This implements LU-4 from the policy report. We have added several new provisions to provide more specificity regarding the types of areas that would qualify as set-asides under this section.

### 2.7.2. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.7: Private Common Open Space and Pedestrian Amenities	All roadway types	All site plans five acres in size or larger

### 2.7.3. Standards

#### A. Amenity Required

All development subject to this section shall devote a minimum of two percent of the site to one of the following types of private common open space or pedestrian amenities:

1. A natural and undisturbed private common open space, for use of the residents, employees, and visitors to the development.
2. A landscape area other than one required by Subchapter C, Article 9 (*Landscaping*), provided such landscaped area has a minimum depth and width of 10 feet and a minimum total area of 650 square feet. The area shall include pedestrian amenities to support these places as gathering areas.
3. A playground, patio, or plaza with outdoor seating areas, provided the playground, patio, or plaza has a minimum depth and width of ten feet and a minimum total area of 300 square feet. The area shall include pedestrian amenities to support these places as gathering areas.
4. A combination of the above-listed amenities. (See Figure 32.)

Developments with primarily residential uses are encouraged to comply with this requirement by setting aside private common open space, while developments with a mix of uses or primarily non-residential uses are encouraged to comply by providing one or more of the other listed amenities.

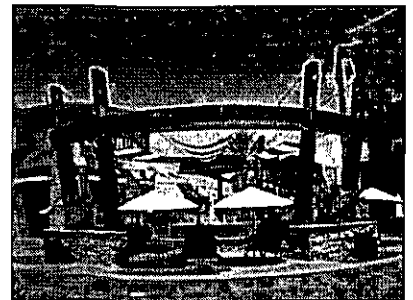


Figure 32: Examples of open space amenities



**B. Location Criteria<sup>37</sup>**

To the maximum extent feasible, where significant natural and scenic resource assets exist on a property, the developer shall give priority to their preservation as private common open space. In reviewing the proposed location of private common open space areas, the *Director shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected, with priority being given to the following areas (which are not listed in a particular order):*

1. Wetlands;
2. Flood hazard areas;
3. Lakes, rivers, and stream/riparian corridors; and
4. Tree preservation areas. (See Figure 33.)



**Figure 33:** Example of tree preservation during construction

**C. Areas Not Credited**

Lands within the following areas shall not be counted towards private common open space or pedestrian amenities required by this section:

1. Private yards;
2. Public or private streets or rights of way;
3. Parking areas and driveways for dwellings; and
4. Water quality and stormwater detention ponds, unless approved by the Director.

**D. Design Criteria**

Land set aside for private common open space or pedestrian amenities pursuant to this section shall meet the following design criteria, as relevant:

1. Common open space areas shall be located so as to be readily accessible and useable by residents or visitors in various locations of the development, unless the lands are sensitive natural resources and access should be restricted.
2. *The lands shall be compact and contiguous unless the land shall be used as a continuation of an existing trail, or specific topographic features require a different configuration. An example of such*

<sup>37</sup> NOTE: The intent here is merely to provide guidance in what types of areas are set aside as common open space. The intent is not to circumvent or duplicate city environmental standards.

topographic features would be the provision of a trail or private open area along a riparian corridor.

3. Where private common open space areas, trails, parks, or other public spaces exist adjacent to the tract to be subdivided or developed, the private common open space or pedestrian amenity shall, to the maximum extent feasible, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.

**E. Maintenance**

All private common open space or pedestrian amenity areas shall be maintained by the owners of the development.

**F. Fee In Lieu<sup>38</sup>**

The payment of fees in lieu of the set-aside of land for private common open space uses is prohibited except in the urban core.

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<sup>38</sup> NOTE: Two questions: First, to describe the urban core for purposes of this section, should we use the urban core reduced parking area? Second, is there a standard provision for fees-in-lieu that we can cross-reference here? (See LDC Sections 25-8-214 and 215, although this is for fee-in-lieu of on-site water quality controls in urban watersheds.) As noted in the Diagnosis, we recommend that the funds be paid to the city, rather than a non-profit as is suggested in the policy report. Further discussion needed with law department.

## ARTICLE 3: BUILDING DESIGN STANDARDS

### 3.1. INTENT

These building design standards are intended to strengthen Austin's unique character and help buildings to better function in Austin's environment. Additional goals include creating buildings with appropriate human scale; lessening the impact of branded architecture that does not speak to the city's unique character and conditions; and increasing quality, adaptability, and sustainability in Austin's building stock.

### 3.2. PEDESTRIAN FRONTAGES<sup>39</sup>

#### 3.2.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
3.2: Pedestrian Frontages	All roadway types	<ul style="list-style-type: none"><li>- Development of any non-residential land use</li><li>- This section applies to any building frontage visible and accessible to the public. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewall) are exempt.</li></ul>

#### 3.2.2. Glazing on Building Facades

Glazing provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street, promotes reusability, and provides a human-scale element on building facades. Projects subject to this section shall meet the following glazing requirements:

##### A. On the façade facing the principal street:

<sup>39</sup> NOTE: This section implements the BD-1 standards. We have removed the sections allowing administrative waivers in the glazing and shading sections, since the new "minor modifications" and "alternative equivalent compliance" sections provide general tools for the city to address such situations. We also have folded the entryway requirements into Section 2.2.E. with the other building entrance provisions.

1. At least 40 percent of the wall area that is between two and ten feet above grade shall consist of glazing (See Figure 34.); and
  2. The second floor must provide a minimum of 25 percent glazing between three and eight feet, as measured from that story's finished floor level. (See Figure 34.)
- B. On all other publicly visible facades, at least 25 percent of the wall area between two and ten feet above grade must consist of glazing.
- C. If a single-story building has a façade taller than 20 feet, the façade area above 15 feet is subject to the same window requirement as the second floor requirement in Subsection 1.
- D. To facilitate the development of a street wall, any façade that is built up to an interior mid-block property line is not required to have glazing on that façade if no prohibitions and no contractual or legal impediments exist that would prevent a building being constructed on the adjacent property up to the wall of the façade.
- E. All glazing on ground-floor facades that face the street or parking lot shall have a Visible Transmittance (VT) of 0.6 or higher.<sup>40</sup>

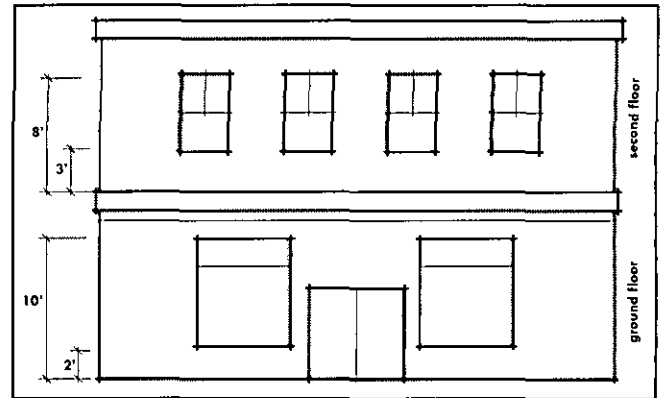


Figure 34: Glazing requirements

### 3.2.3. Shade and Shelter<sup>41</sup>

Austin's climate requires shade and shelter amenities in order to accommodate and promote pedestrian activity. These amenities will provide greater connectivity between sites and allow for a more continuous and walkable network of buildings. (See Figure 37.) Projects subject to this section shall meet the following shade and shelter requirements:

<sup>40</sup> NOTE: This was an option in 3.3 in the policy report. We suggest making it mandatory.

<sup>41</sup> NOTE: This section has been consolidated with some of the shade options from the connectivity options matrix in the policy report. There was much overlap between those two sets of provisions.



**Figure 35:** Example of ADA ramp with shade structure

- A.** For at least 70 percent of all building frontages adjacent to or facing the principal street and adjacent parking, a shaded sidewalk that is raised above the level of the parking by way of a defined edge shall be provided adjacent to the building.<sup>42</sup> ADA ramps alongside the building must also be shaded. (See Figure 35.)
- B.** Building entrances shall be located under a shade device such as an awning or portico.
- C.** Within sites containing multiple buildings accessible to the public, shaded sidewalks shall be provided along at least 75 percent of all sidewalks within the site to all buildings.<sup>43</sup>

### 3.3. OPTIONS TO IMPROVE BUILDING DESIGN<sup>44</sup>

#### 3.3.1. Applicability

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
<b>3.3: Options to Improve Building Design</b>	All roadway types	<ul style="list-style-type: none"> <li>- Development of any commercial use of 10,000 square feet or more that requires a building permit</li> <li>- Development of any commercial use of less than 10,000 square feet that contains any exterior trademarked design feature</li> <li>- Any building zoned for industrial use or warehouse use at the point its use is converted to commercial</li> <li>- Office development is exempt from this section</li> <li>- VMU buildings are exempt from this section</li> </ul>

<sup>42</sup> NOTE: A graphic will be added to illustrate this standard.

<sup>43</sup> NOTE: A graphic will be added to illustrate this standard.

<sup>44</sup> NOTE: This section implements the BD-3 standards.

### **3.3.2. Building Design Options**

#### **A. General Requirement**

Each building subject to this section must earn one base point from the table in paragraph 3.3.2.C. below.

#### **B. Additional Requirements for Certain Types of Development**

The following shall earn points as specified below, in addition to the base point required in subsection A. All points in this section shall be earned cumulatively.

1. A building with exterior trademarked design features shall earn additional points as follows:
  - a. Three additional points from the table in paragraph 3.3.2.C. if such features are located 12 feet or less above finished grade and there is no prototypical roof or parapet design;
  - b. Five additional points from the table in paragraph 3.3.2.C., two of which must come from Group B, if such features are located more than 12 feet above finished grade
2. If the building plan depicts any of the design features listed below, one additional point must be earned for each design feature (except as noted):
  - a. Building is one story and greater than 20 feet tall, floor to bottom of roof structure.
  - b. Building façade exceeds 200 feet in width without entrances every 75 feet.
  - c. Individual use is greater than 100,000 square feet.
  - d. Building is a pad-site building located in the CBD or DMU districts with either of the following features (2 additional points):
    - (i) Drive-through;
    - (ii) Building is separated from other buildings by surface parking on at least two sides;
  - e. False fronts or shaped parapets are created to increase the apparent size of the building or house corporate signage or logos. If used, building parapets must not be greater than 50

percent higher than the distance of the building from grade to roof. (For example, a building that is 20 feet tall from the grade to the roof cannot have a parapet greater than 10 feet tall from roof to top of parapet.)

- f. Concrete block is used on more than 25 percent of a façade visible to the public
- g. Concrete block is used on more than 75 percent of a façade visible to the public (must earn two additional points).
- h. EIFS is used as a material on the ground floor (below 10 feet).
- i. Pad building with drive-in (on a site with a Core Transit Corridor as the principal street).

### C. Table of Design Options

Option	Description / Comments
<b>Group A: Each option worth 1 point<sup>45</sup></b>	
Achieve star rating under the City of Austin Green Building program.	Each star of the rating qualifies for one point. No double credit for Green Building points from Group B.
Provide for liner stores in building façade. (1 point for each liner store)	See Article 5, Definitions
Provide façade articulation.	See definition D.1. below.
Provide primary entrance design.	See definition D.2. below.
Provide roof design.	See definition D.3. below.
Provide building materials meeting the standards of this section.	See definition D.5. below.
Improve storefronts to new regulatory standard of Section 3.2.2 for glazing type/size & shading.	Applies only for buildings existing at the effective date of this Subchapter.
Complies with neighborhood design guidelines, as prescribed in the Urban Design Criteria Manual	

<sup>45</sup> NOTE: We suggest dropping the last item in this list from the policy report – “90% of all frontages facing parking shall be shaded or have a shelter device.” Shelter and shade already are addressed in two other locations in this Ordinance: the connectivity options table and the “pedestrian frontages” section of the Building Design article.

Option	Description / Comments
<b>Group B: Each option worth 2 points.</b>	
Design building so that at least 75% of the façade facing the principal street consists of storefronts with at least two separate entrances facing the principal street	
Provide sustainable roof.	See definition D.4. below.
Integrate solar power generation into building design.	The specific features and design shall be approved by the Director. Examples may include, but are not limited to, rooftop solar panels or Building Integrated Photovoltaics.
Achieve Green Building rating of 2 stars.	
<b>Group C: Each option worth 3 points.</b>	
Develop VMU structure	While VMU structures are exempted from the requirements of this section, points are assigned for the purpose of aggregating point values for the mixed use development bonuses described in Article 4. In addition to the three base points associated with the VMU development, one additional point is added if the gross square footage of the VMU structure contains a combination of at least 25% residential and 25% office or retail uses.

## D. Definitions of Options

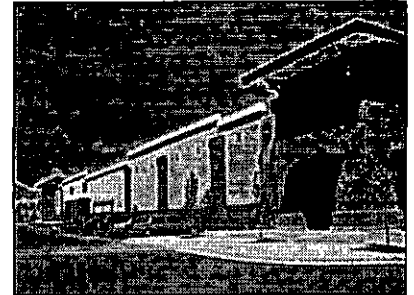
### 1. Façade Articulation

For purposes of satisfying the requirements in subsections A. and B. above, "façade articulation" shall consist of one of the following design features, none of which can be trademarked design features (See Figure 36.):

- Changes in plane with a depth of at least 24 inches, either horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
- Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
- A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches.

### 2. Primary Entrance Design

For purposes of the satisfying the requirements in subsections A. and B. above, "primary entrance



**Figure 36:** Examples of facade articulation



design" shall consist of at least three of the following design elements at the primary entrance (none of which can be trademarked design features), so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

- a. Architectural details such as arches, friezes, tile work, murals, or moldings.
- b. Integral planters or wing walls that incorporate landscaping or seating.
- c. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.
- d. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.
- e. A repeating pattern of pilasters projecting from the façade wall by a minimum of eight inches or architectural or decorative columns.

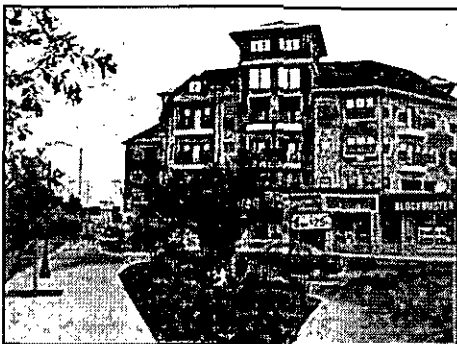
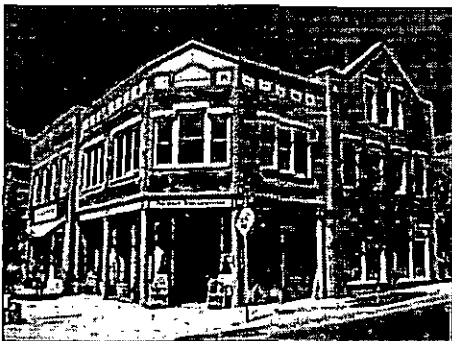


Figure 37: Examples of roof design

### 3. Roof Design

For purposes of satisfying the requirements in subsections A. and B. above, "roof design" shall consist of at least one of the following design elements, none of which can be trademarked design features:

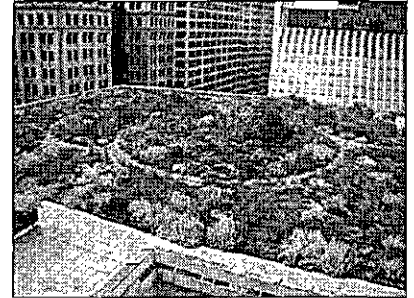
- a. Parapets with horizontal tops having height changes of at least one foot occurring horizontally no less than every 100 feet. (See Figure 37.)
  - (i) Parapets that do not have horizontal tops must have pitched or rounded tops with a pattern that repeats or varies no less than every 100 feet.
  - (ii) All parapets must have detailing such as cornices, moldings, trim, or variations in brick coursing.
- b. Sloping roofs with at least two of the following design elements:
  - (i) Slope of at least 5:12.
  - (ii) Two or more slope planes.

- (iii) Overhanging eaves extending at least three feet beyond the supporting wall.

#### 4. Sustainable Roof

For purposes of the satisfying the requirements in subsections A. and B. above, a "sustainable roof" is roofing that has one of the following:

- a. For a minimum of 75 percent of the total roof surface, a Solar Reflectance Index (SRI) of 78 or higher for a roof with a slope of 2:12 or less, or 29 or higher for a roof with a slope greater than 2:12; or
- b. For a minimum of 50 percent of the total roof surface, a vegetated roof with a rainwater collection system (See Figure 38.); or
- c. For a minimum of 75 percent of the total roof surface, a combination of a vegetated roof with rainwater collection system and SRI-compliant roof meeting the SRI standards in Subsection 4.a. above.



**Figure 38:** Example of a sustainable roof

#### 5. Building Materials

For purposes of the satisfying the requirements in Subsection 1. above, "building materials" are defined as limestone or brick. However, the brick color shall not be a trademarked design feature.

### 3.3.3. Alternatives to Building Design Matrix

#### A. Large Single-Story Buildings<sup>46</sup>

Instead of complying with Section 3.3.2. above, a single-story commercial building that is 100,000 square feet or more in size may elect as a matter of right to comply with the following standards:

- 1. The building façade shall consist of 75 percent masonry or limestone, excluding the window area and rear service area on sides visible to the public;
- 2. The use of trademarked design features above 12 feet and the use of trademarked roof and parapet design features is prohibited;
- 3. The building meets the "façade articulation" requirements as defined in Subsection 3.3.2.D.1. above;

<sup>46</sup> NOTE: This implements BD-4.

4. The building has 40 percent glazing on the front façade and 25 percent glazing and cutouts on each side visible to the public with a Visible Transmittance (VT) of 0.6 or higher; and
5. The building has a Green Building rating of at least 2 stars.

**B. Pad Buildings and Drive-In Services<sup>47</sup>**

Instead of complying with Section 3.3.2. above, a pad building or a single-use drive-in use not located on a Core Transit Corridor may comply with the following standards:

1. The use of trademarked design features above seven feet is prohibited; and
2. The portion of the building below seven feet consists of one of the following:
  - a. Limestone; or
  - b. Brick that has a different color than the trademarked brick color; or
  - c. For a building that occupies a pad or portion of a building within a planned project or shopping center, the building has similar design characteristics as the rest of the shopping center. This includes use of similar materials, patterns, rhythms, and proportions to the rest of the center.
3. Pad sites shall not have any parking located between the building and the street on Core Transit Corridors, Urban Roadways and Suburban Roadways.
4. When a pad building with a drive-in is only permitted a single curb cut, the pad building site may contain a circulation lane between the building and the curb without triggering the connectivity requirements in Section 2.3.2. The circulation lane may not have parking and cannot be wider than 14 feet.

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<sup>47</sup> NOTE: This implements BD-5. The limitation on pad sites on CTCs is from the November 2005 amendments.

## ARTICLE 4: MIXED USE

### 4.1. GENERAL PROVISIONS

#### 4.1.1. General Intent

The mixed use provisions of this Subchapter are established to provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, rather than separating uses. The mixed use provisions define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. They promote an efficient pedestrian-access network that connects the nonresidential and residential uses and transit facilities. Redevelopment of underutilized parcels and infill development of vacant parcels should foster pedestrian-oriented residential and mixed use development.

#### 4.1.2. Applicability

The following table summarizes the applicability of this section:

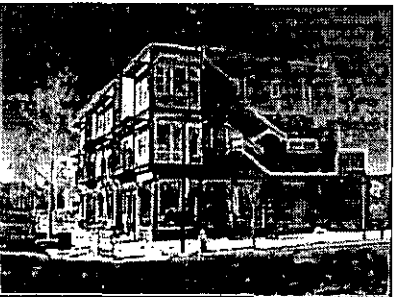
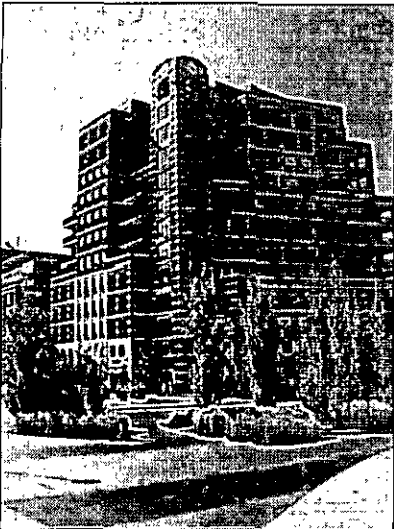
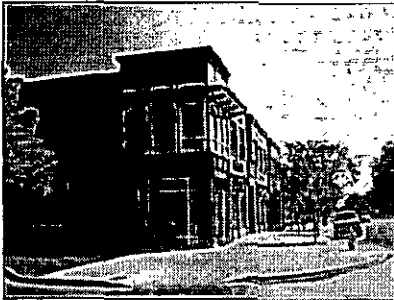
Standard	Applies if the Principal Street Is:	Applies to the Following:
Article 4: Mixed Use	All roadway types	All development in zoning districts that allow mixed use development

#### 4.1.3. Overview: Mixed Use Development in Austin Generally

Mixed use development integrates two or more land uses, such as residential and commercial, with a strong pedestrian orientation. Requirements and standards for mixed use development appear in various places throughout the Austin City Code. This Article 4 summarizes the districts in which mixed use development is allowed and the types of mixed use development that may be established.

##### A. Zoning Districts in which Mixed Use is Allowed and Encouraged

The City of Austin allows and encourages the development of mixed use projects. The following districts are intended primarily for mixed use development and are described more fully in Section 4.2 below:



**Figure 39:** Examples of vertical mixed use

1. Mixed Use Combining District (Section 4.2.1.).
2. Vertical Mixed Use Overlay District (Section 4.2.2.).

Mixed use development also is allowed in other zoning districts in Austin. These districts are listed below and are described more fully in the referenced sections of the Austin Code outside of this Subchapter. This following list is not exhaustive, but rather illustrates the range of districts in which mixed use development may be allowed.

3. Central Business (CBD) (Section 25-2-100);
4. Central Urban Redevelopment (CURE) (Section 163);
5. Downtown Mixed Use (DMU) (Section 101);
6. Planned Development Area (PDA) (Section 174);
7. Planned Unit Development (Section 144);
8. Traditional Neighborhood Development (Section 146)
9. Transit Oriented Development (Section 147)
10. Waterfront Overlay (WO) (Section 175); and
11. University Neighborhood Overlay (UNO) (Section 178).

#### **B. Types of Mixed Use Development**

Within the districts that allow mixed use development, a mix of uses may be established either horizontally in multiple buildings, or vertically in the same building, or through a combination of the two, depending on the standards of the district.

1. Horizontal mixed use, which is also called "integrated mixed use" in this Subchapter, is the mixing of uses in a development project, though not necessarily in the same building. Horizontal mixed use is allowed and encouraged in Austin so long as each of the proposed uses is allowed within the applicable zoning district and the development meets all applicable requirements of this Subchapter and the Austin Code.
2. Vertical mixed use is allowed in two building types: the Vertical Mixed Use (VMU) Building and the Neighborhood Mixed Use Building. Standards for each of these building types are in Sections 4.3.1 and 4.3.2 below. (See Figure 39.)

## **4.2. MIXED USE ZONING DISTRICTS<sup>48</sup>**

### **4.2.1. Mixed Use Combining District<sup>49</sup>**

#### **A. Purpose**

The purpose of a mixed use (MU) combining district is to allow office, commercial, and residential uses to be combined in a single development, either through vertical mixed use buildings or in integrated mixed use developments.

#### **B. Uses Allowed**

In the MU combining district, the following uses are permitted:

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<sup>48</sup> NOTE: Our early discussions with the city talked about allowing VMU in three districts – the existing MU combining district, a new VMU overlay district, and a new VMU base district. This draft establishes the first two of these districts. However, upon further reflection, we do not believe that a new VMU base district is necessary. The value of such a new district is unclear. Is the intent simply to provide a tool for site-specific rezonings to allow only VMU buildings? If so, then a simpler approach would be to not create a new base district and instead rely on the existing MU and new VMU overlay districts. If the intent is to allow a broader array of by-right mixed use development, then a range of new mixed-use base districts may be appropriate, which we believe would be a broader undertaking than contemplated in this ordinance.

<sup>49</sup> NOTE: This draft proposes relocating all the MU standards from the Austin Code into this Ordinance. If this approach is followed, then the respective sections should be repealed in the Code. There is no "applicability" section, since our understanding is that the intent is not to broaden where MU applies from the current boundaries.

1. Integrated mixed use development, subject to compliance with Section 4.3.3. of this Subchapter;
2. Vertical mixed use buildings, subject to compliance with Section 4.3.1. of this Subchapter;
3. Commercial uses that are permitted in the base district;
4. Civic uses that are permitted in the base district;
5. Townhouse residential;
6. Multifamily residential;
7. Single-family residential;
8. *Single-family attached residential*;
9. Small lot single-family residential;
10. *Two-family residential*;
11. Condominium residential;
12. Duplex residential;
13. Group residential;
14. Group home, class I (limited);
15. Group home, class I (general); and
16. Group home, class II.

**C. District Standards**

Insert from Section 25-2-647.

**4.2.2. Vertical Mixed Use Overlay District**

**A. Purpose**

The purpose of a vertical mixed use (VMU) overlay district is to allow the development of vertical mixed use (VMU) buildings.

**B. Applicability<sup>50</sup>**

1. The VMU overlay district is established within each zoning district for all sites with a Core Transit Corridor or future Core Transit Corridor as the principal street, subject to the following requirements:
  - a. In areas subject to a Neighborhood Plan, VMU structures may not contain uses prohibited for that lot under the Neighborhood Plan and are limited to commercially zoned properties.
  - b. In areas that have not undergone the neighborhood planning process, the VMU

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<sup>50</sup> NOTE: The first area of applicability is from DO-2 in the policy report. The second area of applicability is from LU-5 (November 2005 amendments).

overlay is limited to commercially zoned properties.

2. The VMU overlay district is established for development sites of three acres or more that have a Highway, Hill Country Roadway<sup>51</sup>, Suburban Roadway, or Urban Roadway as the principal street, subject to the following requirements:

- a. In areas subject to a Neighborhood Plan that are not located on Core Transit Corridors or future Core Transit Corridors, the overlay only applies to properties with an MU designation and may not contain uses prohibited for that lot under the Neighborhood Plan.
- b. In areas that have not undergone the neighborhood planning process, the VMU overlay applies only to commercially zoned properties and does not apply to properties zoned exclusively for residential.

**C. Permitted Uses**

In a VMU Overlay district, the following uses are permitted:

1. Uses that are permitted in the base district; and
2. Vertical mixed use buildings, subject to compliance with Section 4.3.1. of this Subchapter.

### 4.3. STANDARDS FOR MIXED USE DEVELOPMENT TYPES

#### 4.3.1. Vertical Mixed Use (VMU) Building<sup>52</sup>

**A. Where Allowed**

A VMU building is permitted in the following zoning districts:

1. Mixed Use (MU) combining district; and
2. Vertical Mixed Use overlay district.

**B. Standards**

A VMU building shall meet the following requirements:

3	<b>residential</b>
2	<b>office</b>
1	<b>retail</b>

3	<b>residential</b>
2	<b>office</b>
1	<b>office</b>

3	<b>residential</b>
2	<b>residential</b>
1	<b>office</b>

<sup>51</sup> NOTE: WPDR has suggested deleting Hill Country Roadways from this list.

<sup>52</sup> NOTE: This implements LU-3 from the policy report.

**Figure 40:** Examples (not a comprehensive list) of mix of uses that meet these requirements



**1. Mix of Uses<sup>53</sup>**

A use on the ground floor must be different from a use on an upper floor. The second floor may be designed to have the same use as the ground floor so long as there is at least one more floor above the second floor that has a different use from the first two floors. At least one of the floors shall contain residential dwelling units. Up to ten percent of the ground floor may incorporate residential units. (See Figure 40).

**2. Pedestrian-Oriented Commercial Spaces**

Along at least 75 percent of the net frontage of the principal street, the building must be designed for commercial uses in ground-floor spaces that open onto the sidewalk. Each ground-floor commercial space must have:

- a. A customer entrance that opens directly onto the sidewalk;
- b. A depth of not less than 24 feet;
- c. A height of not less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling; and
- d. A front façade that meets the glazing requirements of Section 3.2.2.

**3. Dimensional Requirements**

- a. A vertical mixed use building is not subject to:
  - (i) Except as provided in Subsection b. below, the minimum site area requirements of LDC 25-2-647 Subsection (G); or
  - (ii) The following requirements of Section 25-2-492(C) (*Site Development Regulations*):
    - (1) Minimum front yard setback; provided, however, that if the right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the centerline of the street to

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<sup>53</sup> NOTE: There has been discussion and debate at the staff level as to whether to require any of the residential units in VMU buildings to be accessible units.

ensure adequate Fire Department access);<sup>54</sup>

- (2) Minimum street side yard setback;
- (3) Minimum interior yard setback;
- (4) Maximum floor area ratio; or
- (5) Maximum building coverage.

b. This subsection applies to VMU buildings located on property designated as a MU combining district and as a neighborhood plan (NP) combining district before April 6, 2006;<sup>55</sup>

(i) A VMU building must comply with the minimum site area requirements of LDC 25-2-647 Subsection (G) and the floor area ratio and minimum building coverage requirement prescribed by Section 25-2-492(C) (*Site Development Regulations*), and, for a cocktail lounge or restaurant use in the building, the minimum off-street parking requirement of Chapter 25-6 (*Transportation*), unless:

- (1) The 90-day time period proscribed by subparagraph (iii) below expires without an application described in subparagraph (iii) being filed; or
- (2) An application described in subparagraph (iii) below is filed and the council determines that a VMU building on the property is not subject to the minimum site area requirements of Subsection (G), or the floor area ratio requirement or minimum building coverage requirement of Section 25-2-492(C) (*Site Development Regulations*), or that the reduced parking requirement of subsection 6. below applies to a cocktail lounge or restaurant use in the building.

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<sup>54</sup> NOTE: This caveat has been added in response to concerns from the Fire Department that responding to fire emergencies in multi-story buildings on narrow streets could impair deployment of ladder vehicles or aerial apparatus.

<sup>55</sup> NOTE This subsection 2. is from the interim VMU ordinance (correction draft).

- (ii) The director shall notify the neighborhood planning or contact team for a NP combining district that a property within the district is designated as a MU combining district.
  - (iii) The team may, not later than the 90<sup>th</sup> day after the notice is sent, submit an application to the city manager requesting that the Council require a VMU building on the property to comply with the minimum site area requirements, maximum floor area ratio requirements, or maximum building coverage requirements, or that the council determine that a cocktail lounge or restaurant use in the building must comply with the off-street parking requirement of Chapter 25-6 (*Transportation*).
  - (iv) The planning commission shall review a request and make a recommendation to council.
  - (v) The council shall consider the planning commission's recommendation before acting on a request.
  - (vi) The council may, by ordinance, require a VMU building on the property to comply with the minimum site area requirements, maximum floor area requirement, or maximum building coverage requirement, or, for a cocktail lounge or restaurant use in the building, the off-street parking requirement of Chapter 25-6 (*Transportation*).
- c. VMU structures are subject to the height restrictions of the underlying zoning district.

#### **4. Affordable Housing Requirement<sup>56</sup>**

VMU structures are eligible for a waiver from the minimum site area requirements, FAR, and building coverage restrictions of the base zoning district. In order to qualify for this waiver, the VMU building shall set aside at least ten percent of the dwelling units on the site, for a period of not less than 15

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<sup>56</sup> NOTE: This requirement is based on feedback from the City Council at the meeting to present the Diagnosis. The language is based on similar language from the UNO district, per staff suggestion. We understand that Texas law requires this to be structured as a bonus, rather than a requirement.

years from the date a certificate of occupancy is issued, to house persons whose household income is less than 80 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office.

**5. Compatibility Standards**

All VMU structures are subject to the compatibility standards of Section 25-2-1564. In case of conflict between the compatibility standards and this Subchapter, the compatibility standards shall control.

**6. Parking**

For a VMU building, the minimum off-street parking requirement shall be 60 percent of that prescribed by Appendix A (*Tables of Off-Street Parking and Loading Requirements*). This reduction may not be used in combination with any other parking reduction.

**C. Development Bonuses<sup>57</sup>**

A development that contains at least 100 lineal feet of VMU building frontage along the principal street shall be entitled to the following development bonuses:

1. The queuing requirements of Section --- shall be reduced by 50 percent for each drive-through service in the development, so long as sufficient on-site queuing space exists to ensure queuing does not occur within the public right-of-way.
2. The number of connectivity options needed to comply with Section 2.3.2. of this Subchapter shall be reduced by two for each 100 lineal feet of VMU buildings.
3. All buildings in the development may aggregate points for building design in Section 3.3 of this Subchapter, rather than each building needing the minimum number of points.
4. Impervious cover existing as of the effective date of this Subchapter may be retained for redevelopment purposes for the VMU structures and their accompanying structured parking, so long as the

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<sup>57</sup> NOTE: From the November 2005 amendments to LU-5 in the policy report.

redevelopment meets current water quality standards.

#### **4.3.2. Neighborhood Mixed Use Building<sup>58</sup>**

##### **A. Where Allowed**

A neighborhood mixed use building may be approved as a special use in the following zoning base districts:

1. Limited Office (LO) district;
2. General Office (GO) district;
3. Neighborhood Commercial (LR) district;
4. Community Commercial (GR) district;
5. General Commercial Services (CS) district;
6. Commercial-Liquor Sales (CS-1) district;
7. Commercial Highway Services (CH) district; and
8. Limited Industrial Services (LI) district.

##### **B. Residential Uses Permitted**

A neighborhood mixed use building special use may contain dwelling units:

1. Above the ground floor; and
2. In not more than 50 percent of the gross floor area of the ground floor.

##### **C. Standards for Neighborhood Mixed Use Buildings**

###### **1. Dimensional Standards**

For a neighborhood mixed use building special use:

- a. The maximum site area is two acres;
- b. The minimum lot size is 5,750 square feet;
- c. The minimum lot width is 50 feet;
- d. The minimum street side yard setback is 10 feet;
- e. The minimum front yard setback is:
  - (i) 5 feet; or
  - (ii) for a LO or LR district, 10 feet; and
- f. The maximum front yard setback is:
  - (i) 10 feet; or

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<sup>58</sup> NOTE: This section carries forward standards from the existing Section 25-2-1501. There is much overlap between this use and the new VMU building. However, we understand that this use type needs to stay in the code as a distinct use, since it already has been approved and dozens have been built.

(ii) for a LO or LR district, 15 feet.

- g. For a neighborhood mixed use building special use adjacent to a roadway with not more than two travel lanes, the building height may not exceed 40 feet.

## **2. Building Façade Requirements**

The building facade of a neighborhood mixed use building:

- a. May not extend horizontally in an unbroken line for more than 30 feet;
- b. Must include windows, balconies, porches, stoops, or similar architectural features;
- c. Must have awnings or similar weather protection along at least 50 percent of the length of the ground floor facade; and
- d. At least 50 percent of the wall area of the ground floor façade between two and ten feet in height must consist of doors or windows with a visible light transmittance rating of 0.6 or higher.

## **3. Parking**

The following parking standards apply to neighborhood mixed use buildings:

- a. For the commercial portion of a neighborhood mixed use building, one vehicle parking space for each 500 square feet of gross floor area is required.
- b. For the residential portion of a neighborhood mixed use building, the parking requirements of Chapter 25-6, Appendix A, Schedule A apply.
- c. Parking in front of a neighborhood mixed use building, other than on a street, is prohibited.
- d. At least 50 percent of the surface parking accessory to the building must be located to the rear of the building.

## **4. Landscaping**

A street yard of 1,000 square feet or less is not required to be landscaped, and a parking area with 12 or fewer parking spaces is not required to have landscaped islands, peninsulas, or medians.

## **5. Drive-Through Facilities Prohibited**

A neighborhood mixed use building may not include a drive through facility.

### **4.3.3. Integrated Mixed Use Development<sup>59</sup>**

#### **A. Description**

An integrated mixed use development is a development that contains a mix of uses within walking distance from each other (i.e., not more than one-quarter mile apart) and one of the following applies:

1. The site contains at least two uses, and two of the uses each comprise at least 25 percent of the built area; or
2. Twenty percent of the building footprint consists of VMU structures. (See Figure 41.)

#### **B. Where Allowed**

An integrated mixed development may be permitted in the MU combining district, so long as all the uses proposed are allowed in the underlying base zoning districts.

#### **C. Development Bonus**

A development meeting the description in Subsection A. above shall be entitled to the following development bonuses.

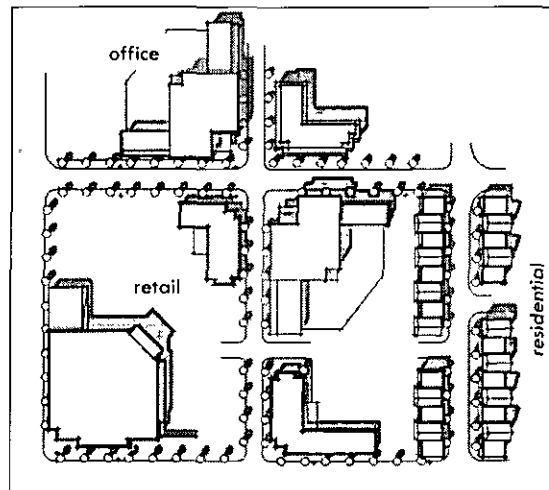
1. The queuing requirements of Section --- are reduced by 50 percent for each drive-through service in the development.
2. Impervious cover existing as of the effective date of this Subchapter may be retained for redevelopment purposes subject to the following limitations:
  - a. The redevelopment meets current water quality standards; and
  - b. The redevelopment meets the connectivity requirements of Section 2.3 of this Subchapter and the building location requirements along

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<sup>59</sup> NOTE: This is a type of mixed use that is not heavily emphasized in the policy report, yet it nevertheless is mentioned and is a clear alternative to VMU. The language here implements the November 2005 amendments to LU-5 in the policy report. Where should integrated mixed use be allowed?

Internal Circulation Routes of Section 2.2.3. of this Subchapter.

3. For redevelopment projects larger than five acres, the VMU parking standards apply to the entire redevelopment so long as 20 percent of the total building footprint consists of VMU structures.
4. The number of connectivity options needed to comply with Section 2.3.3. of this Subchapter is reduced by two.
5. All buildings in the development may aggregate points for building design in Section 3.3 of this Subchapter, rather than each building needing the minimum number of points.



**Figure 41:** Example of an integrated mixed use development



## ARTICLE 5: DEFINITIONS

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### **Building Façade Line**

A line that is parallel to a lot line or internal circulation route curb line, as applicable, and the same distance from the lot line or curb line as the closest portion of a building.

### **Civic Uses**

For purposes of this Subchapter, civic uses shall consist of the following:

- College or University facilities
- Community Recreation (Public)
- Convention Center
- Cultural Services
- Detention Facilities
- Local Utility Services
- Major Utility Services
- Parks and Recreation Services (General)
- Parks and Recreation Services (Special)
- Postal Services
- Public Primary Education Facilities
- Public Secondary Education Facilities
- Safety Services
- Transportation Terminal

### **Clear Zone**

The area dedicated for an unobstructed sidewalk.

### **Core Transit Corridors**

Core Transit Corridors are the following roadways:

1. South First Street, north of Ben White Boulevard;
2. East Seventh Street, west of Pleasant Valley Road;
3. West Fifth Street;
4. West Sixth Street, between Guadalupe Street and Pressler Street;
5. Thirty-eighth Street, between Mopac Expressway and Speedway Street;
6. Airport from Lamar to I-35
7. Anderson Lane, between Burnet Road and Mopac Expressway;
8. Barton Springs Road, east of Robert E. Lee Drive;
9. Burnet Road, between 45th Street and Anderson Lane;
10. East Cesar Chavez Street, west of Pleasant Valley Road;
11. South Congress Avenue, north of Stassney Lane;
12. Guadalupe Street;

13. Lamar Boulevard, between Banyon Boulevard and Ben White Boulevard;
14. Martin Luther King, Jr., Boulevard, between Lamar Boulevard and Airport Boulevard;
15. Riverside Drive, west of Pleasant Valley Road.

**Core Transit Corridors, Future<sup>60</sup>**

For purposes of Section 4.2.2. of this Subchapter, the following roadways are considered "future core transit roadways":

1. S. Congress from Stassney to Slaughter
2. Slaughter from I35 to Mopac
3. 7th St. from Pleasant Valley to 183
4. Lamar from Anderson to Howard
5. Manor from Dean Keaton to 183
6. Airport from Manor to I-35
7. Oltorf
8. 51ST from Manor to Airport
9. Far West from Mopac to western side of Chimney Corner

**Director**

The Director of the Neighborhood Planning and Zoning Department, or his or her designee.

**Fully-Shielded Light Fixture**

A lighting fixture constructed in such a manner that the light source is not visible when viewed from the side and all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

**Full Cut-off**

A luminaire light distribution where zero candela intensity occurs at or above an angle of 90 above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100

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<sup>60</sup> NOTE: Further discussion needed on the topic of the "Future Core Transit Corridors." The name is not really appropriate, since the corridors actually are given substantive meaning in this ordinance – they fall into the VMU overlay. Further, the term "future" implies that they will become CTC's in the future, but there is no clear timeframe when that will happen. The future CTCs actually are a fifth type of roadway, as currently drafted

(10%) at or above a vertical angle of 80 above nadir. This applies to all lateral angles around the luminaire.

**Hardscape**

Nonliving components of a streetscape or landscape design, such as paved walkways, walls, sculpture, patios, stone and gravel areas, benches, fountains, and similar hard-surface areas and objects.

**Highways**

All freeways, parkways, expressways, and frontage roads identified in the Austin Area Metropolitan Transportation Plan, except for Core Transit Corridors described in this Subchapter.

**Hill Country Roadways**

This roadway type applies on all properties within 1000 feet of FM 2222, FM 2244, FM 620, Loop 360 and Southwest Parkway.

**Internal Block**

[reserved pending discussion]

**Internal Circulation Route**

Either a public street or a private drive edged by a curb within a development.

**LDC**

*The City of Austin Land Development Code.*

**Light Fixture**

The complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket); a light fixture.

**Liner Store**

A commercial use on the ground floor of a building located not more than 30 feet from the street right-of-way with an entrance facing the street.

**Maximum Extent Feasible**

No feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

**Maximum Extent Practicable**

Under the circumstances, reasonable efforts have been undertaken to comply with the regulation or requirement, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the noncompliance.

### **Net Frontage Length**

Determined by subtracting required drive aisles and stairs that occur at the building perimeter

### **Nonresidential Zoning Districts**

The following are the City of Austin nonresidential zoning districts for purposes this Subchapter:

- |        |        |
|--------|--------|
| ▪ NO   | ▪ CS   |
| ▪ LO   | ▪ CS-1 |
| ▪ GO   | ▪ CH   |
| ▪ CR   | ▪ IP   |
| ▪ LR   | ▪ MI   |
| ▪ GR   | ▪ LI   |
| ▪ W/LO | ▪ R&D  |

### **Pad-Site Building**

A building that is intended for a single commercial use and that is physically separate from the other buildings on the site, if any.

### **Principal Entrance**

The place of ingress and egress most frequently used by the public.

### **Principal Street**

In this Subchapter, the principal street of a lot or site is the street with the highest priority that is adjacent to the lot or site. Street priorities are as follows, from highest to lowest:

- Core Transit Corridor;
- Internal Circulation Route;
- Urban Roadway;
- Suburban Roadway; and
- Highway or Hill Country Roadway (Unless the higher road runs parallel to the highway and is within 660 feet of the Highway or within 1,000 feet of the Hill Country Roadway (i.e., a highway development would not have to orient to the urban/Suburban Roadway next to a highway).

If a lot is adjacent to more than one street of equally high priority, the principal street is: the street with the highest level of transit service, as determined by the Director; or, if the streets do not have transit service or the level of transit service is equal, the street designated by the lot owner.

### **Shaded Sidewalk**

For purposes of this Subchapter, a shaded sidewalk shall be any one of the following:

- A sidewalk at least ten feet wide made of pervious concrete with shade trees at 20-foot intervals, or of standard concrete with the trees planted in grates. At least 50 percent of the shade trees must come from the approved list of the Environmental Criteria Manual.
- A five-foot sidewalk adjacent to a landscape strip at least ten feet wide planted with shade trees at 20-foot intervals. At least 50 percent of the shade trees must come from the approved list of the Environmental Criteria Manual.
- A sidewalk at least six feet wide covered with weather-protection materials (such as awnings).

### **Street-Facing Facade**

A wall of a building that is within 60 degrees of parallel to a street lot line; and is not behind another wall, as determined by measuring perpendicular to the street lot line. The length of a street-facing facade is measured parallel to the street lot line.

### **Street Tree/Furniture Zone**

An area adjacent to the curb in which street trees are planted and street furniture such as newspaper boxes are placed.

### **Suburban Roadways**

All roadways that are not Transit, Hill Country, Highway, or Urban Roadways.

### **Supplemental Zone**

An area between the clear zone and the building edge for active public uses such as a plaza, outdoor café or patio.

### **Trademarked Design Feature**

An external design feature, including colors, shapes, and materials, of a building that is trademarked by a building occupant.

### **Urban Roadways**

Urban Roadways are roads located within the following boundaries other than those designated as Core Transit Corridors and Highways:

*Northern Boundary:* Mesa to Loop 360, Loop 360 to Great Hills, Great Hills to Braker, Braker to Burnet, Burnet to 183, 183 to Manor

*Eastern Boundary:* Manor to Airport Blvd, Airport Blvd to 7th, 7th to Pleasant Valley to Ben White Blvd.

*Southern Boundary:* Ben White

*Western Boundary:* Mopac except for area bounded by Lake Austin Blvd., Exposition, Windsor, Pecos, 38th, Balcones, Mesa, Spicewood Springs.

**Vertical Mixed Use Building**

A building that meets the requirements set forth in Section 4.3.1 of this Subchapter.