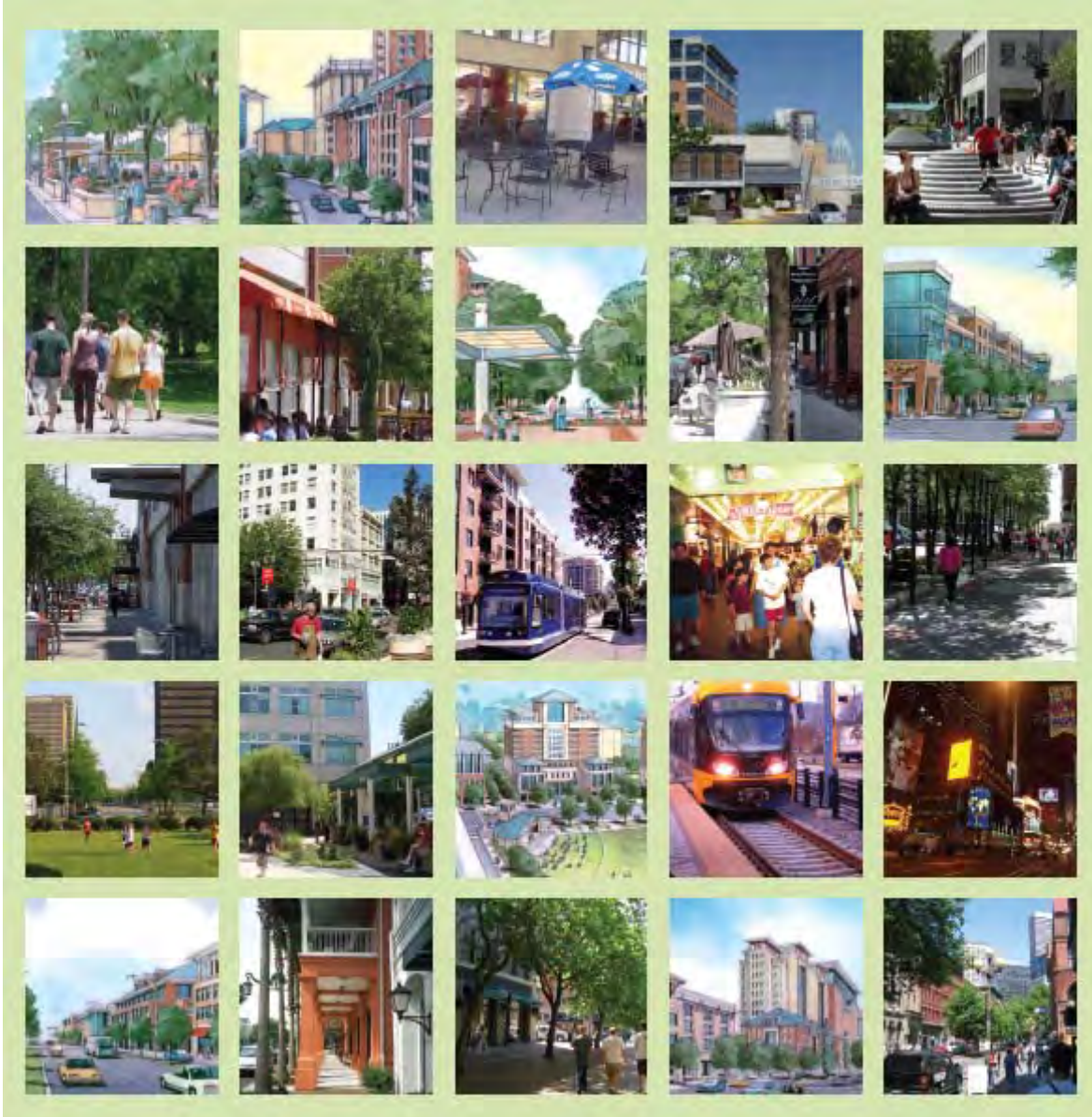


# Regulating Plan for the North Burnet/Gateway Zoning District Austin, Texas



**DATE ADOPTED: March 12, 2009**

**DATE EFFECTIVE: March 23, 2009**

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**BASED ON THE NORTH BURNET/GATEWAY MASTER PLAN:**  
*Adopted November 1, 2007*

**REGULATING PLAN for the  
North Burnet/Gateway Zoning District**

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## BACKGROUND

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On November 1, 2007 the Austin City Council adopted the North Burnet/Gateway Master Plan as an amendment to the Austin Tomorrow Comprehensive Plan and created the North Burnet/Gateway Overlay District to implement the land use recommendations of the plan. The planning area comprises approximately 2,300 acres in north central Austin that will be well-served by transit and has the potential to include two regional Transit-Oriented Development (TOD) nodes; one along the Capital Metro commuter rail line which will begin service in Spring 2009 and another along the potential future Austin-San Antonio Intermunicipal Commuter Rail line which is in the planning stage.

Transit-oriented Development (TOD) is an increasingly popular tool for cities across the U.S. to create more livable communities and combat urban sprawl, which has a number of negative cultural, economic, environmental, and social consequences that are felt in both urban and suburban areas. Sprawl can threaten the quality of life in the central city and inner suburbs due to the risk of deteriorating infrastructure, poor schools, and a shortage of affordable, quality housing. In newer suburban areas, sprawl can cause increased traffic congestion and declining air quality, the absence of a sense of place, and the loss of open space. Since the mid-1990s, the City of Austin has taken steps to redirect Austin's explosive growth away from suburban areas back towards the central city and improve development patterns through a number of land use and planning initiatives.

The North Burnet/Gateway (NBG) Master Plan presents a long-term vision for the area to redevelop the existing low density, auto-oriented commercial, warehouse and industrial uses into a higher density urban mixed-use neighborhood that is more pedestrian- and bicycle-friendly and takes advantage of the links to commuter rail transit and the area's key position within Austin's Urban Core. The intent is to allow a significant number of new residents to move into the area to accommodate some of the expected population growth in the region and to provide the associated community and neighborhood services, parks, and public space important to making a great neighborhood. These may include restaurants, small local businesses, retailers, and multi-story, mixed use buildings with direct pedestrian access to public transit. An important element of the plan is to enhance development design quality and create great places where people can live, work, shop, interact and recreate within a walking distance of one another.

The type of urban development envisioned in the NBG Master Plan requires modifications to the existing zoning and development regulations. This Document is intended to implement the Master Plan's land use and urban design recommendations by establishing a clear, user-friendly and legally enforceable ordinance that will result in improved development quality in the North Burnet/Gateway area. In conjunction with the adoption of this Document, properties formerly within the NBG Overlay District will be given North Burnet/Gateway base district zoning. This Document specifies the regulations for the NBG Zoning District (Figure 1-1). For properties within the North Burnet/Gateway Zoning District, this Document will supersede Subchapter E: Design Standards and Mixed Use (Subchapter E), which applies Citywide; however, the intent statements and standards within this Document are consistent with the development and design principles of Subchapter E.

This Document was adopted on March 12, 2009, and became effective on March 23, 2009.

# HOW TO USE THIS DOCUMENT

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## **Applicability Is Based on NBG Subdistrict and Adjacent Roadway Type**

Because many of the standards in this Document are defined based on the North Burnet/Gateway (NBG) Subdistrict applicable to the property in question and the roadway type(s) adjacent to it, an important first step in the development process is to identify them. The size of the site and the type of development (residential, commercial, mixed use, etc.) also need to be considered, since different standards may apply. The applicability chart in Article 1 summarizes the applicability of all the standards in this Document, based on the NBG Subdistrict, type of adjacent roadways, and development activity.

### NBG Subdistricts

The boundaries of the NBG Subdistricts are shown in Figure 1-2. Permitted land uses and general development and urban design standards for a property are based upon the applicable NBG Subdistrict. The six Subdistricts in the North Burnet/Gateway Zoning District are:

**Transit-Oriented Development (TOD)** is the highest density subdistrict in the North Burnet/Gateway area with the greatest focus on providing active pedestrian oriented uses at the ground level of buildings. Density is enabled to the highest degree in the “TOD-Gateway area” closest to the rail station and to a lesser degree elsewhere.

Within the TOD Subdistrict certain areas are identified as active edges on the NBG Subdistrict Map. An active edge designation imposes additional specific land use and design requirements for development at visible intersections and along key streets that lead to the rail station.

**Commercial Mixed Use (CMU)** is a high density mixed-use subdistrict, appropriate for high rise residential, major employers, destination retail and large scale civic uses.

**Neighborhood Mixed Use (NMU)** is intended to be primarily mid-rise residential with neighborhood-oriented retail and smaller employers.

**Neighborhood Residential (NR)** is used for primarily attached housing and neighborhood retail to transition to existing residential neighborhoods outside the NBG Zoning District. Local retail and supporting civic uses are also allowed.

**Warehouse Mixed-Use (WMU)** accommodates existing and new industrial warehouse uses and enables development of residential and local retail uses.

**Commercial Industrial (CI)** accommodates existing and new industrial uses while enabling diversification.

**Research and Sciences Mixed Use (RSMU)** is a high density mixed-use subdistrict appropriate for life sciences, lab, and biomedical uses as well as high rise and mid rise residential, attached residential, major and smaller employers, retail, large scale civic uses, and industrial uses.

## Roadway Types

The four NBG roadway types are shown on the NBG Roadway Type Map in Figure 1-3. Because roadways provide both access to a site and define the urban design framework of the City, roadway types have been used as an organizing tool to establish many of the sidewalk, streetscape and building placement standards in this Document. This approach is intended to provide a consistent regulatory approach between Subchapter E and this Document and to help ensure a cohesive development pattern along Austin's streets and remove some of the inconsistency that arises from having a variety of zoning districts and development standards fronting a single roadway.

Using Subchapter E as a model, the following four types of roadways are applicable to the North Burnet/Gateway Zoning District covered by this Document:

**NBG Core Transit Corridors** include roadways within the NBG Zoning District that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. They have a high level of visibility and offer some of the best locations for retail service activity. NBG Core Transit Corridors are the designated portions of the following roadways within the boundaries of the NBG Zoning District:

- Burnet Road
- Braker Lane
- Kramer Lane
- Stonelake Blvd.
- Capital of Texas Hwy

**NBG Pedestrian Priority Collectors** are existing and future collector streets that also serve as primary pedestrian routes within the NBG Zoning District. Article 3 of this Document identifies locations for new collector streets to form direct vehicular, bicycle and pedestrian connections between major roadways in the NBG Planning Area as the area redevelops (see Figure 3-12: NBG Collector Street Plan). All new streets built in accordance with the NBG Collector Street Plan will be designated as an NBG Pedestrian Priority Collector.

**NBG Urban Roadways** are all existing and future streets located within the NBG Zoning District not designated as NBG Core Transit Corridors, NBG Pedestrian Priority Collectors or NBG Highways, excluding smaller circulation routes like alleys. These streets form the finer grained network of streets that complement the transportation framework created by the other roadway types. Any new street in the NBG Zoning District that does not have NBG Core Transit Corridor, NBG Pedestrian Priority Collector or NBG Highway designation, nor is identified as a proposed new collector street on Figure 3-12: NBG Collector Street Plan, will be designated a NBG Urban Roadway for the purpose of applying the standards in this Document.

**NBG Highways** include MoPac (Loop 1) and Highway 183 (Research Blvd.) and their frontage roads in the NBG Zoning District boundaries.

Figure 1-1 : North Burnet / Gateway (NBG) Zoning District

Updated 02/13/2024



Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District Subdistrict Map

Updated 02/13/2024

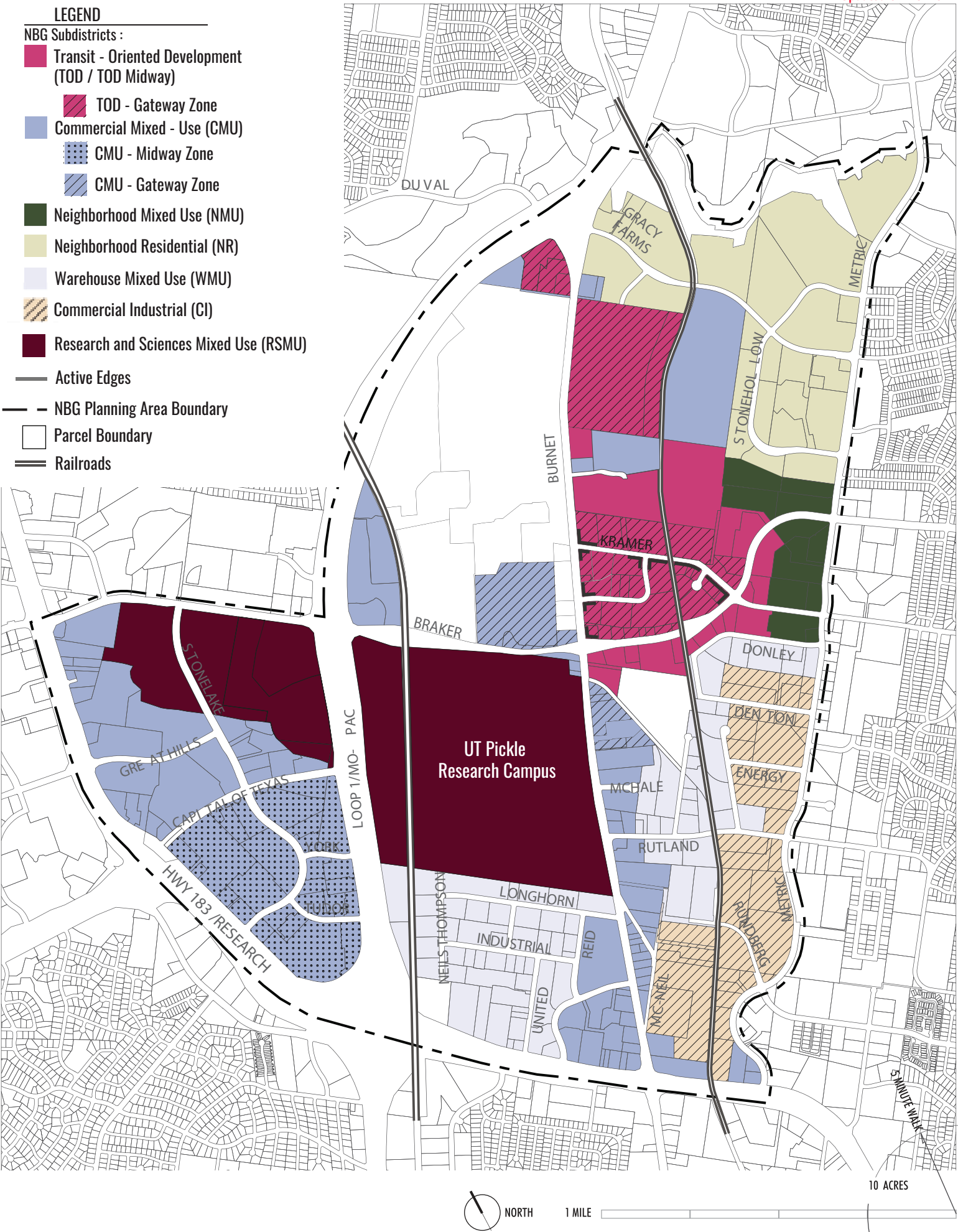
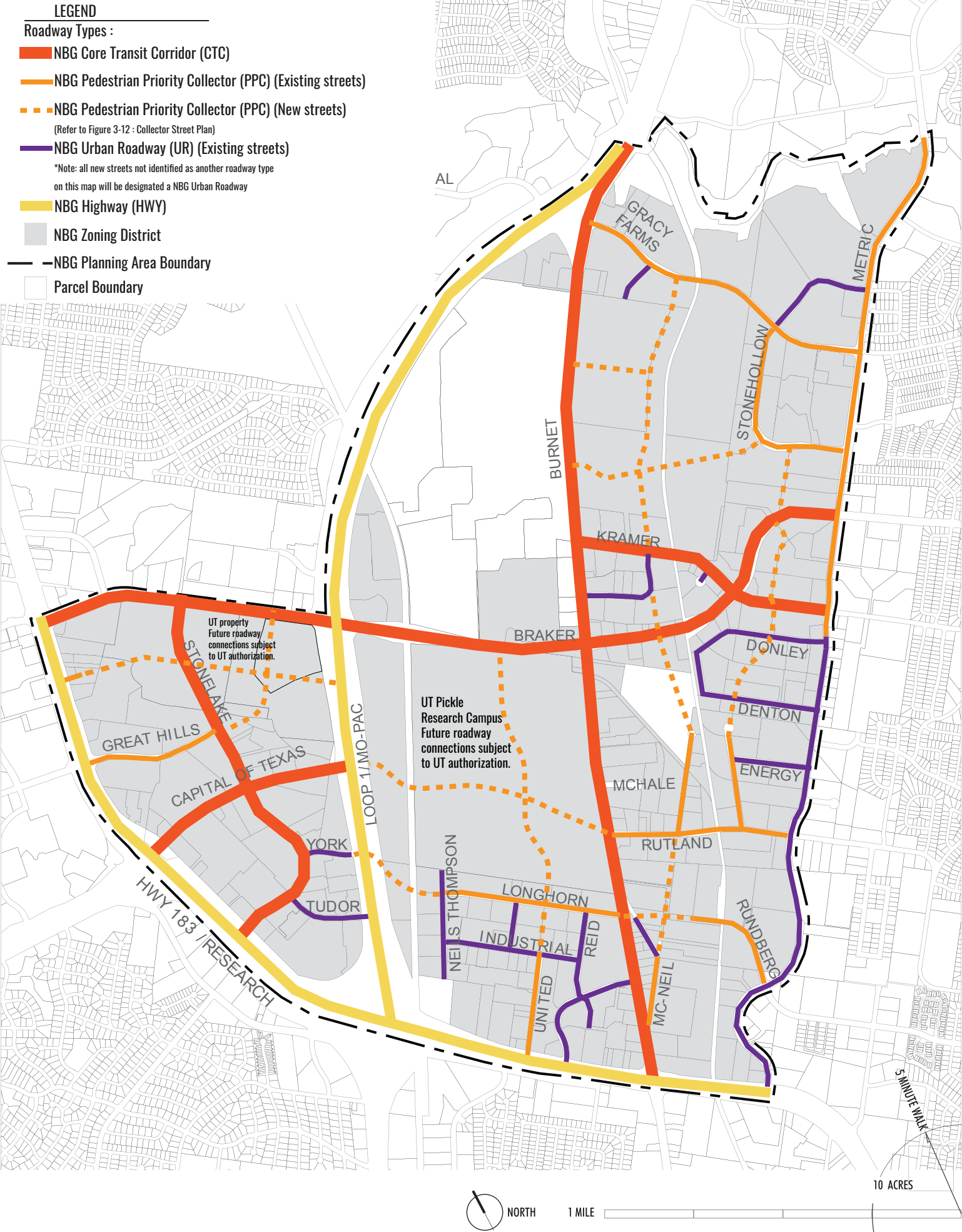




Figure 1-3 : North Burnet / Gateway (NBG) Zoning District  
Roadway Types Map

Updated 02/13/2024





## How This Document is Organized

This Document is divided into seven Articles.

**Article 1** includes **General Provisions** that should be reviewed for all properties in the NBG Zoning District. Article 1 also includes a chart that summarizes the applicability of the various standards based on NBG Subdistricts (Figure 1-2), NBG Roadway Types (Figure 1-3) and development types.

This Article also encourages creativity and innovative design by allowing an applicant to propose an alternative approach to meeting the standards of the Document through the “alternative equivalent compliance” provision.

**Article 2** includes **Land Use** requirements for each NBG Subdistrict. Standards in this Article address the following:

- Permitted, conditional, and prohibited uses

**Article 3** includes **Circulation, Connectivity, and Streetscape** requirements. Standards in this Article are based on roadway type and address the following:

- Sidewalks;
- On-street parking; and
- On-site circulation and off-site connectivity

**Article 4** includes **Site Development Standards** intended to ensure that buildings relate appropriately to surrounding developments and streets, promote efficient on-site pedestrian and vehicle circulation, and provide adequate parking in safe and appropriate locations. Most of these standards are based on NBG Subdistricts or are applicable to all development in the NBG Zoning District. However, the relationship of buildings to streets and walkways is based on roadway type. Standards in this Article address the following:

- General development standards;
- Relationship of buildings to streets and walkways (based on roadway type);
- Off-street parking;
- Drive-through facility standards;
- Exterior lighting and screening of equipment and utilities;
- Sign regulations;
- Private common open space and pedestrian amenities; and
- Public open space and trails; and
- Stormwater management.

**Article 5** includes **Building Design Standards** intended to address the physical appearance of all buildings subject to this Document. Included are standards for:

- Building entrances
- Window glazing;
- Shading;
- Building façade treatment;

- Green building standards; and
- Ground floor treatment of active edge mixed use buildings.

**Article 6** includes **Development Bonus Standards** which provide development incentives for projects to contribute to the provision of “public benefits” by providing new collector streets, affordable housing on-site, or by providing a fee-in-lieu of payment to be allocated by the City to serve one or more of the following purposes:

- Affordable housing;
- Vehicular, bicycle or pedestrian connectivity;
- Stormwater management;
- Parks and open space;
- Civic facilities;
- Green buildings and sustainability; and/or
- Future transit facilities.

**Article 7** includes **Definitions** for terms used in this Document.

**Appendix A** includes **NBG Street Cross-Section Standards** for new streets built within the North Burnet/Gateway Zoning District.

**Appendix B** includes the **2035 Conceptual Master Plan illustration** from the NBG Master Plan, adopted November 1, 2007. This illustration includes conceptual locations for distributed parks and open space.

**Appendix C** includes photos and illustrations of **Water Quality Control Best Management Practices (voluntary)** as described in the City of Austin Environmental Criteria Manual Section 1.6. Development projects and new streets within the NBG Planning Area are encouraged to incorporate these innovative water quality controls into the project design.

**Appendix D** provides **illustrations of impervious cover and drainage pattern assumptions for regional stormwater detention** ponds near MoPac (Z-K, PSP 1, PSP 2, and MoPac ponds). Properties included on these illustrations, if developed in accordance with the assumptions, may be able to utilize the regional ponds to fulfill stormwater management requirements instead of building individual detention ponds on site.

# ARTICLE 1: GENERAL PROVISIONS

---

## 1.1. GENERAL INTENT

This Document addresses the physical relationship between development and adjacent properties, streets, neighborhoods, and the natural environment in order to implement the North Burnet/Gateway Master Plan vision of creating a high-density mixed-use neighborhood that is pedestrian and transit-friendly. The general purposes of this Document are:

- 1.1.1. To promote the Vision for the North Burnet/Gateway Master Plan;
- 1.1.2. To provide appropriate standards to ensure a high quality appearance for development and redevelopment within the NBG Zoning District and promote pedestrian-friendly design while also allowing for individuality, creativity, and artistic expression;
- 1.1.3. To improve the area's access to high quality transit services and create an environment that promotes walking and cycling;
- 1.1.4. To promote TOD principles around the transit stations in order to successfully integrate land use and transit by providing greater density than the community average, a mix of uses, and a quality pedestrian environment around a defined center;
- 1.1.5. To encourage development and redevelopment that relates to and connects with adjoining streets, transit, bikeways, pathways, open spaces, and neighborhoods;
- 1.1.6. To allow for and encourage significant higher density residential uses to accommodate some of the region's expected population growth;
- 1.1.7. To encourage development that serves people of all incomes and ages and provides a safe and welcoming environment for all types of households; and
- 1.1.8. To provide standards to ensure quality usable open space for new residential development, employees, and visitors as redevelopment occurs.
- 1.1.9. To promote sustainable stormwater management and watershed protection practices, and provide standards that can be administered in a comprehensive manner in the NBG Zoning District.
- 1.1.10. To provide a set of standards that are clear and consistent throughout the NBG Zoning District to facilitate development, redevelopment, and property assembly, in addition to being flexible and responsive to market conditions and fluctuations.

## 1.2. APPLICABILITY

### 1.2.1. General Applicability

This Document applies to all development within the NBG Zoning District as shown in Figure 1-1. This Document sets forth the regulations for the North Burnet/Gateway Zoning District. The relevance of the regulations in Articles 2 through 7 will vary based upon the NBG Subdistrict that applies to a specific piece of property and the type of roadway(s) that is adjacent to it as well as the size of the site and type of development. Figures 1-4 and 1-5 summarize the applicability of each Article and section of this Document.

**Figure 1-4: Applicability Summary Table – Land Use, Dedication of Collector Streets, General Development Standards, Public Open Space, and Development Bonus** (applicable to all development in the NBG Zoning District)

Section:	Standard:	Application:
<b>Article 2 Land Use Standards:</b>		
<b>2.3: NBG Subdistricts</b>	All standards	All properties in the NBG Zoning District
<b>Article 3 Circulation, Connectivity and Streetscape</b>		
<b>3.5: Connectivity and Circulation</b>	3.5.2 Dedication of NBG Collector Streets	All development.
<b>Article 4 Site Development Standards</b>		
<b>4.2: General Development Standards</b>	All standards	All properties in the NBG Zoning District
<b>4.10: Public Open Space and Trails</b>	4.10.3 Parkland Dedication	All development subject to the Parkland Dedication Ordinance (LDC Section 25-1-601)
<b>Article 6 Development Bonus:</b>		
<b>6.2: Interim Development Bonus Standards</b>	All standards	All properties or portions of properties in the NBG Zoning District are eligible for a development bonus.

**Figure 1-5: Applicability Summary Table – NBG Design Standards**

(see Subsection 1.2.3 for general applicability of NBG Design Standards)

Section:	Standard:	Applies if the NBG Subdistrict Is:	Applies if the Principal or Adjacent Street Is:	Applies to the Following:
<b>Article 3 Circulation, Connectivity, and Streetscape:</b>				
<b>3.3: Sidewalk Standards</b>	3.3.2. Sidewalk Standards for All Roadway Types	All subdistricts	All roadway types	-All development -Requirement must be met on all adjacent roadway types
	3.3.3. Alternative Requirements for Shallow Lots on NBG Core Transit Corridors	All subdistricts	NBG Core Transit Corridors	All development
	3.3.4. Sidewalk Exemption for Edge Streets	All subdistricts	All roadway types	All development
<b>3.4: On-Street Parking</b>	All standards	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	Optional for all development
<b>3.5: Connectivity and Circulation</b>	3.5.1. Project Circulation Plan	All subdistricts	All roadway types	All development
	3.5.3 Standards for New Streets	All subdistricts	Not Applicable	Any new street built in the NBG Zoning District
	3.5.4. Block Standards	All subdistricts	All roadway types	A site five acres or larger, or any block face exceeding 500 feet in length.
	3.5.5. Curb-cut Spacing Standards	All subdistricts	All roadway types	All development
	3.5.6. Curb-cut Dimensional Standards	All subdistricts	All roadway types	All development

Section:	Standard:	Applies if the NBG Subdistrict Is:	Applies if the Principal or Adjacent Street Is:	Applies to the Following:
<b>3.5: Connectivity and Circulation (cont')</b>	3.5.7. Commercial and Residential Alleys	All subdistricts	All roadway types	Optional for all development
	3.5.8. Pedestrian, Bicycle, and Vehicular Connectivity	All subdistricts	All roadway types	All development
<b>Article 4 Site Development Standards:</b>				
<b>4.3: Relationship of Buildings to Streets and Walkways</b>	4.3.3 Building Placement	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development - Required along the principal street - Corner site provisions - Active Edge standards - Industrial use provisions
	4.3.4 Supplemental Zones	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	Optional for all development
<b>4.4: Off-Street Vehicular and Bicycle Parking</b>	All standards	All subdistricts	All roadway types	- All development - Active Edge standards
<b>4.5: Drive-Through Facility Standards</b>	All standards	CMU, NMU, WMU, and CI subdistricts	All roadway types	Drive-through facilities
<b>4.6: Exterior Lighting</b>	All standards	All subdistricts	All roadway types	All development except Duplex, Single Family Attached, Townhouse, and Two Family Residential Uses
<b>4.7: Screening of Equipment and Utilities</b>	All standards	All subdistricts	All roadway types	- All development - Exceptions are: local utility services, electric service, transformers within the ROW and telecommunication towers.
<b>4.8: Sign Regulations</b>	All standards	TOD, CMU, NMU, NR subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	All development
<b>4.9: Private Common Open Space &amp; Amenities</b>	All standards	All subdistricts	All roadway types	All development sites two acres in size or larger
<b>4.11: Stormwater Management</b>	All standards	All subdistricts	All roadway types	All development
<b>Article 5: Building Design Standards:</b>				
<b>5.3: Building Entrances</b>	Section 5.3.1 Building Entrance Standards for Pedestrians	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development - Corner site provisions - Active Edge standards
	Section 5.3.2 Building Entrance and Exit Standards for Vehicles	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development except Duplex, Single-Family Attached, Townhouse, and Two-Family Residential uses - Corner site provisions
<b>5.4: Window Glazing</b>	All standards	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development except Duplex, Single-Family Attached, Townhouse, and Two-Family Residential uses - Corner site provisions

Section:	Standard:	Applies if the NBG Subdistrict Is:	Applies if the Principal or Adjacent Street Is:	Applies to the Following:
<b>5.5: Shade and Shelter</b>	All standards	All subdistricts	All roadway types	- All mixed use and non-residential development - Development along an active edge - Corner site provisions
<b>5.6: Building Façade Articulation</b>	All standards	All subdistricts	All roadway types	Building facades greater than 40 feet in length. <u>Exception: Buildings for Life Sciences</u>
<b>5.7: Green Building Standards</b>	All standards	All subdistricts	All roadway types	All development
<b>5.8: Active Edge Standards</b>	All standards	TOD subdistrict	NBG Core Transit Corridors NBG Ped. Priority Collectors	- Development along all active edge designations, except Emergency Service Providers - Off street parking provided as part of a building or parking structure adjacent to any roadway type.

### 1.2.2. Land Use and General Development Standards

- A. All properties in the NBG Zoning District are subject to the following Articles and Sections of this Document (see Figure 1-4):
1. Article 2, Land Use Standards;
  2. Subsection 3.5.2, Dedication of NBG Collector Streets
  3. Section 4.2, General Development Standards;
  4. Section 4.10, Public Open Space and Trails; and
  5. Article 6, Development Bonus

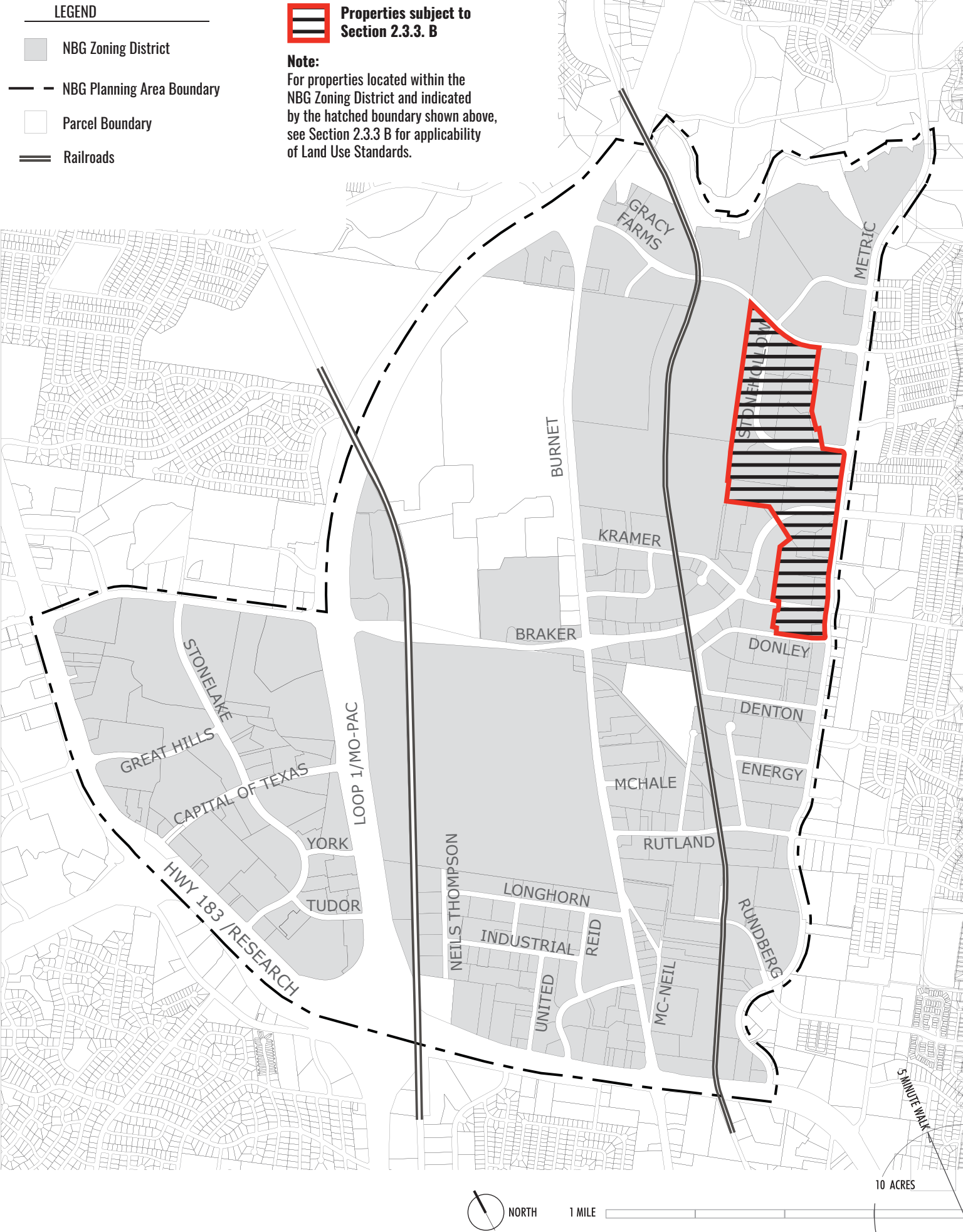
### 1.2.3. NBG Design Standards

- A. For purposes of applying the design standards in this Document, NBG Design Standards are (see Figure 1-5):
1. Article 3, Circulation, Connectivity, and Streetscape (except Subsection 3.5.2 *Dedication of NBG Collector Streets*);
  2. Article 4, Site Development Standards (except Section 4.2 *General Standards* and Section 4.10 *Public Open Space and Trails*);
  3. Article 5, Building Design Standards.



Figure 1 - 6 : North Burnet / Gateway (NBG) Zoning District  
Properties subject to Section 2.3.3 B

Updated 02/13/2024



**B. General Exemptions from the NBG Design Standards**

The following types of development are exempt from the NBG Design Standards of this Document:

1. Development that does not require a site plan under LDC Sections 25-5;
2. Interior remodeling of a building.

**C. New Construction, Redevelopment, and Major Rehabilitation**

Except as provided in Subsection B, if a particular standard of this Document is applicable to development on a particular site, then that standard shall be applicable to the following activity:

1. New construction; and
2. Redevelopment or major rehabilitation (for redevelopment or major rehabilitation, the Director shall determine the portion of the site to which the standard applies, based on the extent of change proposed). For the purposes of the NBG Regulating Plan, it shall include any project that will, combined with all other redevelopment or rehabilitation of the site that has occurred since the effective date of the NBG Regulating Plan:
  - a. For sites of less than one acre, generate 1,000 vehicle trips or more per day above the estimated trip level on the effective date of the NBG Regulating Plan, and for sites of one acre or more, generate 2,000 vehicle trips or more per day above the estimated trip level on the effective date of the NBG Regulating Plan; or
  - b. Increase the site's impervious cover by 25 percent or more beyond the amount of impervious cover existing on the effective date of the NBG Regulating Plan.

**1.2.4. Exemption from Subchapter E of the Land Development Code**

For the area within the NBG Zoning District (Figure 1-1), this Document supersedes all standards and regulations in Chapter 25-2 Subchapter E: Design Standards and Mixed Use.

**1.2.5. Conflicting Provisions**

If the provisions of this Document are inconsistent with provisions found in other adopted codes, ordinances, or regulations of the City of Austin, this Document shall control unless otherwise expressly provided.

**1.2.6. Accessibility**

Accessibility, integration and inclusion of people with disabilities are fundamental components of our vision for the future of the City of Austin. This Document shall not supersede any applicable state or federal accessibility statutes and regulations. Administration and enforcement of this Document shall comply with all such statutes and regulations.

### **1.2.7. State and Federal Facilities**

Compliance with the standards of this Document at all state and federal facilities is strongly encouraged so that the Master Plan Vision for the North Burnet/Gateway planning area is supported and reinforced.

## **1.3. REVIEW PROCESS**

### **1.3.1. Standards Applicable During Subdivision Plan Review**

The standards contained in the following sections of this Document shall be applied in the normal review process for subdivision plans as set forth in Chapter 25-4 of the Austin Code:

- A.** Article 2, Land Use Standards;
- B.** Section 3.5, Connectivity and Circulation;
- C.** Section 4.2, General Development Standards;
- D.** Section 4.9, Private Common Open Space and Pedestrian Amenities; and
- E.** Section 4.10, Public Open Space and Trails;

In addition to meeting the review criteria specified in Chapter 25-4 of the LDC, each subdivision plan application shall evidence compliance with the standards listed above.

### **1.3.2. Standards Applicable During Site Plan Review**

The standards contained in the following sections of this Document shall be applied in the normal review process for site plans as set forth in Chapter 25-5 of the LDC:

- A.** Article 2, Land Use Standards;
- B.** Article 3, Circulation, Connectivity, and Streetscape;
- C.** Article 4, Site Development Standards;
- D.** Section 5.3, Building Entrances;
- E.** Section 5.5, Shade and Shelter; and
- F.** Article 6, Development Bonus.

In addition to meeting the review criteria specified in Chapter 25-5, each site plan application shall evidence compliance with the standards listed above.

### **1.3.3. Standards Applicable During Building Permit Review**

The standards contained in the following sections of this Document shall be applied in the normal review process for building permits as set forth in Chapter 25-11 of the Austin Code:

- A.** Section 4.6, Exterior Lighting (for fixtures affixed to buildings);
- B.** Section 4.7, Screening of Equipment and Utilities (for fixtures affixed to buildings);
- C.** Section 4.8, Sign Regulations; and
- D.** Article 5, Building Design Standards.

In addition to meeting the review criteria specified in Chapter 25-11, each building permit application shall evidence compliance with the standards listed above.

## **1.4. ALTERNATIVE EQUIVALENT COMPLIANCE**

### **1.4.1. Purpose and Scope**

To encourage creative and original design, and to accommodate projects where the particular site conditions or the proposed use prevent strict compliance with this Document, alternative equivalent compliance allows development to occur in a manner that meets the intent of this Document, yet through an alternative design that does not strictly adhere to the Document's standards. The procedure is intended to be used for relief from a specific design standard or standards, and it is not a general waiver of regulations.

### **1.4.2. Applicability**

The alternative equivalent compliance procedure shall be available only for the following sections of this Document:

- A.** Section 3.3 - Sidewalk Standards;
- B.** Section 3.4 - On-Street Parking;
- C.** Section 3.5 Connectivity and Circulation;
- D.** Section 4.3 - Relationship of Buildings to Streets and Walkways;
- E.** Section 4.4 - Off-Street Vehicular and Bicycle Parking;
- F.** Section 4.5 - Drive-through Facility Standards;
- G.** Section 4.6 - Exterior Lighting;
- H.** Section 4.7 - Screening of Equipment and Utilities;
- I.** Section 4.8 - Sign Regulations;

**J. Section 4.9 - Private Common Open Space and Pedestrian Amenities; and**

**K. Article 5 - Building Design Standards.**

### **1.4.3. Procedure**

The applicant may select at his or her discretion whether to seek an informal recommendation or a formal approval on a proposal for alternative compliance.

#### **A. Option One: Informal Recommendation**

##### **1. Pre-Application Conference Required**

If an applicant desires only an informal response and recommendation as to a proposal for alternative compliance, he or she shall request and attend a pre-application conference prior to submitting the site plan and/or building permit application for the development. At the conference, the applicant shall provide a written summary of the project and the proposed alternative compliance, and the Director, in coordination with the Urban Design Division of the Neighborhood Planning and Zoning Department, shall offer an informal, non-binding response and recommendation regarding the appropriateness of the proposed alternative. Based on that response, the applicant may prepare a site plan and/or building permit application that proposes alternative compliance, and such application shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested.

##### **2. Decision-Making Responsibility**

Final approval of any alternative compliance proposed under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. The final decision-making body for site plans is the either the Director or the appropriate Land Use Commission, as specified in Chapter 25-5, and the building official for building permits.

#### **B. Option Two: Formal Decision**

##### **1. Pre-Application Conference**

If an applicant desires formal approval of a proposal for alternative compliance, he or she shall request and attend a pre-application conference prior to submitting the site plan and/or building permit application for the development.

##### **2. Alternative Compliance Concept Plan Required**

At least ten days prior to the pre-application conference, the applicant shall submit an alternative compliance concept plan application to the Director, which shall include:

- a.** A written description of and justification for the proposed alternative method of compliance, specifically addressing the criteria in Subsection 1.4.4; and
- b.** A concept plan that describes and illustrates, in written and graphic format, the intended locations and quantities of proposed buildings on the site, the layout of proposed vehicle and pedestrian access and circulation systems, and areas designated to meet requirements for open space, parking, on-site amenities,

utilities, and landscape. The concept plan shall describe the site's topography and shall provide a general description of environmental characteristics to assist in determining compliance with this Document. If alternative compliance is requested from the standards of Article 5 Building Design Standards, the concept plan also shall include descriptions and illustrations of the proposed building design elements that would not comply with the standards of this Document.

**3. Decision by Director**

The Director, in coordination with the Urban Design Division in the Neighborhood Planning and Zoning Department, shall review the concept plan for compliance with the criteria in Subsection 1.4.4 and shall approve, approve with conditions, or deny the concept plan in writing.

**4. Expiration of Alternative Compliance Concept Plans**

- a. An approved alternative compliance concept plan shall expire if three years pass following its approval and no building permit that implements the concept plan has been issued.
- b. One, one-year extension may be issued by the Director provided that a written request has been received prior to the expiration of the concept plan, and the Director has determined that no major changes in the City's development standards, or changes in the development pattern of the surrounding properties, have occurred.

**5. Effect of Approval**

Written approval of an alternative compliance concept plan does not authorize any development activity, but rather authorizes the applicant to prepare a site plan and/or building permit application that incorporates the approved alternative compliance, and authorizes the decision-making body (either the Land Use Commission or the Director for site plans, and the building official for building permits) to review the site plan and/or building permit application for compliance with the alternative compliance concept plan, in addition to all other applicable requirements. The site plan and/or building permit application shall include a copy of the approved alternative compliance concept plan.

**6. Amendments to Alternative Compliance Concept Plans**

- a. Minor amendments to any approved alternative compliance concept plan may be approved, approved with conditions, or denied administratively by the Director. For purposes of this provision, minor amendments are those that do not result in:
  - (i) An increase of 10 percent or more in the amount of square footage of a land use or structure;
  - (ii) A change in the types of uses in the project;
  - (iii) An increase or decrease of 20 percent or more in the number of dwelling units in the project; or



(iv) A change that would bring the project out of compliance with any requirement or regulation set forth in the City Code outside this Document unless a variance to or waiver from such requirement or regulation is obtained.

- b. Amendments that are not determined by the Director to be minor amendments under Subsection B.6.a. above shall be deemed major amendments. The applicant may seek approval of a major amendment by re-submitting the original approved plan along with the proposed amendment to the Director for review in the same manner prescribed in Subsection B.2. above.
- c. If any site plan and/or building permit application includes a major amendment from the terms of the approved concept plan that has not been approved by the Director, the concept plan shall be void and the application shall be reviewed for compliance with the standards of this Document and all other applicable requirements.

#### **1.4.4. Criteria**

Alternative equivalent compliance may be approved only if the applicant demonstrates that the following criteria have been met:

- A. The proposed alternative will perform as well or better than the standard or standards being modified and achieves the intent of the subject Article of this Document from which the alternative is sought; or
- B. The proposed alternative achieves the intent of the subject Article of this Document from which the alternative is sought to the maximum extent practicable and is necessary because:
  - 1. Physical characteristics unique to the subject site (such as, but not limited to, slopes, size, shape, and vegetation) make strict compliance with the subject standard impracticable or unreasonable; or
  - 2. Physical design characteristics unique to the proposed use or type of use make strict compliance with the subject standard impracticable or unreasonable.
- C. In the case of multiple alternative equivalent compliance or variance requests, the Director shall consider the cumulative affect they would have on meeting the intent statements in Sections 1.1, 2.1, 3.1, 4.1, 5.1 or 6.1.

#### **1.4.5. Effect of Approval**

Alternative compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests.

## **1.5. NONCONFORMING USES AND NONCOMPLYING STRUCTURES**

All properties within the NBG Zoning District shall remain subject to Article 7 Nonconforming Uses and Article 8 Noncomplying Structures in the City LDC Sections 25-2-941 through 25-2-964. With reference to Article 7, all uses are governed by Group “D” regulations prescribed by Section 25-2-947.

## **1.6. TEXT AND GRAPHICS WITHIN THIS DOCUMENT**

This Document was created with numerous images to enhance understanding and comprehension by providing visual aids to some of the standards. However, in the event of a conflict or inconsistency between the text of this Document and any heading, caption, figure, illustration, table, or map, the text shall control.

## **ARTICLE 2: LAND USE STANDARDS**

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### **2.1. INTENT**

The NBG Subdistricts are used as a tool to create lively, walkable, healthy, livable areas where people are able to reduce vehicle usage without sacrificing access to neighborhood amenities. To accomplish this, the intent of Article 2 is to:

- 2.1.1.** Allow for creation of a dense and vibrant “town center” with an urban form and uses less reliant on the automobile.
- 2.1.2.** Provide for and encourage development and redevelopment that achieves a balance of jobs, housing, retail, open space and community facilities within close proximity to each other and to transit. The essence of a mixed-use area is that it allows for opportunities to live, work and play within the same area.
- 2.1.3.** Enable opportunities for transit-oriented development around the rail transit stations.
- 2.1.4.** Locate the highest level of activity and mix of uses in the TOD Subdistrict, around transit and along major streets thereby promoting greater transit ridership.
- 2.1.5.** Enable redevelopment and adaptive reuse while accommodating existing uses.
- 2.1.6.** Allow for significant higher density residential uses to accommodate some of the region’s expected population growth.
- 2.1.7.** Provide for a variety of housing options to be developed in close proximity to potential jobsites as well as public transit so that residents may reduce their dependency on personal vehicles and save on transportation costs.

### **2.2. APPLICABILITY**

For the purpose of applying the standards in this Article, refer to Article 1 for descriptions and maps of NBG Subdistricts.

## 2.3. NORTH BURNET/GATEWAY SUBDISTRICTS

### 2.3.1. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 2.3 North Burnet/Gateway Subdistricts	●	●	●	●	●	●	●	●	●	●	All development. For the area indicated in Figure 1-6, see Section 2.3.3 for applicability of land use standards.

Include RSMU Subdistrict

### 2.3.2. NBG Subdistricts General

- A. The locations of the NBG Subdistricts in the NBG Zoning District are depicted in Figure 1-2.
- B. The NBG Subdistricts vary in terms of use, development intensity, and level of urban character.
- C. All NBG Subdistricts permit combinations of uses within a building or a site.

### 2.3.3. Land Use Summary Table

- A. Except as provided in Subsection B and C, the Land Use Summary Table in Figure 2-1 establishes the permitted, conditional, and prohibited uses according to NBG Subdistrict and any additional regulations that apply to a particular use in a specific subdistrict.

#### B. For the area indicated in Figure 1-6:

1. For development authorized by a site plan on or after March 23, 2009, the land use standards in the Land Use summary Table apply.
2. For all other existing development, the permitted, conditional and prohibited land use regulations of the Limited Industrial Services (LI) zoning district under LDC Section 25-2-491 (Permitted, Conditional, and Prohibited Uses) apply, with the following exceptions:
  - a. The following uses are prohibited:
    - Agricultural Sales and Services
    - Bail Bond Services
    - Campground
    - Drop Off Recycling Collection Facility Equipment Sales

Exterminating Services  
Monument Retail Sales  
Outdoor Entertainment  
Outdoor Sports and Recreation  
Scrap and Salvage  
Vehicle Storage  
Basic Industry  
General Warehousing and Distribution  
Recycling Center  
Resource Extraction  
Community Events  
Railroad Facilities  
Automotive Washing  
Equipment Repair Services  
Laundry Services  
Maintenance and Service Facilities

**b.** The following uses are permitted, with conditions:

Construction Sales and Services: permitted if the use is operated in an enclosed structure and does not include outdoor storage of merchandise, construction materials, equipment or vehicles.

Automotive Rentals: not more than 10 fleet cars are allowed on the site.

Automotive Sales: not more than 20 vehicles for sales or rental are allowed on the site.

**c.** Existing private Primary Education Facilities or Private Secondary Educational Facilities uses in place prior to March 22, 2012 are permitted uses.

**3.** Uses that are classified as H-Occupancy as defined by the International Building Code and the Fire Code are prohibited.

**C. Any Residential Use in the UT Pickle Research Campus identified in Figure 1-2 shall be Conditional and require a conditional use permit.**

#### **2.3.4. Subdistrict Typologies**

##### **A. Transit-Oriented Development (TOD) Subdistrict**

TOD is the most intensively developed land use zone and will typically be expressed as high density residential or office over active ground floor uses, such as retail. This land use designation is concentrated near the Capital Metro commuter rail station.

The North Burnet/Gateway Master Plan also anticipates a future TOD zone near a potential future Austin-San Antonio Intermunicipal Commuter Rail (ASA Rail) station, which is in the planning stage. At such time as the ASA Rail, or any other rail transit, is funded and exact station locations in the NBG area have been determined, consideration will be given to designating another TOD Subdistrict in the NBG Zoning District. City Council would need to approve any Subdistrict change and normal public hearing and notification procedures would apply.

##### **B. Commercial Mixed Use (CMU) Subdistrict**

Commercial Mixed Use is a high density mixed use subdistrict in the NBG Zoning District. It allows for development such as high density residential, high rise office and entertainment complexes, destination retail and large scale civic uses.

##### **C. Neighborhood Mixed Use (NMU) Subdistrict**

The Neighborhood Mixed Use Subdistrict provides for mid-rise residential with neighborhood-oriented retail and smaller employers.

##### **D. Neighborhood Residential (NR) Subdistrict**

Neighborhood Residential is the primary residential zone outside of the higher density mixed-use Subdistricts and provides for a height transition to the existing neighborhoods outside of the NBG Zoning District. The Neighborhood Residential Subdistrict provides for a wide range of housing types, including townhomes, rowhouses, and lower density apartment and condominium development. Neighborhood retail and civic uses are also allowed.

##### **E. Warehouse Mixed Use (WMU) Subdistrict**

Warehouse Mixed Use is a transition subdistrict used to accommodate existing warehouse uses and enable



future development to include residential and local retail uses.

**F. Commercial Industrial (CI) Subdistrict**

The Commercial Industrial Subdistrict accommodates basic industry, light manufacturing and warehousing uses.

**G. Research and Sciences Mixed use (RSMU) Subdistrict**

Research and Sciences Mixed Use (RSMU) is a high density mixed-use subdistrict appropriate for life sciences, lab, and biomedical uses as well as high rise and mid rise residential, attached residential, major and smaller employers, retail, large scale civic uses, and industrial uses.

**2.3.5. Drive-Through Facilities**

- A.** A use with a drive-through facility is prohibited in the TOD Subdistrict.
- B.** A drive-through facility serving a restaurant use is prohibited in the TOD, Neighborhood Mixed Use (NMU) and Neighborhood Residential (NR) Subdistricts.

Article 2: Land Use Standards  
Figure 2-1: NBG Zoning District Land Use Table

Figure 2-1: NBG ZONING DISTRICT LAND USE TABLE								
P = Permitted Use      C = Conditional Use      -- = Prohibited								
RESIDENTIAL USES	Transit-Oriented Development (TOD)	Commercial Mixed Use (CMU)	Neighborhood Mixed Use (NMU)	Neighborhood Residential (NR)	Warehouse Mixed Use (WMU)	Commercial Industrial (CI)	Research and Sciences Mixed Use (RSMU)	ADDITIONAL REQUIREMENTS
Bed & Breakfast (Group 1)	P	P	P	P	P	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Bed & Breakfast (Group 2)	P	P	P	P	P	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Condominium Residential	P	P	P	P	P	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Duplex Residential	--	--	--	P	--	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Group Residential	P	P	P	P	P	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Mobile Home Residential	--	--	--	--	--	--	--	
Multifamily Residential	P	P	P	P	P	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Retirement Housing (Small Site)	P	P	P	P	P	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Retirement Housing (Large Site)	P	P	P	P	P	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Single-Family Attached Residential	--	--	--	P	--	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Single-Family Residential	--	--	--	--	--	--	--	
Townhouse Residential	--	--	P	P	--	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
Two-Family Residential	--	--	--	P	--	--	<u>P</u>	<a href="#">As regulated by 2.2.3.C</a>
COMMERCIAL USES	TOD	CMU	NMU	NR	WMU	CI		ADDITIONAL REQUIREMENTS
Administrative and Business Offices	P	P	P	--	P	P	<u>P</u>	Use is limited to 5,000 gross sq. ft. in the NR Subdistrict
Agricultural Sales and Services	--	--	--	--	--	P	--	
Art Gallery	P	P	P	P	P	P	<u>P</u>	

See Section 2.3.3 for applicability of land use standards.

Article 2: Land Use Standards  
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use    C = Conditional Use    -- = Prohibited								
COMMERCIAL USES (Cont.)	TOD	CMU	NMU	NR	WMU	CI	RSMU	ADDITIONAL REQUIREMENTS
Art Workshop	P	P	P	P	P	P	<u>P</u>	
Automotive Rentals	P	P	P	--	P	P	<u>C</u>	A maximum of 10 fleet cars is allowed in the TOD and NMU subdistricts and a maximum of 20 fleet cars is allowed in the CMU, WMU, and CI subdistricts
Automotive Repair Services	--	P	--	--	P	P	<u>C</u>	
Automotive Sales	--	P	--	--	P	P	<u>C</u>	A maximum of 20 vehicles for sale or rental is allowed on the site. An existing automotive sales use in place prior to Nov. 1, 2007, located in a subdistrict in which the use is permitted, is not considered a non-conforming use and may exceed the 20-vehicle maximum established in this Document.
Automotive Washing (of any type)	--	--	--	--	P	P	<u>--</u>	
Bail Bond Services	--	--	--	--	--	--	<u>--</u>	
Building Maintenance Services	--	P	--	--	P	P	<u>--</u>	In CMU subdistrict use must be in an enclosed structure.
Business or Trade School	P	P	P	--	P	P	<u>P</u>	
Business Support Services	P	P	P	--	P	P	<u>P</u>	
Campground	--	--	--	--	--	--	<u>--</u>	
Carriage Stable	--	--	--	--	--	P	<u>--</u>	
Cocktail Lounge	C	C	C	--	C	--	<u>P</u>	
Commercial Blood Plasma Center	--	P	--	--	P	P	<u>--</u>	Permitted subject to LDC Section 25-2-803
Commercial Off-Street Parking	P	P	P	--	P	P	<u>P</u>	A commercial off-street parking use may not exceed one acre in site size. It may not be located within 100 feet of a corner. Not more than one commercial off-street parking use site may be located within a single block. The use must meet all applicable design requirements in this Document.
Communications Services	P	P	P	--	P	P	<u>P</u>	
Construction Sales and Services	--	--	--	--	P	P	<u>--</u>	
Consumer Convenience Services	P	P	P	P	P	P	<u>P</u>	
Consumer Repair Services	P	P	P	P	P	P	<u>P</u>	
Convenience Storage	--	P	--	--	P	P	<u>--</u>	In the CMU Subdistrict, the use must be enclosed in a single building on the site with no direct entry to individual storage units from outside.

Article 2: Land Use Standards  
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use      C = Conditional Use      -- = Prohibited								ADDITIONAL REQUIREMENTS
COMMERCIAL USES (cont.)	TOD	CMU	NMU	NR	WMU	CI	RSMU	
Drop-Off Recycling Collection Facility	--	--	--	--	--	P	--	
Electronic Prototype Assembly	--	P	--	--	P	P	<u>P</u>	
Electronic Testing	--	P	--	--	P	P	<u>P</u>	
Equipment Repair Services	--	--	--	--	P	P	--	
Equipment Sales	--	--	--	--	--	P	--	
Exterminating Services	--	--	--	--	--	P	--	
Financial Services	P	P	P	P	P	P	<u>P</u>	Use is limited to 5,000 sq. ft. in the NR Subdistrict.
Food Preparation	P	P	P	--	P	P	<u>P</u>	
Food Sales	P	P	P	P	P	--	<u>P</u>	
Funeral Services	--	P	--	--	P	P	--	
General Retail Sales (Convenience)	P	P	P	P	P	P	<u>P</u>	
General Retail Sales (General)	P	P	P	--	P	P	<u>P</u>	
Hotel-Motel	P	P	--	--	P	--	<u>P</u>	
Indoor Entertainment	--	P	--	--	P	P	<u>P</u>	
Indoor Sports and Recreation	--	P	--	--	P	P	<u>P</u>	
Kennels	--	P	--	--	P	P	<u>P</u>	
Laundry Services	--	--	--	--	P	P	--	
Liquor Sales	P	P	P	--	P	--	<u>P</u>	
Marina	--	--	--	--	--	--	--	
Medical Offices -- exceeding 5,000 sq. ft. gross floor area	P	P	--	--	P	P	<u>P</u>	
Medical Offices -- not exceeding 5,000 sq. ft. gross floor area	P	P	P	C	P	P	<u>P</u>	
Monument Retail Sales	--	--	--	--	--	P	--	
Off-Site Accessory Parking	P	P	P	--	P	P	<u>P</u>	An off-street accessory parking use may not exceed one acre in site size. It may not be located within 100 feet of a corner. Not more than one off-site accessory parking use site may be located within a single block. The use must meet all applicable design requirements in this Document.
<u>Life Sciences</u>	--	--	--	--	--	--	<u>P</u>	

Article 2: Land Use Standards  
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use    C = Conditional Use    -- = Prohibited								
	TOD	CMU	NMU	NR	WMU	CI	RSMU	
COMMERCIAL USES (cont.)								ADDITIONAL REQUIREMENTS
Outdoor Entertainment	--	--	--	--	--	--	<u>P</u>	
Outdoor Sports and Recreation	P	P	P	P	P	P	<u>P</u>	
Pawn Shop Services	--	--	--	--	P	P	--	
Personal Improvement Services	P	P	P	P	P	--	<u>P</u>	Use is limited to 5,000 gross sq. ft. in the NR Subdistrict.
Personal Services	P	P	P	P	P	--	<u>P</u>	
Pet Services	P	P	P	P	P	P	<u>P</u>	
Plant Nursery	--	P	C	--	P	P	<u>P</u>	
Printing and Publishing	--	P	C	--	P	P	<u>P</u>	
Professional Office	P	P	P	P	P	P	<u>P</u>	Use is limited to 5,000 gross sq. ft. in the NR Subdistrict.
Recreational Equipment Maintenance & Storage	--	--	--	--	--	P	--	
Recreational Equipment Sales	--	--	--	--	--	P	--	
Research Assembly Services	--	--	--	--	--	--	<u>P</u>	
Research Services	--	P	C	--	P	P	<u>P</u>	
Research Testing Services	--	--	--	--	--	--	<u>P</u>	
Research Warehousing Services	--	--	--	--	--	--	<u>P</u>	
Restaurant (General)	P	P	P	--	P	P	<u>P</u>	
Restaurant (Limited)	P	P	P	P	P	P	<u>P</u>	Use is limited to 5,000 gross sq. ft. in NR Subdistrict.
Scrap and Salvage	--	--	--	--	--	C	--	
Service Station	--	P	P	P	P	P	<u>P</u>	A service station use may have the capability of fueling not more than eight vehicles at one time in the CMU, NMU, <u>RSMU</u> , and NR subdistricts.
Software Development	P	P	P	P	P	P	<u>P</u>	Use is limited to 5,000 sq. ft. in the NR Subdistrict.
Special Use Historic	C	C	C	C	C	C	<u>C</u>	Use must comply with the requirements of LDC Section 25-2-807
Stables	--	--	--	--	--	--	--	
Theater	P	P	P	--	P	P	<u>P</u>	
Vehicle Storage	--	--	--	--	--	P	--	
Veterinary Services	P	P	P	--	P	P	<u>P</u>	A veterinary services use must be conducted entirely within an enclosed structure. Veterinary hospitals for livestock and large animals not permitted.

Article 2: Land Use Standards  
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use      C = Conditional Use      -- = Prohibited								ADDITIONAL REGULATIONS
CIVIC USES	TOD	CMU	NMU	NR	WMU	CI	RSMU	
Administrative Services	P	P	P	--	P	P	<u>P</u>	Incidental maintenance of administrative services vehicles prohibited on site in TOD, CMU, <u>RSMU</u> , NMU, and NR subdistricts.
Aviation Facilities	--	--	--	--	--	--	--	
Camp	--	--	--	--	--	--	--	
Cemetery	--	--	--	--	--	--	--	
Club or Lodge	--	C	--	--	C	C	<u>C</u>	
College and University Facilities	P	P	P	--	P	P	<u>P</u>	An existing use in place prior to Nov. 1, 2007 is not considered a non-conforming use.
Communication Service Facilities	P	P	P	P	P	P	<u>P</u>	
Community Events	--	--	--	--	--	--	--	
Community Recreation (Private)	P	P	P	P	P	C	<u>P</u>	
Community Recreation (Public)	P	P	P	P	P	C	<u>P</u>	
Congregate Living	P	P	P	P	P	--	<u>P</u>	
Convalescent Services	--	P	P	P	P	--	<u>P</u>	
Convention Center	--	--	--	--	--	--	--	
Counseling Services	P	P	P	C	P	--	<u>P</u>	
Cultural Services	P	P	P	C	P	--	<u>P</u>	
Day Care Services (Commercial)	P	P	P	P	P	--	<u>P</u>	
Day Care Services (General)	P	P	P	P	P	--	<u>P</u>	
Day Care Services (Limited)	P	P	P	P	P	--	<u>P</u>	
Detention Facilities	--	--	--	--	--	--	--	
Employee Recreation	--	--	--	--	P	P	--	
Family Home	P	P	P	P	P	--	<u>P</u>	
Group Home, Class I (Limited)	P	P	P	P	P	C	<u>P</u>	
Group Home, Class I (General)	P	P	P	C	P	C	<u>P</u>	
Group Home, Class II	C	P	C	C	P	C	--	
Guidance Services	P	P	P	--	P	--	<u>P</u>	
Hospital Services (Limited)	P	P	P	C	P	--	<u>P</u>	

Article 2: Land Use Standards  
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use      C = Conditional Use      -- = Prohibited								
CIVIC USES (cont.)	TOD	CMU	NMU	NR	WMU	CI	RSMU	ADDITIONAL REGULATIONS
Hospital Services (General)	--	C	C	--	C	--	<u>C</u>	
Local Utility Services	P	P	P	P	P	P	<u>P</u>	
Maintenance and Service Facilities	--	--	--	--	C	P	--	
Major Utility Facilities	--	--	--	--	--	C	<u>P</u>	
Military Installations	--	--	--	--	--	--	--	
Park and Recreation Services (General)	P	P	P	P	P	--	<u>P</u>	
Park and Recreation Services (Special)	--	--	--	--	--	--	--	
Postal Facilities	P	P	P	P	P	P	<u>P</u>	Use is limited to 5,000 gross sq. ft. in all Subdistricts except CI.
Private Primary Educational Facilities	P	P	P	P	P	--	<u>P</u>	
Private Secondary Educational Facilities	P	P	P	P	P	--	<u>P</u>	
Public Primary Educational Facilities	P	P	P	P	P	--	<u>P</u>	
Public Secondary Educational Facilities	P	P	P	P	P	--	<u>P</u>	
Qualified Community Garden	P	P	P	P	P	--	<u>P</u>	Subject to LDC Section 8-4
Railroad Facilities	--	--	--	--	--	P	--	
Religious Assembly	P	P	P	P	P	P	<u>P</u>	
Residential Treatment	C	P	C	C	P	--	--	
Safety Services	P	P	P	C	P	P	<u>P</u>	
Telecommunication tower	P	P	P	P	P	P	<u>P</u>	Subject to LDC Section 25-2-839 (13-2-235 and 13-2-273). A telecommunications tower must be located on top of a building or be an architectural component of the building. Free standing towers are prohibited in TOD, CMU, <u>RSMU</u> , NMU, and NR subdistricts
Transitional Housing	--	C	--	--	C	--	--	
Transportation Terminal	P	P	P	C	P	P	<u>P</u>	All private transportation terminals are conditional in all NBG Subdistricts.

Article 2: Land Use Standards  
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use      C = Conditional Use      -- = Prohibited								
INDUSTRIAL USES	TOD	CMU	NMU	NR	WMU	CI	RSMU	ADDITIONAL REQUIREMENTS
Basic Industry	--	--	--	--	--	P	--	
Custom Manufacturing	P	P	P	C	P	P	P	
General Warehousing and Distribution	--	--	--	--	--	P	P	
Light Manufacturing	--	--	--	--	P	P	P	In the WMU Subdistrict, use may not produce noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, or waste run-off outside an enclosed structure.
Limited Warehousing and Distribution	--	--	--	--	P	P	P	In the WMU Subdistrict, use may not produce noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, or waste run-off outside an enclosed structure.
Recycling Center	--	--	--	--	--	P	--	
Resource Extraction	--	--	--	--	--	--	--	
Stockyards	--	--	--	--	--	--	--	
AGRICULTURAL USES	TOD	CMU	NMU	NR	WMU	CI		ADDITIONAL REQUIREMENTS
Animal Production	--	--	--	--	--	--	--	
Crop Production	--	--	--	--	--	--	--	
Horticulture	--	--	--	--	--	--	--	
Support Housing	--	--	--	--	--	--	--	
Urban Farm	--	C	C	--	C	--	C	



## **ARTICLE 3: CIRCULATION, CONNECTIVITY AND STREETSCAPE**

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The applicability of standards in Article 3 is based on the NBG Subdistrict in which a property is located and the Roadway Type adjacent to it. Refer to Article 1 for descriptions and maps of NBG Subdistricts and NBG Roadway Types.

### **3.1. INTENT**

The standards of Article 3 are intended to:

- 3.1.1.** Increase mobility both within the North Burnet/Gateway area and to surrounding areas by improving connectivity and accommodations for pedestrians, cyclists and transit.
- 3.1.2.** Encourage a greater percentage of travel accomplished by walking, biking, and transit.
- 3.1.3.** Provide a built environment, streetscape and street design that are safe and enjoyable for pedestrians and cyclists.
- 3.1.4.** Ensure that site design promotes efficient pedestrian and vehicle circulation patterns;
- 3.1.5.** Ensure the creation of a high-quality street and sidewalk environment that is supportive of pedestrian and transit mobility and that is appropriate to the roadway context;
- 3.1.6.** Ensure that trees, sidewalks, and buildings – three of the major elements that make up a streetscape – are arranged in a manner that supports the creation of a safe, human-scaled, and well-defined roadway environment;
- 3.1.7.** Ensure that there are multiple travel route options for all transportation modes in and around the NBG Zoning District;
- 3.1.8.** Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the roadside pedestrian environment, and that does not create a barrier between the roadside environment and the roadside buildings; and
- 3.1.9.** Ensure that sites are developed in a manner that supports and encourages connectivity for all modes of travel and that new and existing development, pedestrian and bicycle paths, and open spaces complement and link to one another.

## 3.2. APPLICABILITY

For the purpose of applying the standards in this Article, refer to Article 1 for descriptions and maps of NBG Subdistricts and NBG Roadway Types.

## 3.3. SIDEWALK STANDARDS

### 3.3.1. General Applicability

In order to create an environment that is supportive of pedestrian and transit mobility, public sidewalks shall be provided on both sides of all streets in the NBG Zoning District. The requirements of this section must be met on all adjacent roadway types.

### 3.3.2. Sidewalk Standards for All Roadway Types

#### A. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Subsection 3.3.2 Sidewalk Standards for All Roadway Types	●	●	●	●	●	●	●	●	●	●	-All development -Requirement must be met on all adjacent roadway types

#### B. Sidewalks

Public sidewalks shall be located along both sides of all streets. No sidewalk shall be less than the width prescribed in Figure 3-3 for each roadway type. The minimum sidewalk width requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the minimum requirement, with a sidewalk easement provided. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a clear zone (see Figures 3-4 and 3-5). The following standards shall apply:

EXCEPTIONS: Sites with life science uses, research services, research testing services, research warehousing services, research assembly services or industrial uses.

##### 1. Street Tree/Furniture Zone

- The street tree/furniture zone shall have a minimum width as prescribed in Figure 3-3 for each roadway type (from face of curb) and shall be continuous and located adjacent to the curb.
- If required based on roadway type, the zone shall be planted with street trees at an average spacing not greater than 30 feet on center. The Watershed Protection and Development Review Dept. maintains a list of acceptable street trees for purposes of this section.
- For properties within the TOD Subdistrict, the zone shall be planted with street trees at an average spacing not greater than 30 feet on center on all roadway types.

- d. While not required, the zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility (see Figure 3-1).

## 2. Clear Zone

- a. The clear zone shall be a minimum width as prescribed in Figure 3-3 for each roadway type, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards.
- b. The clear zone shall be unobstructed by any permanent or nonpermanent element for the required minimum width and a minimum height of eight feet (see Figure 3-2).
- c. Along NBG Highways, the clear zone shall be located a minimum of 2 feet from the curb or ROW in compliance with TCM Section 4.2.1.



**Figure 3-2:** Clear zone example



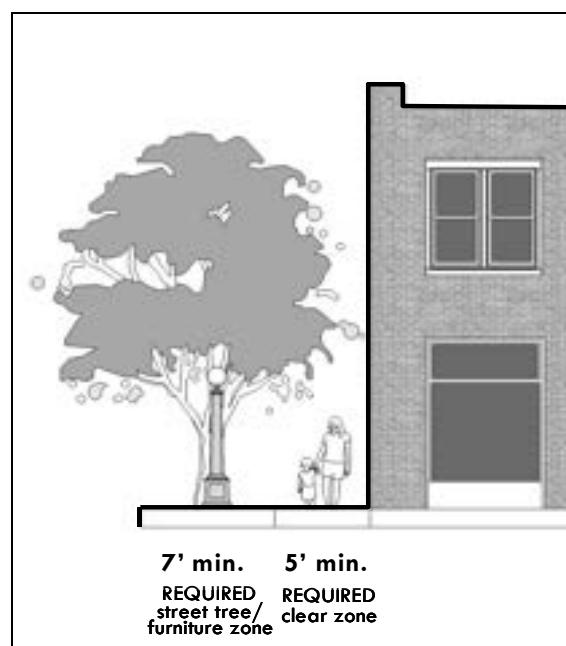
**Figure 3-1:** Street tree/furniture zone example

**Figure 3-3: SIDEWALK STANDARDS (applicability based on Roadway Type)**

Standards	Applies if the Adjacent Street is:				Additional Requirements
	CTC	PPC	UR	HWY	
Min. Total Sidewalk Width (Feet)	15'	12'	12'	8'	
Min. Street Tree Zone Width (Feet)	8'	7'	7'	Optional	
Minimum Clear Zone Width	7'	5'	5'	8'	Along NBG Highways, sidewalks shall be located a minimum of 2 feet from the curb in compliance with TCM Section 4.2.1.
Street Trees Required	●	●			Street trees shall be planted for all properties in the TOD Subdistrict.



**Figure 3-4:** NBG Core Transit Corridor sidewalk requirements.



**Figure 3-5:** NBG Pedestrian Priority Collector and NBG Urban Roadway sidewalk width requirements.

Street trees with an average spacing not greater than 30 feet on center are required along NBG Core Transit Corridors, NBG Pedestrian Priority Collectors, and all roadway types in the TOD Subdistrict.

### 3. Accommodating Bicycle Facilities

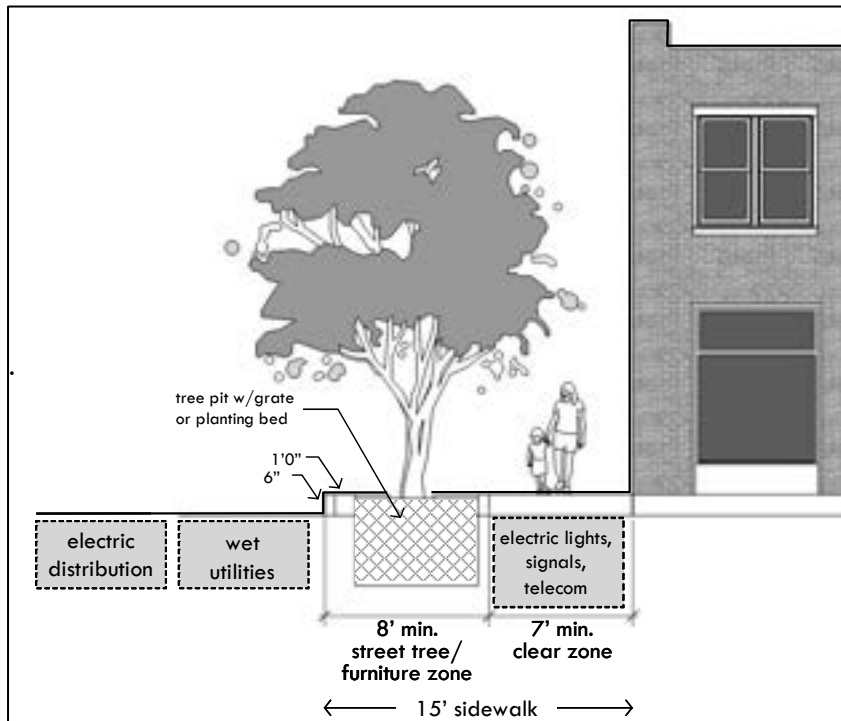
- a. If the adjacent street is identified as an NBG Core Transit Corridor or NBG Pedestrian Priority Collector, sidewalks may only encroach in the street right-of-way (ROW) to the extent that enough ROW remains to be able to accommodate a 6-foot wide bicycle off-street one-way bikeway and 2-foot buffer zone (total of 8 feet) on both sides of the roadway in the future. Alternative Equivalent Compliance may be sought for relief from this standard if bicycle lanes are provided in the street or if bicycle accommodations are provided as part of the sidewalk streetscape (one-way or two-way shared use facility); subject to review and approval by the Directors of the Public Works and Watershed Protection and Development Review Departments.
- b. Along NBG Highways, a minimum 8 foot clear zone is required in order to provide a shared use path that could be used for both pedestrian and bicycle travel.

**4. Utilities**

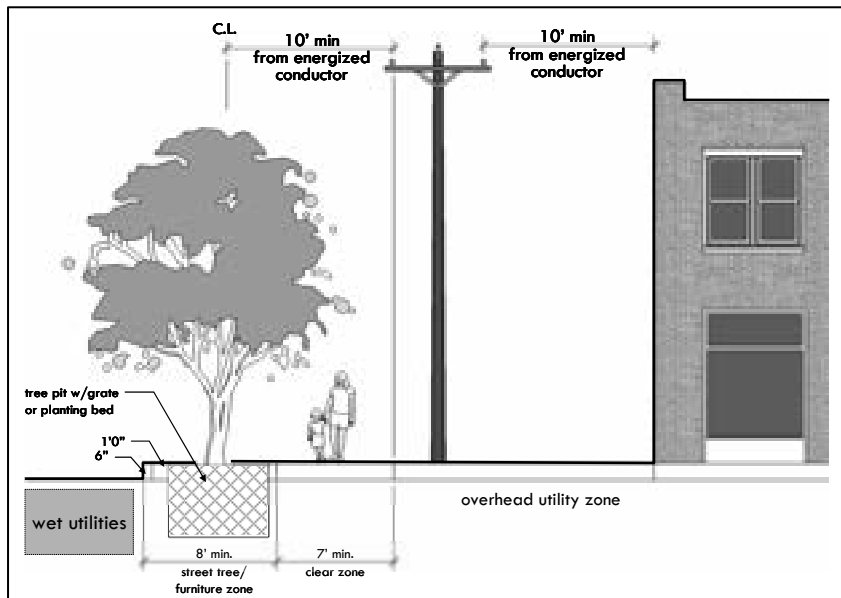
- a. All utility lines shall be underground from the building to the property line. Utility lines within the right-of-way shall be placed underground or relocated to the rear of the site to the maximum extent practicable as determined by the Director (see Figure 3-6).
- b. Where existing electric utilities remain overhead and are located behind the curb, an overhead utility zone shall be provided so that no portion of the building is located within a 10-foot radius of the energized conductor. In addition, street trees shall be set back from an energized conductor by a minimum of ten feet as measured from the centerline of the tree. Options for street tree planting and sidewalk placement in combination with overhead utilities are illustrated in Figures 3-7 and 3-8.
- c. Utility compatible trees may be used so that the trees can be located beneath, rather than offset from, the overhead electric utilities if the Director determines that one of the following conditions is met:
  - (i) If the depth of a lot is 120 feet or less and electric utilities remain overhead and are located behind the curb; or
  - (ii) If, in order to meet all of the requirements of this section, the building façade would be required to set back 30 feet or more beyond the curb face (Note: if the requirements of this section can be met within existing right-of-way, utility compatible trees may not be used).

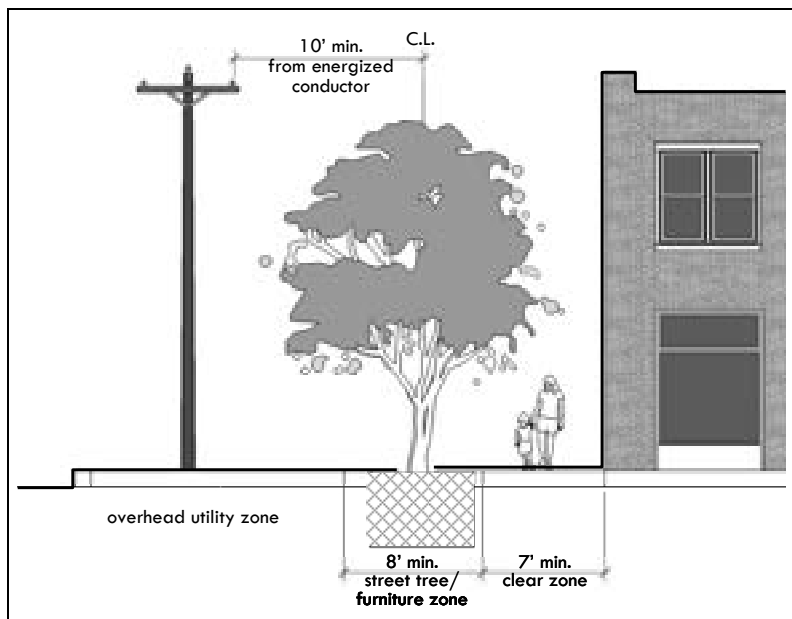
**3.3.3. Alternative Requirements for Shallow Lots on NBG Core Transit Corridors**

On lots located on NBG Core Transit Corridors, with a depth of 150 feet or less and where insufficient right-of-way exists to meet sidewalk requirements, the total sidewalk width may be reduced to 12 feet, consisting of a seven-foot minimum street tree/furniture zone and a five-foot clear zone.



**Figure 3-6:** NBG Core Transit Corridor with underground utilities.

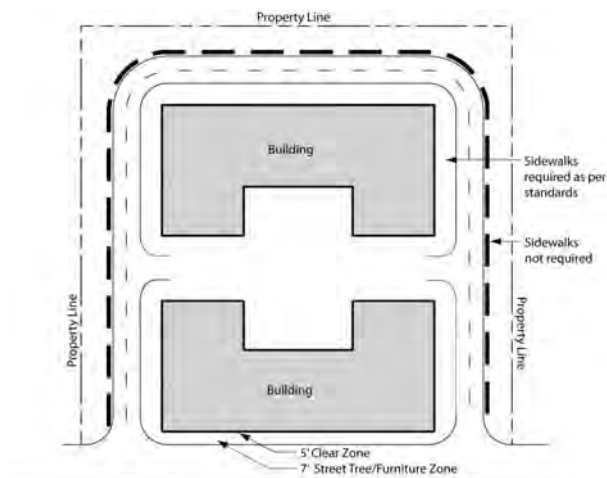




**Figure 3-8:** NBG Core Transit corridor with overhead utility zone at curb

### 3.3.4. Sidewalk Exemption for Edge Streets

If the Director determines that a street(s) is not required by the Collector Street Plan and is aligned along an interior and/or rear property line and a street connection to adjacent property is not feasible, the sidewalk standards in this section are not required along the outside edge of the street (Figure 3-9).



**Figure 3-9:** Sidewalk exemption on edge streets

## 3.4. ON-STREET PARKING

### 3.4.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.4 On-street parking	●	●	●	●	●	●	●	●	●		Optional for all development.

### 3.4.2. Purpose

On-street parking is encouraged within the NBG Zoning District to serve retail, office, and residential parking needs. It is especially important in areas where there are active edge designations to support ground floor businesses and to serve as a buffer for pedestrian activity along high-volume streets. However, depending on conditions along existing streets in addition to City safety policies and procedures, the provision of on-street parking on all streets within the NBG Zoning District is subject to the approval of the Director of the Public Works Department and compliance with fire access standards.

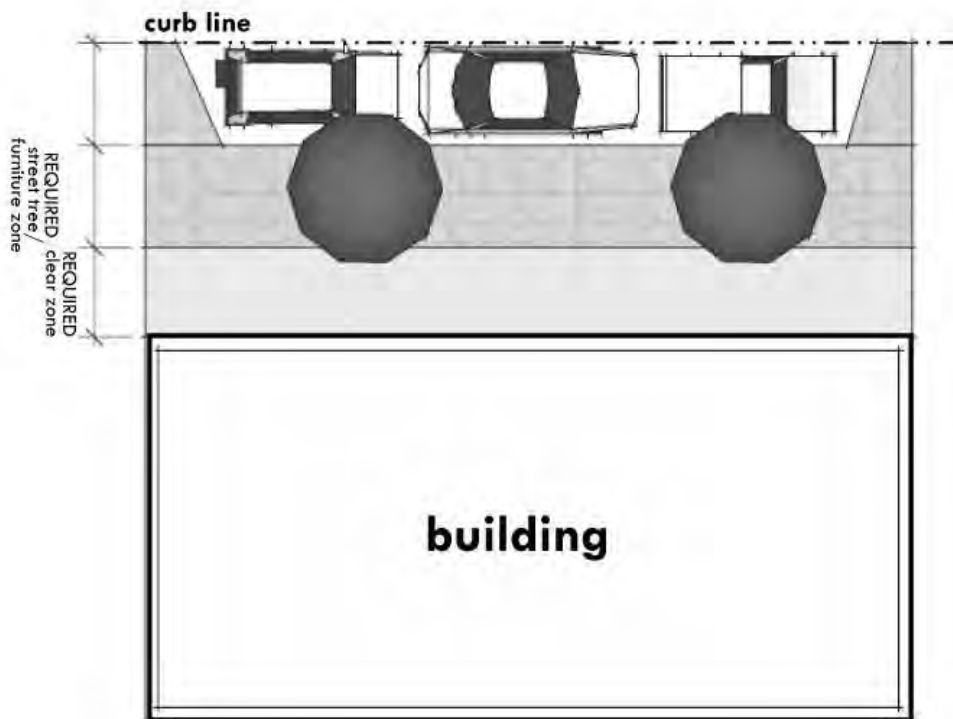
### 3.4.3. On-Street Parallel Parking

#### A. NBG Core Transit Corridors

1. On-street parallel parking is encouraged along the following NBG Core Transit Corridors: Kramer Lane, Stonelake Blvd, and Capital of Texas Hwy within the NBG Zoning District, as indicated on the NBG Roadway Types Map (Figure 1-3).
2. The Director of the Public Works Department may determine that such parking is not feasible due to limited right-of-way width or lack of appropriate and adequate easement, transit activity conflict and interference, inadequate sight distance caused by vertical or horizontal curvature of a street, high roadway speeds, or other safety concerns.
3. The design for on-street parallel parking may be accommodated by providing parking inside the curb line (Figure 3-10).
4. If on-street parking is provided, the sidewalk standards under Section 3.3 shall continue to apply, with both a clear zone and street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces.



5. On-street parallel parking is not permitted on Burnet Road. The portion of Burnet Road in the North Burnet/Gateway planning area is part of the State Highway System (FM1325) and thus under the Texas Department of Transportation (TxDOT) jurisdiction. The North Burnet/Gateway Master Plan recommends the City of Austin request to take ownership of the roadway, and redesign the roadway into an urban transit boulevard. At such time as the City takes over ownership, consideration will be given to permitting parallel parking on Burnet Road.



**Figure 3-10:** On-Street parallel parking design inside the curb line.

**B. NBG Pedestrian Priority Collectors and NBG Urban Roadways**

1. On-street parallel parking is encouraged along all NBG Pedestrian Priority Collectors and NBG Urban Roadways and shall be permitted subject to the approval of the Director of the Public Works Department.
2. The design for on-street parallel parking may be accommodated using standard design adjacent to the curb (Figure 3-11) or by providing parking inside the curb line (Figure 3-10).
3. If on-street parking is provided, the sidewalk provisions under Section 3.3 shall continue to apply, with both a clear zone and street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces.

**3.4.4. Head-in and Angle Parking Restrictions**

Head-in and angle parking are not allowed in the TOD Subdistrict or on a NBG Core Transit Corridor or NBG Pedestrian Priority Collector in the NBG Zoning District.

### 3.5. CONNECTIVITY AND CIRCULATION

#### 3.5.1. Project Circulation Plan

##### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.1 Project Circulation Plan	●	●	●	●	●	●	●	●	●	●	All development

Include RSMU Subdistrict

**B.** All projects must provide a Project Circulation Plan as part of the subdivision review process (or site plan if a subdivision plan is not required). The Project Circulation Plan shall be developed and reviewed for its consistency with this Section 3.5 and the NBG Collector Street Plan (Figure 3-12), which illustrates conceptual locations for new collector streets in the NBG Planning Area.

**C.** The Project Circulation Plan shall demonstrate:

1. How the on-site circulation system meets the standards of this Section 3.5.
2. How the on-site circulation system will be integrated with surrounding streets, bicycle facilities, trails, existing or future development, etc.
3. How new street design conforms with street cross section standards in Appendix A and reflects the intent of this Article.
4. How new collector street alignments conform with the NBG Collector Street Plan (Figure 3-12) or how deviations from the Collector Street Plan, in terms of roadway placement, alignment, and design, are consistent with the intent statements in this Document.
5. Consideration for pedestrians, bicyclists, transit, and vehicles.
6. That the street and pathway system will contribute to safe and convenient pedestrian connections between primary destinations within the NBG Area (e.g. transit station, commercial services, parks) and residential areas.

- D.** A Project Circulation Plan must be approved by the Directors of the Neighborhood Planning and Zoning and Watershed Protection and Development Review Departments. In reviewing the Project Circulation Plan for approval, the Directors shall consider whether the plan:
1. It is consistent with standards in this Section 3.5.
  2. It is consistent with the NBG Collector Street Plan (Figure 3-12) or presents alternatives that demonstrate satisfactory compliance with the Collector Street Plan; and
  3. It meets all applicable requirements in the Transportation Criteria Manual (TCM) or presents acceptable alternatives to the standards in the TCM.

A subdivision or site plan may not be approved if the Project Circulation Plan is not approved. The Directors' decision approving or disapproving a Project Circulation Plan is subject to administrative appeal under the requirements of Section 25-1-182 (*Initiating an Appeal*) of the LDC.

### 3.5.2. Dedication of NBG Collector Streets

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.2 Dedication of NBG Collector Streets	●	●	●	●	●	●		●			All development.

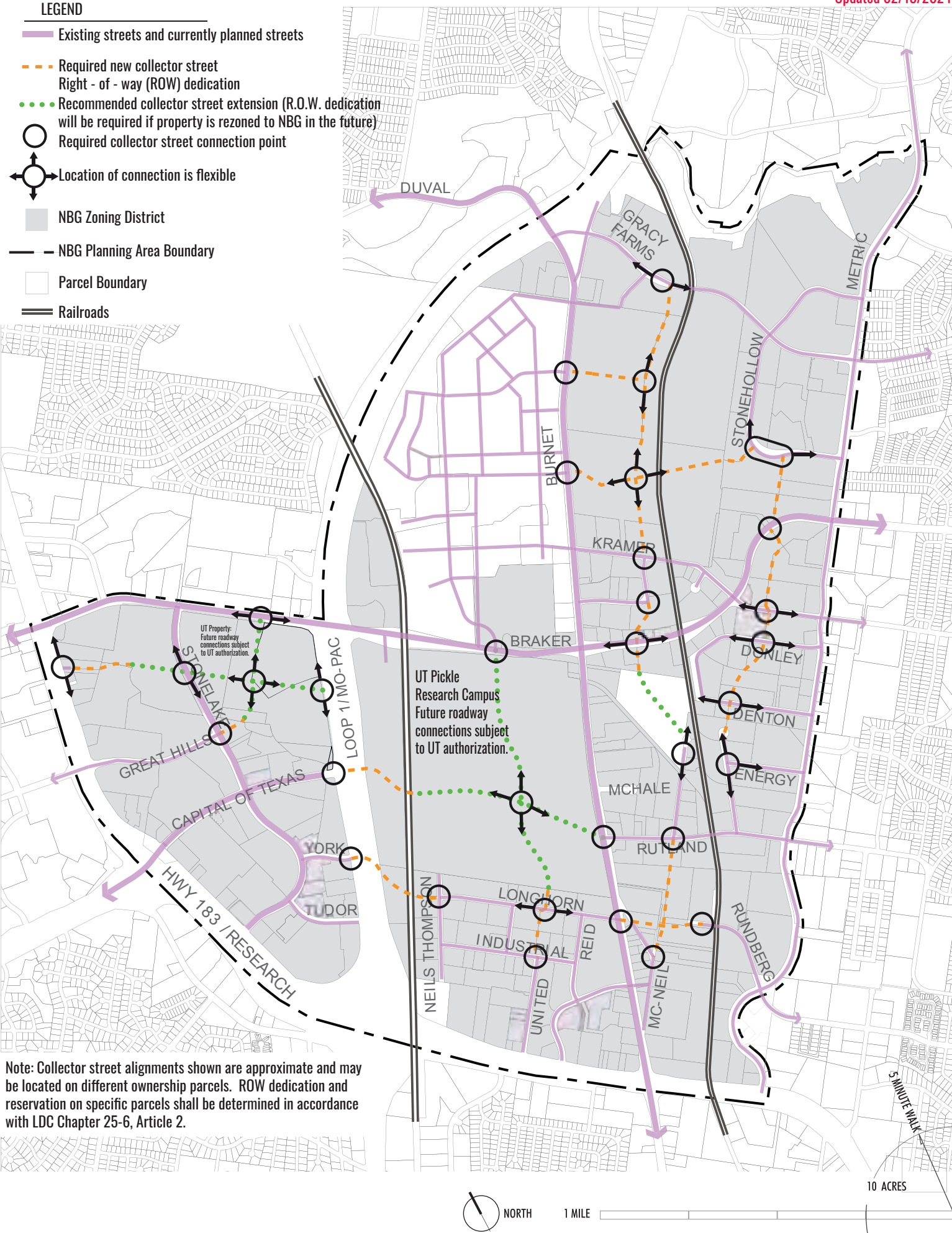
- B.** Right-of-way shall be dedicated for collector streets as identified on the NBG Collector Street Plan (Figure 3-12) in conformance with LDC Section 25-6-51(a)(2) [*an approved collector plan*] and associated requirements in LDC Chapter 25-6, Article 2 [*Reservation and Dedication of Right-of-Way*].
1. New collector streets shall follow one of the Primary Collector Street cross-sections provided in Appendix A.
  2. The collector street shown on Figure 3-12 running north-south located east of Burnet Road and west of the railroad tracks shall follow the Primary Collector Street (35 M.P.H or less) off-street bikeway option cross-section.
  3. Collector street alignments shown on Figure 3-12 are approximate, are subject to modification as deemed appropriate by the Directors and may be located on different ownership parcels. ROW dedication and reservation on specific parcels shall be determined in accordance with LDC Chapter 25-6, Article 2.
  4. If a site is five acres or larger in size and required build a new street(s) to meet the block size standards in Section 3.5.4, a street

alignment shall follow the collector street alignment as identified in Figure 3-12.

- 5.** If a site is less than five acres in size, or would otherwise not be required to provide a new street(s) on the site in compliance with the block size standards in Section 3.5.4 or any other requirement,
  - a.** Floor-to-Area (FAR) calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.
  - b.** If the project builds the collector street following one of the Primary Collector Street cross-sections provided in Appendix A, the site will be eligible for a development bonus in exchange for building the collector street. The development bonus criteria and standards are detailed in Article 6.

Figure 3-12 : North Burnet / Gateway (NBG) Zoning District  
Collector Street Plan

Updated 02/13/2024



### 3.5.3. Standards for New Streets

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.3. Standards for New Streets	●	●	●	●	●	●	N/A	N/A	N/A	N/A	Any new street built in the NBG Zoning District.

N/A = Not Applicable.

- B. Any new street built in the NBG Zoning District will be required to follow one of the street cross-sections provided in Appendix A.
- C. New streets are encouraged to incorporate Innovative Water Quality Controls as described in Environmental Criteria Manual Section 1.6 and illustrated in Appendix C.

### 3.5.4. Block Standards

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.4 Block Standards	●	●	●	●	●	●	●	●	●	●	A site five acres or larger, or any block face exceeding 500 feet in length.

#### B. Maximum Block Size

A site five acres or larger shall be generally divided into internal blocks. Streets connecting the blocks shall form an interconnected, grid-like transportation system on the site. Notwithstanding the provisions of new streets consistent with the NBG Collector Street Plan, the maximum length of any block face shall be 660 feet and the maximum block perimeter shall be 1,800 feet as measured from the curb line (see Figure 3-21) with the following exemptions, subject to the approval of the Director:

1. Block size should not exceed the standards in Subsection B above unless there are special circumstances including, but not limited to: restricted access due to easements, rail right-of-way, natural features (such as waterways and floodplain), existing development, , and property developed with life science uses, research services, research testing services, research warehousing services, research assembly services, or industrial uses.
2. Contiguous green spaces or parks are not subject to the block-length requirements, but if the green space or park is longer than 500 feet, it must include at a minimum of one pedestrian and bicycle shared use path as a mid-block connection. This path shall

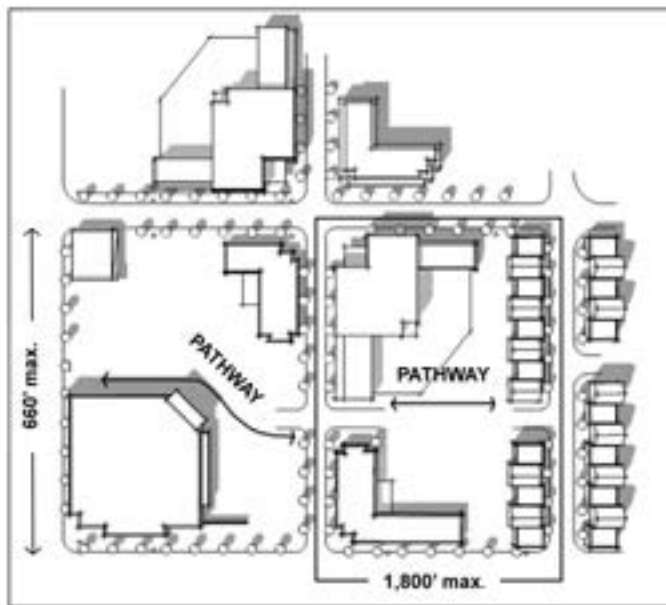
connect to other existing or planned pedestrian/bicycle routes through the site or adjacent to the site.

3. Contiguous areas adjacent to and following the Capital Metro railway right-of-way are not subject to the block length requirements if they do not extend more than 175 feet away from the rail right-of-way.

#### C. Mid-block Pathway

For a block face exceeding 500 feet in length, a pedestrian pathway shall be provided as a mid-block route to connect to public streets and/or other existing or planned pedestrian routes through the site or adjacent to the site (see Figure 3-13).

Except for a site developed with life science uses, research services, research testing services, research warehousing services, research assembly services, or industrial uses.



**Figure 3-13:** Example of a development meeting block standards and mid-block pathways

#### D. Subdivision of Internal Blocks

Internal blocks abutting new streets may be subdivided to allow for the sale and development of individual blocks without frontage on a public street if the Director determines that the new street is equivalent to a public street in terms of pedestrian and bicycle access, utilities, pavement design, and vehicle access requirements.



### 3.5.5. Curb Cut Spacing Standards

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.5 Curb-cut Spacing Standards	●	●	●	●	●	●	●	●	●	●	All development

Include RSMU Subdistrict

#### B. General Standards

In addition to the standards under Subsections C and D below, curb-cuts on streets in the NBG Zoning District shall be located in accordance with the driveway spacing standards in Section 5 of the Transportation Criteria Manual (TCM).

#### C. NBG Core Transit Corridors

Curb cuts for vehicular connections between the site and any adjacent NBG Core Transit Corridor shall not occur more frequently than every 330 feet. An NBG Pedestrian Priority Collector or NBG Urban Roadway does not count as a curb cut.

#### D. Small Lots on NBG Core Transit Corridors and NBG Pedestrian Priority Collectors

For lots with frontage less than 50 feet wide adjacent to an NBG Core Transit Corridor or Pedestrian Priority Collector, access to the lot shall be provided by a single joint use driveway from the CTC or PPC; otherwise access shall be provided from an NBG Urban Roadway, Highway, or Alley.

#### E. NBG Highways

Curb-cuts on NBG Highways shall be located in accordance with TxDOT driveway spacing standards located in the TxDOT Access Management Manual. The driveway spacing requirements are related to the posted speed limits. TxDOT is part of the City of Austin review process and all site developments that abut a state highway system are reviewed by the TxDOT Driveway and Utility Permit Office and Area Engineer's office prior to final approval by the City.

### 3.5.6. Curb-Cut Dimensional Standards

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.6 Curb-Cut Dimensional Standards	●	●	●	●	●	●	●	●	●	●	All development

Include RSMU Subdistrict

## B. Curb-Cut Width Standards

Section 5 of the Transportation Criteria Manual (TCM) specifies driveway standards in 5.3.2 of the TCM. These standards shall continue to apply to residential (Type 1) and commercial (Type II) driveways, except as provided in this subsection.

1. The maximum Type I driveway width for townhouse residences shall be 18 feet.
2. Driveways along street frontages with an active edge designation are discouraged. When they are deemed necessary by the Director, the maximum Type II driveway width for multi-family residential and commercial uses shall be 30 feet along an active edge.
3. Other Type II driveways within the NBG Zoning District shall be no more than 30 feet wide, and they may be expanded to a maximum width of 35 feet when deemed necessary by the Director for proper traffic circulation and access.
4. The maximum curb return radius for all Type II driveways shall be 15 feet in the TOD, CMU, NMU, and NR Subdistricts. The maximum curb return radius may be expanded when deemed necessary by the Director for proper traffic circulation and access.
5. Sidewalk clear zones crossing a driveway shall be continuous and as straight and level as possible. Curb cuts shall ramp up and down to the level of the sidewalk rather than require additional curb ramps along the sidewalk.

## 3.5.7. Commercial and Residential Alleys

### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.7 Commercial and Residential Alleys	●	●	●	●	●	●	●	●	●	●	Optional for all development

Include RSMU Subdistrict

- B. Alleys are encouraged to focus specific types of activity “behind the scenes” and to potentially allow for another point of access to the site. Alleys may provide space for, but not limited to, the following: loading areas, trash collection, utility location, and access to parking. Alleys shall comply with the Commercial Alley or Residential Alley cross-sections as shown in Appendix A.
- C. Alleys should be used mid-block for service access and shall not substitute for streets required for emergency vehicle access or to meet block size or connectivity requirements.

### 3.5.8. Pedestrian, Bicycle, and Vehicular Circulation

Include RSMU Subdistrict

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.8 Pedestrian, Bicycle, and Vehicular Connectivity	●	●	●	●	●	●	●	●	●	●	All development

All sites or developments subject to this section shall:

- B.** Provide private drive or public/private street connections to existing private drives or public/private streets on adjacent sites;
- C.** Provide direct pedestrian access from any street adjacent to the property line to a building entrance (the pedestrian access point must be fully accessible during operating hours).
- D.** Where public parkland is adjacent to the property line, provide pedestrian and bicycle access from the trail or walkway system on that parkland to the building entrance (the pedestrian and bicycle access points must be fully accessible during operating hours and shall meet City standards for pedestrian and bike ways).
- E.** Development projects in the TOD Subdistrict shall consult with the City of Austin Bicycle and Pedestrian Program prior to or during the Project Circulation Plan review about possible ways to achieve separated off-street bikeways.

## **ARTICLE 4: SITE DEVELOPMENT STANDARDS**

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The applicability of standards in Article 4 is based on the NBG Subdistrict in which a property is located and the Roadway Type adjacent to it. Refer to Article 1 for descriptions and maps of NBG Subdistricts and NBG Roadway Types.

### **4.1. INTENT**

The standards of Article 4 are intended to:

- 4.1.1.** Ensure that buildings relate appropriately to the surrounding area, create a cohesive visual identity and attractive street scene, and frame the pedestrian environment;
- 4.1.2.** Ensure that buildings relate appropriately to their roadway context, allowing for easy pedestrian access to buildings and providing well-defined edges to the roadway environment;
- 4.1.3.** Provide opportunities for roadside uses that enliven and enrich the roadway and pedestrian environment, such as outdoor dining, porches, patios, and landscape features;
- 4.1.4.** Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the pedestrian environment;
- 4.1.5.** Provide adequate, secure, and convenient bicycle parking to meet the needs of the users of a development and to encourage cycling activity;
- 4.1.6.** Ensure that utilities and mechanical equipment are obscured and are not prominent features of a development that negatively impact the visual experience;
- 4.1.7.** Ensure that exterior lighting creates a safe night-time atmosphere and encourages activity in the evening, but does not overwhelm the environment and intrude onto adjacent properties; and
- 4.1.8.** Provide both private and public open space amenities to residents, workers, and visitors of the NBG Zoning District so that the urban character of the NBG area is balanced with the open space needs of these populations.
- 4.1.9.** Encourage innovative stormwater management practices.

## 4.2. GENERAL DEVELOPMENT STANDARDS

### 4.2.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.2 General Development Standards	●	●	●	●	●	●	●	●	●	●	All development.

### 4.2.2. General Development Standards Summary Table

The General Development Standards Summary Pages in Figure 4-1 establish site development standards for each NBG Subdistrict and any additional regulations that apply in a specific subdistrict.

### 4.2.3. Other Site Development Standards

For all development in the NBG Zoning District:

#### A. Maximum Units Per Acre

There are no maximum units per acre requirements.

#### B. Minimum Site Area Requirements

There are no minimum site area requirements.

#### C. Maximum Building Coverage

Maximum building coverage shall be equal to the maximum impervious cover permitted.

#### D. Minimum number of Building Stories

1. The minimum number of stories for a building located within the Transit Oriented Development (TOD) subdistrict is two stories. For properties located in all other subdistricts there is no minimum number of building stories.
2. A minimum of 50% of the entire building footprint must be a full two stories.
3. For the purposes of this document, two story minimum is defined in Article 7: Definitions.

### 4.2.4. Compatibility Standards

- A. Development within the NBG Planning Area does not trigger the standards in Article 10 Division 2 of the LDC.

# FIGURE 4 - 1 TOD : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS TRANSIT ORIENTED DEVELOPMENT (TOD) SUBDISTRICT

Revised 10-25-23

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>Interior Side Yard:</b>	0 Feet
<b>Rear Yard:</b>	0 Feet
<p>* If the street right-of-way is less than 60 feet in width, the minimum front yard and street side yard setbacks for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.</p>	

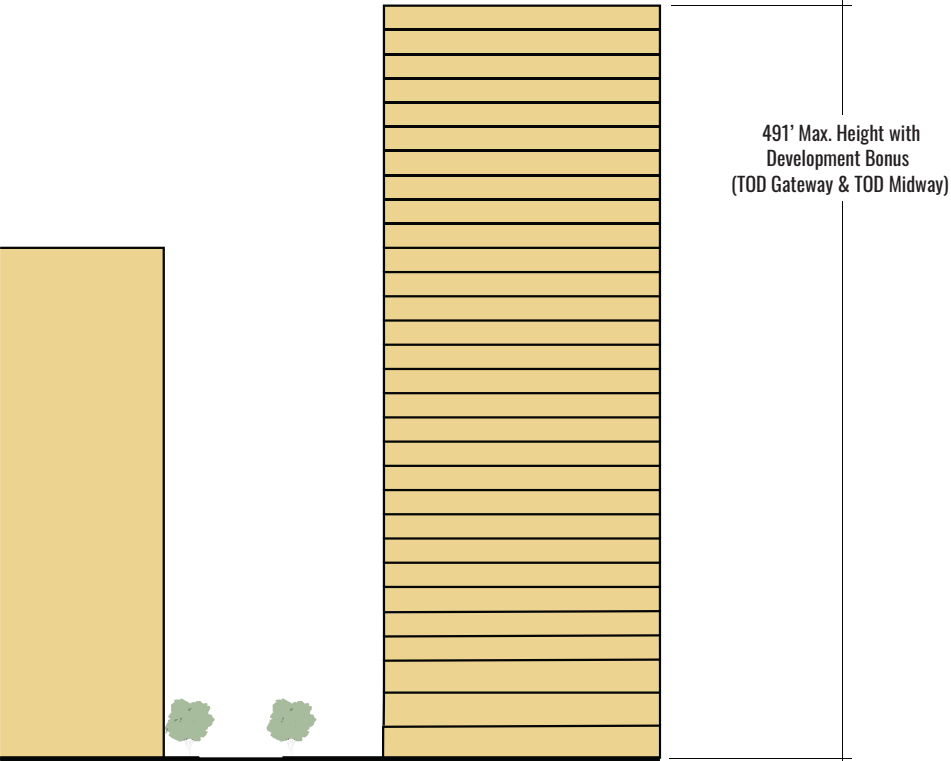
MAXIMUM IMPERVIOUS COVER	
<b>If located in an urban watershed (Shoal or Little Walnut Creek) :</b>	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property’s zoning prior to adoption of the this Document.)	
<b>If located in a suburban watershed (Walnut Creek)*:</b> 80%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

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>	
TOD Gateway Zone	12:1
TOD Midway Zone	12:1
<p>This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.</p>	



BUILDING HEIGHT	
<b>Minimum Building Height:</b>	
2 Stories	
<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>	
TOD Gateway	491 Feet
TOD Midway	491 Feet
<p>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.</p>	

Typical example of buildings in the Transit Oriented Development Subdistrict.



# FIGURE 4 - 1 CMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS COMMERCIAL MIXED USE (CMU) SUBDISTRICT

Revised 10-25-23

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>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.	

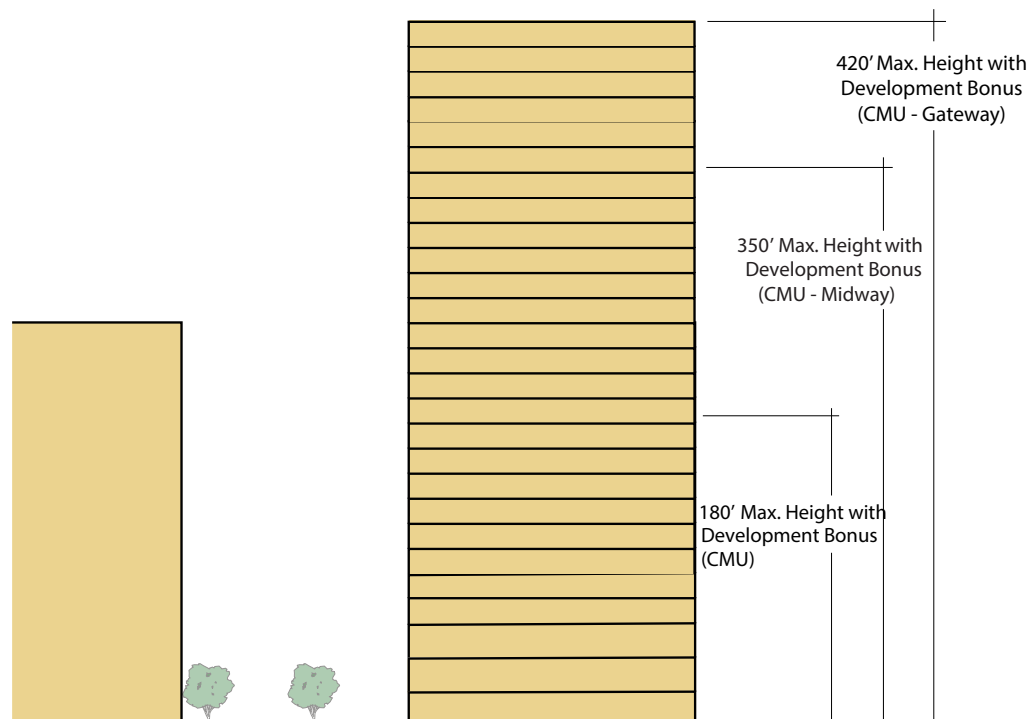
FLOOR TO AREA RATIO	
<b>Maximum Floor-to-Area Ratio (FAR) by Right:</b>	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
<b>Maximum Floor-to-Area Ratio (FAR) with Development Bonus:</b>	
CMU Zone	3:1
CMU Midway Zone	10:1
CMU Gateway 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	
<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 Midway Zone	350 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.	

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.	

Typical examples of buildings in the Commercial Mixed Use Subdistrict.



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.	



# FIGURE 4 - 1 NMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS NEIGHBORHOOD MIXED USE (NMU) SUBDISTRICT

Revised 10-25-23

LOT SIZE	
Minimum Lot Size	1,600 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>Interior Side Yard:</b>	0 Feet
<b>Rear Yard:</b>	5 Feet
<p>* 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.</p>	

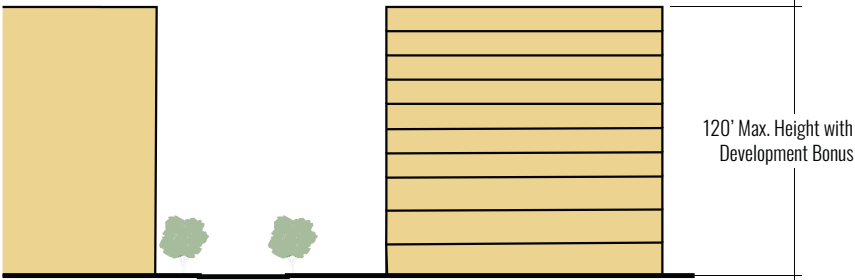
MAXIMUM IMPERVIOUS COVER	
<b>If located in an urban watershed (Shoal or Little Walnut Creek) :</b>	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property’s zoning prior to adoption of the this Document.)	
<b>If located in a suburban watershed (Walnut Creek)*:</b>	
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

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>	
	3:1
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*	
<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>	
	120 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.	
<p>* Properties may be required to comply with the building height restrictions in Subsection 4.2.10 Compatibility Standards, if triggered by a property outside of the NBG Planning Area.</p>	



Typical examples of buildings in the Neighborhood Mixed Use Subdistrict.





# FIGURE 4 - 1 NR : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS NEIGHBORHOOD RESIDENTIAL (NR) SUBDISTRICT

Revised 10-25-23

LOT SIZE	
Minimum Lot Size	1,600 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 setbacks:</b>	
<b>Interior Side Yard:</b>	0 Feet
<b>Rear Yard:</b>	5 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.	

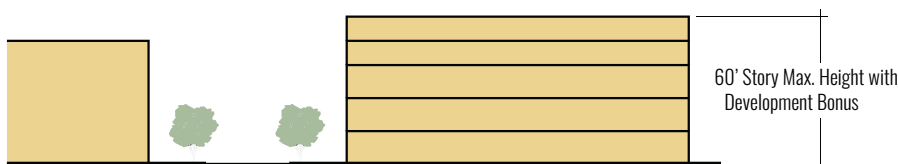
MAXIMUM IMPERVIOUS COVER	
<b>If located in an urban watershed (Shoal or Little Walnut Creek) :</b>	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
<b>If located in a suburban watershed (Walnut Creek)*:</b>	
	60%
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

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>	
	2:1
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*	
<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>	
	60 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.	
* Properties may be required to comply with the building height restrictions in Subsection 4.2.10 Compatibility Standards, if triggered by a property outside of the NBG Planning Area.	



Typical examples of buildings in the Neighborhood Residential Subdistrict.



# FIGURE 4 - 1 WMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS WAREHOUSE MIXED USE (WMU) SUBDISTRICT

Revised 10-25-23

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>Interior Side Yard:</b>	0 Feet
<b>Rear Yard:</b>	0 Feet
<p>* 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.</p>	

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>	
Not applicable	

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: 3:1</b>	
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	
<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: 120 Feet</b>	
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.	



Typical examples of buildings in the Warehouse Mixed Use Subdistrict.

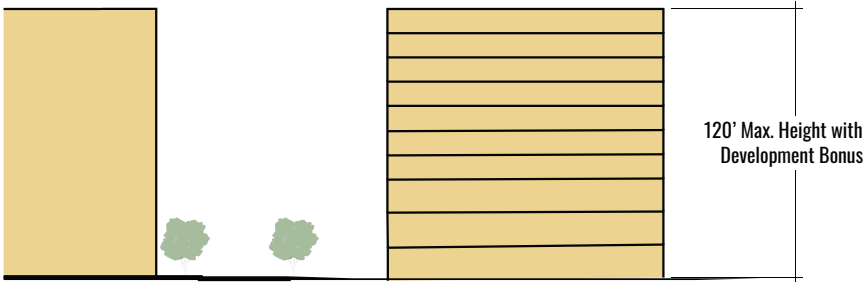


FIGURE 4 - 1 CI : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS  
COMMERCIAL INDUSTRIAL (CI) SUBDISTRICT

Revised 10-25-23

LOT SIZE	
Minimum Lot Size	5,750 SF
Minimum Lot Width	50 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>Interior Side Yard:</b>	5 Feet
<b>Rear Yard:</b>	5 Feet
<b>* 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.</b>	

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>	
Not Applicable	

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: 2:1</b>	
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	
<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: 120 Feet</b>	
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.	



Typical examples of buildings in the Commercial Industrial Subdistrict.

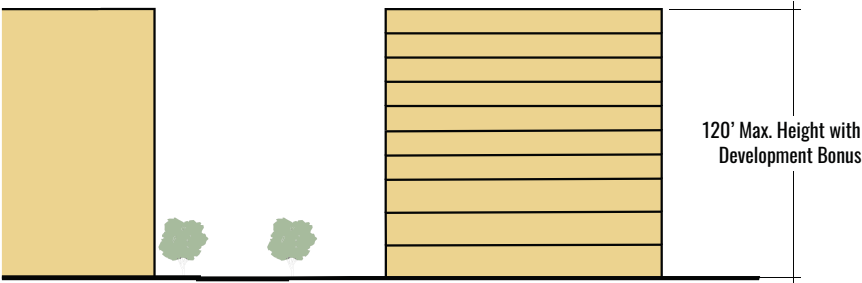


FIGURE 4 - 1 **RSMU** : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS  
**RESEARCH AND SCIENCES MIXED USE (RSMU) SUBDISTRICT**

Revised 02/13/2024

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

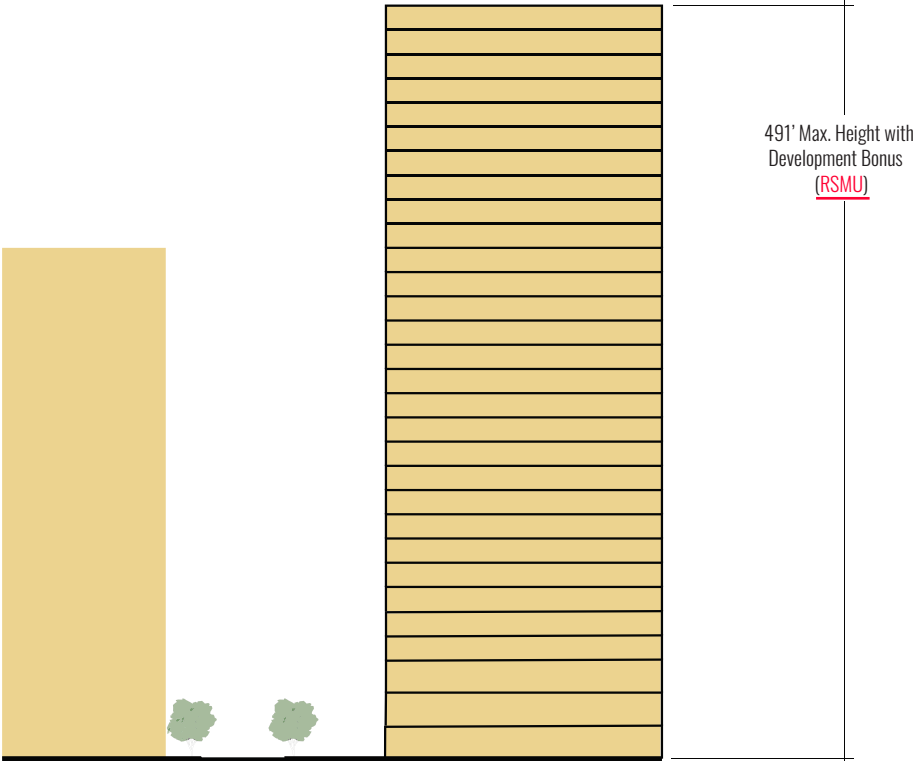
MINIMUM SETBACKS	
<b>Front Yard and Street Side Yard*:</b>	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
<b>Interior Side Yard:</b>	0 Feet
<b>Rear Yard:</b>	0 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard and street side yard setbacks 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 <del>(Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)</del>	
<b>If located in a suburban watershed (Walnut Creek)*:</b> <del>80%</del> <u>95%</u>	
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

FLOOR TO AREA RATIO	
<b>Maximum Floor-to-Area Ratio (FAR) by Right:</b>	
<u>RSMU Subdistrict</u>	<u>3:1</u>
<del>Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document.)</del>	
<b>Maximum Floor-to-Area Ratio (FAR) with Development Bonus:</b>	
<u>RSMU Subdistrict</u>	<u>12:1</u>
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	
<b>Maximum Building Height by Right</b>	
<del>Established on Figure 4-4* (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)</del>	
<u>*The maximum building height by right for Life Science Uses only shall be 125 feet. All other uses are limited to 120 feet by right as shown in Figure 4-4.</u>	
<b>Maximum Building Height with Development Bonus*</b>	
<u>RSMU</u>	491 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.	

Typical example of buildings in the Research Sciences Mixed Use Subdistrict





# Figure 4-2 : Maximum Floor - to - Area - Ratio (FAR) by Right (with no Development Bonus)

Updated 02/13/2024

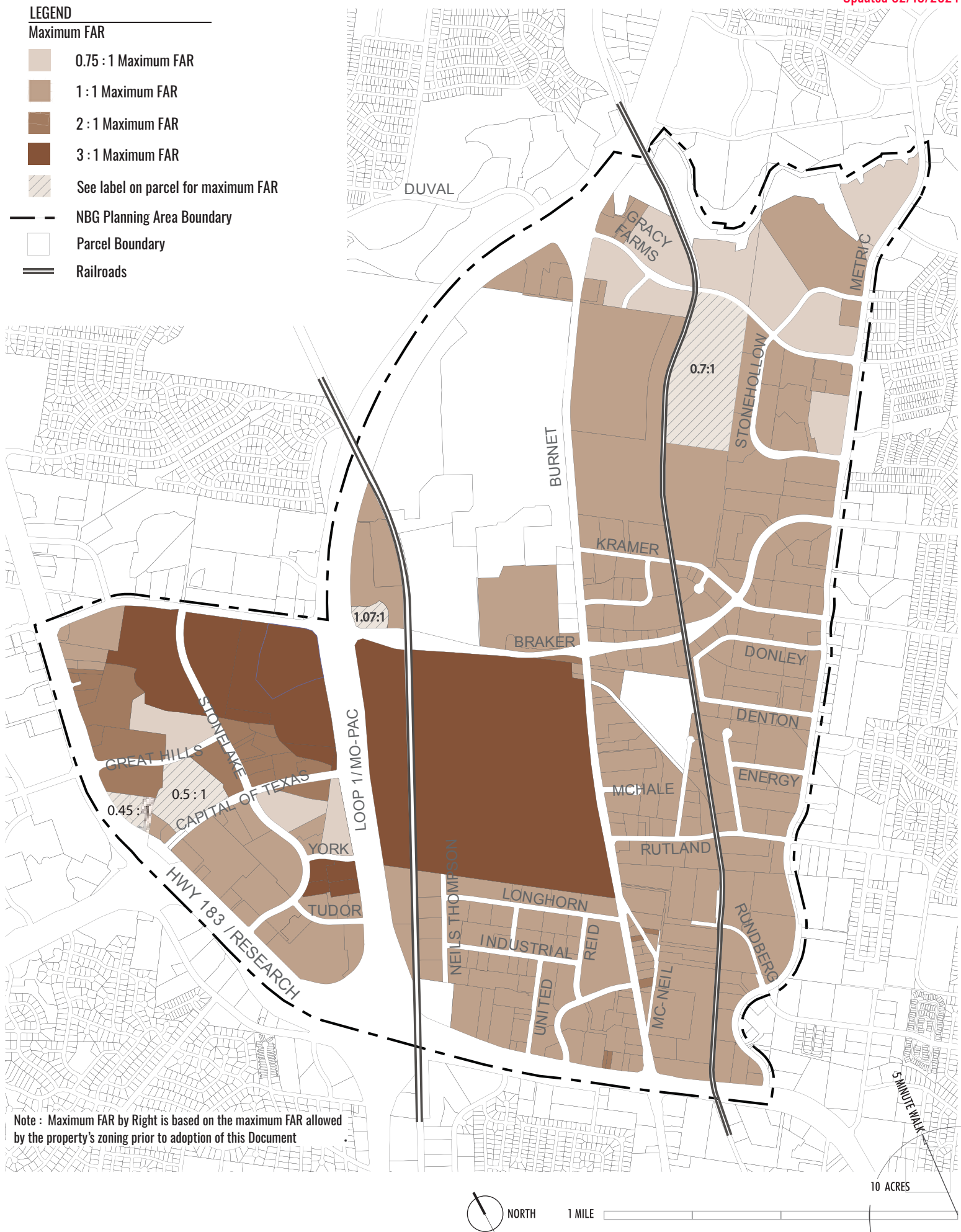


Figure 4-3 : Maximum Floor - to - Area- Ratio (FAR) with Development Bonus

Updated 02/13/2024

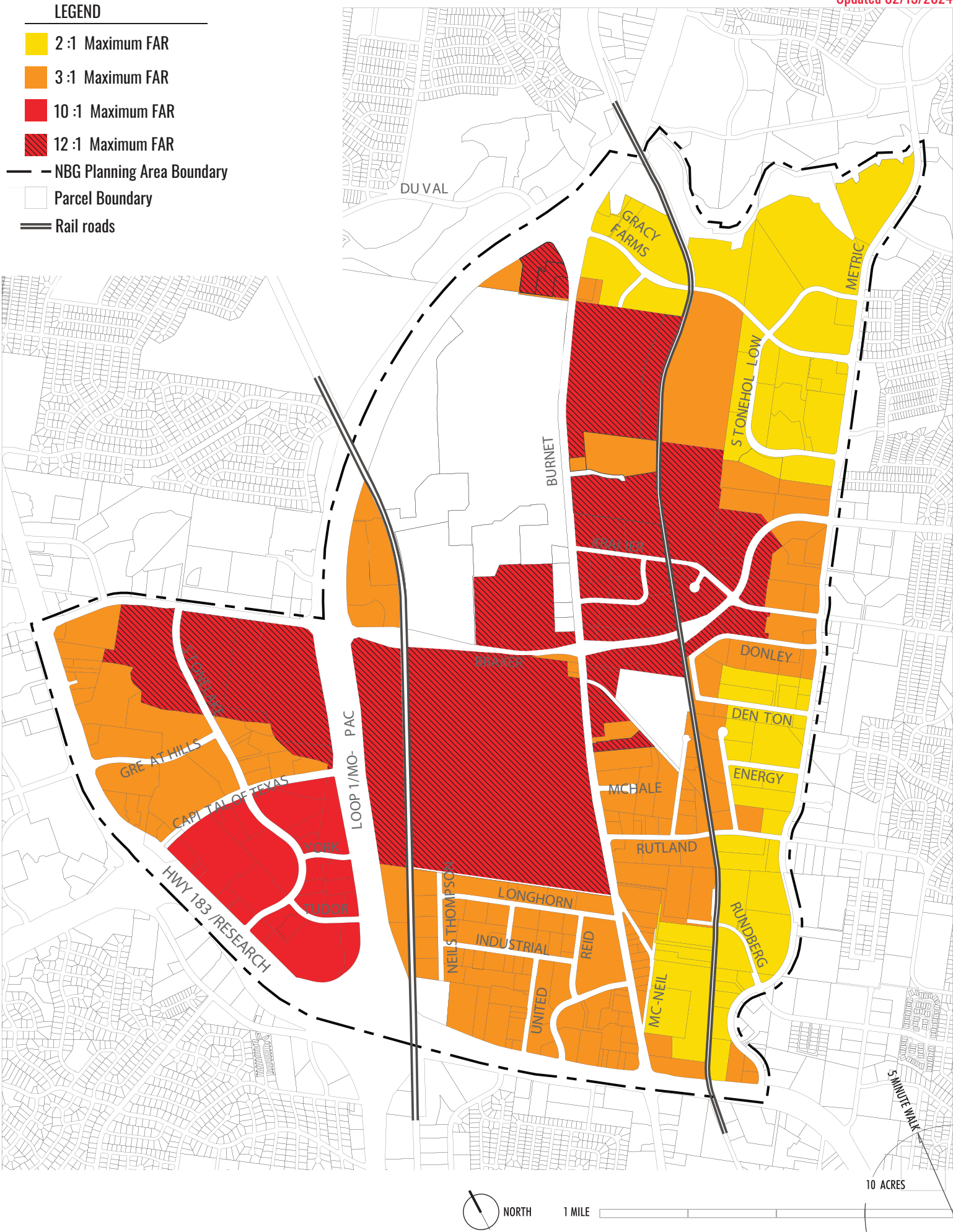


Figure 4 - 4 : Maximum Height by Right (with no Development Bonus)

Updated 02/13/2024

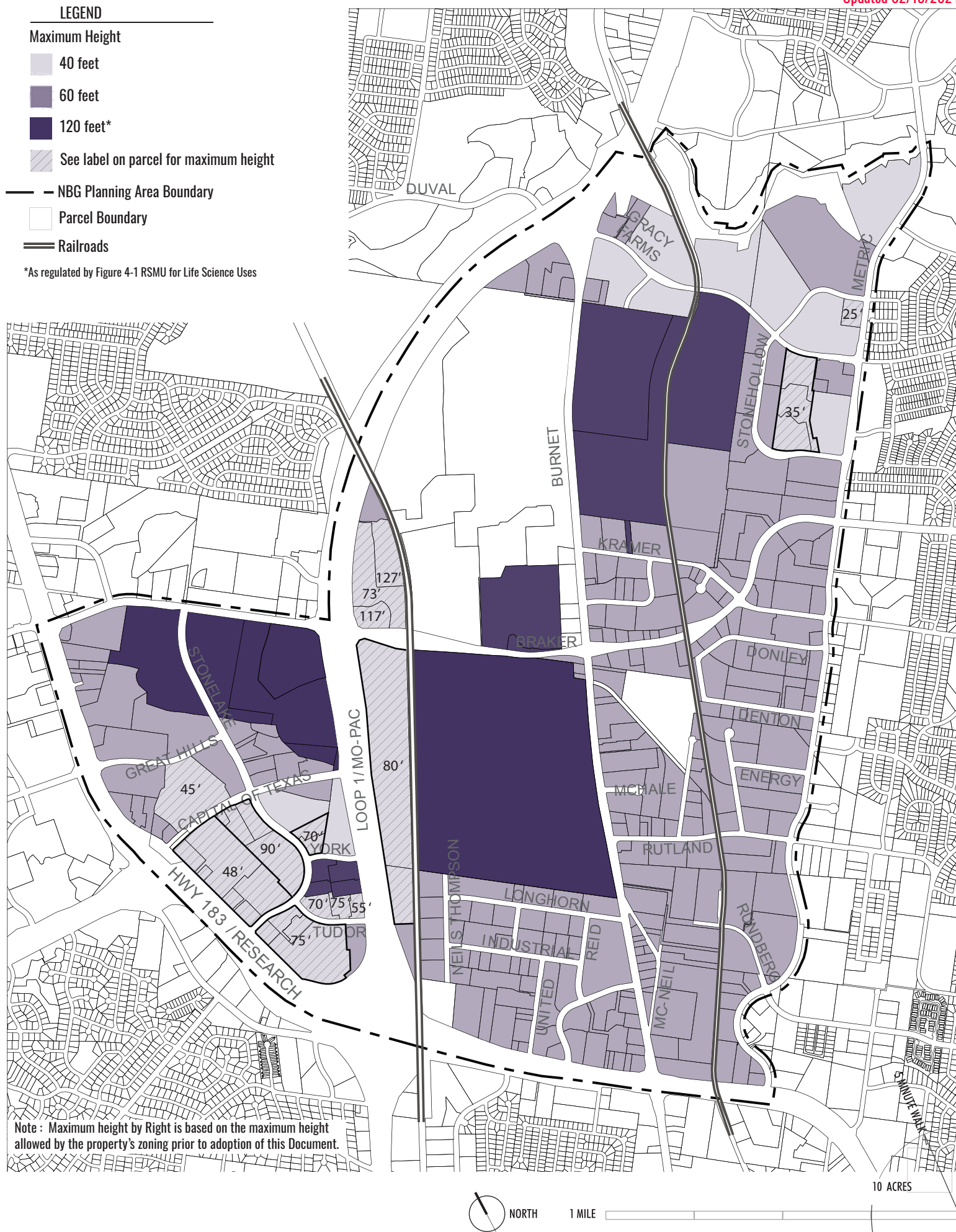




Figure 4-5: Maximum Height with Development Bonus

Updated 02/13/2024

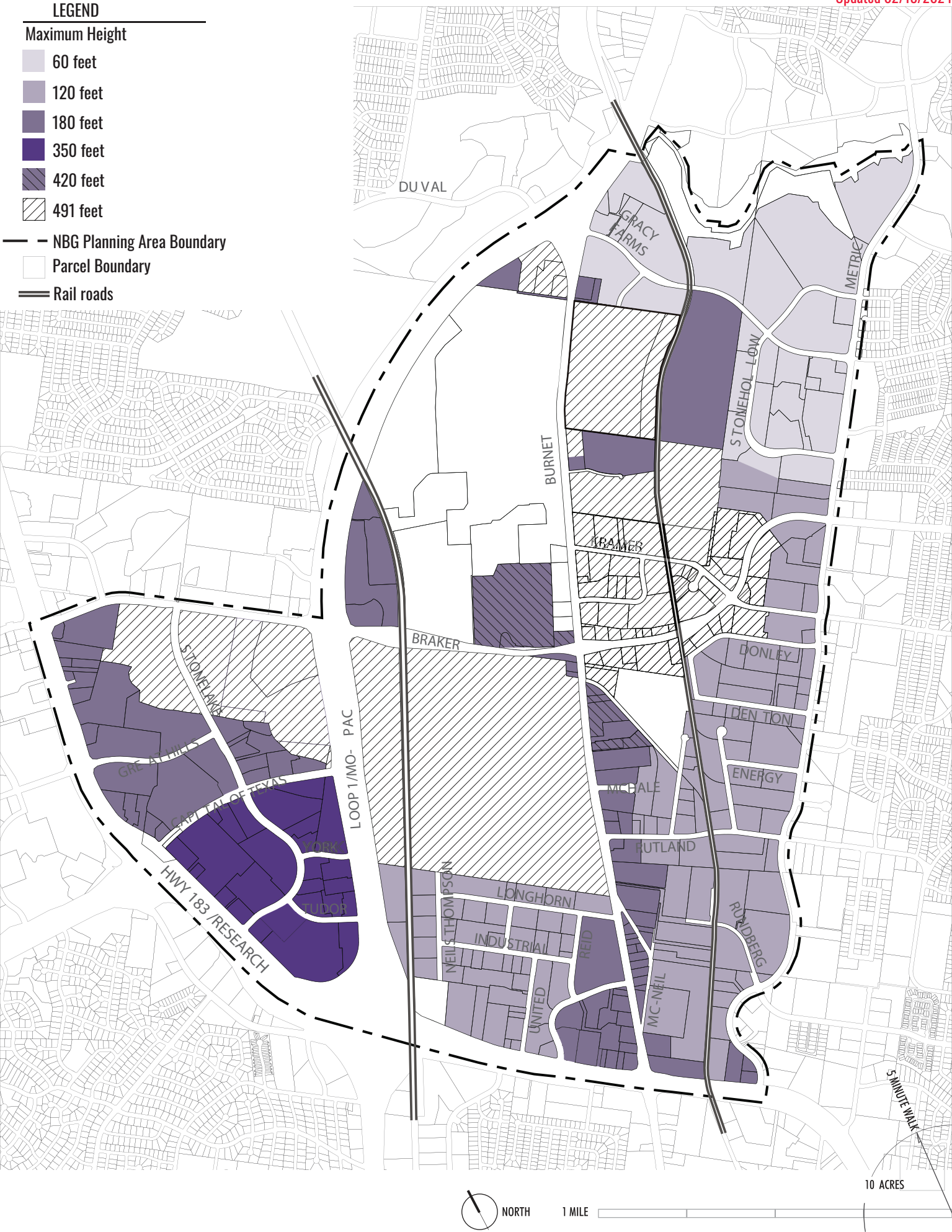
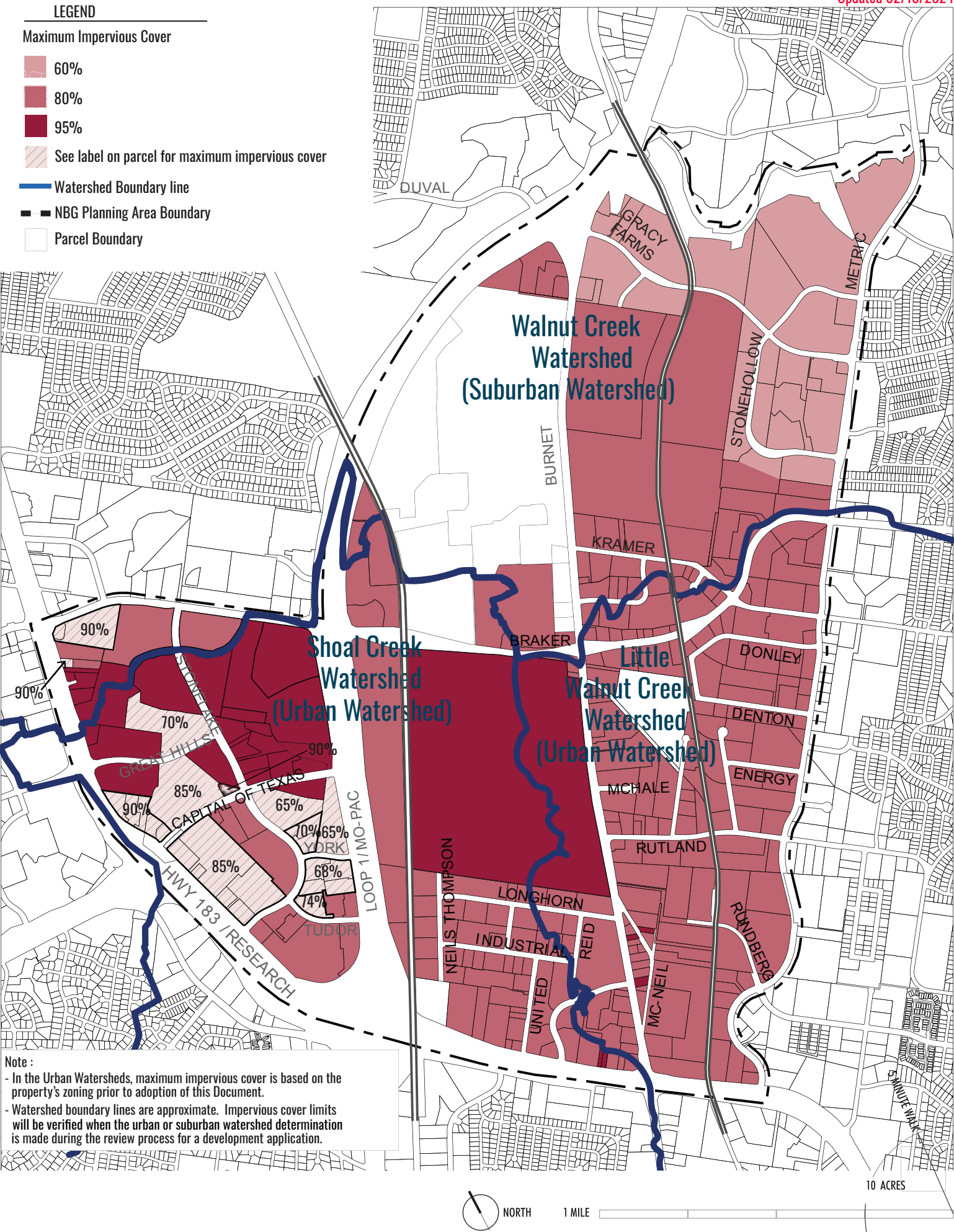




Figure 4-6 : North Burnet / Gateway (NBG) Zoning District Watershed and Maximum Impervious Cover Map

Updated 02/13/2024



## **4.3. RELATIONSHIP OF BUILDINGS TO STREETS AND WALKWAYS**

### **4.3.1. Purpose**

This Document alters the standard manner of applying setbacks. Conventional zoning code applies a minimum building setback from the property line. However, with the NBG Master Plan, the goal is to build compact environments that are designed around the pedestrian where streetscapes frame the street and buildings have a continuous presence. Therefore, this Document does not require minimum or maximum setbacks and instead employs the use of build-to lines where a building, or a portion of a building, must be built up to the property line or the sidewalk clear zone (or supplemental zone if provided).

### **4.3.2. Building Placement Factors**

#### **A. Principal Street Determination**

1. Any roadway type with an active edge designation has priority.
2. Absent an active edge designation, the following roadway types are listed from highest to lowest priority for purposes of this Article and Article 5:
  - a. NBG Core Transit Corridor;
  - b. NBG Pedestrian Priority Collector;
  - c. NBG Urban Roadway; and
  - d. NBG Highway.

The highest level of priority adjacent to the lot or site is considered the “principal street” for the purpose of applying many of the standards in Articles 4 and 5. For a lot or site that is adjacent to more than one roadway with an active edge designation, the roadway designated by the lot owner shall be considered the principal street.

For a lot or site that is absent an active edge that is adjacent to more than one roadway of equal priority, the roadway with the highest level of transit service, as determined by the Director, shall be considered the principal street. If the roadways do not have transit service or the level of transit service is equal, the roadway designated by the lot owner shall be considered the principal street. Building placement standards vary according to the roadway type of the site’s principal street.

## B. Active Edge

To enliven pedestrian activity areas, which are located along major streets and at key intersections, the TOD Subdistrict requires active edges along specific street frontages as shown in Figure 1-2: NBG Subdistricts Map. Building placement near or adjacent to the street is an essential component along these active edges and the specific standards associated with them are detailed below in Subsection 4.3.3 Building Placement.

## C. Supplemental Zone (Optional)

A supplemental zone may be provided at the option of the applicant between the street-facing façade line and the required sidewalk clear zone. This zone is available so that a development may provide active public uses such as a plaza, outdoor café or patio, or in more residential settings, private porches or open space. The extent to which such space may be provided is governed by the provisions in Subsection 4.3.4.

## 4.3.3. Building Placement

### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Principal Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.3.3 Building Placement	●	●	●	●	●	●	●	●	●		-All development - Required along the principal street -Corner site provisions -Active Edge standards -Industrial use provisions

Include RSMU Subdistrict

### B. General Standards

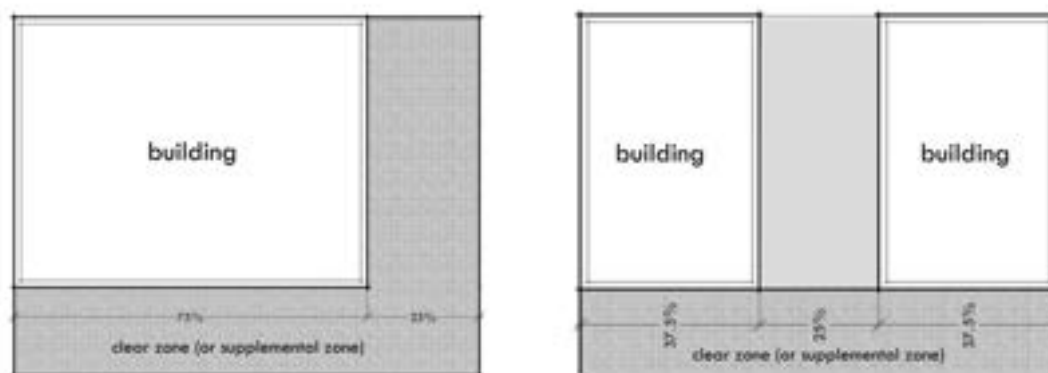
A minimum percentage of the net frontage length of the property (or of the block if internal blocks are created within a site) along the principal street must consist of continuous building façade built up to the property line, clear zone, or the supplemental zone if one is provided (see Figures 4-7, 4-8, and 4-9). In addition, there is a minimum net frontage length requirement for any street with an active edge designation. The minimum net frontage length requirement varies according to the roadway type and the presence of an active edge. For purpose of applying the standards in this Document, “net frontage length” is defined in Article 7. The minimum net frontage length requirement is shown in the table below. When only a portion of the site frontage is designated as an active edge, the active edge net

frontage requirement shall be met for that portion of the site, but may be applied toward the overall net frontage requirement for the site based on the principal roadway.

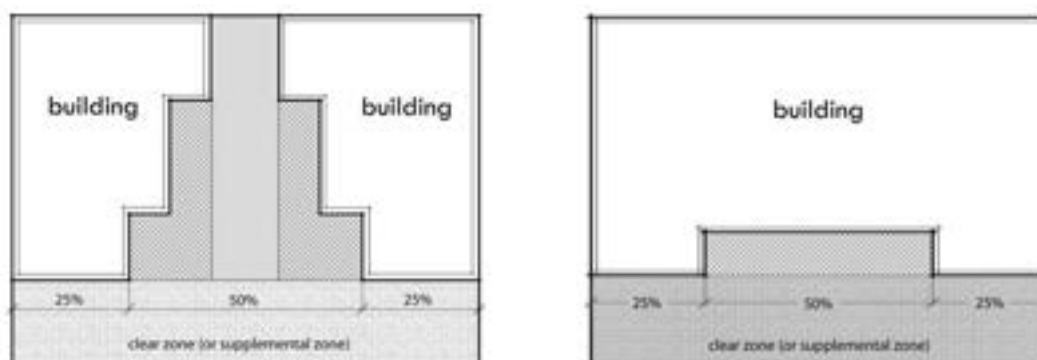
The building placement standards in the following Figure 4-7 apply to the site's principal street:

<b>Figure 4-7: Building Placement Standards</b>				
	NBG Core Transit Corridor	NBG Pedestrian Priority Collector	NBG Urban Roadway	NBG Highway
Basic Standard	75% net frontage length to clear zone*	75% net frontage length to clear zone*	50% net frontage length to clear zone*	None
Active Edge Standard	100% net frontage length to clear zone*			

\*or supplemental zone if provided



**Figure 4-8:** Sample illustrations meeting the net frontage building length requirement along a NBG Core Transit Corridor or NBG Pedestrian Priority Collector.



**Figure 4-9:** Sample illustrations meeting the net frontage building length requirement along a NBG Urban Roadway (no parking allowed in hatched area).

**C. Additional Standard for Buildings Three Stories or Higher**

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 adequate fire access.

**D. Corner Sites**

For a site occupying one or more corners, the building placement standards must be met for the principal street and any other street that abuts the site and intersects the principal street.

**E. Sites with Internal Blocks**

For a site with internal blocks, each block is required to determine the principal street according to priorities established in Section 4.3.2 and follow building placement standards established in Section 4.3.3.

**F. Phased Projects**

Phased projects must fulfill the building placement standard for the highest priority roadway adjacent to the site in the first project phase. In subsequent phases, buildings on the site shall then be located along any abutting lower priority street according to the building placement standards in this section.

**G. Civic Buildings**

In order to provide greater flexibility to create a distinctive architectural statement, civic buildings, as defined in Article 7 Definitions, are not required to meet the building placement standards in this section, so long as parking is not located between the building frontage and the street (see Figure 4-10).

**H. Industrial Uses**

- ~~1. In the Commercial Industrial Subdistrict, development of an industrial use is exempt from the building placement requirements in Section 4.3.3.B.~~
2. In the Warehouse Mixed Use Subdistrict:
  - a. If the principal street is a NBG Urban Roadway or Highway, development of an industrial use is exempt from the building placement requirements in Section 4.3.3.B.



**Figure 4-10:** The Austin City Hall is set back from the street in some areas, while other non-civic buildings meet the street. This is a traditional urban design technique intended to emphasize the importance of civic uses.

1. In the Commercial Industrial and Research and Sciences Mixed Use Subdistricts, development of an industrial use, life science use, research assembly use, research testing services use, or research warehousing use, is exempt from the building placement requirements in Section 4.3.3.B. In the Commercial Industrial Subdistrict, development of an industrial use is exempt from the building placement requirements in Section 4.3.3.B.

- b. If the principal street is a NBG Core Transit Corridor or NBG Pedestrian Priority Collector, all development shall meet the building placement requirements in Section 4.3.3.B.
3. For industrial uses in all subdistricts, loading dock bay doors must be located to the side or rear of the building and shall not face the principal street.

#### 4.3.4. Supplemental Zones

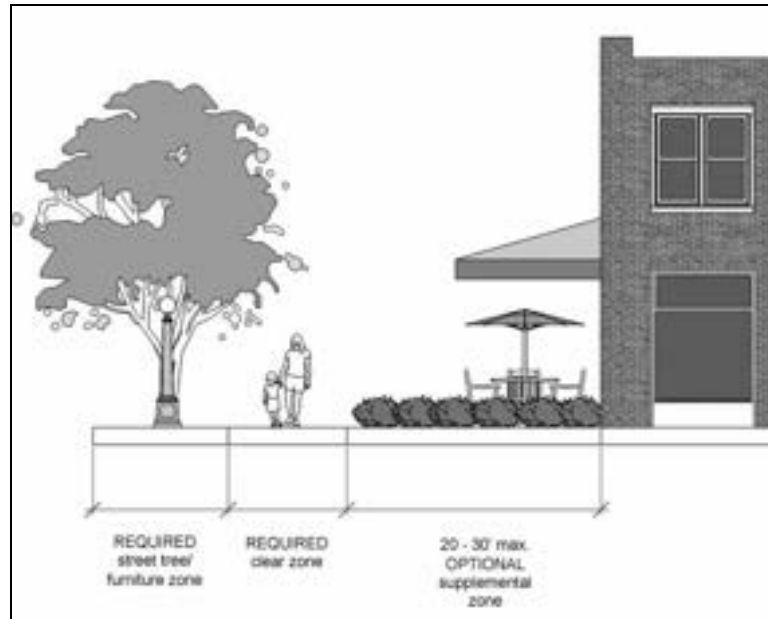
##### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Principal Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.3.4 Supplemental Zones	●	●	●	●	●	●	●	●	●		Optional for all development

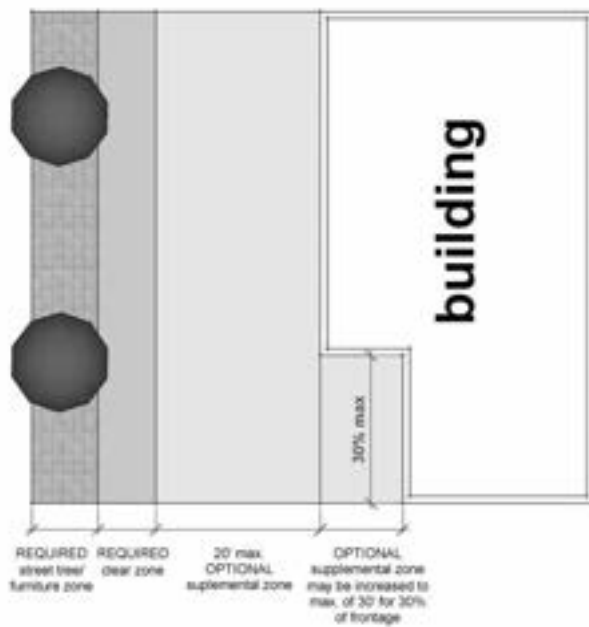
Include RSMU Subdistrict

##### B. Standards

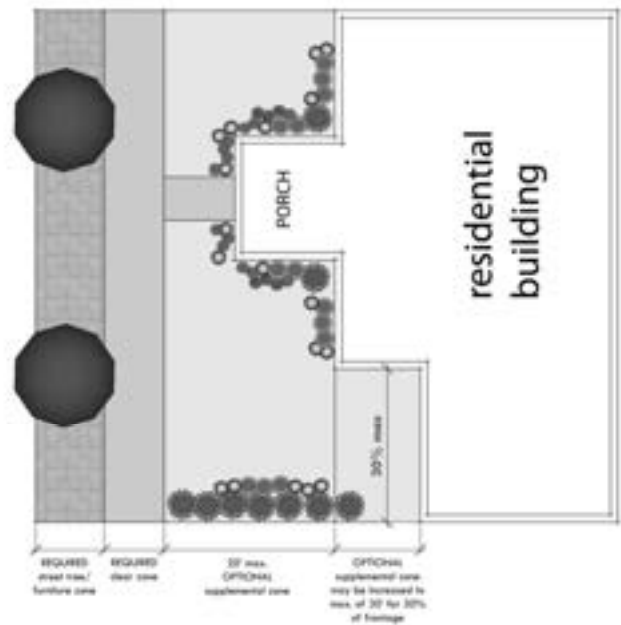
1. A supplemental zone may be provided, at the option of the applicant, between the street-facing façade line and the required sidewalk clear zone. If a supplemental zone is provided, up to 30 percent of the linear frontage of the supplemental zone may be a maximum of 30 feet wide and the remainder of the supplemental zone shall be a maximum of 20 feet wide (see Figures 4-11, 4-12, and 4-13).
2. Since there are no building frontage requirements if the principal street is a NBG Highway, supplemental zone standards are not applicable if the principal street is an NBG Highway.



**Figure 4-11:** Optional supplemental zone



**Figure 4-12:** Optional supplemental zone may be expanded to 30 feet for a maximum of 30 percent of the frontage.



**Figure 4-13:** Example of allowed elements in a supplemental zone.



- C.** The following elements may be located within the supplemental zone:
1. Accessory outdoor dining, provided that the dining area may be separated from the sidewalk only with planters, shrubs, or fencing with a maximum height of 42 inches (see Figure 4-14);
  2. Balconies, pedestrian walkways, porches, handicap ramps, and stoops; provided, however, that no such feature shall extend beyond the supplemental zone without a license agreement;
  3. Terraces, provided that they have a maximum finished floor height of 24 inches above the sidewalk elevation and shall be surrounded by a guardrail that meets City specifications;
  4. Landscape and water features;
  5. Plazas; and
  6. Incidental display and sales.
- D.** Any features in the supplemental zone must not obstruct the open pedestrian connection between the building's primary entrance and the clear zone.



**Figure 4-14:** Example of a supplemental zone outdoor dining area



## 4.4. OFF-STREET VEHICULAR AND BICYCLE PARKING

### 4.4.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.4 Off-Street Vehicular and Bicycle Parking	●	●	●	●	●	●	●	●	●	●	- All development - Active Edge standards

### 4.4.2. Parking Requirements

#### A. Minimum Parking Requirement:

60 percent of that prescribed by the LDC Section 25-6 Appendix A (Tables of Off-Street Parking and Loading Requirements)

#### B. Maximum Parking Requirement:

1. 100 percent of that prescribed by Appendix A ; or
2. 110 percent of that prescribed by Appendix A if the following qualifications are met:
  - a. Any parking spaces provided over 100 percent of the calculated LDC rate in Appendix A are made available for public use; and
  - b. Signage is provided indicating where public parking is available
3. Development in the CMU-Gateway zone is not subject to a maximum parking requirement.

### 4.4.3. Reduction of Minimum Off-Street Parking Requirements

This section provides for reductions in the minimum off-street parking requirements in Subsection 4.4.2. The minimum off-street parking requirement shall be reduced as follows:

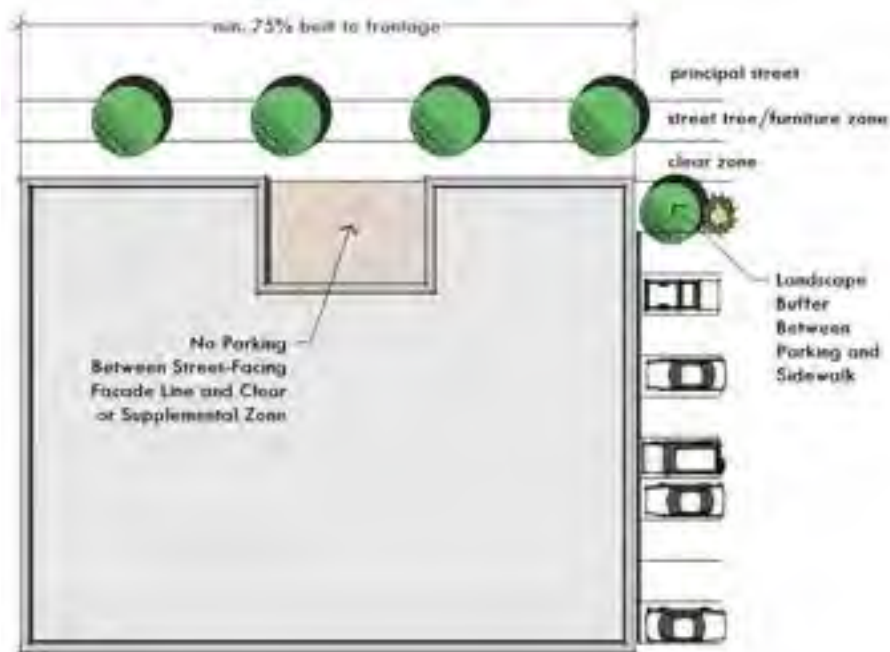
- A. By one space for each on-street parking space located adjacent to the site.
- B. By up to 10 percent to preserve significant stands of trees or protected trees in addition to those required to be preserved by the Code, pursuant to protection measures specified in the Environmental Criteria Manual. If the applicant provides more parking spaces than the minimum required, the additional parking spaces may

- C. By 20 spaces for every car-sharing vehicle provided in a program that complies with the requirements prescribed by the Director by administrative rule.
- D. By one space for each shower facility with three or more lockers provided for employees in a nonresidential building.
- E. By one motor vehicle parking space for each fully enclosed and lockable bicycle parking space.
- F. By 10 percent if parking spaces are leased or sold separately from occupied spaces.

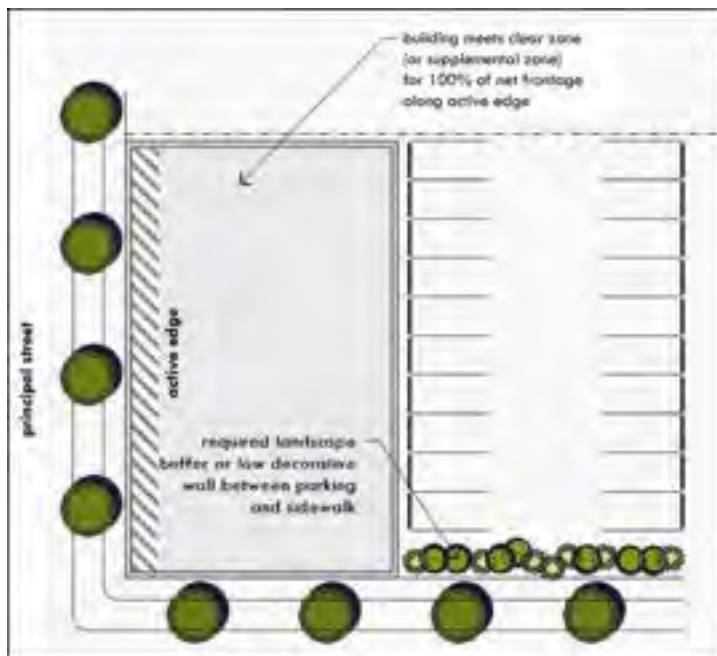
Unless otherwise specified, the above reductions may be applied cumulatively, and may be applied in addition to the parking reduction authorized in Subsection 4.4.2, but in no case may the minimum off-street parking requirements for a project set forth in Chapter 25-6, Appendix A, be reduced to less than 30 percent.

#### **4.4.4. Parking Design Standards**

- A. For all roadway types except NBG Highway, off-street parking is prohibited between the principal street and the corresponding street-facing façade line (see Figure 4-15).
- B. Any off-street surface parking along a NBG Core Transit Corridor or NBG Urban Roadway shall have landscape buffering in accord with Section 25-2-1006 of the LDC between the clear zone (or the supplemental zone if provided) and the parking area. The buffering method chosen must include shade trees unless already provided in an adjacent street tree/furniture zone (Figures 4-16 and 4-17).

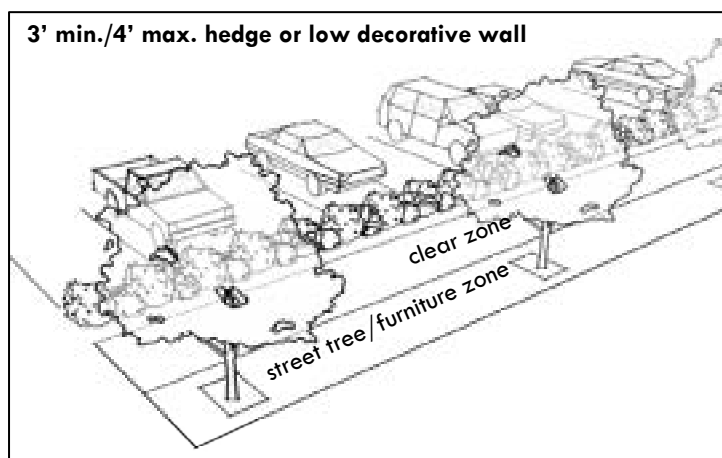


**Figure 4-15:** No parking is allowed between the street and the building façade and when parking is located to the side of a building, screening is required between the parking and the sidewalk (NBG Core Transit Corridor example).



**Figure 4-16:** Building placement requirement along an active edge with required landscaping between parking and clear zone along other adjacent streets.

- C. Surface parking is prohibited along active edges. Parking structures may be located along active edges provided they meet the applicable active edge standards in Section 5.8.
- D. Off-street parking provided as part of a building or parking structure adjacent to any roadway type must meet the active edge ground floor space standards in Section 5.8.



**Figure 4-17:** Required screening for surface parking along all streets.

#### 4.4.5. Bicycle Parking Requirements

##### A. Minimum Requirement

Bicycle parking shall be as prescribed by the LDC Appendix A (Tables of Off-Street Parking and Loading Requirements). The required amount shall be calculated based on the motor vehicle spaces required by Appendix A prior to any available parking reductions.

1. For retail uses, a minimum of 75% of all required bicycle parking shall be located along the principal street and within 50 feet of a primary building entrance. For all other uses, the requirement is a minimum of 10%.
2. After meeting the requirement in 1. above, the remainder of required bicycle parking may be located:
  - a. Within 50 feet of other building entryways not on the principal street; or
  - b. At employee entrances; or
  - c. Within a building, or

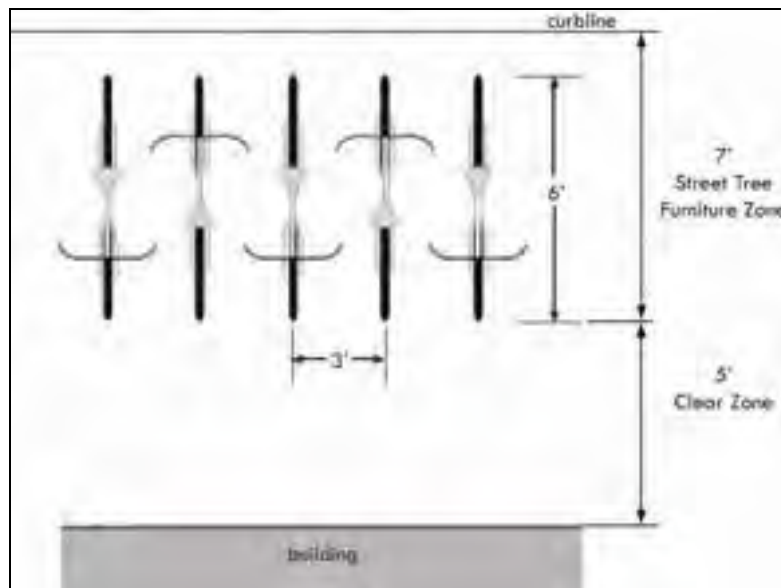
Note: One upside down U rack counts as two bicycle parking spaces. For example, if 100 bicycle parking spaces are required, 50 upside down U racks would need to be provided.

d. In a covered motor vehicle parking area.

**B. Standards**

All bicycle parking shall meet the standards as prescribed in the LDC and as follows:

1. Bicycle parking shall not obstruct walkways. A minimum 5-foot wide aisle shall remain clear.
2. Bicycle parking facilities shall either be lockable enclosures in which the bicycle is stored, or a secure stationary rack, which support the frame so the bicycle cannot easily be pushed or fall to one side. Racks that require a user-supplied lock should accommodate locking the frame and both wheels using either a cable or U-shaped lock.
3. Bicycle parking spaces shall be at least 6 feet long and 3 feet wide, and overhead clearance in covered spaces shall be a minimum of 7 feet (Figure 4-18).
4. A 5-foot aisle for bicycle maneuvering, which may be provided with the required sidewalk clear zone, shall be provided and maintained beside or between each row of bicycle parking.
5. Bicycle racks or lockers shall be securely anchored.
6. Bicycle parking shall be located in a well lighted, secure, and visible location.
7. A “ribbon rack” is not a recommended design for bicycle parking by the Public Works Department.



**Figure 4-18:** Bicycle parking design – Urban Roadway sidewalk example

## 4.5. DRIVE-THROUGH FACILITY STANDARDS

Drive-through facilities for any use shall be subject to the standards of this section. The standards shall apply to new development, the addition of a drive-through facility to an existing development, and the relocation of a drive-through facility. Drive-through facilities provide services where the motorist generally waits in the car before and while the service is performed. A drive-through facility may not be permitted for a specific property if the standards in this section cannot be met given the site's size, dimensions, and/or location within the NBG District.

### 4.5.1. Applicability

A drive-through facility may be allowed as per Subsection 2.3.5 in conjunction with permitted or conditional uses as provided in Figure 2-1 of this Document.

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.5 Drive-Through Facility Standards		●	●		●	●	●	●	●	●	Drive-through facilities

### 4.5.2. Drive-Through Facility Components

Drive-through facilities consist of the following two components:

- A.** Service areas are the locations where the service is performed. They include drive-up windows, indoor service areas such as car washes, and outdoor service areas such as gasoline pumps.
- B.** Queuing driveways are used by vehicles to reach service areas and wait for service.

### 4.5.3. Driveway Entrances and Exits

- A.** Curb-cut entrances for queuing driveways and exit driveways shall be consolidated with any other driveway entrances or exits on the site.
- B.** Driveways shall:

1. Comply with the driveway spacing standards in Section 5 of the Transportation Criteria Manual (TCM); and
2. Comply with Section 3.5.5.C of this Document unless the Director determines that no other feasible alternative access exists.

#### **4.5.4. Queuing Driveway Configuration and Design**

- A. A queuing driveway serving a drive-up window shall meet the following standards to provide appropriate vehicle queuing:
  1. A minimum length of 100 feet leading to the drive-up window for one lane and 60 feet per lane when more than one lane is provided;
  2. The calculation for driveway length required for queuing under Subsection A.1 above shall not include any pedestrian crosswalks or sidewalks.
- B. A queuing driveway serving any type of service area shall meet the following standards:
  1. Driveway lanes shall be designed so that queuing vehicles do not interfere with other vehicle and pedestrian circulation on the site;
  2. Driveways shall not be located between a building and the principal street, or if a corner site, all adjacent roadway types; and
  3. All queuing lanes shall be clearly identified using striping, landscaping, and/or signs.

#### **4.5.5. Drive-through Service Area Location**

Drive-through service areas shall be located as follows:

- A. Drive-up windows, indoor service areas, and outdoor service areas shall be located to the rear or side of a building.
- B. Indoor and outdoor service areas shall have a minimum setback of 30 feet from all roadway types.
- C. Where multiple street frontages are present, vehicle entrances and exits for indoor service areas shall not face the principal street.
- D. This subsection 4.5.5. does not apply if the principal street is a NBG Highway.

## 4.6. EXTERIOR LIGHTING

### 4.6.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.6 Exterior Lighting	●	●	●	●	●	●	●	●	●	●	All development except Duplex, Single-family Attached, Townhouse, and Two family residential uses.

### 4.6.2. Standards

#### A. Submission of Plans and Evidence of Compliance

All site plan applications shall include a description of all lighting fixtures not affixed to buildings, both proposed and those that will remain on the site, as well as any existing or proposed fixtures to be located in adjacent rights-of-way after completion of the project. For new fixtures, the description may include, but is not limited to, catalog cuts and illustrations by manufacturers (including sections where required), that demonstrate compliance with the standards of this Document. For lighting fixtures affixed to buildings, such information shall be provided as part of the building permit application.

#### B. Fully Shielded and Full Cut-off Light Fixtures Required

The following outdoor lighting applications shall be illuminated by fixtures that are both fully-shielded and full cut-off (see Figure 4-19):



**Figure 4-19:** Examples of fully-shielded light fixtures



1. Street and pedestrian lighting;
2. Parking lots;
3. Pathways;
4. Recreational areas;
5. Billboards;
6. Product display area lighting; and
7. Building overhangs and open canopies.

**C. Lighting of Building Façades**

Buildings and structures shall be illuminated by fixtures that are both fully-shielded and full cut-off. Building façade lighting may only be used to highlight specific architectural features such as principal entrances and towers.

**D. Directional Luminaires**

Directional luminaires may be used to illuminate signs and flagpoles. Such luminaires shall be installed and aimed so that they illuminate only the specific object or area and do not shine directly onto neighboring properties, roadways, or distribute excessive light skyward.

**E. Lamp or Fixture Substitution**

Should any outdoor light fixture or the type of light source therein be changed after site plan or building plan approval has been granted, a change request must be submitted to the Director for approval, together with adequate information to assure compliance with this Document, which must be received prior to substitution.

**F. Non-Conforming Lighting**

All outdoor lighting fixtures lawfully installed prior to and operable on the effective date of this Document are exempt from all requirements of this Document until January 1, 2015, at which time they shall become subject to this Document, and shall be considered non-conforming if they do not comply with the requirements of this Document.

## 4.7. SCREENING OF EQUIPMENT AND UTILITIES

### 4.7.1. Applicability

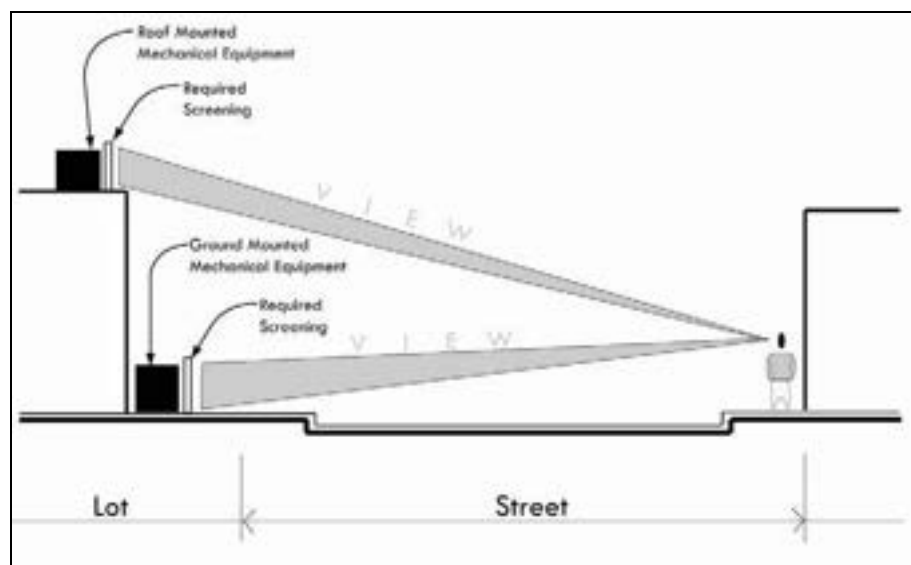
Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.7 Screening of Equipment and Utilities	●	●	●	●	●	●	●	●	●	●	<ul style="list-style-type: none"> <li>- All development</li> <li>- Exceptions are: local utility services, electric service transformers within the right-of-way, and telecommunications towers</li> </ul>

### 4.7.2. Standards

All development, with the exception of local utility services, electric service transformers within the right-of-way, and telecommunications towers, shall comply with the following requirements:

- A. Solid waste collection areas and mechanical equipment, including equipment located on a rooftop but not including solar panels, shall be screened from the view of a person standing on the property line on the far side of a street (see Figure 4-20).



**Figure 4-20:** Required screening of mechanical equipment from property across the street.

- B.** Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscape so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and streets. Screening materials for solid waste collection and loading areas shall be the same as, or of equal quality to, the materials used for the principal building. Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions may be placed alongside public alleys without the necessity of screening.

## 4.8. SIGN REGULATIONS

### 4.8.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.8 Sign Regulations	●	●	●	●	--	--	●	●	●	--	All development

### 4.8.2. Sign Regulations

- A.** All development in the NBG Planning Area shall comply with the Sign Regulations in this section:
- A sign may not exceed 150 square feet of sign area, except that this limitation does not apply along the following roadways within the station area: 1 Burnet Road; 2 Metric Boulevard; 3 Braker Lane; Capital of Texas Way; 5 Stonelake Boulevard; 6 Research Boulevard S13; and Opac.
  - A freestanding sign is prohibited.
  - A roof sign is prohibited.
  - Signs above the 2nd floor are allowed to be lighted but not with moving parts or images.
  - all signs are permitted

- B.** A wall sign may be a projecting sign if the sign complies with this subsection:
  - i.** One projecting sign for each building facade is permitted.
  - ii.** The sign area of a projecting sign may not exceed 35 square feet.
  - iii.** A sign may extend from the building facade not more than the lesser of:
    - 1.** Six feet; or a distance equal to two-thirds the width of the abutting sidewalk.
  - iv.** For a sign that projects over state right-of-way, the state must approve the sign.
- C.** For all development located on a NBG Core Transit Corridor, one freestanding monument sign is permitted on a lot. The height of this sign shall not exceed 6 feet and the sign area may not exceed 100 square feet.

## 4.9. PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES

### 4.9.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.9 Private Common Open Space and Pedestrian Amenities	●	●	●	●	●	●	●	●	●	●	- All development sites two acres in size or larger

### 4.9.2. Purpose

Open air and semi-enclosed public gathering spaces can act as central organizing elements in a development. They can also help to shape the relationship between different land uses and provide focal points and anchors for pedestrian activity. Goals and requirements for common open space and pedestrian amenities complement the LDC requirements for dedicated public open space and parks, and serve similar purposes.

### 4.9.3. Standards

#### A. Percentage of Net Site Area

1. If a site is 20 acres or larger in size, the development shall devote a minimum of five percent of net site area to private common open space.
2. If a site is between two acres and 20 acres in size, the development shall devote a minimum of two percent of net site area to private common open space.

#### B. Amenity Required

The private common open space required under Section A above shall consist of one or more of the following types of private common open space or pedestrian amenities:

1. A natural and undisturbed private common open space, for use of the residents, employees, and visitors to the development. Developments with primarily residential uses are encouraged to comply with this requirement.
2. A landscape area other than one required by Document C, Article 9 (Landscaping), provided such landscaped area has a minimum depth and width of 10 feet and a minimum total area of 200 square

feet. The area shall include pedestrian amenities to support these places as gathering areas.

3. A playground, patio, or plaza with outdoor seating areas, provided the playground, patio, or plaza has a minimum depth and width of ten feet and a minimum total area of 300 square feet. The area shall include pedestrian amenities to support these places as gathering areas.
4. A combination of the above-listed amenities. (See Figure 4-21).

**C. Location Criteria**

To the maximum extent feasible, where significant natural and scenic resource assets exist on a property, the developer shall give priority to their preservation as private common open space. In reviewing the proposed location of private common open space areas, the Director shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected, with priority being given to the following areas (which are not listed in a particular order):

1. Wetlands;
2. Flood hazard areas;
3. Lakes, rivers, and stream/riparian corridors;
4. Tree preservation areas; and
5. Karst areas.

**D. Areas Not Credited**

Lands within the following areas shall not be counted towards private common open space or pedestrian amenities required by this section:

1. Private yards;
2. Public or private streets or rights of way;
3. Parking areas and driveways for dwellings;
4. Water quality and stormwater detention ponds, unless approved by the Director; and
5. A required street tree/furniture zone.

**E. Design Criteria**

Land set aside for private common open space or pedestrian amenities pursuant to this section shall meet the following design criteria, as relevant:



**Figure 4-21:** Examples of open space amenities

1. Common open space areas shall be located so as to be readily accessible and useable by residents or visitors in various locations of the development, unless the lands are sensitive natural resources and access should be restricted.
2. The lands shall be compact and contiguous unless the land shall be used as a continuation of an existing trail, or specific topographic features require a different configuration. An example of such topographic features would be the provision of a trail or private open area along a riparian corridor.
3. Where private common open space areas, trails, parks, or other public spaces exist adjacent to the tract to be subdivided or developed, the private common open space or pedestrian amenity shall, to the maximum extent feasible, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.

**F. Maintenance**

All private common open space or pedestrian amenity areas shall be maintained by the owners of the development.

**G. Public Dedication or Fee In Lieu**

Instead of providing on-site private common open space or pedestrian amenities as required in this section, the developer of a property may:

1. If the development requires a dedication of public parkland according to Section 25-1-601 of the LDC, request approval of the Director of the Parks and Recreation Department (PARD) to instead dedicate on-site public open space or park land in partial or complete fulfillment of the parkland dedication requirement, or pay a fee-in-lieu payment as described in Section 4.10.3.C.
2. If the site is less than 20 acres, request approval of the Director of the PARD to deposit with the City a nonrefundable cash payment, based on a formula established by the City Council. The Director of the PARD shall review the request and accept or deny the request.

## 4.10. PUBLIC OPEN SPACE AND TRAILS

### 4.10.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.10 Public Open Space and Trails	●	●	●	●	●	●	●	●	●	●	Development subject to the Parkland Dedication Ordinance (LDC Article 14 Section 25-1-601)

### 4.10.2. Purpose

Because of the higher density development envisioned for the NBG Zoning District, it is important to provide public open space and parks facilities for local residents. Some development sites will be better suited than others to provide on-site parkland for reasons including, but not limited to, the location of the site within the NBG Planning Area and to core activity areas, site constraints, and size of site.

The NBG 2035 Conceptual Master Plan illustration (Appendix B) shows conceptual locations for a distribution of parks and open space within the planning area. Parks should be distributed throughout the planning area to properly serve NBG residents, employees, and visitors.

### 4.10.3. Parkland Dedication

#### A. On-site Parkland Dedication Allowance

If, as part of a development project, the parkland dedication requirement established in Section 25-1 Article 14 of the LDC is met in part or in full with a dedication of public parkland on site, FAR calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.

#### B. Sites 20 acres or Larger

If a site is 20 acres or larger and requires a dedication of public parkland according to Section 25-1-601 of the LDC, a minimum of five percent of the net site area shall be dedicated to public open space or parkland on-site in partial or complete fulfillment of the parkland dedication requirement.

- a. If more than five percent of the net site area is required to be dedicated, a property owner



may request to pay a fee-in-lieu payment for the remainder of the requirement, in accordance with Subsection C. below.

- b. If less than five percent of the net site area is required to be dedicated as public parkland, private common open space requirements described in Section 4.9 must still be fulfilled in the remainder of the five percent net site area.

#### C. Fee In Lieu

As described in the parkland dedication requirements in Section 25-1 Article 14 of the LDC, instead of, or in combination with, meeting parkland dedication requirements on site, a property owner may request approval to deposit with the City a nonrefundable cash payment, based on a formula established in Section 25-1-605 of the LDC. The Director of the PARD shall review the request and accept or deny the request.

## 4.11. STORMWATER MANAGEMENT

### 4.11.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.11 Stormwater Management	●	●	●	●	●	●	●	●	●	●	All development

### 4.11.2. Purpose

The North Burnet/Gateway area is challenged with an existing development pattern that was largely in place prior to Austin's current stormwater management policies. As a result, stormwater management is an important issue influencing the future sustainability of the NBG area. All new development and redevelopment is required to comply with the City's current stormwater management regulations. Redevelopment of this area also presents an opportunity to integrate innovative stormwater management techniques into an urban development pattern.

### 4.11.3. Creek Setbacks

- A. All properties in the NBG Zoning District must fulfill the urban watershed Critical Water Quality Zone setback requirements established in Section 25-8 (*Environment*) of the LDC.

- B.** If the development requires a dedication of public parkland according to Section 25-1-601(*Applicability*) of the LDC, the developer of a property may request approval of the Director of the Parks and Recreation Department (PARD) to dedicate up to 50% of the acreage within the creek setback required by this section in partial or complete fulfillment of the parkland dedication requirement, as described in Section 25-1-063 (*Standards for Dedicated Parkland*) of the LDC.

#### **4.11.4. Innovative Water Quality Controls**

- A.** Water quality controls are required by LDC Section 25-8-211 for new or redevelopment projects, including those to be built in the NBG Zoning District.
- B.** For development in an urban watershed (Shoal or Little Walnut Creek), the volume of on-site water quality controls may be reduced in cases where site-specific circumstances limit the ability to treat 100% of the Water Quality Volume (WQV) on-site as follows: If at least 75% of WQV is achieved with on-site Innovative Controls, staff may allow the remaining 25% of WQV to be fulfilled via fee-in-lieu. Innovative Water Quality Controls are those presented in Environmental Criteria Manual (ECM) Section 1.6.7. WPDR staff will maintain the ability currently allowed by ECM 1.6.4 to further reduce the level of required WQV on-site control if special circumstances exist which warrant the reduction.
- C.** Appendix C illustrates Innovative Water Quality Controls (ECM 1.6.7) and other Water Quality Control Best Management Practices as described in ECM Section 1.6.

#### **4.11.5. Cooperative Stormwater Management Solutions**

- A.** New development or redevelopment is encouraged to enter into cooperative agreements with surrounding properties to provide detention or other stormwater management facility(ies) that serve multiple properties; this facility(ies) would treat the water volume from all or a portion of the properties.
- B.** If a developer, or group of developers located in an urban watershed (Shoal or Little Walnut) propose a regional water quality structure that treats the stormwater from at least 10 acres of previously

untreated offsite land, the City may cost participate in the construction of the structure (ECM 1.9).

- C. Appendix D provides illustrations of impervious cover and drainage pattern assumptions for the existing regional stormwater detention ponds near MoPac (Z-K, PSP 1, PSP 2, and MoPac ponds). Properties included on these illustrations, if developed in accordance with the assumptions, may be able to utilize the regional ponds to fulfill stormwater management requirements instead of building individual detention ponds on site.

## **ARTICLE 5: BUILDING DESIGN STANDARDS**

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### **5.1. INTENT**

The standards of Article 5 are intended to use building design in order to:

- 5.1.1.** Ensure that buildings foster the creation of a human-scale environment;
- 5.1.2.** Ensure that building entryways are convenient and easily accessible from the roadside pedestrian system;
- 5.1.3.** Ensure that trees or man-made shading devices are used alongside roadways and connecting roadside sidewalks to businesses to encourage pedestrian activity by providing a sheltered and comfortable walking environment;
- 5.1.4.** Ensure that buildings provide an interesting and engaging visual experience at the pedestrian level; and
- 5.1.5.** Ensure that the design and construction of ground floor building space near transit, at visible intersections, and along streets that lead to transit, accommodates for active pedestrian-oriented uses even if these types of uses may not be supported by current market conditions.
- 5.1.6.** Ensure green building techniques are considered in building design and decisions are made with health, energy-efficiency, long-term maintenance and the environment in mind.

### **5.2. APPLICABILITY**

For the purpose of applying the standards in this Article, refer to Article 1 for descriptions and maps of NBG Subdistricts and NBG Roadway Types and refer to Subsection 4.3.2.A: Principal Street Determination.

## 5.3. BUILDING ENTRANCES

### 5.3.1. Building Entrance Standards for Pedestrians

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 5.3.1 Building Entrance Standards for Pedestrians	●	●	●	●	●	●	●	●	●		<ul style="list-style-type: none"> <li>- All development</li> <li>- Corner site provisions</li> <li>- Active Edge standards</li> </ul>

Include RSMU Subdistrict

- B.** Primary customer and/or resident entrances shall face the principal street and connect directly to the sidewalk clear zone or supplemental zone along the principal street. Supplemental customer and/or resident entrances are encouraged on any other building frontage.
- C.** Building entrances shall be provided for each separate ground floor commercial tenant space along the elevation facing the principal street and along any active edge designation.
- D.** For sites on one or more corners, a building entrance shall be provided for each separate ground floor commercial tenant space along all adjacent roadway types unless already provided along the principal street.

### 5.3.2. Building Entrance and Exit Standards for Vehicles

#### A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Principal Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 5.3.2 Building Entrance & Exit Standards for Vehicles	●	●	●	●	●	●	●	●	●		<ul style="list-style-type: none"> <li>- All development except Duplex, Single-Family Attached, Townhouse, and Two-Family Residential uses; and Emergency Service Providers</li> <li>- Corner site provisions</li> </ul>

Include RSMU Subdistrict

- B.** Building entrances and exits for vehicles shall be located to the rear or side of a building, except as provided in Subsection D below.
- C.** Where multiple street frontages are present, building entrances and exits for vehicles shall not face the principal street or be located within 100 feet of the principal street, except as provided in Subsection D below.
- D.** Vehicle entrances and exits for structured parking may face a principal street only when no other feasible access is available on another street frontage or alley, as determined by the Director.

## 5.4. WINDOW GLAZING

### 5.4.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Principal Street is:			
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY
Section 5.4 Window Glazing	●	●	●	●	●	●	●	●	●	
	<b>Applies to the following:</b>				<b>Application Details:</b>					
	All mixed use and non-residential development and development along an active edge				-Corner site provisions -Exceptions include: building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewall)					
	Development containing only residential units not along an active edge. Exceptions include: Duplex, Single-Family Attached, Townhouse, and Two-Family Residential uses				-Same exceptions as above.					

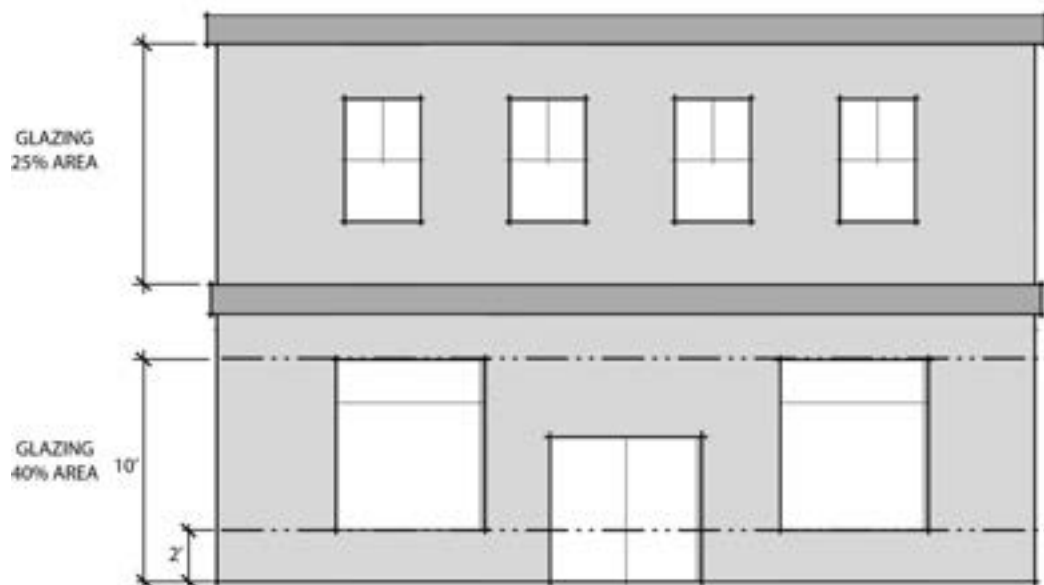
### 5.4.2. Purpose

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 minimum glazing requirements as stipulated below:

### 5.4.3. Standards

- A. Except for buildings for life science uses, all mixed use development, non-residential development, and development along an active edge shall satisfy the following:
1. At least 40 percent of the wall area along the principal street that is between two and ten feet above grade shall consist of glazing (see Figure 5-1).
  2. The second floor façade along the principal street must provide a minimum of 25 percent glazing between the finished second story floor and the finished third story floor or building eave (see Figure 5-1).
  3. At least one-half of the total area of all glazing on ground-floor facades that face the principal street shall have a Visible Transmittance (VT) of 0.6 or higher.
  4. For all other street facing facades, at least 25 percent of the wall area between two and ten feet above grade shall consist of glazing.
  5. Exception: For Emergency Service Providers, the glazing requirements of this section shall apply to the wall area excluding emergency vehicle overhead doors.
- B. Development containing only residential units that is not along an active edge shall satisfy the following:

1. At least 25 percent of the principal street ground floor wall area between two and ten feet shall consist of glazing; and
2. The second floor façade along the principal street must provide a minimum of 25 percent glazing between the finished second story floor and the finished third story floor or building eave (see Figure 5-1).



**Figure 5-1:** Commercial or mixed use building meeting glazing requirements

C. Buildings containing life science and research uses shall satisfy the following:

1. At least 40 percent of the wall area along the principal street that is between finished floor and twenty feet above grade shall consist of glazing.
2. The second floor façade along the principal street must provide a minimum of 25 percent glazing between the finished second story floor and the finished third story floor or building eave.
3. At least one-half of the total area of all glazing on ground-floor facades that face the principal street shall have a Visible Transmittance (VT) of 0.6 or higher.
4. For all other street facing facades, at least 25 percent of the wall area between two and sixteen feet above grade shall consist of glazing.

D. C. The maximum sill height for any ground floor glazing necessary to meet the minimum glazing standards of this section shall be 4 feet.

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

- F.** ~~C.~~ The requirements in this section shall not apply if the Building Code prohibits windows on such facades.
- G.** ~~D.~~ The requirements in this section may be reduced to the extent necessary to comply with the Energy Code and/or Green Building Program Standards. Shading devices and/or the use of fritted glass are encouraged to mitigate solar impacts, particularly on south and west facing facades.

## 5.5. SHADE AND SHELTER

### 5.5.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 5.5 Shade and Shelter	●	●	●	●	●	●	●	●	●	●	<ul style="list-style-type: none"> <li>- All mixed use and non-residential development</li> <li>- Development along an active edge</li> <li>- Corner site provisions</li> </ul>

### 5.5.2. Purpose

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

### 5.5.3. Standards

- A.** A shaded sidewalk shall be provided alongside at least 50 percent of the following:
1. All building frontages adjacent to the principal street
  2. All building frontages adjacent to off-street parking.
- B.** When adjacent to parking, the shaded sidewalk shall be raised above the level of the parking by way of a defined edge. ADA ramps along the building must also be shaded (see Figure 5-2).
- C.** On active edges, a shaded sidewalk shall be provided along at least 80 percent of the active edge designation.
- D.** Building entrances on all roadway types shall be located under a shade device, such as an awning or portico.
- E.** For Emergency Service Providers, Alternative Equivalent Compliance may be sought for relief from the principal street shaded sidewalk requirements in Subsections A and C above to the extent necessary for emergency service vehicle and overhead door clearance.



**Figure 5-2:** Example of an ADA ramp with shade structure



## 5.6. BUILDING FAÇADE ARTICULATION

### 5.6.1. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:			
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY
Section 5.6 Building Façade Articulation	●	●	●	●	●	●	●	●	●	●
	Applies to the following:					Application Details:				
	Building facades greater than 100 feet in length					Required along the principal street				
	Building facades greater than 40 feet in length					Requirement must be met on all building facades adjacent to any roadway type				

Include RSMU Subdistrict

Exceptions: Buildings for Life Science uses

### 5.6.2. Standards

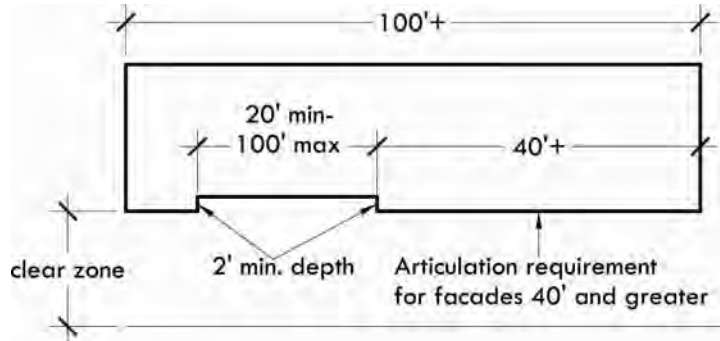
So as to provide visual interest and create community character and pedestrian scale, a building shall comply with the following façade articulation requirements:

- A. Along the principal street, building facades greater than 100 feet in length shall:
  1. Include at least one vertical change in plane with a depth of at least 24 inches (see Figure 5-3).
  2. The distance from the inside edge of a building projection to the nearest inside edge of an adjacent projection shall not be less than 20 feet and not greater than 100 feet (see Figure 5-4).
  3. For the purposes of meeting the requirements of this section, changes in plane shall not be deducted from the net frontage length requirement in Section 4.3.3 Building Placement so long as they do not exceed the maximum allowable supplemental zone standards as established in Subsection 4.3.4.
- B. Along all streets, building facades, or portions of building facades, greater than 40 feet in length shall include at least one discernible architectural element such as, but not limited to (see Figure 5-4):



**Figure 5-3:** Shows façade articulation with a change in plane and also change in color and material.

1. Changes in material, color, and/or texture either horizontally or vertically at intervals not less than 20 feet and not greater than 100 feet; or
2. Bay windows, display windows, arcades, balconies, cornices, bases, pilasters, and columns.



**Figure 5-4:** Illustration showing building façade articulation requirements.

### C. Civic Buildings

In order to provide greater flexibility to create a distinctive architectural statement, civic buildings, as defined in Article 7 Definitions, are not required to meet the building façade articulation standards in this section. For buildings of a civic nature that do not fall under the definition of Civic in Article 7, Alternative Equivalent Compliance, as described in Article 1, may be sought for relief from the building façade articulation standards in this section. Alternative Equivalent Compliance may be granted if the intent of this Document is met.

## 5.7. GREEN BUILDING STANDARDS

### 5.7.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 5.7 Green Building Standards	●	●	●	●	●	●	●	●	●	●	All development

### 5.7.2. Standards

All buildings must achieve a minimum One Star rating from Austin Energy Green Building using the rating system version in use at the time of application for building permit.

## 5.8. ACTIVE EDGE STANDARDS

### 5.8.1. Applicability

Include RSMU Subdistrict

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 5.8 Active Edge Standards	●						●	●			<ul style="list-style-type: none"> <li>- All development along all active edge designations, except Emergency Service Providers.</li> <li>- Off street parking provided as part of a building or parking structure adjacent to any roadway type.</li> </ul>

### 5.8.2. Ground Floor Spaces

For that portion of a building façade that is along a street frontage designated as an active edge, the building must be designed and constructed to accommodate active uses such as retail and commercial services (see Figure 5-5). The building, including the ground floor, may contain any use allowed on the property, as identified in Section 2.3.

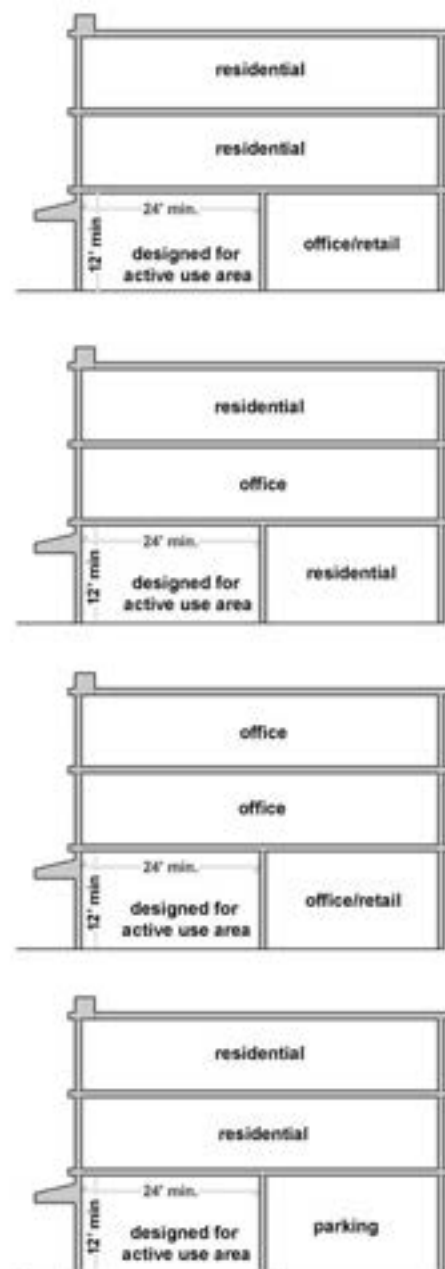
#### A. Active Use Area

Each ground-floor space shall be designed according to the following standards (see Figure 5-6):

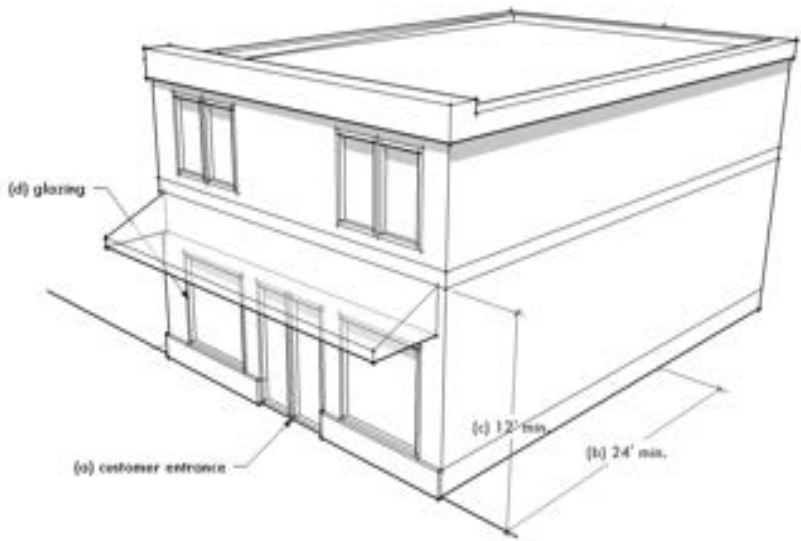
1. An entrance that opens directly onto the sidewalk according to Section 5.3;
2. A depth of not less than 24 feet measured from the street frontage wall;
3. A height of not less than 12 feet measured from the finished floor to the bottom of the structural members of the ceiling; and
4. A front façade that meets the window glazing requirements in Section 5.4.

#### B. Parking

1. Off-street surface parking is prohibited along an active edge designation.
2. Structured parking may be located along an active edge but it is not permitted in the required active use area described in this section.
3. Off street parking provided as part of a building or parking structure adjacent to any roadway types must meet the ground floor space standards of this Section 5.8.



**Figure 5-5:** Showing required active use area along an active edge with possible mixed use building use combinations.



**Figure 5-6:** Along an active edge, a building must be designed to accommodate pedestrian-oriented non-residential uses (illustrates active use area).

**~~5.9. BUILDING STEP-BACK REQUIREMENT~~**

Previously removed by  
Ordinance No. 20231019-056

**~~5.9.1. Applicability~~**

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
<del>Section 5.9 Building Step-Back Requirement</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>●</del>	<del>Requirement applicable to all development 6 stories or higher.</del>
<del>See Figure 1-2 and Figure 1-3 for NBG Subdistricts and NBG Roadway Types.</del>											

**~~5.9.2. Standards~~**

~~The street-facing building facades at the 6th story and above shall be stepped back from the street to maintain a pedestrian scale along the street frontage. The step back shall be a minimum of 30 feet deep, measured from the line of the street-facing facade.~~

## ARTICLE 6: DEVELOPMENT BONUS

### 6.1. INTENT

- 6.1.1. Enable developers in the NBG Zoning District to build projects with density higher than previously allowed by zoning in exchange for the provision of community benefits.
- 6.1.2. Encourage the provision of affordable housing and mixed income communities;
- 6.1.3. Accommodate additional density while allowing new development to support “public benefits” that are important to achieve as the North Burnet/Gateway area transforms in to a high-density urban neighborhood. These public benefits include vehicular, bicycle and pedestrian connectivity, stormwater management, parks and open space, civic facilities, green building/ sustainability, and transit.
- 6.1.4. Provide interim development bonus standards for the NBG Zoning District until the City of Austin develops a development bonus framework for the city and sets specific ratios for the NBG area of public benefit provision requirements (or fee-in-lieu payments) to bonus FAR/additional height granted.

### 6.2. INTERIM DEVELOPMENT BONUS STANDARDS

#### 6.2.1. Development Bonus

##### A. Applicability

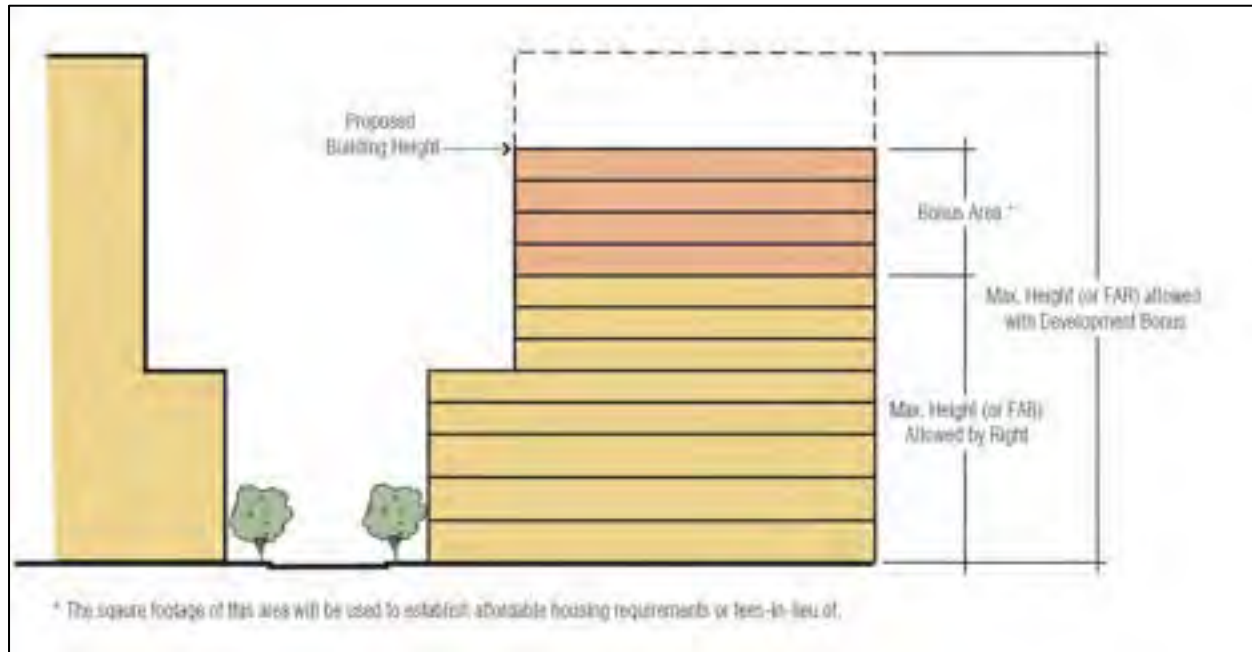
Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 6.2.1 Development Bonus	●	●	●	●	●	●	●	●	●	●	All properties or portions of properties in the NBG Zoning District are eligible for a development bonus.

Include RSMU Subdistrict

##### B. Interim Development Bonus Standards

1. A development bonus shall be granted to a development that meets the NBG Design Standards as required in Subsection C and either the affordable housing or collector street standards in Subsections D or E below (Note: not all properties are eligible for a development bonus for providing collector streets. See Subsection E for more information).
2. The development bonus allows development on a site to exceed its “maximum floor-area-ratio (FAR) by right” limitation and “maximum height by right” limitation up to the “maximum FAR with development bonus” limitation and “maximum height with development bonus” limitation established in Section 4.2 (Development Standards) for each subdistrict.
3. For purposes of applying standards in this section, the bonus area is:
  - a. The gross floor area that exceeds the site’s “maximum FAR by right” limitation; or
  - b. The gross floor area that exceeds the “maximum height by right” limitation; or

- c. In cases where both the “maximum FAR by right” limitation and “maximum height by right” limitation are exceeded, the bonus area is the greater of the gross floor area calculations of either subsections a. or b. above.



**Figure 6-1** Illustration of Development Bonus Area

### C. NBG Design Standards

Unless exempted by Section 1.2.3.B, at a minimum, all development shall comply with the development standards listed below to be eligible for a development bonus. (For redevelopment or major rehabilitation, the Director shall determine the portion of the site to which the standard applies, based on the extent of change proposed).

1. Sidewalk standards in Section 3.3;
2. Landscape buffering for surface parking between the clear zone (or supplemental zones if provided) or the existing sidewalk and the parking area, according to the off-street parking design standards in Section 4.4.B.;
3. Bicycle parking requirements according to Section 4.4.5; and
4. Screening of equipment and utilities according to Section 4.7 of this Document.

### D. Provision of Affordable Housing

To be eligible for the development bonus described in Subsection B above through the provision of affordable housing, habitable space equal to a minimum of ten percent of the bonus area granted shall be reserved as affordable in residential or residential mixed-use developments. The ten percent requirement may be met by providing affordable owner-occupied units, rental units, or a combination of both. The following requirements assign the specific level of affordability for each unit type, which shall run with the land:

**1. Affordability Requirements for Owner-Occupied Units**

Habitable space equal to a minimum of ten percent of the bonus area of the development shall be reserved as affordable through a City approved affordable housing land trust or other shared equity model approved by the Director of NHCD, for not less than 99 years from the date a certificate of occupancy is issued, for ownership and occupancy by households earning no more than 80 percent of the Annual Median Family Income for the City of Austin Metropolitan Statistical Area as determined by the Director of the Neighborhood Housing and Community Development Department (NHCD).

**2. Affordability Requirements for Rental Units**

Habitable space equal to a minimum of ten percent of the bonus area of the development shall be reserved as affordable, for a minimum of 40 years following the issuance of the certificate of occupancy, for rental by households earning no more than 60 percent of the Annual Median Family Income.

**3. Other Requirements**

- a. The development must comply with the City's S.M.A.R.T. Housing Program; and
- b. The City may elect to subsidize an additional ten percent of residential units in the building for ownership or rental purposes for residents at any level of affordability pursuant to criteria and procedures established by the Director of the NHCD.
- c. The director may require the developer to execute an agreement, restrictive covenant, or other binding restriction on land use that preserves affordability for the required period.

**4. Affordability Definition**

For purposes of this section, a unit is affordable for purchase or rental if the household is required to spend no more than 30 percent of its gross monthly income on mortgage or rental payments for the unit, or up to 35% of its gross income on mortgage if a household member receives City-approved homebuyer counseling, in addition to meeting the requirements of this section.

**5. Fee-in-lieu Payments for Affordable Housing and Community Benefits**

Subject to the approval of the Director of the NHCD, a developer may pay a fee-in-lieu payment instead of providing affordable housing on-site.

- a. For a residential use, the developer shall pay into the Housing Assistance Fund 100 percent of the fee prescribed by Subsection c. below for each square foot of the bonus area; or
- b. for a commercial or mixed use:
  - (i) The developer shall pay into the Housing Assistance Fund 50 percent of the fee prescribed by Subsection c. for each square foot of the bonus area granted; and
  - (ii) Pay into the Community Benefits Fund 50 percent of the fee prescribed by Subsection c. for each square foot of the bonus area granted.

- c. The current fee to be paid into the City funds for each square foot of bonus area is established as six dollars (\$6). This fee is adjusted annually in accordance with the Consumer Price Index All Urban Consumers, US City Average, All Items (1982-84 = 100), as published by the Bureau of Labor Statistics of the United States Department of Labor. The City Manager shall annually determine the new fee amounts for each fiscal year, beginning October 1, 2008, and report the new fee amounts to the City Council.
- d. The developer must pay the fee prescribed by this section prior to the issuance of the Certificate of Occupancy.

#### **6. Allocation of City Funds**

- a. The Director of the Austin Neighborhood Housing and Community Development Dept. (NHCD) shall allocate money from the Housing Assistance Fund collected under Subsection 5 for the financing or production of affordable units within 2 miles of the intersection of Burnet Rd. and Braker Ln. that meet the following criteria:
  - (i) Owner-occupied units are reserved as affordable for a period of not less than 99 years by a family whose gross household income does not exceed 80 percent of the median family income for the Austin metropolitan statistical area; or
  - (ii) Renter-occupied units are reserved as affordable for a period of not less than 40 years by a family whose gross household income does not exceed 60 percent of the median family income for the Austin metropolitan statistical area.
- b. The Director of the Neighborhood Planning and Zoning Dept. (NPZD), subject to the approval of the appropriate Land Use Commission, may allocate money from the Community Benefits Fund collected under Subsection 5, for programs that serve one or more of the following purposes for the North Burnet/Gateway Planning Area:
  - (i) Vehicular, bicycle and/or pedestrian connectivity
  - (ii) Stormwater management
  - (iii) Parks and open space
  - (iv) Civic facilities
  - (v) Green building/Sustainability
  - (vi) Transit



**E. Construction of New Collector Streets**

As described in Section 3.5.1 Project Circulation Plan, right-of-way shall be dedicated for collector streets identified on the NBG Collector Street Plan (Figure 3-12). If a site is less than five acres in size, or would otherwise not be required to provide a new street(s) on the site in compliance with the block size standards in Section 3.5.2 or any other requirement, and the project builds the collector street in accordance with one of the Primary Collector Street cross-sections provided in Appendix A, the site may be eligible for a development bonus described in Subsection B above. In exchange for building the collector street in the required collector street ROW, a development bonus shall be granted to the “maximum FAR with development bonus and “maximum height with development bonus” limits established in Section 4.2 (General Development Standards). FAR calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.

## ARTICLE 7: DEFINITIONS

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### **Active Edge**

An active edge imposes specific land use and design requirements for development on specific street frontages in the TOD Subdistrict. The locations of active edges are shown on the NBG Subdistricts map (Figure 1-2). It requires building facades to be located adjacent to or near to the clear zone, building entrance and window treatment oriented to the street, and active ground floor uses (or their accommodation through building design and construction) along the street frontage, including, but not limited to: commercial, retail, restaurant, entertainment, and lobbies for civic, hotel, or multi-family uses.

### **Building**

A structure that has a roof and walls, which is constructed in a permanent position on the ground. A building also includes parking structures that may or may not have fully enclosed walls.

### **Civic Buildings**

For purposes of this Document, civic buildings shall consist of the following:

- College or University facilities
- Community Recreation (Public)
- Cultural Services
- Local Utility Services
- Parks and Recreation Services (General)
- Postal Services
- Public Primary Education Facilities
- Public Secondary Education Facilities
- Safety Services
- Transportation Terminal

### **Clear Zone**

The area dedicated for an unobstructed sidewalk.

### **Collector Street**

A street as defined in Section 25-1-21 (15) of the LDC.

### **Commercial Use**

A use that appears in Section 25-2-4, *Commercial Uses Described*, of the LDC.

### **Director**

Unless otherwise specified, the Director of the Watershed Protection and Development Review Department, or his or her designee.

**Drive-Through Facility**

Drive-through facilities provide services where the motorist generally waits in the car before and while the service is performed.

**Fully-Shielded Light Fixture**

A lighting fixture constructed in such a manner that the light source is not visible when viewed from the side and all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

**Full Cut-off**

A luminaire light distribution where zero candela intensity occurs at or above an angle of 90 above nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 (10%) at or above a vertical angle of 80 above nadir. This applies to all lateral angles around the luminaire.

**Glazing**

The panes or sheets of glass or other non-glass material made to be set in frames, as in windows or doors.

**Hardscape**

Nonliving components of a streetscape or landscape design, such as paved walkways, walls, sculpture, patios, stone and gravel areas, benches, fountains, and similar hard-surface areas and objects.

**Internal Block**

One or more lots, tracts, or parcels of land within a site that are bounded by streets, railroads, or subdivision boundary lines.

**Joint Use Driveway**

Refer to Section 25-6-417 of the Land Development Code.

**LDC**

The City of Austin Land Development Code.

**Light Fixture**

The complete lighting assembly (including the lamp, housing, reflectors, lenses and shields), less the support assembly (pole or mounting bracket); a light fixture.

**Life Science Use**

The use of a site for the study of living organisms and life processes, including anatomy, biology, botany, ecology, zoology, microbiology, psychology, biochemistry, and related subjects. This use includes, but is not limited to, wet labs and space used for the study of biologics, medical devices, diagnostics, pharmaceutical, contract research, and Biosafety Hazard Levels 1, 2, and 3, light bioscience use, medium bioscience use, and core bioscience use as defined by the National Institute of Health and related subjects.

**Maximum Extent Feasible**

No feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining “maximum extent feasible.”

**Maximum Extent Practicable**

Under the circumstances, reasonable efforts have been undertaken to comply with the regulation or requirement, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from the noncompliance.

**Mixed Use Building**

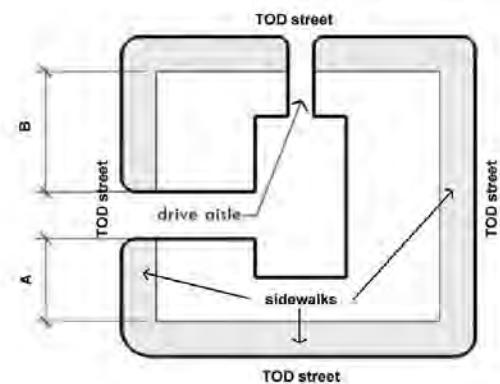
A building containing more than one type of use. This may include, but is not limited to, a combination of residential, commercial, light manufacturing, office, and/or civic land uses.

**Net Site Area**

Refer to Section 25-8-62 of the Land Development Code.

**Net Frontage Length**

Determined by subtracting compatibility setbacks, easements, streets, drive aisles, sidewalks, and stairs that occur at the building perimeter from the total property length, as measured along the front lot line from property line to property line (see Figure 6-1) or from the total block length if internal blocks are created within a site. In the case of a curved corner, the Director may determine the end point for purposes of measuring net frontage.



**Figure 6-1:** The net frontage length for this property is the total of lengths A and B. Required streets, drive aisles, and perimeter sidewalks are not included.

**North Burnet/Gateway Master Plan**

A document that creates a development vision, plan and recommendations specific to the North Burnet and Gateway neighborhood planning areas in Austin, TX and adopted by the City Council on November 1, 2007 (Ordinance no. 20071101-050).

**North Burnet/Gateway (NBG) Zoning District**

A designation of land within the North Burnet/Gateway planning area in which additional land development requirements and standards intended to implement the vision and recommendations of the North Burnet/Gateway Master Plan are applied.

**North Burnet/Gateway (NBG) Planning Area**

The study area boundary for the North Burnet/Gateway Master Plan. The Master Plan boundaries combine the North Burnet and Gateway neighborhood planning areas, which were established when the City Council passed the resolution that commenced the neighborhood planning process in January, 2002 (Resolution no. 020117-27).

**North Burnet/Gateway (NBG) Subdistrict**

A designation of land within the NBG Zoning District used for applying design and development standards within a specific part of the NBG area. The following is a listing of NBG Subdistricts:

- Transit-Oriented Development (TOD) Subdistrict
- Commercial Mixed Use Subdistrict
- Neighborhood Mixed Use Subdistrict
- Neighborhood Residential Subdistrict
- Warehouse Mixed Use Subdistrict
- Commercial Industrial Subdistrict

**Pedestrian-Oriented Business or Use:**

A business or use which is commonly accessed by pedestrians from the street sidewalk and have a high customer use rate.

**Principal Building**

A building in which is conducted the principal use of the lot on which it is located.

**Principal Entrance**

The place of ingress and egress most frequently used by the public.

**Principal Street**

In this Document, the principal street of a lot or site is the street with the highest priority that is adjacent to the lot or site. Street priorities are established in Section 4.3.2 of this Document.

**Shaded Sidewalk**

For purposes of this Document, a shaded sidewalk shall be either of the following:

- A sidewalk at least five feet in width with street trees at 30-foot intervals; or
- A sidewalk at least five feet wide covered with weather-protection materials such as awnings.

**Significant Stand of Trees**

Three or more Class 1 or Class 2 tree specimens with a minimum measurement of two-inch Diameter at Breast Height, meeting the standards outlined within Section 3.5.2 of the Environmental Criteria Manual and a minimum of 150 square feet of critical root zone preserved.

**Streetscape**

The elements within and along the street right-of-way that define its appearance, identity, and functionality, including street furniture, landscaping, trees, sidewalks, and pavement treatments.

**Street**

For the purposes of this Document, a street includes public and private streets and private drives, but does not include alleys.

**Street-Facing Facade**

A wall of a building that is within 60 degrees of parallel to a street lot line; and is not behind another wall, as determined by measuring perpendicular to the street lot line. The length of a street-facing façade is measured parallel to the street lot line.

**Street Tree/Furniture Zone**

An area adjacent to the curb in which street trees may be planted. The zone is also intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

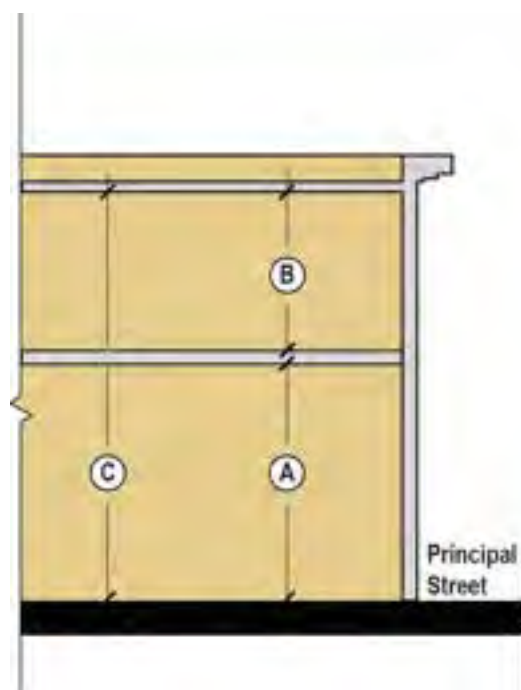
**Supplemental Zone**

An area between the clear zone and the building edge for active public uses such as a plaza, outdoor café or patio.

**Two Story Minimum**

Defined in Figure 7-2.

	Definition	Height without Active Edge	Height with Active Edge
<b>A</b>	<b>Ground Floor:</b> Measured from the finished floor to the bottom of structure.	9' Minimum	12' Minimum
<b>B</b>	<b>Upper Floors:</b> Measured from the finished floor to the bottom of structure.	8' Minimum	8' Minimum
<b>C</b>	<b>Double Height Space, if provided:</b> Measured from the finished floor to the bottom of floor or roof structure above. The maximum depth of a double height space along a Principal Street is 24'.	18' Minimum Height	22' Minimum Height
Active Edge Designations are illustrated on Figure 1-2: North Burnet/Gateway (NBG) Zoning District Subdistrict Map.			



**Figure 7-2: Definition of a two story minimum**

**TCM**

The City of Austin Transportation Criteria Manual.

**Transit-Oriented Development (TOD)**

Transit-Oriented development (TOD) is the functional integration of land use and transit via the creation of compact, walkable, mixed-use communities within walking distance of a transit stop or station. A TOD bring together people, jobs, and services and is designed in a way that makes it efficient, safe, and convenient to travel on foot or by bicycle, transit, or car.

## **APPENDIX A**

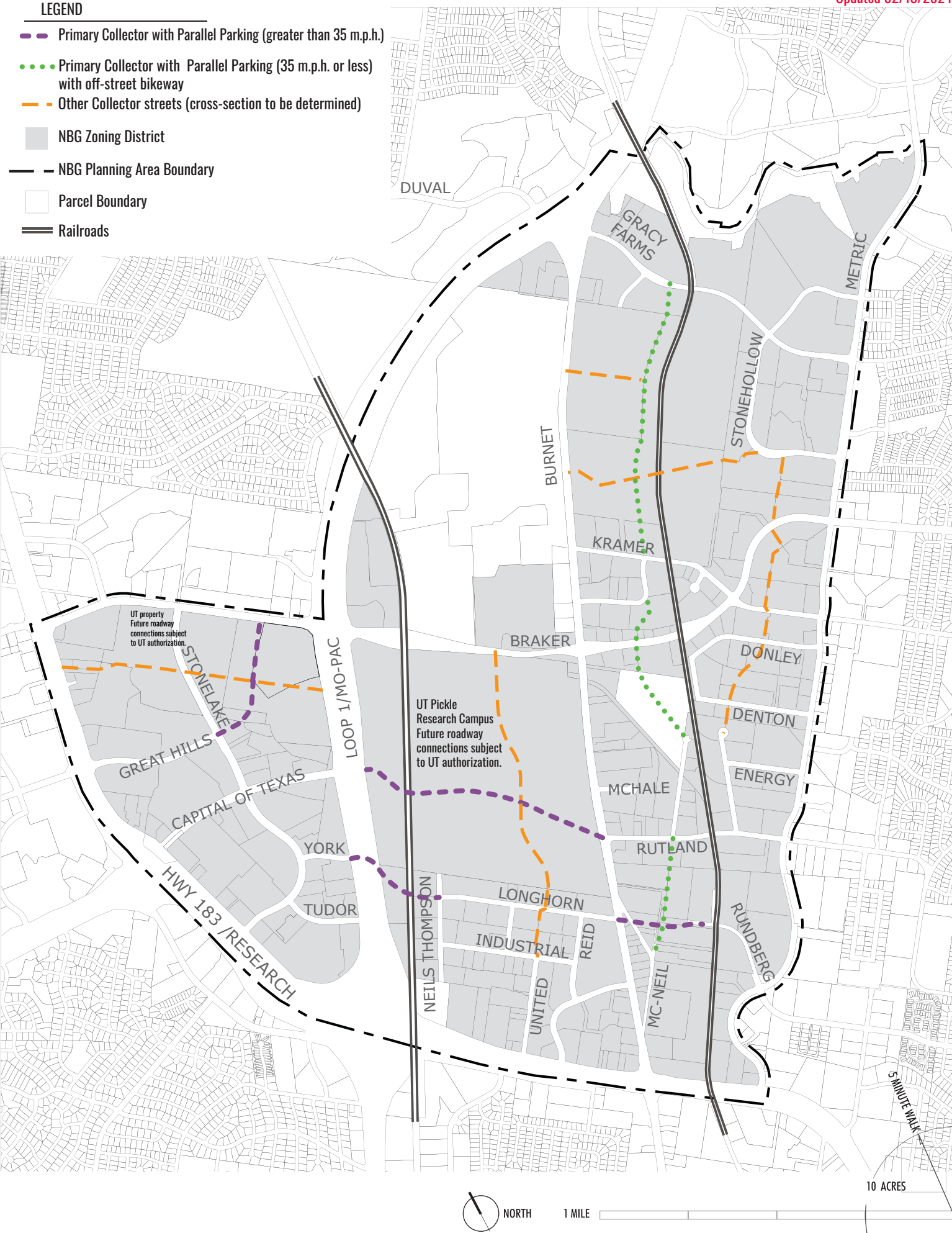
This appendix includes NBG Street Cross-Section Standards for new streets built within the North Burnet/Gateway Zoning District.

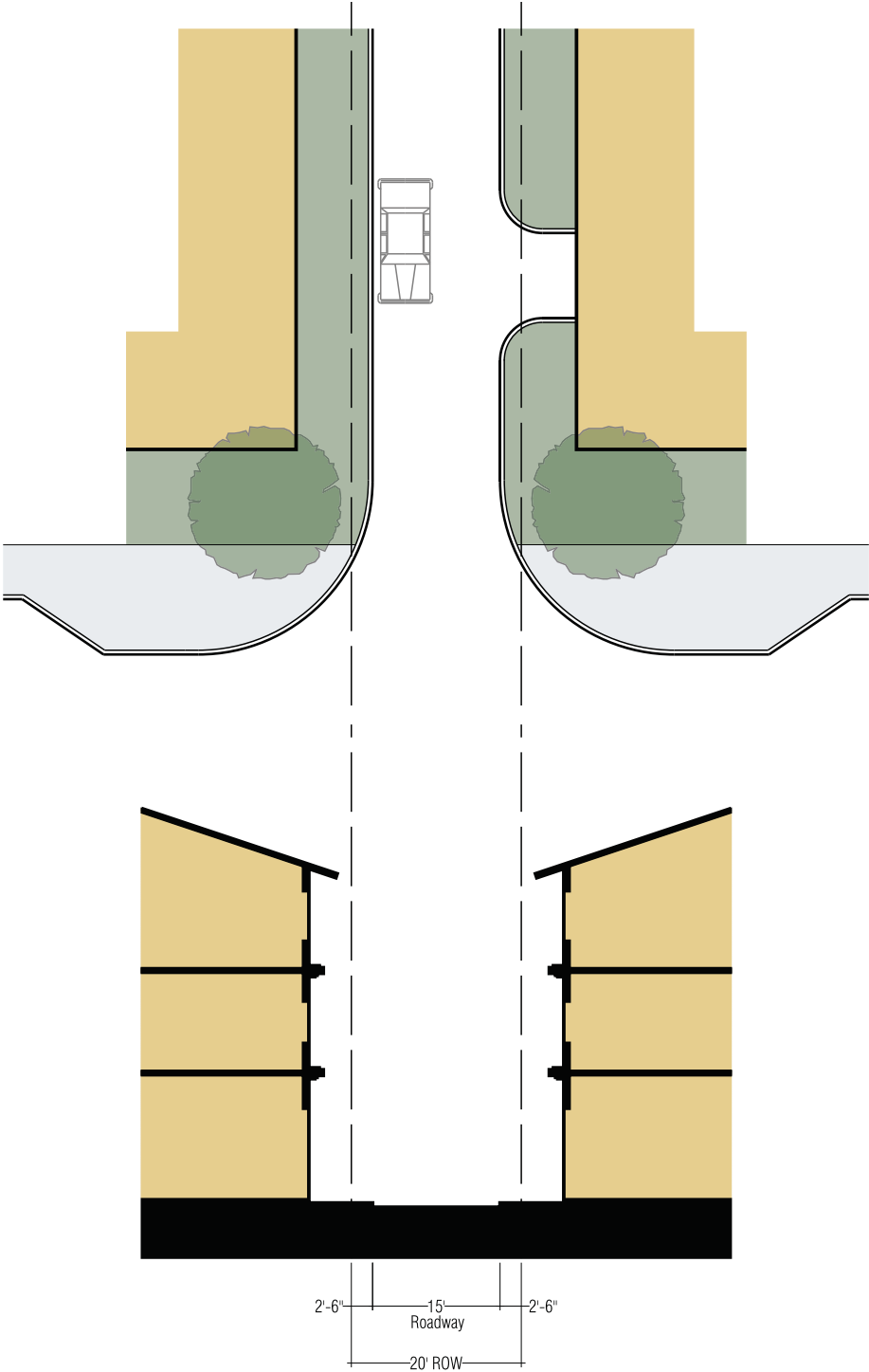
A Collector Street Identification Plan is also included which specifies NBG cross-sections for some of the required collector streets. See Section 3.5.2 [*Dedication of NBG Collector Streets*] and Figure 3-12 in the NBG Regulating Plan for a description of collector street requirements.



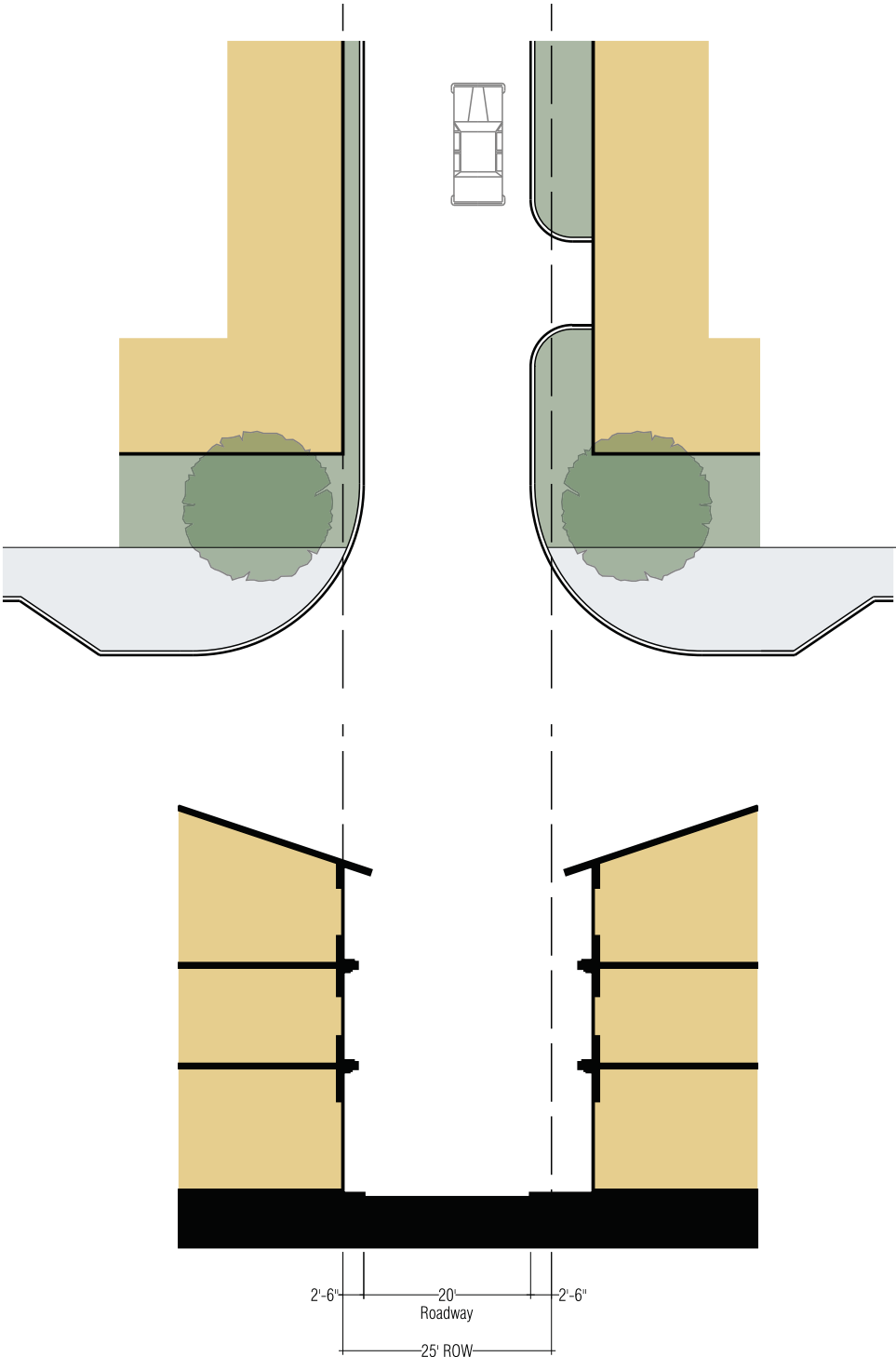
Appendix A: North Burnet / Gateway (NBG) Zoning District  
Collector Street Cross Section Identification Plan

Updated 02/13/2024

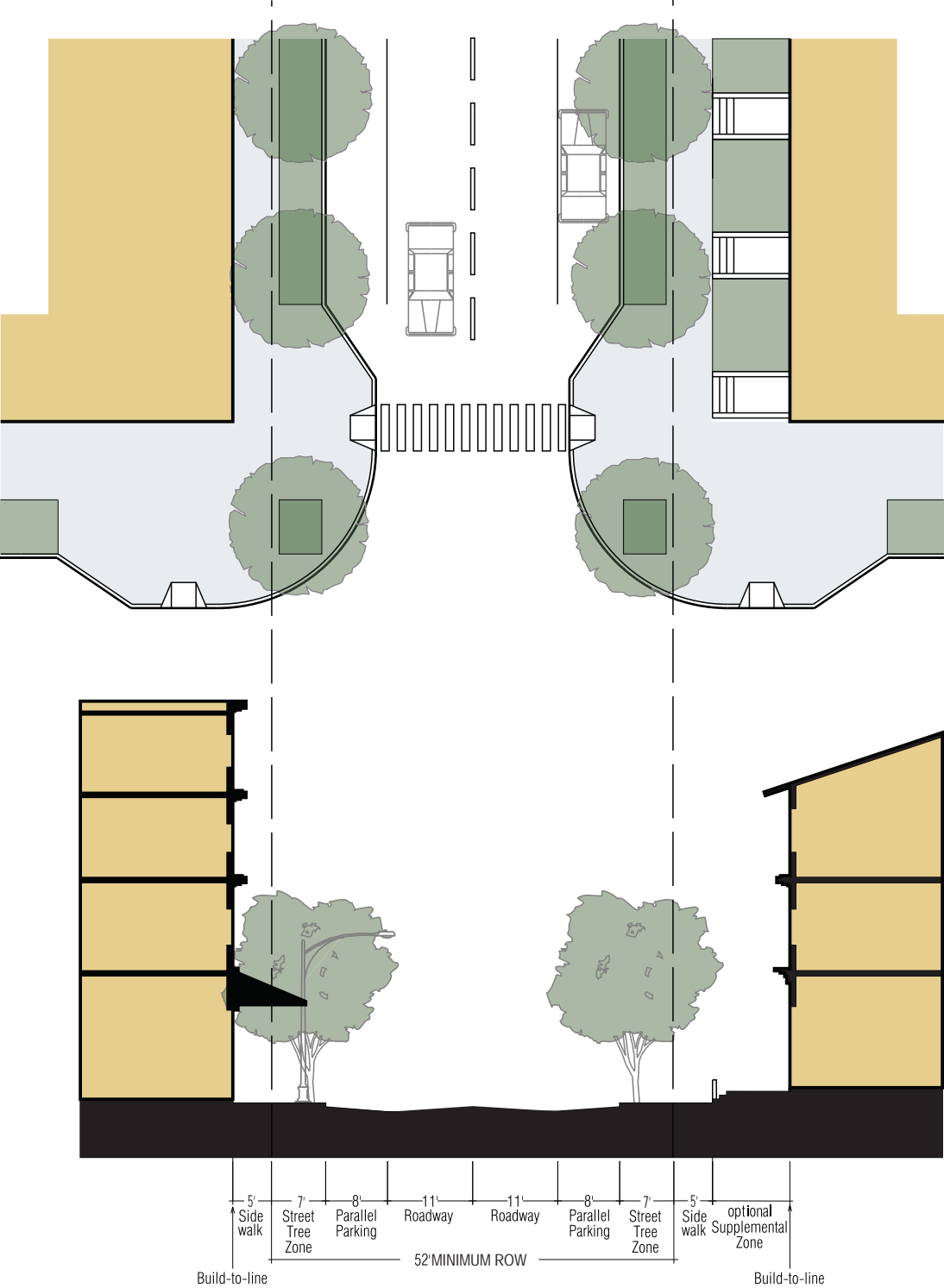




STREET CHARACTERISTICS	
Right of Way	20'
Pavement Width	15'
Target Speed	10 mph
Parking	none
Curb Radius	20'

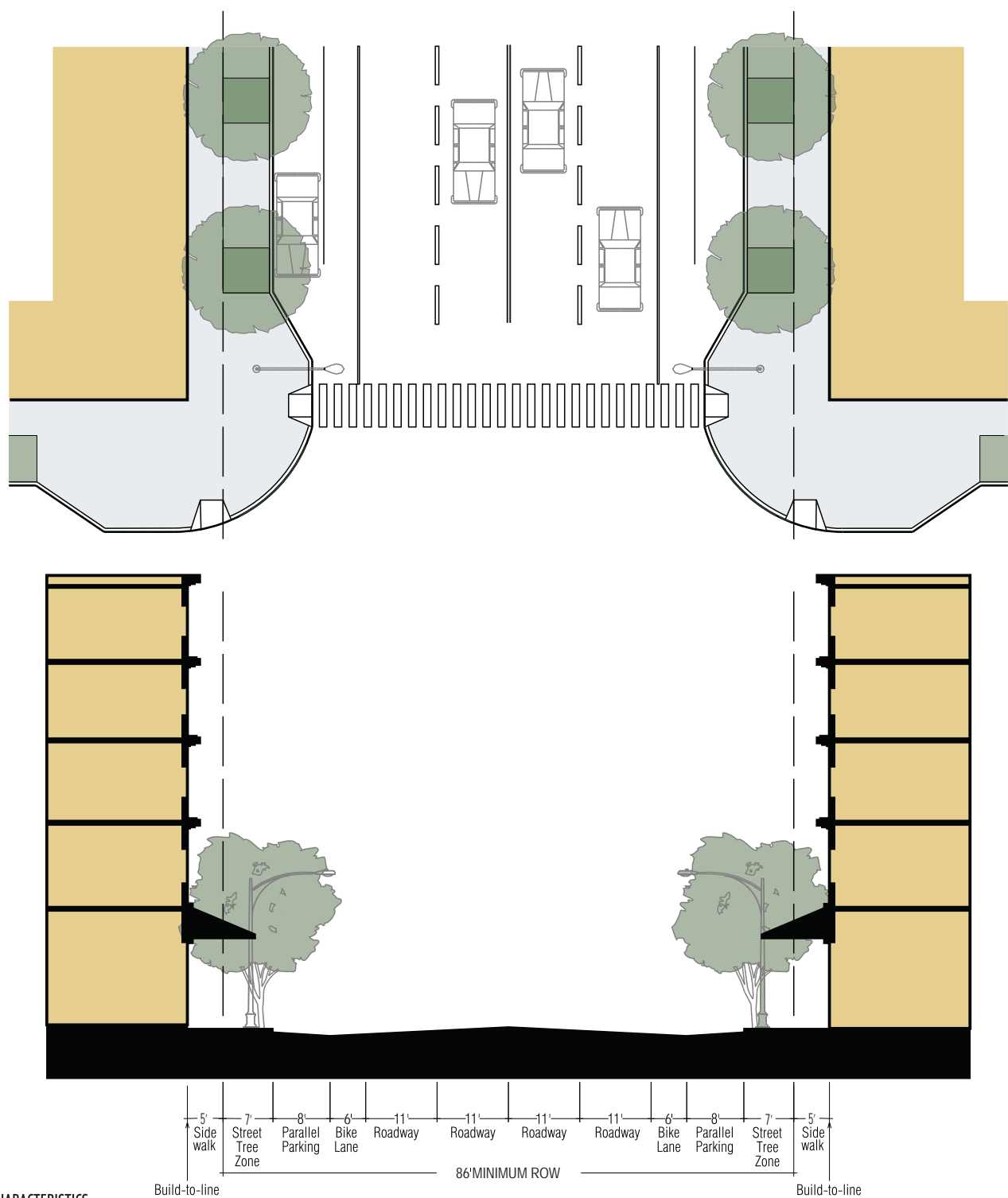


STREET CHARACTERISTICS	
Right of Way	25'
Pavement Width	20'
Target Speed	10 mph
Parking	none
Curb Radius	20'



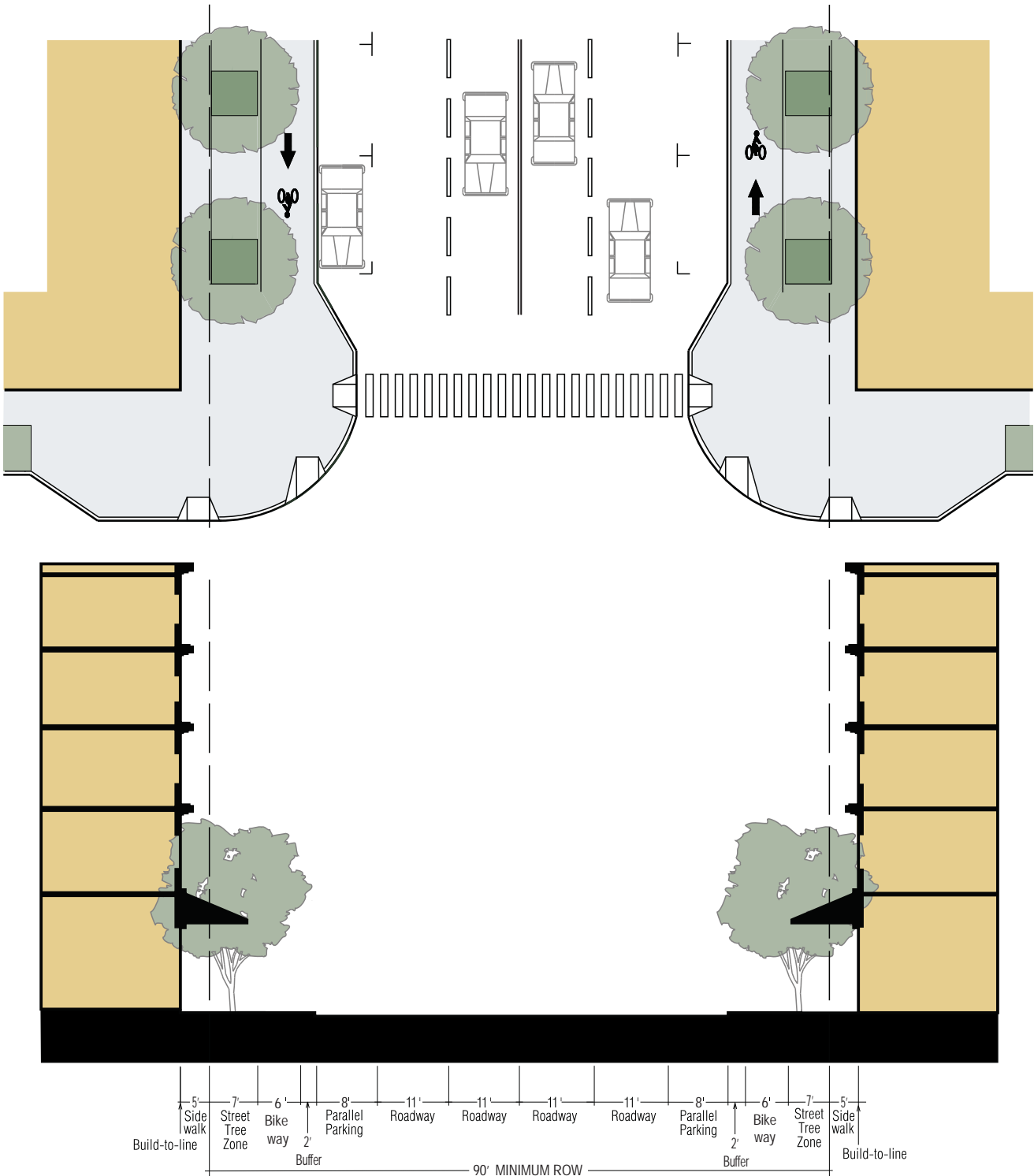
STREET CHARACTERISTICS

Min. Right of Way	52'
Pavement Width	38'
Target Speed	25 mph
Parking	parallel, both sides
Curb Radius	20'



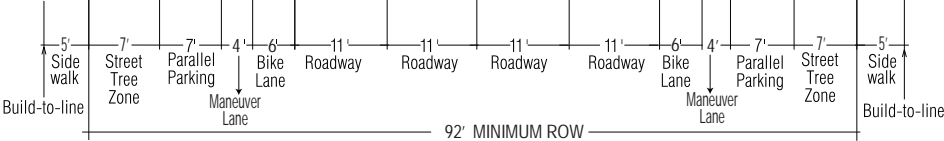
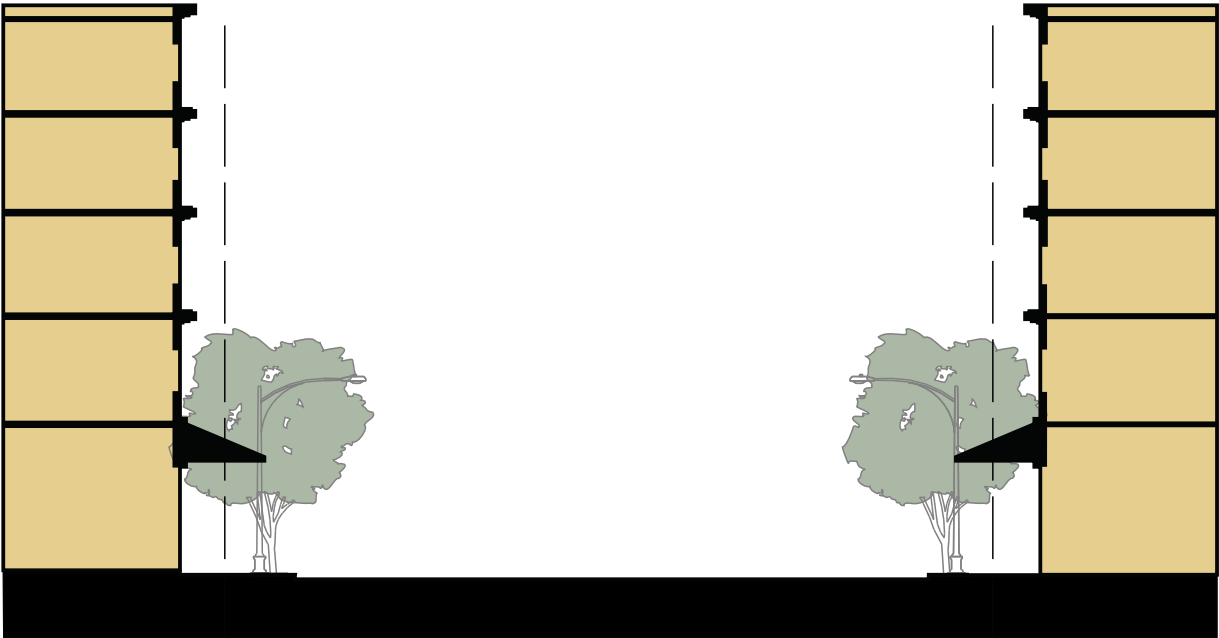
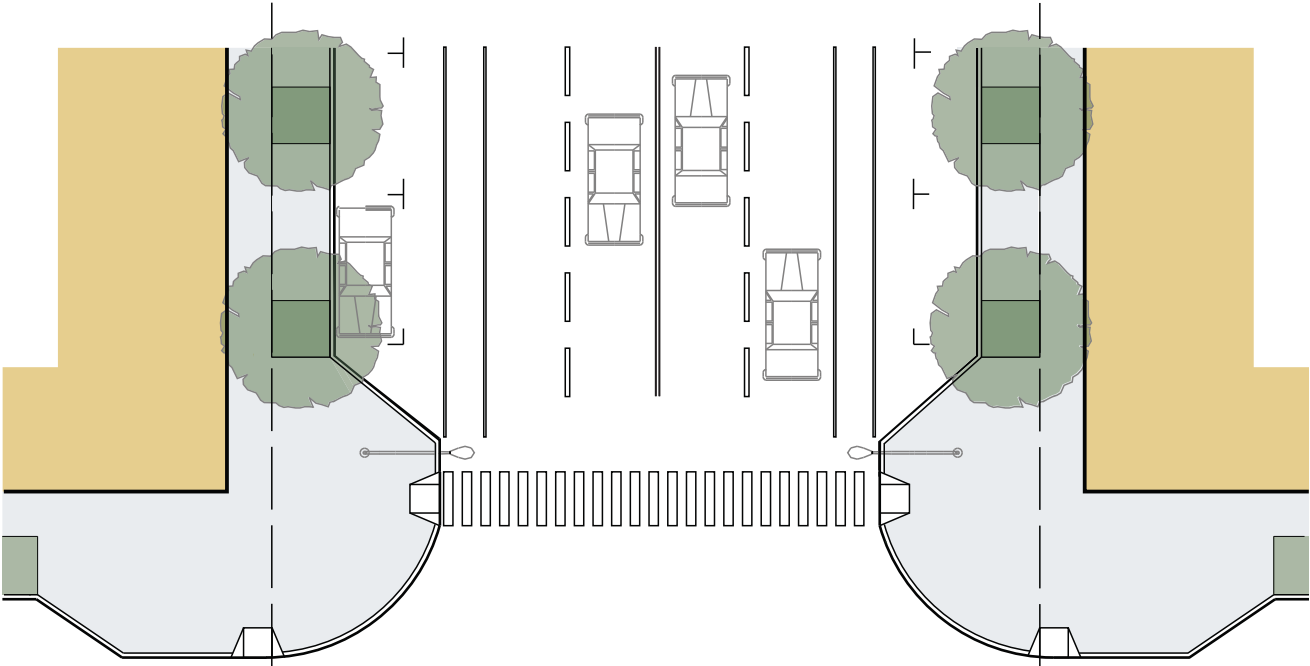
STREET CHARACTERISTICS

Min. Right of Way	86'
Pavement Width	72'
Target Speed	30 mph
Parking	parallel, both sides
Curb Radius	20'



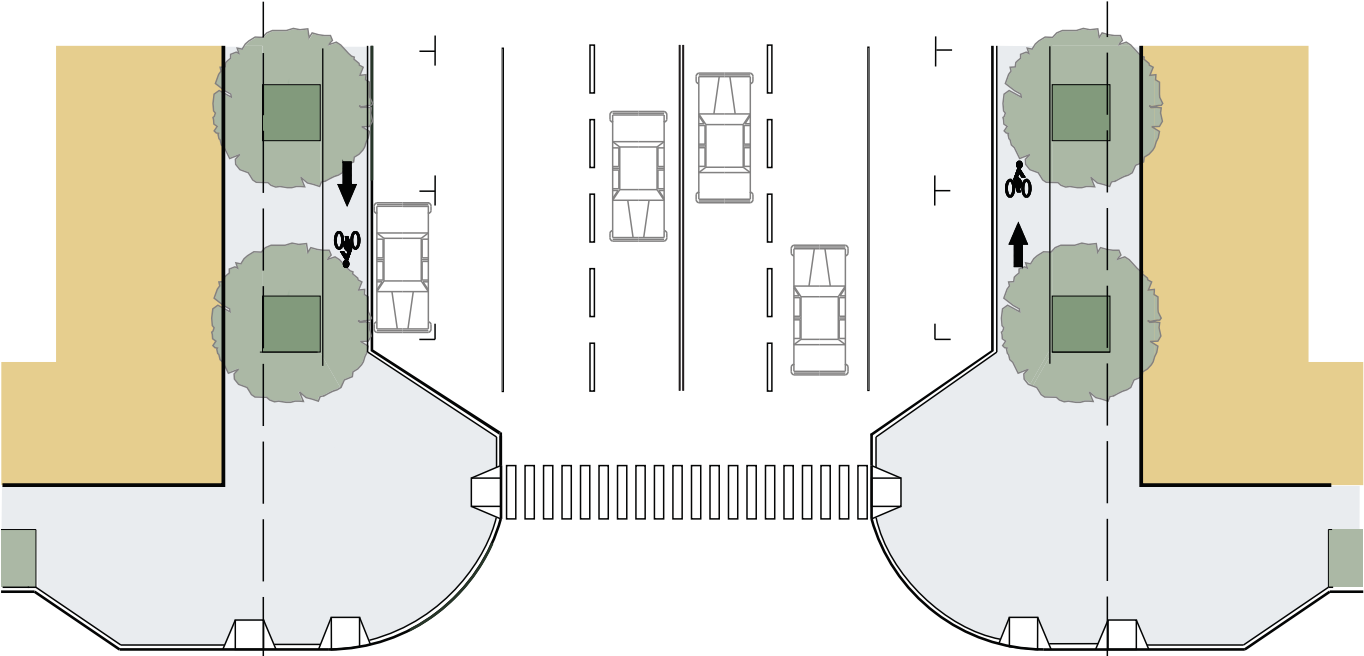
STREET CHARACTERISTICS

Min. Right of Way	90'
Pavement Width	60'
Target Speed	30 mph
Parking	parallel, both sides
Curb Radius	20'



STREET CHARACTERISTICS

Min. Right of Way	92'
Pavement Width	78'
Target Speed	greater than 35 mph
Parking	parallel, both sides
Curb Radius	20'



STREET CHARACTERISTICS

Min. Right of Way	108'
Pavement Width	78'
Target Speed	greater than 35 mph
Parking	parallel, both sides
Curb Radius	20'



2035 CONCEPTUAL MASTER PLAN

from the North Burnet/ Gateway Master Plan, adopted Nov. 1, 2007.

This map presents a potential redevelopment vision and does not constitute regulatory standards



## Appendix C: Examples of Water Quality Control Best Management Practices (BMPs)

Development projects and new streets within the NBG Overlay District are encouraged to incorporate Innovative Water Quality Controls and other BMPs as described in the City of Austin Environmental Criteria Manual Section 1.6. This appendix provides examples of projects in Austin that have incorporated these BMPs.



*Biofiltration Pond at Blunn Creek Apartments (Woodward Street).* Biofiltration enhances the traditional sedimentation/sand filter design, adding an organic filtration media with vegetation to remove pollutants. Biofiltration systems can serve as aesthetic amenities and, unlike sed./sand ponds, may be eligible for landscaping credit. These systems are excellent candidates for dense, highly impervious sites because they can be flexibly incorporated into numerous small landscaped areas and islands. Other examples of urban projects using biofiltration include Star Riverside at IH-35 and Riverside Drive as well as a regional biofiltration pond being constructed as part of the Sand Beach Improvements at Lamar Blvd. and Sandra Muraida Way. For design criteria, see Environmental Criteria Manual 1.6.7(C).



*Wet Pond at the Austin Convention Center (3<sup>rd</sup> and Red River).* Instead of using a clay liner, this compact wet pond was constructed with a concrete basin. It treats 35 acres of downtown drainage that is almost entirely impervious (99 percent). Wet ponds can treat from 20 to 320 acres of drainage—making them an attractive regional water quality solution. Other examples of urban projects with wet ponds include Central Park, Mueller, and the Triangle, each featuring wet ponds as a significant public amenity. For design criteria, see Environmental

Criteria Manual 1.6.6.





*Rooftop Garden and Non-Required Vegetation at Whole Foods Market (Lamar and 5<sup>th</sup>).* Besides creating a unique landscaping feature for the site, this rooftop garden and additional non-required plantings at ground-level were used to mitigate the urban heat island effect as well as to treat stormwater runoff. Stormwater can be collected in either a retention basin or, in this case, a rainwater harvesting tank and then used to irrigate rooftop and ground-level vegetation. Examples of other planned urban projects that will utilize this technique are the Market Place at 6<sup>th</sup> and Lamar and Crescent Austin at Riverside and S. Congress.

For non-required vegetation criteria, see Environmental Criteria Manual 1.6.7(G). For rainwater harvesting criteria, see Environmental Criteria Manual 1.6.7(D).



*Rainwater Harvesting Tank at Escarpment Village (Slaughter and Escarpment).* Although rainwater tanks can be located underground to save space, they can also serve as attractive, above-ground features. Several sites with rainwater harvesting tanks develop accompanying signage for public education purposes. Rainwater harvesting also promotes water conservation by using stormwater runoff instead of potable water for landscaping irrigation or cooling water. For design criteria, see Environmental Criteria Manual 1.6.7(D).



*Porous Pavement at Escarpment Village.*

Porous pavement is a permeable concrete surface with underlying layers of gravel and rock that reduces pollutants in stormwater runoff and provides ground water recharge through infiltration. Porous pavement for pedestrian use (e.g. sidewalks and trails) can be counted as pervious area. Although porous pavement does not directly receive water quality credit, it can reduce the overall water quality volume required for the site—thus decreasing the amount of space needed for on-site controls. For design criteria,

see Environmental Criteria Manual 1.6.7(E).



*Vegetative Filter Strip/Disconnected Impervious Cover at Rosedale Village (Burnet and 49<sup>th</sup>).* Vegetative filter strips (VFS) use the filtration properties of plants and soils to remove pollutants from runoff. They are typically used in relatively low-density developments as a passive, low maintenance water quality control. However, partial water quality credit can be received for the disconnection of impervious cover that allows stormwater runoff to filter over smaller vegetated strips. For design criteria, see Environmental Criteria

Manual 1.6.7(F).



*Rain Garden Example.* Rain gardens are small, landscaped infiltration or filtration areas similar to biofiltration, but with a drainage area of less than an acre and a ponding depth not to exceed 6 inches. Unlike conventional centralized systems (i.e. sedimentation/sand filtration), this approach can employ multiple controls dispersed across a development, and incorporated into the landscape, providing aesthetic as well as ecological benefits. For design criteria, see Environmental Criteria Manual 1.6.7(H).





*Partial Sedimentation/Sand Filtration Pond in the parking lot of the REI/Bookpeople Site (Lamar and 5<sup>th</sup>).* The pond is located between the surface parking and the street, taking up approximately one percent of the total site area. Rather than being placed below ground, this pond is left open—making inspection and maintenance significantly easier. The wall of the pond facing Lamar Blvd. is landscaped to blend into the surroundings. Utilizing a biofiltration media and plantings within the pond would allow it to further serve as a site amenity and landscaping feature. Sedimentation/sand filtration ponds can be constructed underground if space is not available on the site. Examples of urban projects with subsurface sedimentation/sand filtration ponds include AMLI Residential at 3<sup>rd</sup> and Guadalupe and The Shore at Davis and Rainey Street. For design criteria, see Environmental Criteria Manual 1.6.5(B).

## **APPENDIX D**

Illustrations of impervious cover and drainage pattern assumptions for regional stormwater detention ponds near MoPac (Z-K, PSP 1, PSP 2, and MoPac ponds).

Properties included on these illustrations, if developed in accordance with the assumptions, may be able to utilize the regional ponds to fulfill stormwater management requirements instead of building individual detention ponds on site.

