

## ORDINANCE AMENDMENT REVIEW SHEET

**Amendment:** C20-2022-006 Regulating Plan for the North Burnet/Gateway Zoning District

**Description:**

Consider an ordinance amending Title 25 of the City Code to modify the Commercial Mixed Use - Gateway Zone Subdistrict of the North Burnet/Gateway Regulating Plan to increase the maximum floor-to-area ratio (FAR) and building height when using a development bonus.

**Proposed Language:** See attached draft ordinance and background information.

**Summary of proposed code amendment**

The proposed modification to the CMU-Gateway Zone Subdistrict will increase the maximum FAR and height:

- Modify the Maximum FAR with Development Bonus from 8:1 to 12:1.
- Modify the Maximum Building Height with Development Bonus from 308 feet to 420 feet.
- Revise Figure 4-3: Maximum FAR with Development Bonus, of the North Burnet/Gateway Regulating Plan as described above.
- Revise Figure 4-5: Maximum Height with Development Bonus, of the North Burnet/Gateway Regulating Plan as described above.

**Background:**

Initiated by City Council Resolution [20220519-040](#).

Council Sponsors: Council Member Leslie Pool, Mayor Pro Tem Alison Alter, Council Member Mackenzie Kelly, Council Member José 'Chito' Vela, Mayor Steve Adler.

On June 16, 2022, City Council issued a resolution that directed staff to modify the Commercial Mixed Use - Gateway Zone Subdistrict of the Regulating Plan to increase the maximum floor-to-area ratio (FAR) and building height when using a development bonus.

**Staff Recommendation:** Staff recommends the proposed code amendment.

**Board and Commission Actions**

**August 17, 2022:** Codes and Ordinances Joint Committee

A motion was made to recommend the item to the Planning Commission by Commissioner Azhar, seconded by Commissioner Denkler, vote: 5-0. (Commissioners Anderson and Shaw absent).

**September 27, 2022:** Planning Commission

The motion to close the public hearing and approve Staff recommendation made by Vice Chair Hempel, Second by Commissioner Cox, was approved on a vote of 9-0. Mushtaler, Thompson, Schneider absent. One vacancy

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

Revised 10-07-22

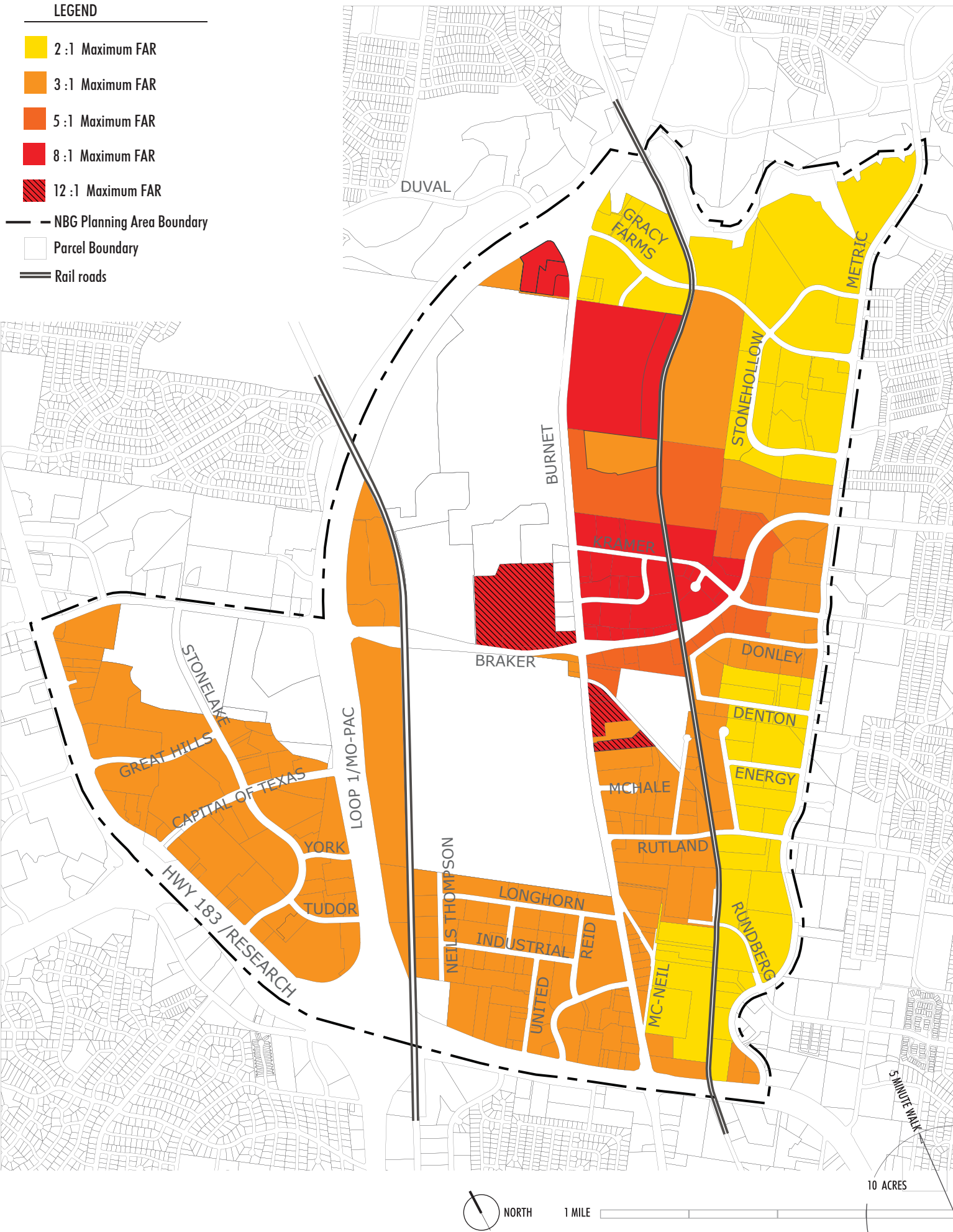
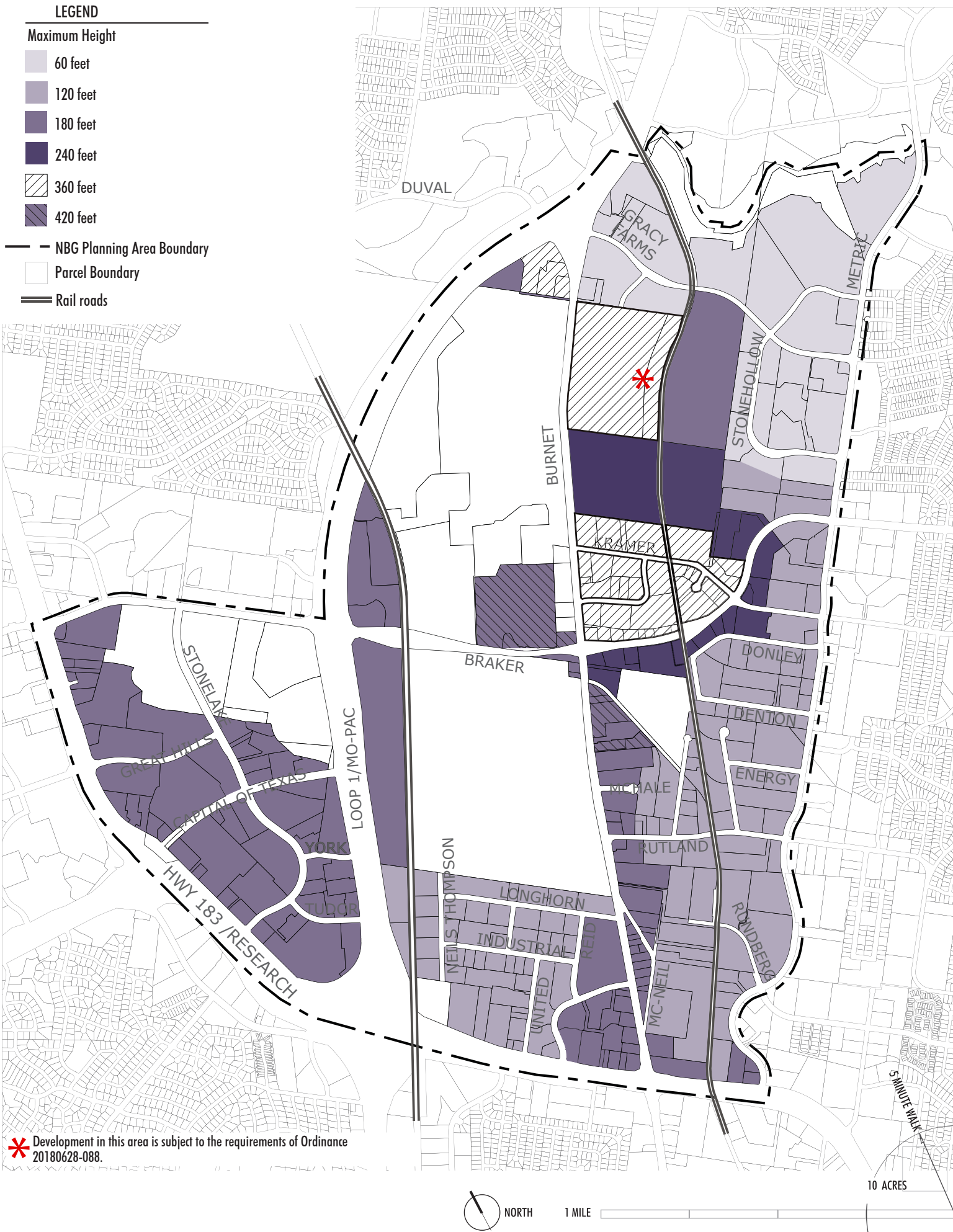


Figure 4-5: Maximum Height with Development Bonus

Revised 10-07-22



# COMMERCIAL MIXED USE (CMU) SUBDISTRICT

Revised 10-07-22

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

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

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

PLATTING REQUIREMENTS	
<b>If located in the CMU Gateway Zone:</b>	
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.	

FLOOR TO AREA RATIO	
<b>Maximum Floor-to-Area Ratio (FAR) by Right:</b>	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
<b>Maximum Floor-to-Area Ratio (FAR) with Development Bonus:</b>	
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.	



Typical examples of buildings in the Commercial Mixed Use Subdistrict.

BUILDING HEIGHT	
<b>Minimum Building Height:</b>	
Not applicable	
<b>Maximum Building Height by Right:</b>	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
<b>Maximum Building Height with Development Bonus*:</b>	
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.	
<b>*Exception:</b> If adjacent to or across the street from NR Subdistrict the maximum height is 120 feet.	

