

ORDINANCE NO. 20061005-052

AN ORDINANCE AMENDING SECTION 25-2-766.04 AND CHAPTER 25-2, APPENDIX D OF THE CITY CODE TO ESTABLISH HIGHLAND MALL AND SOUTH IH-35 PARK AND RIDE TRANSIT ORIENTED DISTRICTS; AND AMENDING SECTIONS 25-2-766.13 AND 25-2-766.14 OF THE CITY CODE RELATING TO SITE DEVELOPMENT AND PARKING REGULATIONS FOR A TRANSIT ORIENTED DEVELOPMENT DISTRICT.

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

PART 1. Section 25-2-766 04(A) (*Transit Oriented Development Districts Established And Classified*) of the City Code is amended to add Paragraphs (8) and (9) to read

- (8) The Highland Mall TOD district is established as a town center TOD district
- (9) The South IH-35 Park and Ride TOD district is established as a town center TOD district

PART 2. Section 25-2-766 13 (*Site Development Regulations*) of the City Code is amended to amend Subsections (B) and (D) to read

(B) The maximum front yard and street side yard setbacks are 15 feet, except the director of the Neighborhood Planning and Zoning Department [~~Watershed Protection and Development Review Department~~] may modify a maximum setback if the director determines that

- (1) the modification is required to protect a historic structure or a tree designated as significant by the city arborist, or
- (2) the modification allows an alternative development design that is compatible with and supportive of public transit and a pedestrian-oriented environment

(D) This subsection applies in a gateway zone

- (1) Building entrances are required
 - (a) on the principal street, and
 - (b) on a street with transit service, if any

- (2) This paragraph applies to a building that is constructed along a front yard or street side yard setback line
- (a) For a depth of at least 20 feet, the minimum distance between the finished ground floor of the building and the structural portion of the ceiling is 15 feet
 - (b) This requirement does not apply if the building is subject to Article 10 (*Compatibility Standards*) or if the director of the Neighborhood Planning and Zoning Department determines that the requirement is impractical because of site constraints
 - (c) The director of the Neighborhood Planning and Zoning Department may modify this requirement if the director determines that the modification allows an alternative development design that is compatible with and supportive of public transit and a pedestrian-oriented environment
- (3) This paragraph applies to a commercial or mixed-use building
- (a) For a ground level wall that faces a public street, at least 50 percent of the wall area that is between two and ten feet above grade must be constructed of glass with a visible transmittance rating of 0.6 or higher
 - (b) The director of the Neighborhood Planning and Zoning Department may modify this requirement if the director determines that the modification allows an alternative development design that is compatible with and supportive of public transit and a pedestrian-oriented environment

PART 3. Section 25-2-766 14(A) (*Parking Regulations*) of the City Code is amended to read

- (A) For a building with a front yard setback of 15 feet or less, parking is prohibited in the area between the front lot line and the building The director of the Neighborhood Planning and Zoning Department may modify this requirement if the director determines that
- (1) the modification is required to protect a historic structure or a tree designated as significant by the city arborist, or
 - (2) the modification allows an alternative development design that is compatible with and supportive of public transit and a pedestrian-oriented environment

PART 4. Chapter 25-2, Appendix D (*Transit Oriented District Boundaries And Zones*) of the City Code is amended to add Exhibits 8 and 9 to read as follows

APPENDIX D

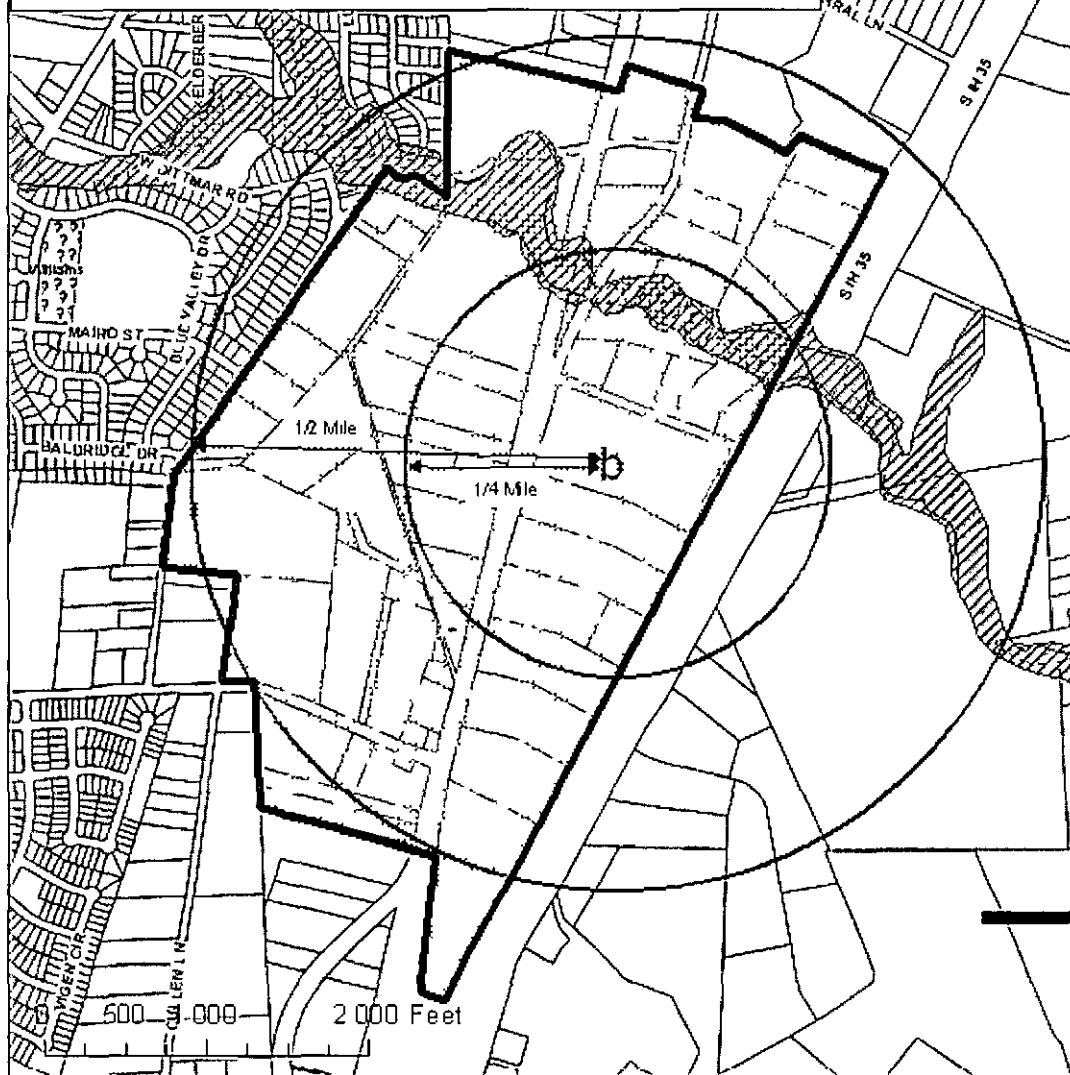
Exhibit 8

Highland Mall TOD District Boundaries And Zones

The boundaries and zones of the Highland Mall TOD district have not been established. The boundaries and zones of the TOD district are to be determined during the preparation of the station area plan and established by council.

Appendix D, Exhibit 9 S. IH-35 Transit-Oriented Development District

- b Future Rapid Bus Park-N-Ride (approx location)
▨ Floodplain
▭ TOD District (transition zone)



PART 5. This ordinance takes effect on October 16, 2006

PASSED AND APPROVED

October 5, 2006

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Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A Gentry
City Clerk