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DRAFT ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 20090312-035 TO MODIFY THE NORTH BURNET/GATEWAY ZONING DISTRICT REGULATING PLAN TO INCREASE THE MAXIMUM FLOOR TO AREA RATIO AND BUILDING HEIGHT IN THE COMMERCIAL MIXED -USE GATEWAY ZONE SUBDISTRICT WHEN USING A DEVELOPMENT BONUS.

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

PART 1. The North Burnet/Gateway zoning district is comprised of approximately 1,443 acres of land, locally known as the area generally bounded by Metric Boulevard to the east; U.S. Highway 183 to the south and west; and Braker Lane, North Mopac Expressway, and Walnut Creek to the north and northwest, in the City of Austin, Travis County, Texas.

PART 2. The North Burnet/Gateway zoning district was approved on March 12, 2009, under Ordinance No. 20090312-035 and amended under Ordinance Nos. 20111208-098, 20120322-088, 20130425-104, 20140828-159, 20180628-088, 20190207-057, 20201210-073, 20211014-079, 20220127-082, and 20220609-101.

PART 3. The Regulating Plan for the North Burnet/Gateway Zoning District (the “Regulating Plan”) identifies and defines subdistricts within the plan area and established boundaries for each subdistrict with a maximum building height and maximum floor-to-area ratio (FAR) when using a development bonus.

PART 4. The Regulating Plan allows a maximum floor-to-area ratio (FAR) 8:1 and a maximum height of 308 feet with a development bonus in the Commercial Mixed – Use (CMU) Gateway Zone Subdistrict.

PART 5. Figure 4-3 of the Regulating Plan is amended to make the maximum floor-to-area ratio (FAR) 12:1 with a development bonus in the Commercial Mixed – Use (CMU) Gateway Zone Subdistrict, as shown in **Exhibit “A”**.

PART 6. Figure 4-5 of the Regulating Plan is amended to make the maximum height 420 feet with a development bonus in the Commercial Mixed – Use (CMU) Gateway Zone Subdistrict, as shown on **Exhibit “B”**.

PART 7. Figure 4-1 of the Regulating Plan is amended to read that the maximum floor-to-area ratio (FAR) is 12:1 with a development bonus and the maximum height is 420 feet with a development bonus in the Commercial Mixed – Use (CMU) Gateway Zone Subdistrict, as shown on **Exhibit “C”**.

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PART 8. Figure 4-1, Figure 4-3, and Figure 4-5 attached as Exhibits “A”, “B” and “C”, are incorporated into the Regulating Plan, and the revised figures shall be substituted where appropriate in the Regulating Plan documents.

PART 9. This ordinance takes effect on _____, 2022.

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Figure 4-3 : Maximum Floor - to - Area- Ratio (FAR) with Development Bonus

Revised 08-16-22

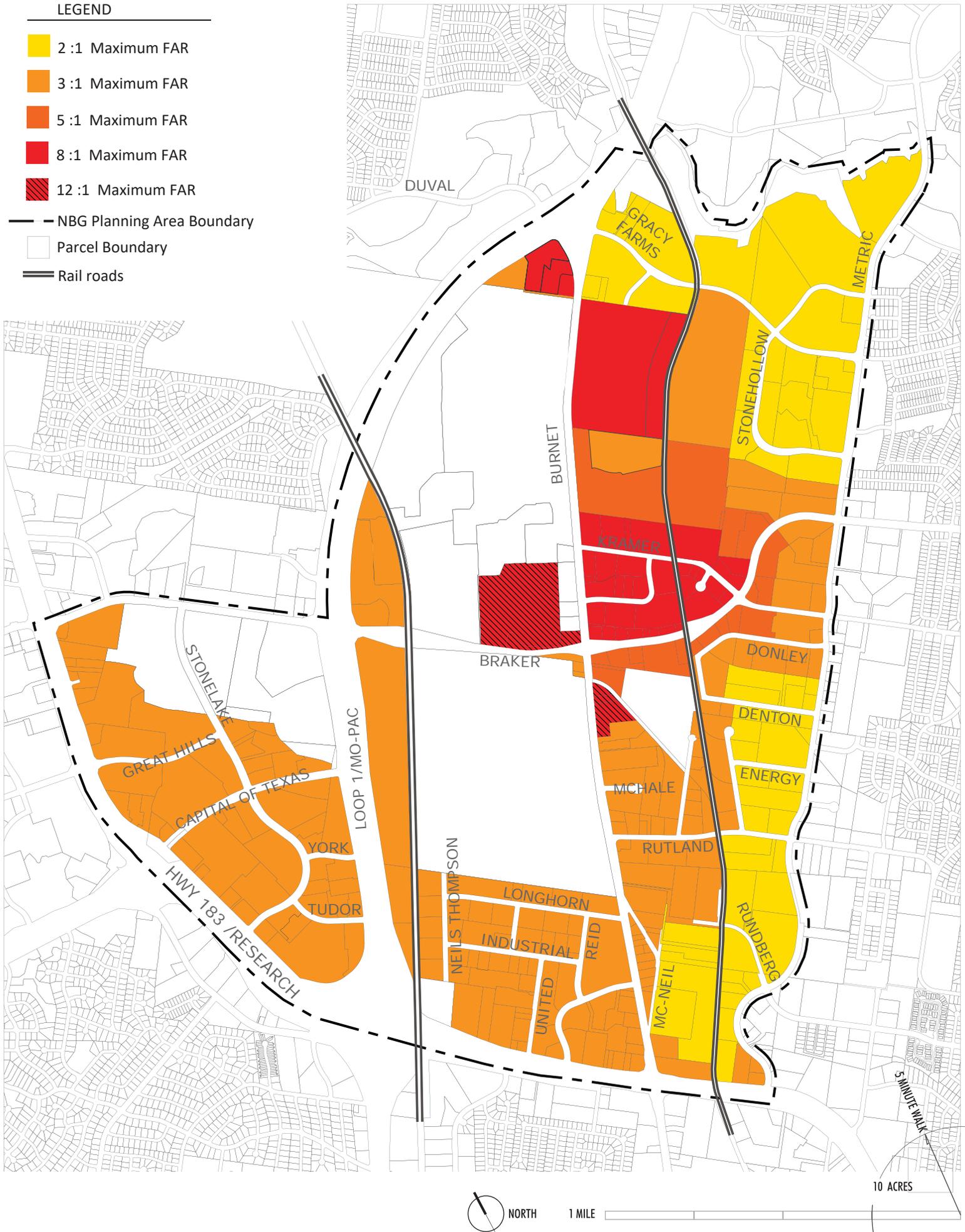


Figure 4-5: Maximum Height with Development Bonus

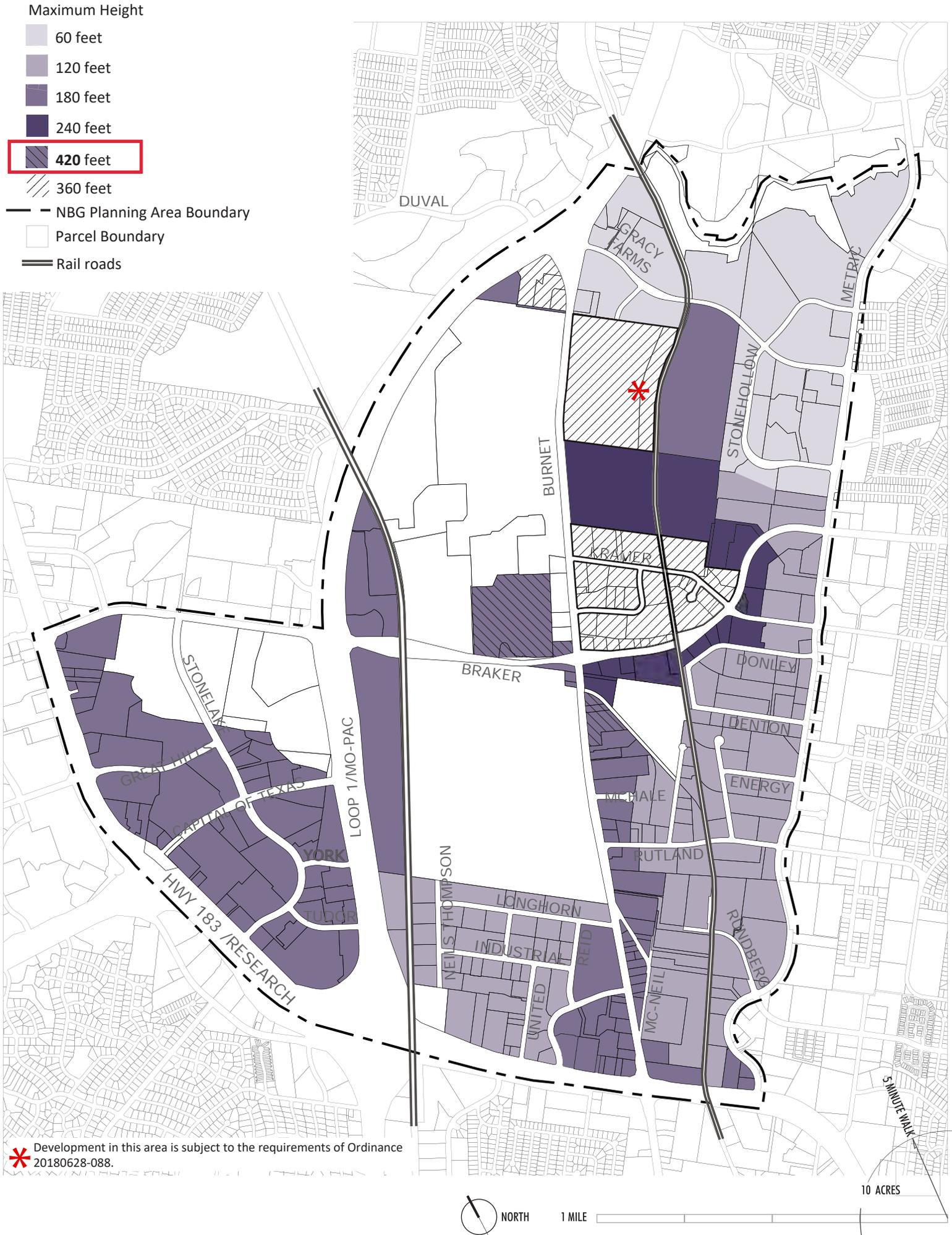


FIGURE 4 - 1 CMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS

COMMERCIAL MIXED USE (CMU) SUBDISTRICT

LOT SIZE	
Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Front and Street Side Upper-Story Building Facade Stepbacks:	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
Interior Side Yard:	0 Feet
Rear Yard:	0 Feet
* If the street 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 center line of the street to ensure fire access.	

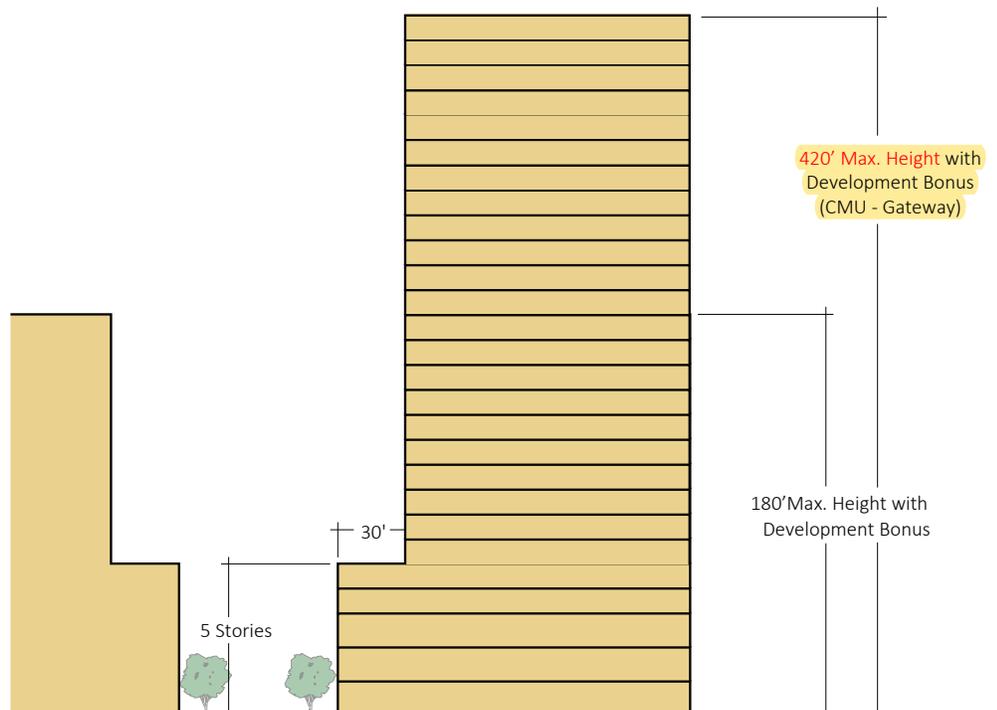
FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus:	
CMU Zone	3:1
CMU Gateway Zone	12:1
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	



BUILDING HEIGHT	
Minimum Building Height:	
Not applicable	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus*:	
CMU Zone	180 Feet
CMU Gateway Zone	420 feet
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	
* Exception: If adjacent to or across the street from NR Subdistrict the maximum height is 120 feet.	

MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of this Document.)	
If located in a suburban watershed (Walnut Creek)*: 80%	
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

Typical examples of buildings in the Commercial Mixed Use Subdistrict.



PLATTING REQUIREMENTS	
If located in the CMU Gateway Zone:	
Section 24-4-171 (<i>Access to Lots</i>) of the City Code is modified to permit a lot to abut a dedicated public street or a Major Internal Drive.	