

ORDINANCE NO.

AN ORDINANCE AMENDING SUBCHAPTER E OF CITY CODE CHAPTER 25-2 RELATED TO DESIGN STANDARDS AND MIXED USE.

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

PART 1. The table in Section 1.2.1 (*General Applicability*) of City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to amend the portion of “Article 2: Site Development Standards” corresponding to Section 2.2 (*Relationship of Buildings to Streets and Walkways*) to read as follows:

ARTICLE 2: SITE DEVELOPMENT STANDARDS

2.2: Relationship of Buildings to Streets and Walkways	2.2.2. Core Transit Corridors: Sidewalks and Building Placement	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. Urban Roadways: Sidewalks and Building Placement	Urban Roadway	All non-residential zoning districts
	2.2.4. Suburban Roadways: Sidewalks and Building Placement	Suburban Roadway	All non-residential zoning districts
	2.2.5. Internal Circulation Routes: Sidewalks and Building Placement	Internal Circulation Route	All non-residential zoning districts (development of any site subject to the internal circulation system requirements in Section 2.3.1.)
	2.2.6. Building Entryways	Core Transit Corridor	All zoning districts
		- Suburban Roadway - Internal Circulation Route - Highway - Hill Country Roadway - Urban Roadway	All non-residential zoning districts

PART 2. The table in Section 1.2.1 (*General Applicability*) of City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to amend the portion of “Article 3: Building Design Standards” corresponding to Section 3.2 (*Pedestrian Frontages*) to read as follows:

ARTICLE 3: BUILDING DESIGN STANDARDS

3.2: Pedestrian Frontages	All standards	All roadway types	– Development of any <u>non-residential [commercial or civic] land use, except for congregate care facilities zoned MF for which the principal street is not a Core Transit Corridor</u> – Section applies to any publicly visible building frontage. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the side-wall) are exempt.
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PART 3. Section 1.4.2 (*Applicability*) of City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to read:

1.4.2. Applicability. The Director may approve minor modifications of any numeric development standard in this Subchapter 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 criteria in Section 1.4.4 (*Approval Criteria*) [Approval Criteria below] are met. A modified development standard is calculated by applying the percentage of modification allowed by the Director to the numeric requirement that would otherwise apply if the development standard was not modified. For example, if a building façade is required to have 40% glazing, which would equal 400 square feet glazing on a 1000-square foot façade, then a 10% minor modification would decrease the amount of required glazing by 40 square feet for a total of 360 square feet of required glazing. The minor modification process may be used only to authorize a less restrictive standard and may not be used to impose a standard on the subject property than is higher than otherwise provided in this Subchapter. 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;
- 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

1 D. A change in conditions attached to a ~~the approval of any~~ subdivision plan,
2 site plan, ~~or~~ special use permit, or restrictive covenant approved by the
3 City.
4

5 **PART 4.** Section 2.2.1 (*Overview of Roadway Types*) of City Code Chapter 25-2,
6 Subchapter E (*Design Standards and Mixed Use*) is amended to read:

7 **2.2.1. Overview of Roadway Types.**

8 **A. Purpose**

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

- 15 1. ~~[A.]~~ Core Transit Corridor;
16 2. ~~[B.]~~ Internal Circulation Route;
17 3. ~~[C.]~~ Urban Roadway;
18 4. ~~[D.]~~ Suburban Roadway; and
19 5. ~~[E.]~~ Highway or Hill Country Roadway.

20 **B. Applicability**

21 The roadway with the highest level of priority adjacent to the lot or site is
22 considered the “principal street” for purposes of this Subchapter. For a lot
23 or site that is adjacent to more than one roadway of equal priority, the
24 development shall be subject to the standards associated with the roadway
25 with the highest level of transit service, as determined by the Director, or if
26 the roadways do not have transit service or the level of transit service is
27 equal, the roadway designated by the lot owner. For large sites subject to
28 Section 2.3.1 or for sites abutting more than one roadway type, the Sidewalk
29 and Supplemental Zone requirements (but not the Building Placement and
30 Parking requirements) shall apply along all abutting streets or Internal
31 Circulation Route frontages, with the applicable requirements determined by
32 the roadway type.
33

34 **PART 5.** Section 2.2.2 (*Core Transit Corridors: Sidewalk and Building Placement*) of
35 City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to
36 amend Subsections (B), (B)(1), (B)(2), (B)(3), and (B)(4) to read:

1 **B. Sidewalks.**

2 In order to create an environment that is supportive of pedestrian and transit
3 mobility, public sidewalks shall be located along both sides of all Core
4 Transit Corridors in accordance with the requirements of this section.
5 Compliance with this section is required for all sites with frontage along a
6 Core Transit Corridor regardless of principal street designation or building
7 placement requirements, but a development located on one side of a street or
8 right-of-way is not required to provide sidewalks on the opposite side of the
9 street or right-of-way. A development that complies with the Great Streets
10 standards adopted by Resolution No. 040205-14, as now or hereafter
11 amended, is exempt from the requirements of this section and may seek any
12 reimbursements available under the Great Streets Development program.

13 For development that is subject to the requirements of this section, no ~~[No]~~
14 sidewalk shall be less than 15 feet in width, unless otherwise approved as
15 part of the site plan review process. The 15-foot minimum requirement shall
16 apply regardless of the available right-of-way. Where required, the sidewalk
17 shall extend onto private property to fulfill the 15-foot minimum
18 requirement, with a sidewalk easement provided.

19 Sidewalks shall consist of two zones: a planting ~~[street tree/furniture]~~ zone
20 located adjacent to the curb, and a clear zone. (See Figures 6 – 8.) The
21 following standards shall apply to these zones:

22 **1. Planting ~~[Street Tree/Furniture]~~ Zone.**

- 23 a. The planting ~~[street tree/furniture]~~ zone shall have a minimum
24 width of eight feet (from face of curb) and shall be continuous
25 and located adjacent to the curb.
- 26 b. The zone shall be planted with street trees at an average spacing
27 not greater than 30 feet on center, or up to 60 feet on center if
28 parallel or head-in parking is provided pursuant to Section
29 2.2.2.B.5. The director ~~[Director of Watershed Protection and~~
30 ~~Development Review]~~ shall adopt a list of acceptable street
31 trees for purposes of this section. The list shall emphasize
32 shade trees; however, alternative trees may only be approved
33 (pursuant to Section 2.2.2.B.3. below) where conflicts may
34 arise because of overhead utility lines.
- 35 c. In addition, the zone is intended for the placement of street
36 furniture including seating, street lights, waste receptacles, fire
37 hydrants, traffic signs, newspaper vending boxes, bus shelters,
38 bicycle racks, public utility equipment such as electric

1 transformers and water meters, and similar elements in a
2 manner that does not obstruct pedestrian access or motorist
3 visibility.

4 **2. Clear Zone.**

5 The clear zone shall be a minimum width of seven feet, shall be
6 hardscaped, shall be located adjacent to the planting [~~street~~
7 ~~tree/furniture~~] zone, and shall comply with ADA and Texas
8 Accessibility Standards. The clear zone shall be unobstructed by any
9 permanent or nonpermanent element for a minimum width of seven
10 feet and a minimum height of eight feet. (See Figures 6 – 11.)

11 **3. Utilities.**

12 a. All utility lines shall be underground from the building to the
13 property line. Utility lines within the right-of-way shall be
14 placed underground or relocated to the rear of the site to the
15 maximum extent practicable. See Figure 9.

16 b. Where electric utilities remain overhead and are located behind
17 the curb, an overhead utility zone shall be provided so that no
18 portion of the building is located within a 10-foot radius of the
19 energized conductor. This overhead utility zone shall be in
20 addition to the minimum planting [~~street tree/furniture~~] zone,
21 clear zone, and supplemental zone (if provided). Options for
22 street tree planting and sidewalk placement in combination with
23 overhead utilities are illustrated in Figures 10 and 11.

24 c. On lots with a depth of 120 feet or less and where electric
25 utilities remain overhead and are located behind the curb,
26 alternative trees from the list identified in Section 2.2.2.B.1.b.
27 above may be used so that the trees can be located beneath,
28 rather than offset from, the overhead electric utilities.

29 **4. Alternative Requirements For Shallow Lots.**

30 On lots with a depth of 150 feet or less, the total sidewalk may be
31 reduced to 12 feet, consisting of a seven-foot minimum planting
32 [~~street tree/furniture~~] zone and a five-foot clear zone.
33

34 **PART 6.** Section 2.2.2 (*Core Transit Corridors: Sidewalk and Building Placement*) of
35 City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to
36 amend Subsection (C)(2) to read:

- 1 2. The following elements may be located within the supplemental zone
2 if they support active public uses:
- 3 a. Accessory outdoor dining, provided that the dining area may be
4 separated from the sidewalk only with planters, shrubs, or
5 fencing with a maximum height of 42 inches (See Figure 15.);
- 6 b. Balconies, pedestrian walkways, porches, handicap ramps, and
7 stoops; provided, however, that no such feature shall extend
8 beyond the supplemental zone without a license agreement;
- 9 c. Terraces, provided that they have a maximum finished floor
10 height of 24 inches above the sidewalk elevation and shall be
11 surrounded by a guardrail that meets city specifications;
- 12 d. Landscape and water features;
- 13 e. Plazas; and
- 14 f. Incidental display and sales.

15
16 **PART 7.** Section 2.2.2 (*Core Transit Corridors: Sidewalk and Building Placement*) of
17 City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to
18 amend Subsection (D)(4) to read:

19 **4. Exception: Pad-site Building with Drive-In or Drive-Through.**

20 A lot or site containing a drive-in or drive-through building may
21 include a circulation lane of up to 20 feet in width between the
22 building and the curb if the site has only one point of access to a
23 public roadway. ~~[When a pad-site building with a drive-in or drive-~~
24 ~~through is only permitted a single curb cut, the building site may~~
25 ~~contain a circulation lane between the building and the curb, and the~~
26 ~~building behind the circulation aisle does not have to be brought to the~~
27 ~~clear zone (or supplemental zone).]~~ The drive-in or drive-through
28 building located behind the circulation lane need not be built up to the
29 clear zone, but the [The] circulation lane may not have parking and
30 must contain an ~~[cannot be wider than 20 feet. An]~~ accessible and
31 clearly marked walkway that crosses the circulation aisle and connects
32 ~~[shall be provided to connect]~~ the clear zone to ~~[and]~~ the building's
33 principal entrance. (See Figure 19.)
34

35 **PART 8.** Section 2.2.3 (*Urban Roadways: Sidewalks and Building Placement*) of City
36 Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to
37 amend Subsections (B) and (B)(1) to read:

1 **B. Sidewalks.**

2 Public sidewalks shall be located along both sides of all Urban Roadways[-]
3 in accordance with the requirements of this section. Compliance with this
4 section is required for all sites with frontage along an Urban Roadway
5 regardless of principal street designation or building placement
6 requirements, but a development located on one side of a street or right-of-
7 way is not required to provide sidewalks on the opposite side of the street or
8 right-of-way. A development that complies with the Great Streets standards
9 adopted by Resolution No. 040205-14, as now or hereafter amended, is
10 exempt from the requirements of this section and may seek any
11 reimbursements available under the Great Streets Development program.

12 For development that is subject to the requirements of this section, sidewalks
13 [~~Sidewalks~~] shall be no less than 12 feet in width, unless otherwise approved
14 as part of the site plan review process. (See Figure 23.) The 12-foot
15 minimum requirement shall apply regardless of the available right-of-way.
16 Where required, the sidewalk shall extend onto private property to fulfill the
17 12-foot minimum requirement, with a sidewalk easement provided.

18 Sidewalks shall consist of two zones: a street tree/furniture zone located
19 adjacent to the curb, and a clear zone. The following standards apply:

20 1. **Planting [Street Tree/Furniture] Zone.**

21 The planting [street tree/furniture] zone shall have a minimum width
22 of seven feet and shall be continuous and located adjacent to the curb.
23 In addition, the planting zone is intended for the placement of street
24 furniture including seating, street lights, waste receptacles, fire
25 hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle
26 racks, public utility equipment such as electric transformers and water
27 meters, and similar elements in a manner that does not obstruct
28 pedestrian access or motorist visibility.

29
30 **PART 9.** Section 2.2.3 (*Urban Roadways: Sidewalks and Building Placement*) of City
31 Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to
32 amend Subsection (D)(2) to read:

33 2. **Exception: Pad-site Building with Drive-In or Drive-Through.**

34 A lot or site containing a drive-in or drive-through building may
35 include a circulation lane of up to 20 feet in width between the
36 building and the curb if the site has only one point of access to a
37 public roadway. [~~When a pad-site building with a drive-in or drive-~~
38 through is only permitted a single curb cut, the pad building site may

1 ~~contain a circulation lane between the building and the curb, and that~~
2 ~~building behind the circulation aisle does not have to be brought to the~~
3 ~~clear zone (or supplemental zone), pursuant to Section 2.2.2.D.4. and~~
4 ~~Figure 19.]~~ The drive-in or drive-through building located behind the
5 circulation lane need not be built up to the clear zone, but the
6 circulation lane may not have parking and must contain an accessible
7 and clearly marked walkway that crosses the circulation aisle and
8 connects to the clear zone to the building's principal entrance. (See
9 Figure 19).

10
11 **PART 10.** Section 2.2.4 (*Suburban Roadways: Sidewalks and Building Placement*) of
12 City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to
13 amend Subsection (B) to read:

14 **B. Sidewalks.**

15 Public sidewalks shall be located along both sides of all Suburban Roadways
16 in accordance with the requirements of this section. Compliance with this
17 section is required for all sites with frontage along an Suburban Roadway
18 regardless of principal street designation or building placement
19 requirements, but a development located on one side of a street or right-of-
20 way is not required to provide sidewalks on the opposite side of the street or
21 right-of-way. Sidewalks and supplemental zones shall comply with the
22 standards for sidewalks along Urban Roadways in Section 2.2.3. above.

23
24 **PART 11.** Section 2.2.4 (*Suburban Roadways: Sidewalks and Building Placement*) of
25 City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to
26 amend Subsection (C)(2) to read:

27 **2. Exception: Pad-site Building with Drive-In or Drive-Through**

28 A lot or site containing a drive-in or drive-through building may
29 include a circulation lane of up to 20 feet in width between the
30 building and the curb if the site has only one point of access to a
31 public roadway. [When a pad site building with a drive in or drive-
32 through is only permitted a single curb cut, the pad building site may
33 ~~contain a circulation lane between the building and the curb, and that~~
34 ~~building behind the circulation aisle does not have to be brought to the~~
35 ~~clear zone (or supplemental zone), pursuant to Section 2.2.2.D.4. and~~
36 ~~Figure 19.]~~ The drive-in or drive-through building located behind the
37 circulation lane need not be built up to the clear zone, but the
38 circulation lane may not have parking and must contain an accessible
39 and clearly marked walkway that crosses the circulation aisle and

1 connects to the clear zone to the building's principal entrance. (See
2 Figure 19).

3
4 **PART 12.** Section 2.2.6 (*Building Entryways*) of City Code Chapter 25-2, Subchapter E
5 (*Design Standards and Mixed Use*) is amended to amend Subsections (A) and (B)(1) to
6 read:

7 **A. Applicability**

8 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 - <u>Internal Circulation Route</u> - Highway - Hill Country Roadway - Urban Roadway	All non-residential zoning districts

9
10 **B. Standards**

- 11 1. At least one customer entrance must [~~should~~] face and connect
12 directly to the [principal street] roadway or Internal Circulation Route
13 where building frontage is provided consistent with the requirements
14 of this Subchapter. A building entrance is not required under this
15 subsection if [and connect directly to the sidewalk along the principal
16 street, unless] the following requirements are met:
- 17 a. [~~Regardless of the applicable building frontage requirements of~~
18 ~~Sections 2.2.2 through 2.2.5., at]~~ At least 80 percent of the net
19 frontage length along the principal street must consist of
20 continuous building façade that is built up to the clear zone (or
21 supplemental zone if provided), regardless of the applicable
22 building frontage requirements of Sections 2.2.2. through 2.2.5;
 - 23 b. The building must have a continuous shaded sidewalk linking
24 the principal street and the building's principal entrance;
 - 25 c. The entrance must be less than 100 feet from the street-facing
26 façade line of the building; and
 - 27 d. A row of shade trees between the building and the parking area
28 must [~~shall~~] be provided at an average spacing not greater than
29 30 feet on center (See Figure 36).

PART 13. Section 3.2.1 (*Applicability*) of City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to read:

1.1.1. 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	- Development of any non-residential land use, <u>except for congregate care facilities zoned MF for which the principal street is not a Core Transit Corridor</u> - This section applies to any publicly visible building frontage. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewall) are exempt.

PART 14. Section 3.2.2 (*Glazing on Building Facades*) of City Code Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to read:

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 minimum glazing requirements, but may provide additional glazing beyond what is required under this section [~~not be limited to the areas discussed~~]:

- A. On the façade facing the [~~principal street~~] roadway or Internal Circulation Route where building frontage is provided under the requirements of this Subchapter:
 - 1. [~~At least~~] 40 percent of the wall area that is between two and ten feet above grade shall consist of glazing (See Figure 46.); and
 - 2. [~~The~~] 25 percent of the second floor wall area that is [~~must provide a minimum of 25 percent glazing~~] between three and eight feet, as measured from that story’s finished floor level. (See Figure 44.)
- 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 unless vegetative screening, which must be evergreen, or other methods of screening are used to screen these facades from the view of the public. This

1 glazing requirement shall not apply if the building code prohibits windows
2 on such facades.

3 C. If a single-story building has a façade taller than 20 feet, the façade area
4 above 15 feet is subject to the same window requirement as the second
5 floor requirement in [~~Subsection 1~~] Section 3.2.2.A.2.

6 D. Any façade that is built up to an interior mid-block property line is not
7 required to have glazing on that façade if no prohibitions and no contractual
8 or legal impediments exist that would prevent a building being constructed
9 on the adjacent property up to the wall of the façade.

10 E. At least one-half of the total area of all glazing on ground-floor facades that
11 face the principal street shall have a Visible Transmittance (VT) of 0.6 or
12 higher.

13 F. The requirements in this section may be reduced to the extent that the
14 required level or location of glazing conflicts with the standards of the
15 Energy Code or the Green Building Program.

16
17 **PART 15.** Section 3.2.3 (*Shade and Shelter*) of City Code Chapter 25-2, Subchapter E
18 (*Design Standards and Mixed Use*) is amended to read:

19 **3.2.3. Shade and Shelter**

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

25 A. A shaded sidewalk [~~shall~~] must be provided alongside at least 50 percent of:

26 1. [~~all~~] the roadway or Internal Circulation Route where building
27 frontage [~~frontages~~] is provided under the requirements of this
28 Subchapter; and

29 2. any parking adjacent to the building [~~adjacent to or facing the~~
30 ~~principal street or adjacent parking~~].

31 B. When adjacent to parking, the shaded sidewalk shall be raised above the
32 level of the parking by way of a defined edge. ADA ramps alongside the
33 building must also be shaded. (See Figure 47.)

34 C. [~~B.~~] Building entrances shall be located under a shade device such as an awning
35 or portico.

1 **PART 16.** Section 4.3.2 (*Where Allowed*) of City Code Chapter 25-2, Subchapter E
2 (*Design Standards and Mixed Use*) is amended to read:

3 **4.3.2. Where Allowed**

- 4 A. A VMU building is allowed on properties [~~in the following zoning districts~~]:
- 5 1. Within the Mixed use (MU) combining district; [and]
- 6 2. Within the Vertical mixed use (VMU) overlay district, subject to the
7 limitations of Section 4.3.5.C; and
- 8 3. That are not located within the MU combining district or VMU
9 overlay, but which have:
- 10 a. Opted-in under the process provided for under Section
11 4.3.5.C.3; or
- 12 b. Obtained a conditional use permit for VMU, subject to the
13 limitations in Section 4.3.2.B.

14
15 **PART 17.** Section 4.3.3 (*Standards*) of City Code Chapter 25-2, Subchapter E (*Design*
16 *Standards and Mixed Use*) is amended to amend Subsection (F) to read:

17 **F. Affordability Requirements**

18 To be eligible for the dimensional [~~and~~] or parking standards exemptions in
19 subsection E. above, the residential units in a VMU building shall meet the
20 following affordability requirements, which shall run with the land. This
21 ordinance does not amend or repeal graphics or pictures that are used to
22 illustrate various code requirements in the published version of Chapter 25-
23 2, Subchapter E (*Design Standards and Mixed Use*).

24
25 **PART 18.** Section 4.3.4 (*Development Bonuses*) of City Code Chapter 25-2, Subchapter
26 E (*Design Standards and Mixed Use*) is amended to read:

27 **4.3.4. Development Bonuses and Expedited Review of Residential Parking Permit**
28 **Districts**

29 **A. Bonuses for VMU Buildings**

30 A building [~~development~~] that contains at least 100 lineal feet of VMU building
31 frontage along the principal street is [~~shall be~~] entitled to the following
32 development bonuses:

- 33 1. [~~A.~~] The queuing requirements of Chapter 25-6, Appendix A, shall be
34 reduced by 50 percent for each drive-through service in the development, so

1 long as sufficient on-site queuing space exists to ensure queuing does not
2 occur within the public right-of-way.

3 2. [~~B.~~] The number of connectivity options needed to comply with Section
4 2.3.2. of this Subchapter shall be reduced by two for each 100 lineal feet of
5 VMU buildings.

6 3. [~~C.~~] All buildings in the development may aggregate points for building
7 design in Section 3.3 of this Subchapter, rather than each building needing
8 the minimum number of points.

9 4. [~~D.~~] Except for in the Barton Springs Zone or the Waterfront Overlay
10 combining district, impervious cover existing as of the effective date of this
11 Subchapter may be retained for redevelopment purposes for VMU buildings
12 no taller than 60 feet and their accompanying structured parking, so long as
13 the redevelopment meets current water quality standards and, for projects in
14 the Drinking Water Protection Zone, the redevelopment incorporates the
15 following measures to provide additional water quality benefits, pursuant to
16 administrative rules to be developed by the director [~~Director of the~~
17 ~~Watershed Protection and Development Review Department~~]:

18 a. [~~1.~~] Rainwater collection and reuse;

19 b. [~~2.~~] Pervious pavement;

20 c. [~~3.~~] Integrated pest management; and

21 d. [~~4.~~] Native and adapted landscaping.

22 **B.[~~E.~~] Expedited Review for Residential Permit Parking Districts.**

23 Neighborhoods that do not opt out of the VMU overlay district pursuant to
24 the process established in Section 4.3.5. shall receive expedited review of
25 applications to establish Residential Permit Parking (RPP) districts, for
26 blocks starting within 600 feet of the portion of the Core Transit Corridor or
27 Future Core Transit Corridor within the VMU overlay. The application
28 process shall proceed in the following manner:

- 29 1. A petition shall be circulated among all (100%) households within the
30 proposed permit parking area. A minimum of 66.7% (two-thirds) of
31 the signatures must be in a favor of the program. Only one signature
32 for each household will be considered. A household is defined as a
33 residence with a separate mailing address, phone number and/or utility
34 bill. Multi-family properties of more than six units may be considered

1 one household; in such cases, only the owner or manager of the
2 property shall be allowed to sign the petition. The applicable
3 Neighborhood Association must endorse the resident's request for the
4 Residential Permit Parking program.

5 2. The City's requirement, which would otherwise apply, that a
6 minimum of seventy-five percent (75%) of the available on-street
7 parking spaces must be occupied during peak parking hours (as
8 determined by the neighborhood) of any two days during a two week
9 period shall be waived.

10 3. Following the collection of the required signatures and delivery of all
11 necessary RPP request documentation to City staff, staff shall review
12 and act on the application within two weeks. Notice shall be sent to
13 affected residents and the applicable neighborhood association, and
14 signs shall be installed, within six weeks of approval.

15
16 **PART 19.** Section 4.3.5 (*Individual Neighborhood Consideration of VMU Requirements*
17 (*"Opt-in/Opt-out Process"*)) of City Code Chapter 25-2, Subchapter E (*Design Standards*
18 *and Mixed Use*) is amended to amend to Subsection B.5 to read:

19 5. **Effect of Approval.** Following completion of this one-time opt-
20 in/opt-out process:

21 a. The director shall indicate on the zoning map with map code
22 "V" each property receiving [~~for which council has approved~~]
23 an exemption from the dimensional standards under Section
24 4.3.3.E.2, a parking reduction under Section 4.3.3.E.3,
25 additional ground floor commercial uses under Section
26 4.3.3.C.2, or a reduction in the median family income for
27 affordable rental housing under Section 4.3.3.F.2.b.

28 b. Any subsequent amendments to the VMU standards in a
29 neighborhood shall require amendment of the applicable
30 neighborhood plan and neighborhood plan combining district.

31 c. Any property owner or neighborhood association may submit
32 an application to change the VMU rules on a specific property
33 or properties by amending the applicable neighborhood plan
34 and neighborhood plan combining district to opt-in to the
35 exemption from the dimensional standards of Section 4.3.3.E.2
36 and/or for the parking reduction of Section 4.3.3.E.3 and/or the
37 additional ground-floor uses identified by Section 4.3.3.C.2.
38

1 **PART 20.** Section 4.3.5 (*Individual Neighborhood Consideration of VMU Requirements*
2 (*“Opt-in/Opt-out Process”*)) of City Code Chapter 25-2, Subchapter E (*Design Standards*
3 *and Mixed Use*) is amended to amend to Subsection C.3 to read:

4 3. **Properties Not in VMU Overlay District and without MU**
5 **Designation: Opt-in to VMU.**

6 Any neighborhood that desires to allow VMU buildings within its
7 boundaries on commercially zoned properties that are not otherwise
8 eligible for VMU buildings under this Subchapter may submit an
9 “opt-in” application to allow such development. The application shall
10 specify the properties on which the neighborhood wishes to allow
11 VMU buildings, whether the ground-floor commercial listed in
12 Section 4.3.3.C.2. should be allowed, and whether the dimensional
13 standard exemptions of Section 4.3.3.E.2. and 3. should apply.
14

15 **PART 21.** The definition of “Nonresidential Zoning Districts” in Article 5 (*Definitions*)
16 of Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) is amended to read:

17 **Nonresidential Zoning Districts**

18 The following are the City of Austin nonresidential zoning districts for purposes of this
19 Subchapter:

- 20 • NO • W/LO
21 • P • CS
22 • LO • CS-1
23 • CS • CH
24 • GO • IP
25 • CR • MI
26 • LR • LI
27 • GR • R&D
28 • CH

29
30 **PART 22.** The definition of “Publicly Visible” in Article 5 (*Definitions*) of Chapter 25-
31 2, Subchapter E (*Design Standards and Mixed Use*) is amended to read:

32 **Publicly Visible**

