

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE AMENDING CHAPTER 25-2 OF THE CITY CODE TO  
2 CREATE THE EAST RIVERSIDE CORRIDOR (ERC) ZONING DISTRICT AND  
3 PROVIDING FOR A REGULATING PLAN ESTABLISHING USE AND SITE  
4 DEVELOPMENT REGULATIONS FOR THE ERC DISTRICT; TO ADOPT THE  
5 REGULATING PLAN FOR THE ERC DISTRICT; AND TO APPROVE A  
6 COLLECTOR PLAN UNDER SECTION 25-6 ARTICLE 2 (*RESERVATION AND*  
7 *DEDICATION OF RIGHT-OF-WAY*) OF THE CITY CODE FOR THE EAST  
8 RIVERSIDE CORRIDOR AREA.

9  
10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

11  
12 **PART 1.** Subsection (E) of Section 25-2-32 (*Zoning Districts and Map Codes*) of the  
13 City Code is amended to read:

14 (E) Special purpose base districts and map codes are as follows:

- |    |                                  |            |
|----|----------------------------------|------------|
| 15 | (1) development reserve          | DR         |
| 16 | (2) aviation services            | AV         |
| 17 | (3) agricultural                 | AG         |
| 18 | (4) planned unit development     | PUD        |
| 19 | (5) public                       | P          |
| 20 | (6) traditional neighborhood     | TN         |
| 21 | (7) transit oriented development | TOD        |
| 22 | (8) North Burnet/Gateway         | NBG        |
| 23 | (9) East Riverside Corridor      | <u>ERC</u> |

24 **PART 2.** Chapter 25-2, Subchapter A, Article 2, Division 5 (*Special Purpose Districts*)  
25 of the City Code is amended to add a new section 25-2-149 to read:

26 **§25-2-149. EAST RIVERSIDE CORRIDOR (ERC) DISTRICT.**

- 27 (A) East Riverside Corridor (ERC) district is the designation for an identified area of  
28 existing auto-oriented commercial and multifamily uses that is the subject of an  
29 approved master plan for redevelopment of the area into an urban mixed-use

1 neighborhood that is more pedestrian friendly and takes advantage of access to  
2 existing and future transit options and the area's key position in the urban core.

- 3 (B) An ERC designation may be applied only within the boundaries identified in the  
4 East Riverside Corridor Regulating Plan.

5 **PART 3.** Chapter 25-2, Subchapter C, Article 3 (*Additional Requirements for Certain*  
6 *Districts*) of the City Code is amended to add a new Division 12 to read:

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8 **Division 12. East Riverside Corridor District Requirements.**

9 **§25-2-768.01. APPLICABILITY.**

10 This division applies in the East Riverside Corridor (ERC) district.

11 **§25-2-768.02 REGULATING PLAN.**

- 12 (A) Council by ordinance shall adopt and may at any time amend a regulating plan for  
13 the ERC district that:
- 14 (1) establishes the permitted and conditional uses;
  - 15 (2) prescribes site development regulations, including maximum and minimum  
16 development parameters;
  - 17 (3) prescribes requirements for street, streetscape, and other public area  
18 improvements; and
  - 19 (4) establishes other appropriate regulations or modifies or waives a requirement  
20 of this title.
- 21 (B) For property governed by this division, this division and a regulating plan adopted  
22 under this section supersedes the other provisions of this title to the extent of  
23 conflict.
- 24 (C) The site development standards in Article 4.2 (*General Development Standards*) of  
25 the Regulating Plan are the only parts of the regulating plan that are requirements of  
26 Chapter 25-2 (*Zoning*) of the City Code for purposes of Section 25-2-472 (*Board of*  
27 *Adjustment Variance Authority*) of the City Code.
- 28 (D) Except for amendments to Figure 1-2 (*East Riverside Corridor Subdistrict Map*),  
29 amendments to the regulating plan are subject to the procedures prescribed by  
30 Section 25-1-502 (*Amendment: Review*) for amendments to Title 25 and not the  
31 procedures prescribed by Chapter 25-2, Subpart B (*Zoning Procedures*).

1 (E) Amendments to Figure 1-2 (*East Riverside Corridor Subdistrict Map*) of the  
2 regulating plan are subject to the procedures prescribed by Chapter 25-2, Subpart B  
3 (*Zoning Procedures*). Approved amendments to Figure 1-2 will also be reflected as  
4 necessary in Figure 1-7 (*East Riverside Corridor Height Map*) and Figure 1-8 (*East*  
5 *Riverside Corridor Development Bonus Height Map*) of the regulating plan.

6 **PART 4.** Chapter 25-2, Subchapter E, Subsection 1.2.3.A (*General Exemptions*), is  
7 amended to read:

8 **1.2.3. Exemptions.**

9 A. **General Exemptions.** The following types of development are exempt from  
10 the requirements of this Subchapter:

- 11 1. Development that does not require a site plan under Chapter 25-5;
- 12 2. Development in the following zoning districts:
  - 13 a. Agricultural (AG) district;
  - 14 b. Aviation (AV) district; and
  - 15 c. Traditional neighborhood (TN) district.
- 16 3. Development built pursuant to the overlay district provisions of the  
17 university neighborhood overlay (UNO) district;
- 18 4. Development built pursuant to an adopted transit station area plan;
- 19 5. Development built pursuant to the Robert Mueller Municipal Airport  
20 Redevelopment Plan;
- 21 6. Development built pursuant to an adopted downtown plan;
- 22 7. Development of an industrial use or data center; ~~and~~
- 23 8. Interior remodeling of a building;
- 24 9. Development built pursuant to the regulating plan for the North  
25 Burnet/Gateway (NBG) district; and
- 26 10. Development built pursuant to the regulating plan for the East  
27 Riverside Corridor (ERC) district.

1 **PART 5.** Council adopts “The Regulating Plan for the East Riverside Corridor Zoning  
2 District, Austin, Texas,” attached to this ordinance as Exhibit A, as the regulating plan for  
3 the ERC district.

4 **PART 6.** Council approves Figure 1-5 of “The Regulating Plan for the East Riverside  
5 Zoning District, Austin, Texas” as a collector plan for purposes of Section 25-6, Article 2  
6 (*Reservation and Dedication of Right-of-Way*) of the City Code. Alignments shown in the  
7 collector plan are approximate and may be adjusted for purposes of determining  
8 alignments under Section 25-6-54 (*Alignment*) of the City Code.

9  
10 **PART 7.** This ordinance takes effect on \_\_\_\_\_, 2012.

11 **PASSED AND APPROVED**

12  
13 §  
14 §  
15 \_\_\_\_\_, 2012 § \_\_\_\_\_

16 Lee Leffingwell  
17 Mayor

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19  
20 **APPROVED:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_

21 Karen M. Kennard  
22 City Attorney

23 Shirley A. Gentry  
City Clerk