

DESIGN STANDARDS & MIXED USE SUBCHAPTER

Austin, Texas



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BASED ON THE MAY 2005 TASK FORCE REPORT:
Raising the Design Standards in Austin, Texas

DESIGN STANDARDS AND MIXED USE SUBCHAPTER

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BACKGROUND

On February 26, 2004, the Austin City Council directed the City Manager by resolution "...to prepare recommendations for citywide design standards for commercial and retail development. These recommended citywide design standards shall constitute the best practices of the standards adopted by communities around the nation and shall require design standards that reflect Austin's unique historic, landscape and architectural character...."

In order to implement the Council's direction, a specially appointed Task Force met over several months to consider research and input from the public, various stakeholder groups, and individuals. The Task Force sought to understand the preferences of Austin citizens and the design regulations of other cities prior to developing a recommendation.

The Task Force produced, and in May 2005 the City Council adopted, a policy report entitled "*Raising the Design Standards in Austin, Texas.*" The policy report identified a number of areas where regulatory improvements are necessary in order to raise the bar of development quality in Austin. The general intent was to develop regulations that will foster a built environment of aesthetic and sustainable value, enhance economic development efforts, promote Austin's unique character and natural environment, and ensure an efficient development review process.

The proposals for new standards were intended to raise the level of quality for all non-residential and mixed-use development, but within a regulatory structure offering options and flexibility, not strict requirements. New development would be subject to a set of minimum site and building design standards, recognizing that all new development, regardless of size, should be subject to minimum standards. The following topics were addressed in the policy report:

- Development orientation;
- Parking;
- Land use;
- Signs;
- Stormwater management;
- Connectivity;
- Exterior lighting;
- Screening and compatibility; and
- Building design.

In each of these topic areas, the policy report discussed the key issue generally and proposed regulatory language to address the issue. In a few areas, specific ordinance language was proposed, but in most areas the proposed language recommended general approaches rather than actual ordinance language. In some areas, the proposed new standards would be new for Austin, while in other areas the proposed standards would require amendments to the Austin Code.

In the summer of 2006, the City of Austin adopted this Subchapter, which is intended to implement the Council-approved policy report by establishing a clear, user-friendly, and legally enforceable ordinance that will result in improved development quality in Austin. This Subchapter is officially known as Subchapter E of Chapter 25-2 of the City Code.

HOW TO USE THIS SUBCHAPTER

Applicability is Based on Adjacent Roadway and Type of Development

This Subchapter recognizes that development should reflect and respond to its location within the city. For example, a commercial development in a suburban location can (and often should) look and function differently than a commercial development in downtown Austin. 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 new development standards in this Subchapter. This approach is intended 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 fronting a single roadway.

Because many of the standards in this Subchapter are defined based on roadway type(s) near the property, an important first step in the development process is to determine the roadway types that are adjacent to a site. 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 Subchapter, based on type of adjacent roadways and development activity.

The following different types of roadways are identified in this Subchapter:

Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Existing Core Transit Corridors have been designated and are defined in Article 5 and shown on Figure 1.¹ Examples include South Congress Avenue (north of Stassney Lane) and Anderson Lane (between Burnet Road and Mopac). Additional Core Transit Corridors may be designated in the future through neighborhood planning processes.

Hill Country Roadways include FM 2222, FM 2244, FM 620, Loop 360, and Southwest Parkway. Standards in this Subchapter that reference the Hill County Roadway designation apply to all properties within 1000 feet of these roadways.

Highways include all freeways, parkways, expressways, and frontage roads identified in the Austin Area Metropolitan Transportation Plan, except for Core Transit Corridors.

Internal Circulation Routes are public streets or private drives edged by a curb within a development.

Suburban Roadways are roads outside the Urban Roadway Boundary defined below that are not Core Transit, Hill Country, or Highway Roadways.

¹ NOTE: Need to add future Core Transit Corridors to map.



Urban Roadways are roads other than those designated as Core Transit Corridors and Highways located within the following boundaries, as shown on Figure 2:²

- *Northern Boundary:* Mesa to Loop 360, Loop 360 to Great Hills, Great Hills to Braker, Braker to Burnet, Burnet to 183, 183 to Manor
- *Eastern Boundary:* Manor to Airport Blvd, Airport Blvd to 7th, 7th to Pleasant Valley to Ben White Blvd.
- *Southern Boundary:* Ben White
- *Western Boundary:* Mopac except for area bounded by Lake Austin Blvd., Exposition, Windsor, Pecos, 38th, Balcones, Mesa, Spicewood Springs

² NOTE: There is strong interest in making the boundary for Urban Roadways the same as the boundary for the central city reduced parking area. Further discussion is necessary with the legal department about the best way to implement this change.

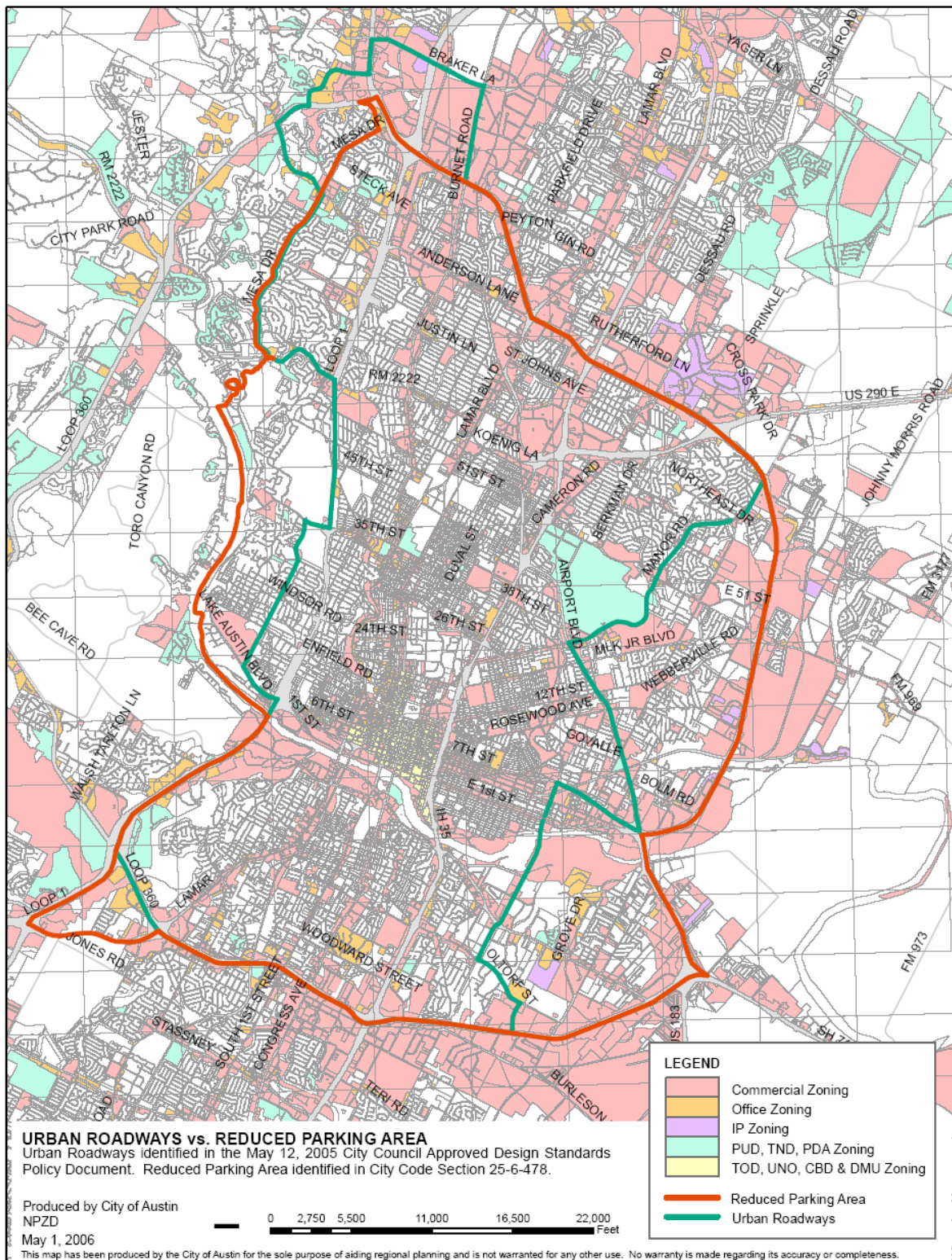


Figure 2: Urban Roadways Boundary

How This Subchapter is Organized

This Subchapter is divided into five Articles.

Article 1 includes **General Provisions** that should be reviewed for all development and redevelopment projects. Most importantly, a chart summarizes the applicability of the various standards based on roadway types and development types.

To allow flexibility in administering this Subchapter, this Article includes a “minor modification” provision that allows for City staff to approve small deviations from otherwise applicable standards in order to protect natural or historic features or to address unique site conditions.

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

Article 2 includes **Site Development Standards** intended to ensure that buildings relate appropriately to surrounding developments and streets, promote efficient pedestrian and vehicle circulation, and provide adequate parking in safe and appropriate locations, while creating a unique and identifiable image for development in Austin. In particular, standards in this Article address the following:

- Relationship of buildings to streets and walkways (based on roadway type);
- Connectivity (based on roadway type);
- Parking;
- Exterior lighting;
- Screening of equipment and utilities; and
- Private common open space and pedestrian amenities.

Article 3 includes **Building Design Standards** intended to address the physical appearance of buildings subject to this Subchapter. Included are:

- General requirements for glazing and shading to ensure that buildings facades are pedestrian-friendly; and
- Additional options to improve building design. An applicant may choose which of these options to meet from a flexible, point-based menu. All buildings subject to this section must reach a minimum number of points, with additional points required for certain building types (e.g., buildings with trademarked design features, large buildings or long facades, and buildings using a large percentage of certain building materials.)

Article 4 includes standards and incentives for **Mixed Use** development. This Article is intended to summarize the districts in which mixed use development is allowed in Austin and also the types of mixed use development that may occur. Generally, mixed use development may occur horizontally in different buildings on a site, or vertically in a Neighborhood Mixed Use or Vertical Mixed Use (VMU) building. This Article combines elements of the current Austin City Code relating to mixed use development with new material providing additional incentives and standards for developing mixed use projects.

Article 5 includes **Definitions** for terms used in this Subchapter.

ARTICLE 1: GENERAL PROVISIONS

1.1. GENERAL INTENT³

This Subchapter generally addresses the physical relationship between commercial and other non-residential development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the City Council's vision for a more attractive, efficient, and livable community. The general purposes of this Subchapter include:

- 1.1.1. To provide appropriate standards to ensure a high quality appearance for Austin and promote good design while also allowing flexibility, individuality, creativity, and artistic expression;
- 1.1.2. To strengthen and protect the image, identity, and unique character of Austin and thereby to enhance its business economy;
- 1.1.3. To protect and enhance residential neighborhoods, commercial districts, and other areas by encouraging physical development that is of high quality and is compatible with the character, scale, and function of its surrounding area;
- 1.1.4. To encourage developments that relate well to adjoining public streets, open spaces, and neighborhoods; and
- 1.1.5. To provide for and encourage development and redevelopment that contains a compatible mix of residential and nonresidential uses within close proximity to each other, rather than separating uses.

1.2. APPLICABILITY⁴

1.2.1. General Applicability

The applicability of this Subchapter varies by section and is dependent on the type of principal street that the subject lot or site faces and on the type of development activity proposed. The following table summarizes the applicability of each section of this Subchapter. Only those sites and projects that meet both the principal street and development type thresholds in the table are subject to the particular standard. General exemptions from the requirements from this Subchapter are listed in Subsection 1.2.3. below, and additional exemptions from specific standards are listed in subsequent sections of this Subchapter.

³ NOTE: Most of the intent statements in this draft are new and are based on text from the policy report and conversations with officials and staff.

⁴ NOTE: The applicability requirements are complex and could be stated in a number of ways. One common approach is to state general rules of applicability up front, and then carve out specific exceptions to those rules as necessary later in the Ordinance. This is not a good solution for this document, however, since there's so much variation from the "general rules," and since some standards have broader applicability than the general rules. Another approach would be to craft a distinct applicability section for each set of standards – however, this would make it difficult to get a big-picture understanding of the Ordinance. After experimenting with both approaches, we've proposed in this draft a hybrid solution that combines a general up-front summary table with additional applicability citations in each subsequent section. The Task Force, staff, and other reviewers should review the language carefully to ensure that we've captured the intent of the policy report.

| Section | Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|--|---|--|
| ARTICLE 2: SITE DEVELOPMENT STANDARDS | | | |
| 2.2: Relationship of Buildings to Streets and Walkways | 2.2.2. Building Location Along Core Transit Corridors | Core Transit Corridor | - All zoning districts - Single-family residential uses are exempt, in addition to the general exemptions in Section 1.2.3. |
| | 2.2.3. Building Location Along Urban Roadways | Urban Roadway | All non-residential zoning districts |
| | 2.2.4. Building Location Along Suburban Roadways | Suburban Roadway | All non-residential zoning districts |
| | 2.2.5. Building Location Along Internal Circulation Routes | Internal Circulation Route | All non-residential zoning districts |
| | 2.2.6. Building Entryways | Core Transit Corridor | All zoning districts |
| 2.3: Connectivity | 2.3.1: Internal Circulation Systems for Large Sites | - Core Transit Corridor - Urban Roadway | - All zoning districts (development of any site larger than 660 feet by 330 feet) - See additional exemptions in 2.3.1.B. |
| | | - Suburban Roadway - Highway - Hill Country Roadway | - All non-residential zoning districts (development of any site larger than 660 feet by 330 feet) - See additional exemptions in 2.3.1.B. |
| | 2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity | All roadway types | - Projects of three net developable acres or more in all non-residential zoning districts - Projects of less than three net developable acres that have parking between the building and the street |
| 2.4: Parking | All standards | All roadway types | All non-residential zoning districts |
| 2.5: Exterior Lighting | All standards | All roadway types | All zoning districts |
| 2.6: Screening of Equipment and Utilities | All standards | All roadway types | - All non-residential zoning districts - The following uses are exempt, in addition to the general exemptions of Section 1.2.3.: major utility facilities, local utilities services use, electric service transformers within the right-of-way, antenna |
| 2.7: Private Common Open Space and Pedestrian Amenities | All standards | All roadway types | All site plans five acres in size or larger |

| Section | Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|---------------|-------------------------------------|---|
| ARTICLE 3: BUILDING DESIGN STANDARDS | | | |
| 3.2: Pedestrian Frontages | All standards | All roadway types | <ul style="list-style-type: none"> - Development of any non-residential land use - Section applies to any building frontage visible and accessible to the public. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewall) are exempt. |
| 3.3: Options to Improve Building Design | All standards | All roadway types | <ul style="list-style-type: none"> - Development of any commercial use of 10,000 square feet or more that requires a building permit - Development of any commercial use of less than 10,000 square feet that contains any exterior trademarked design features - Any building zoned for industrial use or warehouse use at the point its use is converted to commercial - Office development is exempt from this section - VMU buildings are exempt from this section |
| ARTICLE 4: MIXED USE | | | |
| All sections | All standards | All roadway types | All development in zoning districts that allow mixed use development |

1.2.2. New Construction, Redevelopment, and Major Rehabilitation

If a particular standard of this Subchapter is applicable to development on a particular site based upon the table above, then that standard shall be applicable to the following activity:

- A. New construction; and
- B. Redevelopment or major rehabilitation, which for purposes of this Subchapter shall include any project that will, combined with all other redevelopment or rehabilitation of the site that has occurred since the effective date of this Subchapter:
 1. Generate 2,000 vehicle trips or more per day above the estimated trip level on the effective date of this Subchapter, or
 2. Increase the site's impervious cover by 25 percent or more beyond the amount of impervious cover existing on the effective date of this Subchapter.

1.2.3. Exemptions⁵

The following types of development are exempt from the requirements of this Subchapter:

- A.** Development that does not require a site plan under Chapter 25-5;
- B.** Development in the following zoning districts:
 - 1. Agricultural (AG) district;
 - 2. Aviation (AV) district; and
 - 3. Traditional neighborhood (TN) district;
- C.** Development built pursuant to the overlay district provisions of the university neighborhood overlay (UNO) district;
- D.** Development of an industrial use; and
- E.** Interior remodeling of a building.

1.2.4. Conflicting Provisions

- A.** If the provisions of this Subchapter are inconsistent with provisions found in other adopted codes, ordinances, or regulations of the City of Austin not listed in Subsection B. below, this Subchapter shall control unless otherwise expressly provided.
- B.** The following provisions supersede the requirements of this Subchapter to the extent of conflict:⁶
 - 1. Subchapter C, Article 3 (*Additional Requirements for Certain Districts*);
 - 2. Subchapter C, Article 4 (*Additional Requirements for Certain Uses*);
 - 3. Subchapter C, Article 10 (*Compatibility Standards*); and
 - 4. Regulations applicable to a:
 - a. Barton Springs Zone overlay district;
 - b. Conditional overlay (CO) combining district;
 - c. Central urban redevelopment (CURE) combining district;
 - d. Neighborhood conservation (NC) combining district;
 - e. Neighborhood plan (NP) combining district;
 - f. Planned development area (PDA) combining district;
 - g. Planned unit development (PUD) district; or

⁵ NOTE: Based upon discussions with staff and our review of the Austin Code, we suggest exempting the TN and UNO districts in order to respect the tailored design standards that already have been negotiated in those districts by various developers, neighborhood groups, and others. We also suggest exempting AG, which we assume is scarce in Austin. Staff suggests exempting AV.

⁶ NOTE: This provision recognizes the specially negotiated districts that may have their own design standards.

- h. Waterfront overlay (WO) district (except that the redevelopment provisions of this Subchapter in Sections 2.3.1, *Internal Circulation Systems for Large Sites*, and 4.3.1, *Vertical Mixed Use Buildings*, shall apply to the WO district).

1.2.5. State and Federal Facilities⁷

Compliance with the standards of this Subchapter at all state and federal facilities is encouraged.

1.3. REVIEW PROCESS⁸

The standards of this Subchapter shall be applied in the normal review process for site plans as set forth in Chapter 25-5 of the Austin Code. In addition to meeting the review criteria specified in Chapter 25-5, each site plan application shall evidence compliance with the standards of this Subchapter.

1.4. MINOR MODIFICATIONS⁹

1.4.1. Purpose and Scope

“Minor modifications” are small deviations from otherwise applicable standards of this Subchapter that may be approved by the Director in order to protect natural or historic features or to address unusual site conditions. Minor modifications are to be used when the limited nature of the modification requested, and the unlikelihood of any adverse effects on nearby properties or the neighborhood, make it unnecessary to complete a formal variance process.

1.4.2. Applicability

The Director may approve minor modifications of up to a maximum of ten percent (or up to a maximum of 20 percent to protect an existing natural site feature) from any numeric development standard in this Subchapter, provided that the applicable Approval Criteria below are met. However, in no circumstance shall the Director approve a minor modification that results in:

- A. An increase in overall project intensity, density, or impervious cover;
- B. A change in permitted uses or mix of uses;

⁷ NOTE: We propose moving this sentence here to the front of the Ordinance and giving it general applicability; it applies only to the lighting section of the policy report.

⁸ NOTE: Staff agrees with this provision, but notes that more internal city discussion is necessary to understand and address when certain provisions are reviewed (e.g. building design) and who does the review. Additional staff resources likely will be needed to implement this review.

⁹ NOTE: This is intended to implement DO-7 from the policy report. However, as discussed in the Diagnosis, this proposed text broadens the authority for minor modifications to all standards in this Ordinance. Also, the proposed text does not carry forward the policy report’s list of natural features that can be protected using this tool. Instead, the text emphasizes how and why the modification authority may be used, rather than trying to list all the unusual features that might trigger the need for a modification.

- C.** A change in the requirements of any of the following provisions:
 - 1.** Subchapter C, Article 3 (Additional Requirements for Certain Districts);
 - 2.** Subchapter C, Article 4 (Additional Requirements for Certain Uses);
 - 3.** Subchapter C, Article 10 (*Compatibility Standards*); or
- D.** A change in conditions attached to the approval of any subdivision plan, site plan, or special use.

1.4.3. Procedure

The Director may initiate or approve a minor modification allowed under this section at any time prior to submittal of the staff report on the application to another decision-making body or prior to final decision if the Director is the final decision-maker. The Director shall specify any approved minor modifications and the justifications for such modifications on the pending development application for which the modifications were sought.

1.4.4. Approval Criteria

The Director may approve a minor modification from the terms of this Subchapter only upon finding that the modification meets all of the criteria below:

- A.** The requested modification is in general conformity with the stated purposes of this Subchapter;
- B.** The requested modification meets all other applicable zoning, building, drainage, water quality, and safety code requirements;
- C.** The requested modification does not result in encroachment into a recorded easement;
- D.** The requested modification will have no significant adverse impact on the health, safety, or general welfare of surrounding property owners or the general public, or such impacts will be substantially mitigated; and
- E.** The requested modification is necessary to compensate for some practical difficulty or some unusual aspect of the site of the proposed development not shared by landowners in general.

1.5. ALTERNATIVE EQUIVALENT COMPLIANCE¹⁰

1.5.1. Purpose and Scope

To encourage creative and original design, alternative equivalent compliance allows development to occur in a manner that meets the intent of this Subchapter, yet through an alternative design that does not strictly adhere to the Subchapter's standards. The procedure is not a general waiver of regulations. Rather, the procedure permits a site-specific plan that is equal to or better than the strict application of a prescribed standard.

1.5.2. Applicability

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

- A.** Section 2.2, *Relationship of Buildings to Streets and Walkways*;
- B.** Section 2.3, *Connectivity*;
- C.** Section 2.4, *Parking*; and
- D.** Article 3, *Building Design Standards*.

The alternative equivalent compliance procedure shall also be available for Chapter 25-10, *Sign Regulations*.

1.5.3. Pre-Application Conference Required

An applicant proposing to use alternative equivalent compliance shall request and attend a pre-application conference prior to submitting the site plan or applicable permit for the development, to determine the preliminary response from the Director. Based on that response, the site plan or permit application shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested. Projects seeking an alternate means of compliance under this section may present their proposal to the Design Commission for a letter of support, which may help in evaluating the merits of the proposal.

1.5.4. 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. Administratively approved projects proposing alternative compliance shall receive written approval of the alternative compliance from the Director.

¹⁰ NOTE: This implements DO-8 from the policy report. As with the prior section, the proposed text broadens this authority beyond the DO standards. The city already has a similar provision in place for landscaping (Section 25-2-1001C).

1.5.5. Criteria

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

- A.** The proposed alternative achieves the intent of the subject standard to the same or better degree than the subject standard;
- B.** The proposed alternative achieves the goals and policies of any applicable city or neighborhood plan and the Austin City Code to the same or better degree than the subject standard;
- C.** The proposed alternative results in benefits to the community that are equivalent to or exceed benefits associated with the subject design standard; and
- D.** The proposed alternative design imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Subchapter.

1.5.6. 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.

ARTICLE 2: SITE DEVELOPMENT STANDARDS

2.1. INTENT

The standards of Article 2 are intended to use site planning and building orientation in order to:

- 2.1.1. Ensure that buildings relate appropriately to surrounding developments and streets and create a cohesive visual identity and attractive street scene;
- 2.1.2. Ensure that site design promotes efficient pedestrian and vehicle circulation patterns and creates a high-quality pedestrian environment appropriate to the roadway context;
- 2.1.3. Promote the design of an urban environment that is built to human scale to encourage attractive street fronts and other connecting walkways that accommodate pedestrians as the first priority, while also accommodating vehicular movement;
- 2.1.4. Ensure that parking areas provide safe and efficient access to buildings; and
- 2.1.5. Create a unique and identifiable image for development in Austin.

2.2. RELATIONSHIP OF BUILDINGS TO STREETS AND WALKWAYS

2.2.1. Overview of Roadway Types

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

- A. Core Transit Corridor;
- B. Internal Circulation Route;
- C. Urban Roadway;
- D. Suburban Roadway; and
- E. Highway or Hill Country Roadway.



Figure 3: Example of a core transit corridor (South Congress)



Figure 4: Example of an internal circulation route (Jefferson Center)



Figure 5: Example of a highway (I-35)



Figure 6: Street tree/furniture zone example



Figure 7: Example of a clear zone

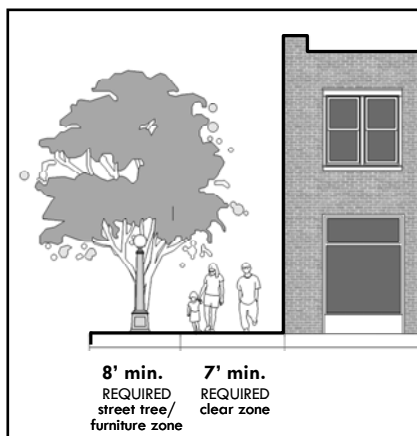


Figure 8: Core transit corridor sidewalk requirements

The roadway with the highest level of priority adjacent to the lot or site is considered the “principal roadway” for purposes of this Subchapter. For a lot or site that is adjacent to more than one roadway of equal priority, the development shall be subject to the standards associated with the roadway with the highest level of transit service, as determined by the Director, or if the roadways do not have transit service or the level of transit service is equal, the roadway designated by the lot owner.

2.2.2. Building Location Along Core Transit Corridors¹¹

A. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|-------------------------------------|--|
| 2.2.2: Building Location Along Core Transit Corridors | Core Transit Corridor | <ul style="list-style-type: none"> - All zoning districts - Single-family residential uses are exempt, in addition to the general exemptions in Section 1.2.3. |

B. Sidewalks

In order to create an environment that is supportive of pedestrian and transit mobility, public sidewalks shall be located along all Core Transit Corridors. No sidewalk shall be less than 15 feet in width, unless otherwise approved as part of the site plan review process. The 15-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 15-foot 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 6 - 8.) The following standards shall apply to these zones:

¹¹ NOTE: This section implements DO-2. The biggest change from the policy report is that we have recommended new language to implement the zone concept (street tree/furniture, clear, supplemental). A total of 15 feet is proposed for discussion purposes – eight feet for a furniture zone and seven feet for a clear zone. The sidewalk standards proposed here need to be coordinated with existing Austin sidewalk specifications.

1. Street Tree/Furniture Zone¹²

- a. The street tree/furniture zone shall have a minimum width of eight feet (from face of curb) and shall be continuous and located adjacent to the curb.
- b. The zone shall be planted with street trees at an average spacing not greater than 30 feet on center. In addition, 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.

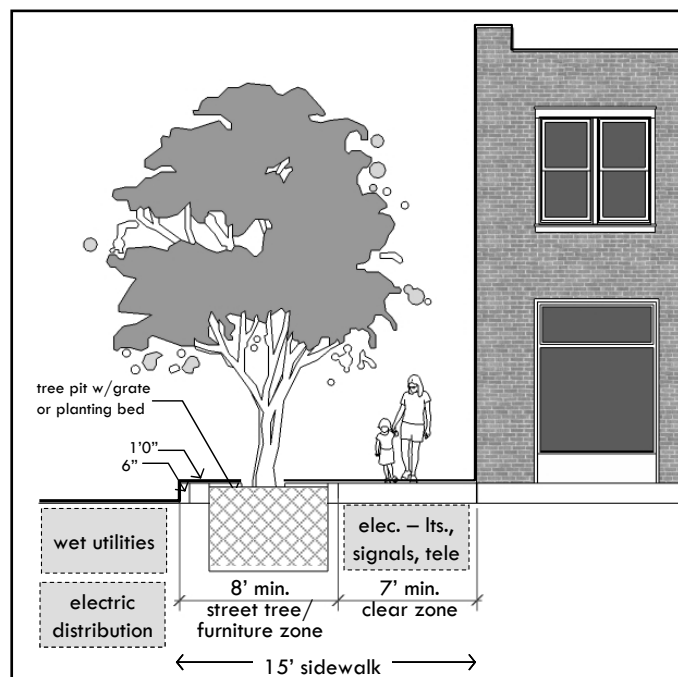


Figure 9: Location of underground utilities along core transit corridor with no supplemental zone

2. Clear Zone

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

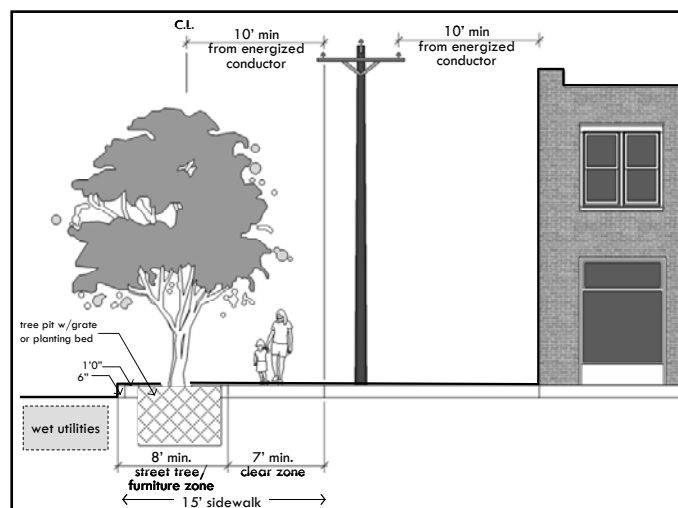


Figure 10: Use of optional supplemental zone to provide required setback from existing above-ground electric utilities

3. Utilities

Electric service lines shall be underground from the building to the property line. Utility lines within the right-of-way shall be placed underground to the maximum

¹² NOTE: Both illustrations on this page are based on discussions with staff. They should be evaluated during the testing process.

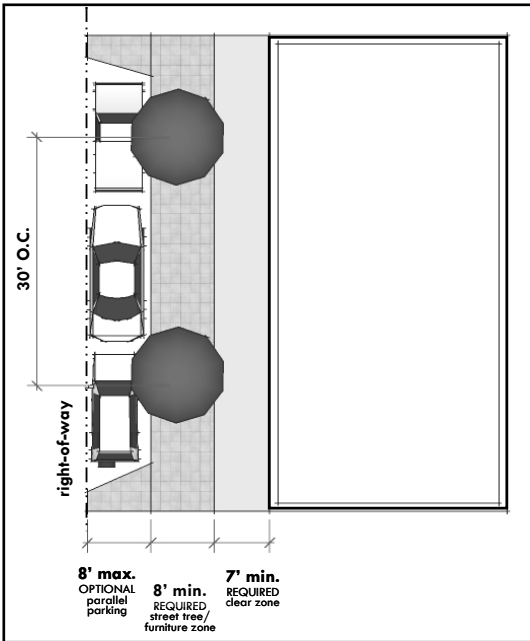


Figure 11: Optional parallel parking located outside of the existing curb line

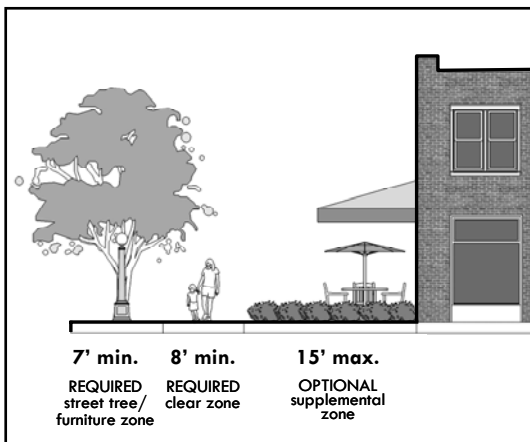


Figure 12: Core transit corridor with optional supplemental zone (no above-ground utilities)

extent practicable. Options for street tree planting and location of utilities are illustrated in Figures 9 and 10.

4. Alternative Requirements for Shallow Lots

On lots with a depth of 100 feet or less, the total sidewalk may be reduced to 12 feet, consisting of a seven-foot minimum street tree/furniture zone and a five-foot clear zone.

5. Alternative Requirements for On-Street Parallel and Head-in Parking¹³

At the option of the applicant and subject to the approval of the Director of Public Works (based on administrative criteria to be adopted), parallel or head-in parking may be provided in a cut-in inside of the existing curb line immediately abutting the development. If such parking is provided, it shall be a maximum of eight feet in width (parallel) or 15 feet (head-in) and shall meet ADA requirements. The sidewalk requirements of this section shall continue to apply, with both a clear zone and street tree/furniture zone provided, the street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces, and both zones meeting the requirements of subsections 1. and 2. above. (See Figure 11.)

6. Connections to Adjacent Sidewalks

[RESERVED; This new section will need to discuss how to handle the transition between new sidewalks constructed under this subchapter, and existing or future sidewalks on adjacent properties.]

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 clear zone. (See Figure 12.) The following standards apply to supplemental zones:

¹³ NOTE: This partially addresses the issue introduced in P-2 in the policy report ("On-Street Parking in the Public Right-of-Way.") Clear criteria are needed in this ordinance to guide the Director's decision. The staff's responses to the policy recommendations provide further guidance and limitations as to where such parking should be allowed. The city will need to do an on-the-ground planning evaluation to apply the criteria to specific roadways.

1. If provided, the supplemental zone shall be a maximum of 15 feet wide.
2. The following elements may be located within the supplemental zone:
 - a. 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;
 - b. Balconies, pedestrian walkways, porches, handicap ramps, stoops; provided, however, that no such feature shall extend beyond the supplemental zone without a license agreement;
 - c. Terraces, provided that they have a maximum finished floor height of 24 inches above the sidewalk elevation and shall be surrounded by permanent safety fencing with a maximum height of four feet; and
 - d. Landscaping and water features.
3. Where overhead utilities are located on the inner side of the clear zone (away from the street), a supplemental zone shall be provided for a minimum of 10 feet from the energized conductor.¹⁴ (See Figure 9.)

D. Building Placement

Notwithstanding the minimum setback requirements of the base zoning districts, at least 75 percent of the frontage along the Core Transit Corridor must consist of continuous building façade built to the clear zone, or the supplemental zone if one is provided, (See Figure 13.) except as follows:

1. If the lot or site is at least 660 feet by 330 feet and thus subject to the connectivity requirements in Section 2.3 of this Subchapter, buildings shall meet the building placement requirements along the Internal

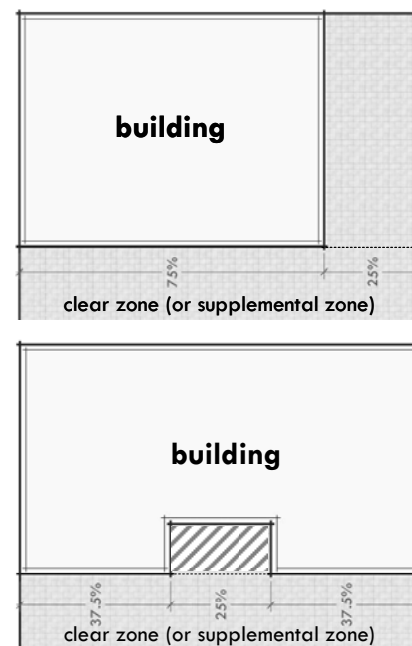


Figure 13: Examples of permitted building placement along core transit corridors. Parking is not permitted in the hatched area between the street-facing facade and the sidewalk.

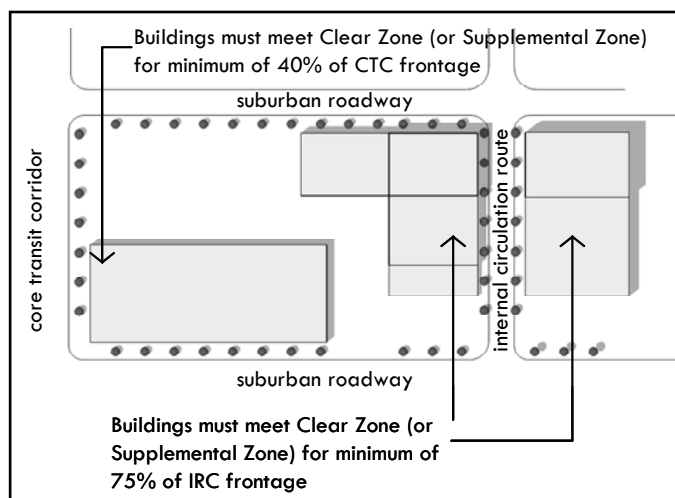


Figure 14: Building placement options on large sites adjacent to core transit corridors

¹⁴ NOTE: This exception came up very recently in conversations with staff. It should be discussed further as part of the testing workshop.



Figure 15: 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.

Circulation Route in section 2.2.3. below. In such cases, only 40 percent of the frontage along the Core Transit Roadway must consist of continuous building façade. (See Figure 14.)

2. In order to provide greater flexibility to create a distinctive architectural statement, civic buildings do not have to be built up to the clear zone, so long as parking is not located between the building frontage facing the principal street and the street. (See Figure 15.)

E. Parking

1. Parking is prohibited between the Core Transit Corridor and the corresponding street-facing façade line. (See Figure 16.)
2. Any surface parking along a Core Transit Corridor shall have landscape screening 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 screening method chosen must include shade trees.¹⁵

2.2.3. Building Location Along Internal Circulation Routes¹⁶

A. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|---|-------------------------------------|--------------------------------------|
| 2.2.3. Building Location Along Internal Circulation Routes | Internal Circulation Route | All non-residential zoning districts |

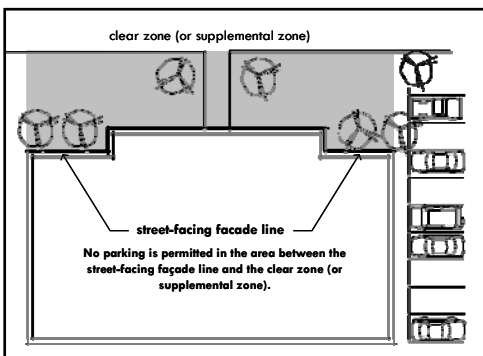


Figure 16: Parking to the side of a building is permitted but screening is required between the parking and the sidewalk. No parking is permitted between the building and the sidewalk on a core transit corridor.

B. Sidewalks

Publicly accessible sidewalks shall be provided along all Internal Circulation Routes (whether built as public streets or as private drives). Sidewalks shall comply with the standards for Core Transit Corridors, as provided in Section 2.2.2.B.

¹⁵ NOTE: The Code (LDC) requires landscape screening for all parking areas visible from a street and the Environmental Criteria Manual has detailed standards for screening or buffering. To enhance the user-friendliness of this new ordinance, staff recommends using these existing standards. Clarion agrees with this recommendation.

¹⁶ NOTE: This implements DO-5 from the policy report.

C. Building Placement

Notwithstanding the minimum setback requirements of the base zoning districts, at least 75 percent of the frontage along the Internal Circulation Route must consist of continuous building façade built to the clear zone (or supplemental zone if provided).

D. Parking

1. Parking is prohibited between the Internal Circulation Route and the corresponding street-facing façade line.
2. On-street parallel parking and head-in parking are allowed on an Internal Circulation Route, subject to compliance with fire access standards.

2.2.4. Building Location Along Urban Roadways¹⁷

A. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|-------------------------------------|--------------------------------------|
| 2.2.4. Building Location Along Urban Roadways | Urban Roadway | All non-residential zoning districts |

B. Sidewalks¹⁸

Public sidewalks shall be located along all Urban Roadways. Sidewalks shall be no less than 12 feet in width, unless otherwise approved as part of the site plan review process. (See Figure 17.) The 12-foot minimum requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the 12-foot 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. The following standards apply:

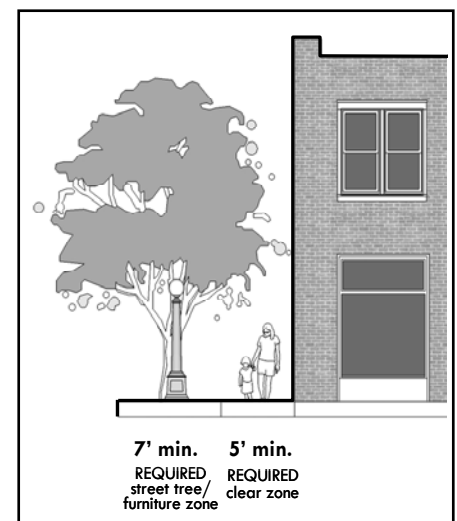


Figure 17: Urban roadway sidewalk requirements

¹⁷ NOTE: This section implements DO-3 from the policy report.

¹⁸ NOTE: Section DO-3 says that buildings must be built "up to the clear zone or furniture zone"; however, Section C-3 says "The Director...shall define street frontage dimensions for all Core Transit Corridors..." It is thus unclear whether clear and furniture zones are required along Urban Roadways. Since the city already requires sidewalks on such sites and DO-3 references the zones, we've drafted this to mirror the section for core transit corridors.

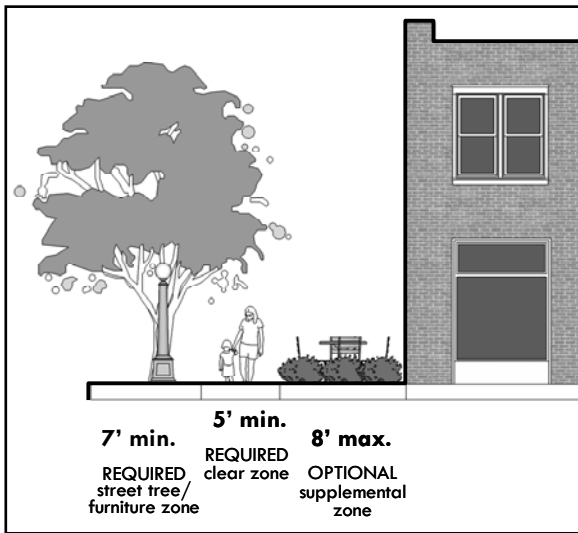


Figure 18: Urban roadway with optional supplemental zone

1. Street Tree/Furniture Zone

The street tree/furniture zone shall have a minimum width of seven feet and shall be continuous and located adjacent to the curb.

2. Clear Zone

The clear zone shall be a minimum width of five feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards. The clear zone shall be unobstructed for a minimum width of five feet and a minimum height of eight feet.

3. Supplemental Zone (Optional)

A supplemental zone may be provided, at the applicant's option, between the street-facing façade line and the required clear zone. If provided, the supplemental zone shall be a maximum of eight feet wide and shall comply with the standards above in Section 2.2.2.C. (See Figure 18.)

C. Building Placement

Notwithstanding the minimum setback requirements of the base zoning districts, at least 40 percent of the street frontage along the Urban Roadway must consist of continuous building façade built up to the clear or supplemental zone. (See Figure 19.) However, if the lot is subject to the connectivity requirements in Section 2.3, buildings may be built up to the sidewalk on an internal block along an Internal Circulation Route, and only 20 percent of continuous building frontage is required alongside the Urban Roadway. (See Figure 20.)

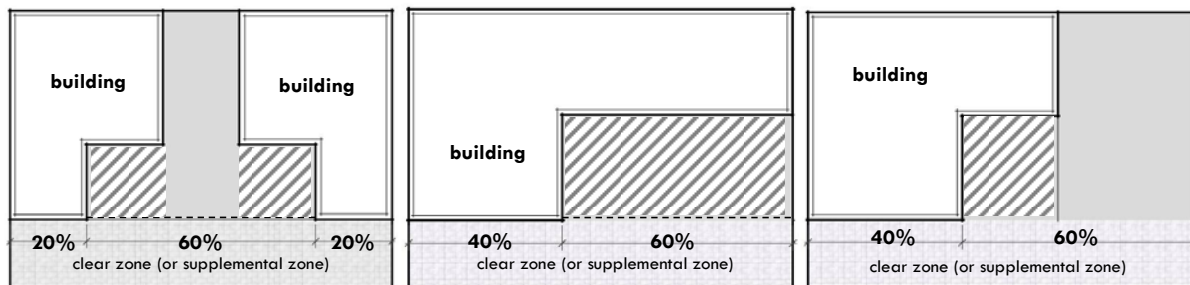


Figure 19: Examples of permitted building placement on urban roadways. Parking is generally not permitted in the hatched area between the street-facing building facade and the sidewalk.

D. Parking

Parking is prohibited between the building(s) and the property line adjacent to the Urban Roadway. However, on sites 400 feet deep or less, parking may be located between the street-facing façade line and the Urban Roadway if:

1. At least 60 percent of the street frontage along the Urban Roadway consists of continuous building façade (divided into no more than two buildings) (see Figure 19), or 40 percent of the street frontage consists of continuous vertical mixed use building façade (divided into no more than two buildings), built up to the clear zone (or supplemental zone if provided); and
2. Any surface parking along an Urban Roadway shall have landscape screening in accord with Section 25-2-1006 of the LDC; and
3. A shaded sidewalk leads to the main customer entrance from the clear zone (or supplemental zone if one is provided). No more than one drive aisle can cross the sidewalk. For multi-tenant developments, there must be a sidewalk at least every 330 feet of Urban Roadway frontage. (See Figure 21.)

E. Corner Sites

For sites located on a corner and adjacent to at least one Urban Roadway:

1. No parking may be located within 100 feet of a corner; and
2. Drive-through facilities are prohibited on the façade facing the Urban Roadway.

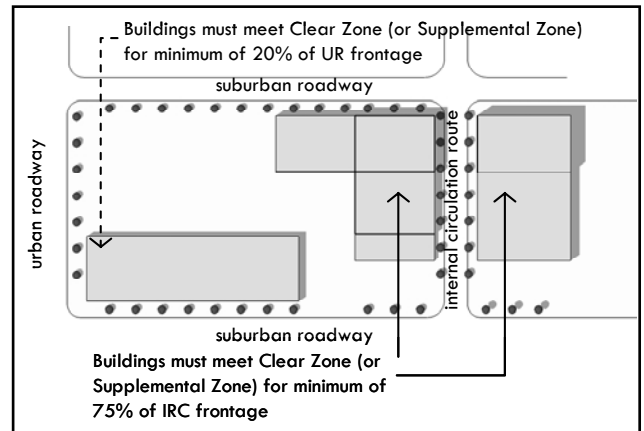


Figure 20: Building placement options on large sites adjacent to urban roadways

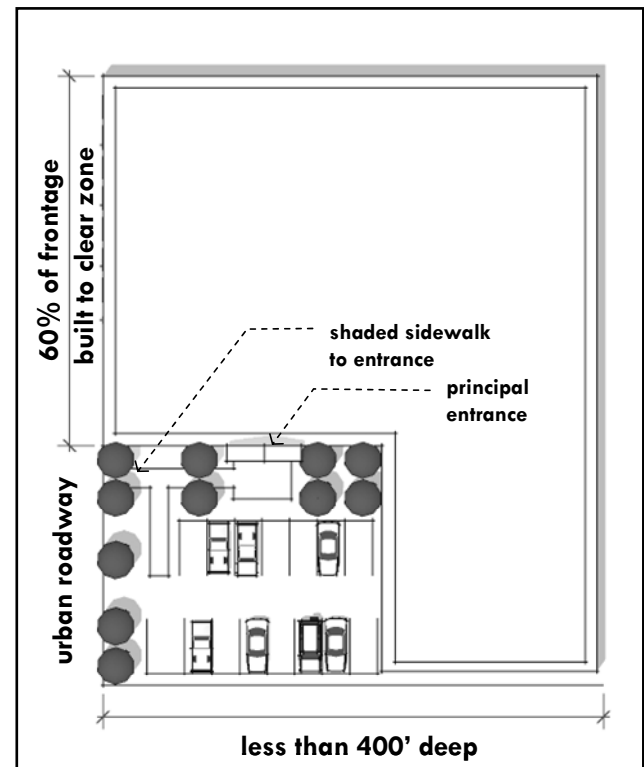


Figure 21: Parking at urban roadway on shallow lots

2.2.5. Building Location Along Suburban Roadways¹⁹

A. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|-------------------------------------|--------------------------------------|
| 2.2.5. Building Location Along Suburban Roadways | Suburban Roadway | All non-residential zoning districts |



Figure 22: Examples of shaded sidewalks

B. Sidewalks²⁰

Public sidewalks shall be located along all Suburban Roadways and shall comply with the standards for sidewalks along Urban Roadways in Section 2.2.3. above.

C. Building Placement and Parking

1. The preferred development model on Suburban Roadways is to refrain from placing parking between the building and the street. On Suburban Roadways this is not required, but if the building is built up to the required sidewalk, the project is exempt from the connectivity requirements in Section 2.3. below.
2. Parking along the street frontage must have:
 - a. Landscape screening in accord with Section 25-2-1006 of the LDC; and
 - b. A shaded sidewalk leading to the main customer entrance from the property line. No more than two drive aisles may cross the sidewalk. For multi-tenant developments, there must be a path for at least every 330 feet of frontage along

¹⁹ NOTE: This section implements DO-4 from the policy report. The term “Suburban Roadway” is proposed as a replacement for the term “Local Roadway.” Since the Local Roadways are primarily outside the central city, we think a new term other than “local” is necessary to avoid confusion. “Suburban” is proposed for discussion purposes.

²⁰ NOTE: As with Urban Roadways, the policy report is unclear as to whether sidewalks are required along Suburban Roadways. The text says nothing about sidewalks, yet the fact that a building should be built to the “clear zone” or “furniture zone” implies a sidewalk may be required in some instances. After discussions with staff, we suggest that the Suburban Roadways have a mandatory sidewalk requirement similar to the other roadways.

the suburban roadway frontage. (See Figure 22.)

D. Corner Sites

For sites located on a corner on Suburban Roadways:

1. Parking is prohibited within 100 feet of the corner, unless:

- a. Landscape screening is provided in accord with Section 25-2-1006 of the LDC (See Figure 23.); and
- b. One hundred percent of the street frontage facing the principal street consists of continuous building facade.

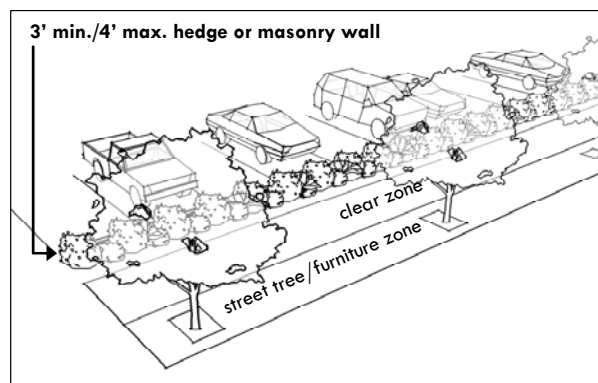


Figure 23: Required screening when parking is located near suburban roadway corners

2. The development may not contain an auto-oriented use unless it meets option a. or b. in 2.2.5.D.1. above. For purposes of this provision, auto-oriented uses shall consist of the following: any use with a drive-through service facility; automotive rentals; automotive repair services; automotive sales; automotive washing; commercial off-street parking; equipment sales; off-site accessory parking; service station; and vehicle storage.

2.2.6. Building Entryways²¹

A. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|----------------------------------|--|--------------------------------------|
| 2.2.6. Building Entryways | Core Transit Corridor | All zoning districts |
| | - Suburban Roadway - Highway - Hill Country Roadway - Urban Roadway | All non-residential zoning districts |

B. Standards

1. At least one customer entrance should face the principal street and connect directly to the sidewalk along the principal street. However, a building is not required to have at least one customer entrance facing the principal street if it meets the following requirements:

- Regardless of the applicable building frontage requirements of Sections 2.2.2 through 2.2.5. above, at least 80 percent²² of the street frontage must consist of continuous building façade that is built up to the clear zone (or supplemental zone if provided);
- The building elevation facing the street must provide a continuous shaded sidewalk linking the principal street and the building entrance; and
- The entrance must be less than 100 feet from the street-facing façade line of the building. (See Figure 24.)

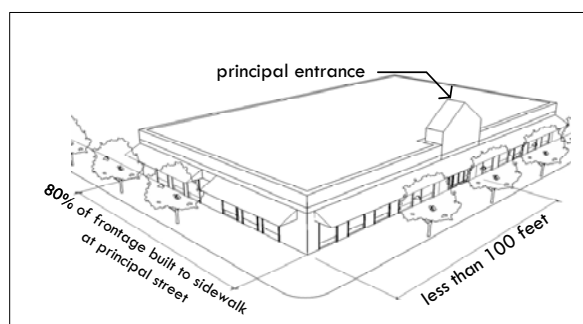


Figure 24: Requirements for a principal entrance that does not face the principal street



Figure 25: When multiple entrances are not provided, long walls should be broken up with glazing and other pedestrian amenities

²¹ NOTE: This section generally implements DO-6 from the policy report. However, we have also folded in the “building entrance” requirements from BD-1 from the policy report, which deals with pedestrian frontages, since there is so much overlap between the two sections.

²² NOTE: 80 percent is a very high standard, but it is only required for buildings that do not have a customer entrance facing the principal street and connected to the sidewalk. The bar should be set high for such buildings.

2. A row of shade trees between the building and the parking area shall be provided at an average spacing not greater than 30 feet on center.
3. Building entrances shall be located at intervals of no more than 75 feet along the primary public façade. If building entrances are located more than 75 feet apart (or there is a single entrance point on a facade greater than 150 feet), the areas between the entrances (or from building edge to the entrance) shall incorporate landscape areas, raised planters, at least 25 linear feet of transparent glazing for each 100 feet of frontage, and shaded pedestrian amenities that connect the entrances. (See Figure 25.)²³
4. In no case shall this section require orienting a building entryway toward a street with zoning of SF6 or lesser density.

2.3. CONNECTIVITY

2.3.1. Internal Circulation Systems for Large Sites²⁴

A. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|---|---|
| 2.3.1. Internal Circulation Systems for Large Sites | - Core Transit Corridor - Urban Roadway | - All zoning districts (development of any site larger than 660 feet by 330 feet) - See additional exemptions in subsection B. |
| | - Suburban Roadway - Highway - Hill Country Roadway | - All non-residential zoning districts (development of any site larger than 660 feet by 330 feet) - See additional exemptions in subsection B. |

²³ NOTE: This standard (3) is somewhat confusing as drafted and should be examined during the testing process. Is the task force's intent for all of these features to be provided?

²⁴ NOTE: This implements C-1 from the policy report.

B. Standards

Any site for a development that is larger than 660 feet in depth and 330 feet in length, measured from property line to property line, must comply with the following:

1. Maximum Block Size

Unless exempted below, the site shall be divided into blocks no longer than 660 feet by 330 feet from curb to curb. (See Figure 26.) The maximum block length applies both to blocks containing buildings and blocks containing surface parking. This standard shall not require the block front adjacent to a Hill Country Roadway to be divided in a manner inconsistent with state highway access spacing requirements.

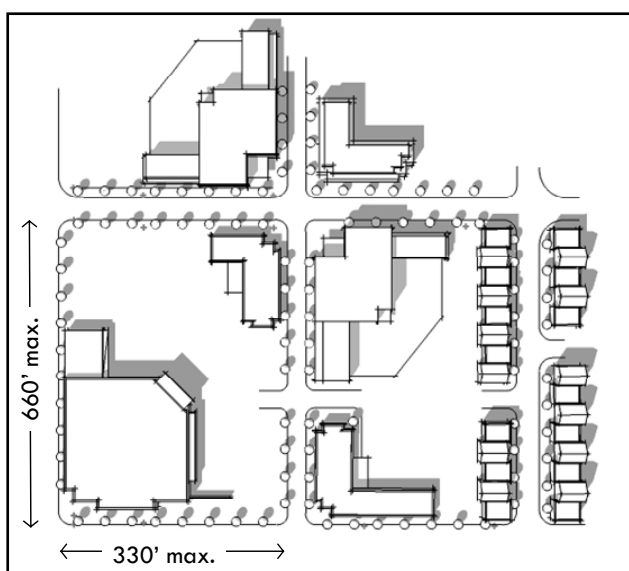


Figure 26: Example of an interconnected grid-like system for internal circulation. Blocks must not exceed 660' by 330' in most cases.

a. Exemption: Corporate Campuses²⁵

The maximum block length standard does not apply to a corporate campus. For purposes of this exemption, a “corporate campus” is defined as a site for a single company larger than ten acres with at least three office buildings larger than 50,000 square feet each, and a maximum of ten percent of the total building square footage of the site devoted to commercial uses.

b. Exemption: Sites Over 30 Acres

On sites 30 acres or larger, the site may contain one block with a maximum dimension of 660 feet by 660 feet for each 30 acres.

c. Exemption: Office Sites in Drinking Water Protection Zone or Water Supply Watershed

The maximum block length standard does not apply to any site in the Drinking Water Protection Zone or a Water Supply Watershed designated as a neighborhood office (NO), limited office (LO), or general office (GO) district.

²⁵ NOTE: We’ve added a suggested new limitation on retail uses, to allow smaller retail shops and personal uses that would support the office-workers on the site.

d. Offices in the Desired Development Zone²⁶

The maximum block length of 660 feet by 330 feet applies to a site in the Desired Development Zone that is designated as a neighborhood office (NO), limited office (LO), or general office (GO) district, subject to compliance with the following additional requirement:

- (i) For office development sites in the Desired Development Zone larger than 660 feet by 330 feet, the maximum office height is increased to 80 feet. This height increase remains subject to compatibility standards.

e. Impervious Cover Credit

- (i) Development sites outside the Barton Springs Zone larger than 660 feet by 330 feet shall receive the same impervious cover credit as land condemned for public roadways for the following:

- (1) Internal Circulation Routes (provided they are built to the block length standards);
- (2) Sidewalks and curbs along Internal Circulation Routes and adjacent public roadways;

- (ii) Developments outside the Barton Springs Zone larger than 660 feet by 330 feet shall receive the same impervious cover credit as land condemned for public roadways for the following features; however, the impervious cover credit only transfers to VMU structures and structured parking with first-floor liner stores:

- (1) Public plazas;
- (2) Publicly accessible greenbelts with running trails or bike paths; and

²⁶ NOTE: This subsection incorporates the November 2005 amendments. WPDR has a number of concerns with this section and they have provided extensive technical comments. We need more time to study their comments and consult with them and other staff departments before suggesting possible changes to this language.

- (3) Publicly accessible parks or children's playgrounds.

2. Internal Circulation System Required

- a. Internal Circulation Routes connecting the blocks must form an interconnected, grid-like transportation system on the site. (See Figure 27.)
- b. Contiguous green spaces are not subject to the block-length requirements, but if the green space is longer than 150 feet, it must include a pedestrian and bicycle shared use path as a mid-block connection every 150 feet.

3. Curbside Parallel or Head-in Parking Allowed²⁷

Curbside parallel or head-in parking is permitted on each new public street or Internal Circulation Route subject to compliance with Fire access standards.

4. Subdivision of Internal Blocks

Internal blocks abutting Internal Circulation Routes may be subdivided to allow for the sale and development of individual blocks.

2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity²⁸

A. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|---|-------------------------------------|--|
| 2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity | All roadway types | <ul style="list-style-type: none"> - Projects of three net developable acres or more in all non-residential zoning districts - Projects of less than three net developable acres that have parking between the building and the street |

²⁷ NOTE: The Fire Department has recently processed an amendment to the Fire Code to address this concern. The amendment states that fire apparatus access roads shall have an unobstructed width of not less than 25 feet, except for approved security gates, and an unobstructed vertical clearance of not less than 14 feet. Exceptions may be allowed if the street meets specified criteria (including city minimum street width standards).

²⁸ NOTE: This implements C-2 from the policy report, including the November 2005 amendments.

B. Standards

1. Vehicular and Pedestrian Connections Between Sites²⁹

All sites or developments subject to this section shall:

- a. Provide private drive or public street connections to existing private drives or public streets on adjacent sites; and
- b. Where a public street is adjacent to the property line, provide direct pedestrian and bicycle access from that street to a customer entrance. The pedestrian and bicycle access points must be fully accessible during operating hours. (See Figure 27.)



Figure 27: Example of a pedestrian/bicycle connection from sidewalk to building entrance

2. Additional Measures to Improve Connectivity³⁰

All sites or developments subject to this section shall select and comply with at least three of the options in the table below. However, if a site or development provides surface parking that amounts to more than 125 percent of the parking required in Appendix A (*Tables of Off-Street Parking and Loading Requirements*), the site or development must select and comply with at least five of the options in the table below.

²⁹ NOTE: These were the first and fourth “options” in the policy report (though the parkland portion of option 4 has been kept in the table). As noted in the Diagnosis, we propose making them mandatory, since they are typical standards and compliance is not difficult so long as there is clear advance notice of the requirements when designing the site. If the community agrees to make these standards mandatory, and also agrees with the other changes discussed in the next footnote, then the minimum number of point totals required in the table should be revisited.

³⁰ NOTE: Per the Diagnosis, we removed the broad exemption for sites that do not have parking between the building and the street, since that already is required by the building location requirements. Also, the requirement for three-inch tree caliper trees in parking lots has been removed as an option, since it is now required for all new trees as part of the landscaping amendments. We also have consolidated the shading requirements from this table with the other shading requirements in the building design section.

Article 2: Site Development Standards
Section 2.3. Connectivity
Subsection 2.3.2. Improvements to Encourage Pedestrian, Bicycle, and Vehicular
Connectivity



Figure 28: Example of solar power shading devices in a parking lot



Figure 29: Example of pervious paving surface

| Option | Description / Comments |
|---|--|
| Provide pedestrian and bicycle connections from adjacent parkland. | 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. |
| Provide solar power shading devices in parking lots. (See Figure 28.) | Devices shall comply with requirements of administrative rules on this subject. |
| Provide pedestrian connection to adjacent residential development. | If there is a residential development adjacent to the site, provide a pedestrian connection to those buildings, up to the property line, and to an existing pathway if one is present on the adjacent site. |
| Internal utility lines should be located in drive aisles or Internal Circulation Routes, rather than under parking areas. | Do not locate utility lines beneath surface parking areas. This is designed to facilitate future redevelopment. |
| Limit curb cuts. | Connections between site and adjacent arterials and highways occur no more frequently than every 330 feet. An Internal Circulation Route built to full streetscape standards does not count as a curb cut. |
| At least 50 percent of the provided parking is constructed of concrete or pervious pavement (for example, pavers, open grid pavement system, pervious concrete). (See Figure 29.) | If located in the Edwards Aquifer Recharge zone, only concrete may be used to satisfy this option. Open grid pavement systems may be used in areas providing fire access only if shown to meet Fire Department load-bearing requirements. |
| Enhance physical fitness opportunities and multi-modal connectivity by providing shower facilities. | To comply with this option, the site must meet one of the following minimum size thresholds and provide the listed facilities: <ul style="list-style-type: none"> • <i>Office uses:</i> 1 shower facility and 3 lockers for buildings more than 10,000 square feet (ADA requirements may not permit a single unisex shower if the expected occupant load exceeds 10. The number of required showers may be increased to 2 ADA showers) • <i>Commercial uses:</i> 1 shower facility and 3 lockers for every building exceeding 50,000 square feet of gross floor area • <i>Industrial uses:</i> 1 shower facility and 3 lockers for every building exceeding 100,000 square feet of gross floor area |

2.4. PARKING

2.4.1. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--------------|-------------------------------------|--------------------------------------|
| 2.4. Parking | All roadway types | All non-residential zoning districts |

2.4.2. Reduction of Minimum Off-Street Parking Requirements³¹

This section provides for reductions in the minimum off-street parking requirements in Chapter 25-6, Article 7, *Off-Street Parking and Loading*. 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 on a public street.
- 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 ECM. If the applicant provides more parking spaces than the minimum required, the additional parking spaces may not result in the removal of significant stands of trees or protected trees.
- C. By 20 spaces for every car-sharing vehicle provided in a program that complies with the requirements prescribed by administrative rule, as determined by the Director.
- D. By one space for each shower facility with three or more lockers provided for employees in a nonresidential building.

Unless otherwise specified, the above reductions may be applied cumulatively, but in no case may the minimum off-street parking requirements for a project be reduced by more than 40 percent.

³¹ NOTE: This implements P-1 from the policy report. Note that by-right parallel parking (P-2) is, at least partially, addressed by Section 2.2.2.B.5.

2.5. EXTERIOR LIGHTING³²

2.5.1. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|------------------------|-------------------------------------|---------------------------|
| 2.5: Exterior Lighting | All roadway types | All zoning districts |

2.5.2. Standards

A. Submission of Plans and Evidence of Compliance

All site plan applications shall include a description of all lighting fixtures, both proposed and those that will remain on the site, as well as any existing or proposed fixtures to be located in adjacent right-of-ways after completion of the project. 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 Subchapter.

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 30.)

1. Public street and pedestrian lighting;³³
2. Parking lots;
3. Pathways;
4. Buildings and structures;
5. Recreational areas;
6. Billboards;
7. Product display area lighting; and
8. Building overhangs and open canopies.

³² NOTE: This implements EL-1 from the policy report. There is strong interest in making these requirements applicable to all development in Austin, not just the projects subject to this Subchapter. If that is done, the standards should be adopted as a separate amendment to the LDC and removed from this draft Subchapter.

³³ NOTE: The public street lighting requirement requires further discussion with Austin Energy. This standard is carried forward from the policy report, but AE has commented that the standard will have a direct impact on AE resources and budget.

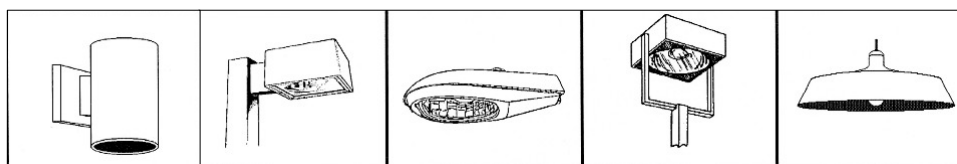


Figure 30: Examples of fully-shielded light fixtures

C. 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 Subchapter, which must be received prior to substitution.

D. Non-Conforming Lighting

All outdoor lighting fixtures lawfully installed prior to and operable on the effective date of this Subchapter are exempt from all requirements of this Subchapter until January 1, 2015.

2.6. SCREENING OF EQUIPMENT AND UTILITIES³⁴

2.6.1. Applicability³⁵

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|-------------------------------------|--|
| 2.6: Screening of Equipment and Utilities | All roadway types | <ul style="list-style-type: none"> - All non-residential zoning districts - The following uses are exempt, in addition to the general exemptions of Section 1.2.3.: major utility facilities, local utilities services use, electric service transformers within the right-of-way, antenna |

³⁴ NOTE: This implements SC-1 of the policy report. Based on the Diagnosis and subsequent discussions with officials, we recommend that all three standards be mandatory, rather than listed as options.

³⁵ NOTE: Discussion needed on definition of "major utility." Is the intent to exempt all utility facilities from these screening requirements, or just the largest facilities? Is this distinction already captured in the Austin code?

2.6.2. Standards

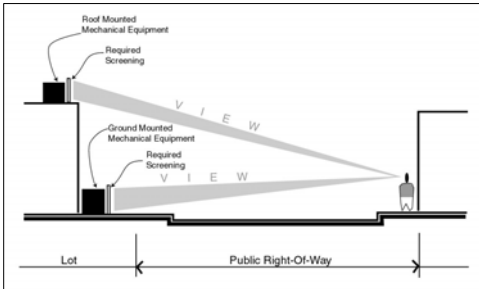


Figure 31: Screening of mechanical equipment

All development subject to this section shall comply with the following requirements:

- A.** Solid waste collection areas and mechanical equipment, including equipment located on a rooftop, shall be screened from the view of a person standing on the property line on the far side of an adjacent public street. (See Figure 31.)
- B.** Storage, solid waste collection, and loading areas must be located at least 20 feet or more from any public street, public sidewalk, internal pedestrian walkway, or building with a residential use (not including VMU structures). This setback requirement does not apply to an accessible route to those areas required by the Americans with Disabilities Act.
- C.** 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 landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public 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 primary building and landscaping.

2.7. PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES³⁶

2.7.1. Purpose

Open air and semi-enclosed public gathering spaces can act as central organizing elements in a large 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 Austin Code's requirements for dedicated public open space and parks, and serve similar purposes.

³⁶ NOTE: This implements LU-4 from the policy report. We have added several new provisions to provide more specificity regarding the types of areas that would qualify as set-asides under this section.

2.7.2. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|-------------------------------------|---|
| 2.7: Private Common Open Space and Pedestrian Amenities | All roadway types | All site plans five acres in size or larger |

2.7.3. Standards

A. Amenity Required

All development subject to this section shall devote a minimum of two percent of the site to one 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.
2. A landscape area other than one required by Subchapter C, Article 9 (*Landscaping*), provided such landscaped area has a minimum depth and width of 10 feet and a minimum total area of 650 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 32.)

Developments with primarily residential uses are encouraged to comply with this requirement by setting aside private common open space, while developments with a mix of uses or primarily non-residential uses are encouraged to comply by providing one or more of the other listed amenities.



Figure 32: Examples of open space amenities



Figure 33: Example of tree preservation during construction

B. Location Criteria³⁷

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; and
4. Tree preservation areas. (See Figure 33.)

C. 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; and
4. Water quality and stormwater detention ponds, unless approved by the Director.

D. 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:

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

³⁷ NOTE: The intent here is merely to provide guidance in what types of areas are set aside as common open space. The intent is not to circumvent or duplicate city environmental standards.

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.

E. Maintenance

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

F. Fee In Lieu³⁸

The payment of fees in lieu of the set-aside of land for private common open space uses is prohibited except in the urban core.

³⁸ NOTE: Two questions: First, to describe the urban core for purposes of this section, should we use the urban core reduced parking area? Second, is there a standard provision for fees-in-lieu that we can cross-reference here? (See LDC Sections 25-8-214 and 215, although this is for fee-in-lieu of on-site water quality controls in urban watersheds.) As noted in the Diagnosis, we recommend that the funds be paid to the city, rather than a non-profit as is suggested in the policy report. Further discussion needed with law department.

ARTICLE 3: BUILDING DESIGN STANDARDS

3.1. INTENT

These building design standards are intended to strengthen Austin's unique character and help buildings to better function in Austin's environment. Additional goals include creating buildings with appropriate human scale; lessening the impact of branded architecture that does not speak to the city's unique character and conditions; and increasing quality, adaptability, and sustainability in Austin's building stock.

3.2. PEDESTRIAN FRONTAGES³⁹

3.2.1. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|----------------------------------|-------------------------------------|--|
| 3.2: Pedestrian Frontages | All roadway types | <ul style="list-style-type: none">- Development of any non-residential land use- This section applies to any building frontage visible and accessible to the public. Building facades facing loading areas, rear service areas, or facades adjoining other buildings (attached to more than 50 percent of the sidewall) are exempt. |

3.2.2. Glazing on Building Facades

Glazing provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street, promotes reusability, and provides a human-scale element on building facades. Projects subject to this section shall meet the following glazing requirements:

A. On the façade facing the principal street:

³⁹ NOTE: This section implements the BD-1 standards. We have removed the sections allowing administrative waivers in the glazing and shading sections, since the new "minor modifications" and "alternative equivalent compliance" sections provide general tools for the city to address such situations. We also have folded the entryway requirements into Section 2.2.E. with the other building entrance provisions.

1. At least 40 percent of the wall area that is between two and ten feet above grade shall consist of glazing (See Figure 34.); and
 2. The second floor must provide a minimum of 25 percent glazing between three and eight feet, as measured from that story's finished floor level. (See Figure 34.)
- B.** On all other publicly visible facades, at least 25 percent of the wall area between two and ten feet above grade must consist of glazing.
- C.** If a single-story building has a façade taller than 20 feet, the façade area above 15 feet is subject to the same window requirement as the second floor requirement in Subsection 1.
- D.** To facilitate the development of a street wall, any façade that is built up to an interior mid-block property line is not required to have glazing on that façade if no 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.
- E.** All glazing on ground-floor facades that face the street or parking lot shall have a Visible Transmittance (VT) of 0.6 or higher.⁴⁰

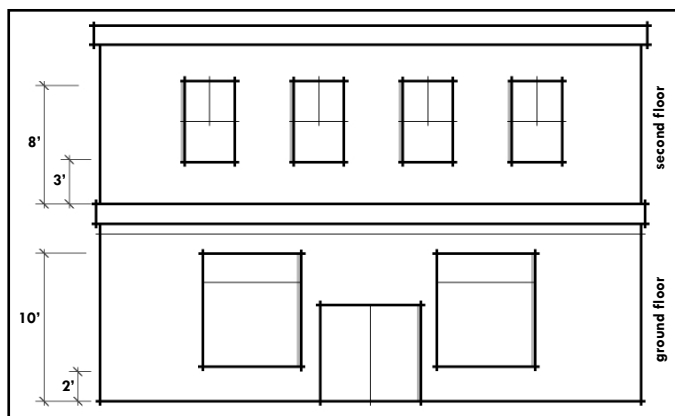


Figure 34: Glazing requirements

3.2.3. Shade and Shelter⁴¹

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. (See Figure 37.) Projects subject to this section shall meet the following shade and shelter requirements:

⁴⁰ NOTE: This was an option in 3.3 in the policy report. We suggest making it mandatory.

⁴¹ NOTE: This section has been consolidated with some of the shade options from the connectivity options matrix in the policy report. There was much overlap between those two sets of provisions.



Figure 35: Example of ADA ramp with shade structure

- A. For at least 70 percent of all building frontages adjacent to or facing the principal street and adjacent parking, a shaded sidewalk that is raised above the level of the parking by way of a defined edge shall be provided adjacent to the building.⁴² ADA ramps alongside the building must also be shaded. (See Figure 35.)
- B. Building entrances shall be located under a shade device such as an awning or portico.
- C. Within sites containing multiple buildings accessible to the public, shaded sidewalks shall be provided along at least 75 percent of all sidewalks within the site to all buildings.⁴³

3.3. OPTIONS TO IMPROVE BUILDING DESIGN⁴⁴

3.3.1. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|--|-------------------------------------|--|
| 3.3: Options to Improve Building Design | All roadway types | <ul style="list-style-type: none"> - Development of any commercial use of 10,000 square feet or more that requires a building permit - Development of any commercial use of less than 10,000 square feet that contains any exterior trademarked design feature - Any building zoned for industrial use or warehouse use at the point its use is converted to commercial - Office development is exempt from this section - VMU buildings are exempt from this section |

⁴² NOTE: A graphic will be added to illustrate this standard.

⁴³ NOTE: A graphic will be added to illustrate this standard.

⁴⁴ NOTE: This section implements the BD-3 standards.

3.3.2. Building Design Options

A. General Requirement

Each building subject to this section must earn one base point from the table in paragraph 3.3.2.C. below.

B. Additional Requirements for Certain Types of Development

The following shall earn points as specified below, in addition to the base point required in subsection A. All points in this section shall be earned cumulatively.

- 1.** A building with exterior trademarked design features shall earn additional points as follows:
 - a.** Three additional points from the table in paragraph 3.3.2.C. if such features are located 12 feet or less above finished grade and there is no prototypical roof or parapet design;
 - b.** Five additional points from the table in paragraph 3.3.2.C., two of which must come from Group B, if such features are located more than 12 feet above finished grade
- 2.** If the building plan depicts any of the design features listed below, one additional point must be earned for each design feature (except as noted):
 - a.** Building is one story and greater than 20 feet tall, floor to bottom of roof structure.
 - b.** Building façade exceeds 200 feet in width without entrances every 75 feet.
 - c.** Individual use is greater than 100,000 square feet.
 - d.** Building is a pad-site building located in the CBD or DMU districts with either of the following features (2 additional points):
 - (i)** Drive-through;
 - (ii)** Building is separated from other buildings by surface parking on at least two sides;
 - e.** False fronts or shaped parapets are created to increase the apparent size of the building or house corporate signage or logos. If used, building parapets must not be greater than 50

percent higher than the distance of the building from grade to roof. (For example, a building that is 20 feet tall from the grade to the roof cannot have a parapet greater than 10 feet tall from roof to top of parapet.)

- f. Concrete block is used on more than 25 percent of a façade visible to the public
- g. Concrete block is used on more than 75 percent of a façade visible to the public (must earn two additional points).
- h. EIFS is used as a material on the ground floor (below 10 feet).
- i. Pad building with drive-in (on a site with a Core Transit Corridor as the principal street).

C. Table of Design Options

| Option | Description / Comments |
|--|---|
| Group A: Each option worth 1 point⁴⁵ | |
| Achieve star rating under the City of Austin Green Building program. | Each star of the rating qualifies for one point. No double credit for Green Building points from Group B. |
| Provide for liner stores in building façade. (1 point for each liner store) | See Article 5, <i>Definitions</i> |
| Provide façade articulation. | See definition D.1. below. |
| Provide primary entrance design. | See definition D.2. below. |
| Provide roof design. | See definition D.3. below. |
| Provide building materials meeting the standards of this section. | See definition D.5. below. |
| Improve storefronts to new regulatory standard of Section 3.2.2 for glazing type/size & shading. | Applies only for buildings existing at the effective date of this Subchapter. |
| Complies with neighborhood design guidelines, as prescribed in the Urban Design Criteria Manual | |

⁴⁵ NOTE: We suggest dropping the last item in this list from the policy report – “90% of all frontages facing parking shall be shaded or have a shelter device.” Shelter and shade already are addressed in two other locations in this Ordinance: the connectivity options table and the “pedestrian frontages” section of the Building Design article.

| Option | Description / Comments |
|---|---|
| Group B: Each option worth 2 points | |
| Design building so that at least 75% of the façade facing the principal street consists of storefronts with at least two separate entrances facing the principal street | |
| Provide sustainable roof. | See definition D.4. below. |
| Integrate solar power generation into building design. | The specific features and design shall be approved by the Director. Examples may include, but are not limited to, rooftop solar panels or Building Integrated Photovoltaics. |
| Achieve Green Building rating of 2 stars. | |
| Group C: Each option worth 3 points | |
| Develop VMU structure | While VMU structures are exempted from the requirements of this section, points are assigned for the purpose of aggregating point values for the mixed use development bonuses described in Article 4. In addition to the three base points associated with the VMU development, one additional point is added if the gross square footage of the VMU structure contains a combination of at least 25% residential and 25% office or retail uses. |

D. Definitions of Options

1. Façade Articulation

For purposes of satisfying the requirements in subsections A. and B. above, “façade articulation” shall consist of one of the following design features, none of which can be trademarked design features (See Figure 36.):

- Changes in plane with a depth of at least 24 inches, either horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
- Changes of color, texture, or material, either horizontally or vertically, at intervals of not less than 20 feet and not more than 100 feet; or
- A repeating pattern of wall recesses and projections, such as bays, offsets, reveals or projecting ribs, that has a relief of at least eight inches.

2. Primary Entrance Design

For purposes of the satisfying the requirements in subsections A. and B. above, “primary entrance



Figure 36: Examples of facade articulation

design” shall consist of at least three of the following design elements at the primary entrance (none of which can be trademarked design features), so that the primary entrance is architecturally prominent and clearly visible from the abutting street:

- a. Architectural details such as arches, friezes, tile work, murals, or moldings.
- b. Integral planters or wing walls that incorporate landscaping or seating.
- c. Enhanced exterior light fixtures such as wall sconces, light coves with concealed light sources, ground-mounted accent lights, or decorative pedestal lights.
- d. Prominent three-dimensional features, such as belfries, chimneys, clock towers, domes, spires, steeples, towers, or turrets.
- e. A repeating pattern of pilasters projecting from the façade wall by a minimum of eight inches or architectural or decorative columns.



Figure 37: Examples of roof design

3. Roof Design

For purposes of satisfying the requirements in subsections A. and B. above, “roof design” shall consist of at least one of the following design elements, none of which can be trademarked design features:

- a. Parapets with horizontal tops having height changes of at least one foot occurring horizontally no less than every 100 feet. (See Figure 37.)
 - (i) Parapets that do not have horizontal tops must have pitched or rounded tops with a pattern that repeats or varies no less than every 100 feet.
 - (ii) All parapets must have detailing such as cornices, moldings, trim, or variations in brick coursing.
- b. Sloping roofs with at least two of the following design elements:
 - (i) Slope of at least 5:12.
 - (ii) Two or more slope planes.

- (iii) Overhanging eaves extending at least three feet beyond the supporting wall.

4. Sustainable Roof

For purposes of the satisfying the requirements in subsections A. and B. above, a “sustainable roof” is roofing that has one of the following:

- a. For a minimum of 75 percent of the total roof surface, a Solar Reflectance Index (SRI) of 78 or higher for a roof with a slope of 2:12 or less, or 29 or higher for a roof with a slope greater than 2:12; or
- b. For a minimum of 50 percent of the total roof surface, a vegetated roof with a rainwater collection system (See Figure 38.); or
- c. For a minimum of 75 percent of the total roof surface, a combination of a vegetated roof with rainwater collection system and SRI-compliant roof meeting the SRI standards in Subsection 4.a. above.



Figure 38: Example of a sustainable roof

5. Building Materials

For purposes of the satisfying the requirements in Subsection 1. above, “building materials” are defined as limestone or brick. However, the brick color shall not be a trademarked design feature.

3.3.3. Alternatives to Building Design Matrix

A. Large Single-Story Buildings⁴⁶

Instead of complying with Section 3.3.2. above, a single-story commercial building that is 100,000 square feet or more in size may elect as a matter of right to comply with the following standards:

- 1. The building façade shall consist of 75 percent masonry or limestone, excluding the window area and rear service area on sides visible to the public;
- 2. The use of trademarked design features above 12 feet and the use of trademarked roof and parapet design features is prohibited;
- 3. The building meets the “facade articulation” requirements as defined in Subsection 3.3.2.D.1. above;

⁴⁶ NOTE: This implements BD-4.

4. The building has 40 percent glazing on the front façade and 25 percent glazing and cutouts on each side visible to the public with a Visible Transmittance (VT) of 0.6 or higher; and
5. The building has a Green Building rating of at least 2 stars.

B. Pad Buildings and Drive-In Services⁴⁷

Instead of complying with Section 3.3.2. above, a pad building or a single-use drive-in use not located on a Core Transit Corridor may comply with the following standards:

1. The use of trademarked design features above seven feet is prohibited; and
2. The portion of the building below seven feet consists of one of the following:
 - a. Limestone; or
 - b. Brick that has a different color than the trademarked brick color; or
 - c. For a building that occupies a pad or portion of a building within a planned project or shopping center, the building has similar design characteristics as the rest of the shopping center. This includes use of similar materials, patterns, rhythms, and proportions to the rest of the center.
3. Pad sites shall not have any parking located between the building and the street on Core Transit Corridors, Urban Roadways and Suburban Roadways.
4. When a pad building with a drive-in is only permitted a single curb cut, the pad building site may contain a circulation lane between the building and the curb without triggering the connectivity requirements in Section 2.3.2. The circulation lane may not have parking and cannot be wider than 14 feet.

⁴⁷ NOTE: This implements BD-5. The limitation on pad sites on CTCs is from the November 2005 amendments.

ARTICLE 4: MIXED USE

4.1. GENERAL PROVISIONS

4.1.1. General Intent

The mixed use provisions of this Subchapter are established to provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, rather than separating uses. The mixed use provisions define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. They promote an efficient pedestrian-access network that connects the nonresidential and residential uses and transit facilities. Redevelopment of underutilized parcels and infill development of vacant parcels should foster pedestrian-oriented residential and mixed use development.

4.1.2. Applicability

The following table summarizes the applicability of this section:

| Standard | Applies if the Principal Street Is: | Applies to the Following: |
|----------------------|-------------------------------------|--|
| Article 4: Mixed Use | All roadway types | All development in zoning districts that allow mixed use development |

4.1.3. Overview: Mixed Use Development in Austin Generally

Mixed use development integrates two or more land uses, such as residential and commercial, with a strong pedestrian orientation. Requirements and standards for mixed use development appear in various places throughout the Austin City Code. This Article 4 summarizes the districts in which mixed use development is allowed and the types of mixed use development that may be established.

A. Zoning Districts in which Mixed Use is Allowed and Encouraged

The City of Austin allows and encourages the development of mixed use projects. The following districts are intended primarily for mixed use development and are described more fully in Section 4.2 below:



Figure 39: Examples of vertical mixed use

1. Mixed Use Combining District (Section 4.2.1.).
2. Vertical Mixed Use Overlay District (Section 4.2.2.).

Mixed use development also is allowed in other zoning districts in Austin. These districts are listed below and are described more fully in the referenced sections of the Austin Code outside of this Subchapter. This following list is not exhaustive, but rather illustrates the range of districts in which mixed use development may be allowed.

3. Central Business (CBD) (Section 25-2-100);
4. Central Urban Redevelopment (CURE) (Section 163);
5. Downtown Mixed Use (DMU) (Section 101);
6. Planned Development Area (PDA) (Section 174);
7. Planned Unit Development (Section 144);
8. Traditional Neighborhood Development (Section 146)
9. Transit Oriented Development (Section 147)
10. Waterfront Overlay (WO) (Section 175); and
11. University Neighborhood Overlay (UNO) (Section 178).

B. Types of Mixed Use Development

Within the districts that allow mixed use development, a mix of uses may be established either horizontally in multiple buildings, or vertically in the same building, or through a combination of the two, depending on the standards of the district.

1. Horizontal mixed use, which is also called “integrated mixed use” in this Subchapter, is the mixing of uses in a development project, though not necessarily in the same building. Horizontal mixed use is allowed and encouraged in Austin so long as each of the proposed uses is allowed within the applicable zoning district and the development meets all applicable requirements of this Subchapter and the Austin Code.
2. Vertical mixed use is allowed in two building types: the Vertical Mixed Use (VMU) Building and the Neighborhood Mixed Use Building. Standards for each of these building types are in Sections 4.3.1 and 4.3.2 below. (See Figure 39.)

4.2. MIXED USE ZONING DISTRICTS⁴⁸

4.2.1. Mixed Use Combining District⁴⁹

A. Purpose

The purpose of a mixed use (MU) combining district is to allow office, commercial, and residential uses to be combined in a single development, either through vertical mixed use buildings or in integrated mixed use developments.

B. Uses Allowed

In the MU combining district, the following uses are permitted:

⁴⁸ NOTE: Our early discussions with the city talked about allowing VMU in three districts – the existing MU combining district, a new VMU overlay district, and a new VMU base district. This draft establishes the first two of these districts. However, upon further reflection, we do not believe that a new VMU base district is necessary. The value of such a new district is unclear. Is the intent simply to provide a tool for site-specific rezonings to allow only VMU buildings? If so, then a simpler approach would be to not create a new base district and instead rely on the existing MU and new VMU overlay districts. If the intent is to allow a broader array of by-right mixed use development, then a range of new mixed-use base districts may be appropriate, which we believe would be a broader undertaking than contemplated in this ordinance.

⁴⁹ NOTE: This draft proposes relocating all the MU standards from the Austin Code into this Ordinance. If this approach is followed, then the respective sections should be repealed in the Code. There is no “applicability” section, since our understanding is that the intent is not to broaden where MU applies from the current boundaries.

1. Integrated mixed use development, subject to compliance with Section 4.3.3. of this Subchapter;
2. Vertical mixed use buildings, subject to compliance with Section 4.3.1. of this Subchapter;
3. Commercial uses that are permitted in the base district;
4. Civic uses that are permitted in the base district;
5. Townhouse residential;
6. Multifamily residential;
7. Single-family residential;
8. Single-family attached residential;
9. Small lot single-family residential;
10. Two-family residential;
11. Condominium residential;
12. Duplex residential;
13. Group residential;
14. Group home, class I (limited);
15. Group home, class I (general); and
16. Group home, class II.

C. District Standards

Insert from Section 25-2-647.

4.2.2. Vertical Mixed Use Overlay District

A. Purpose

The purpose of a vertical mixed use (VMU) overlay district is to allow the development of vertical mixed use (VMU) buildings.

B. Applicability⁵⁰

1. The VMU overlay district is established within each zoning district for all sites with a Core Transit Corridor or future Core Transit Corridor as the principal street, subject to the following requirements:
 - a. In areas subject to a Neighborhood Plan, VMU structures may not contain uses prohibited for that lot under the Neighborhood Plan and are limited to commercially zoned properties.
 - b. In areas that have not undergone the neighborhood planning process, the VMU

⁵⁰ NOTE: The first area of applicability is from DO-2 in the policy report. The second area of applicability is from LU-5 (November 2005 amendments).

overlay is limited to commercially zoned properties.

2. The VMU overlay district is established for development sites of three acres or more that have a Highway, Hill Country Roadway⁵¹, Suburban Roadway, or Urban Roadway as the principal street, subject to the following requirements:

- a. In areas subject to a Neighborhood Plan that are not located on Core Transit Corridors or future Core Transit Corridors, the overlay only applies to properties with an MU designation and may not contain uses prohibited for that lot under the Neighborhood Plan.
- b. In areas that have not undergone the neighborhood planning process, the VMU overlay applies only to commercially zoned properties and does not apply to properties zoned exclusively for residential.

C. Permitted Uses

In a VMU Overlay district, the following uses are permitted:

1. Uses that are permitted in the base district; and
2. Vertical mixed use buildings, subject to compliance with Section 4.3.1. of this Subchapter.

4.3. STANDARDS FOR MIXED USE DEVELOPMENT TYPES

4.3.1. Vertical Mixed Use (VMU) Building⁵²

A. Where Allowed

A VMU building is permitted in the following zoning districts:

1. Mixed Use (MU) combining district; and
2. Vertical Mixed Use overlay district.

B. Standards

A VMU building shall meet the following requirements:

| | |
|---|-------------|
| 3 | residential |
| 2 | office |
| 1 | retail |

| | |
|---|-------------|
| 3 | residential |
| 2 | office |
| 1 | office |

| | |
|---|-------------|
| 3 | residential |
| 2 | residential |
| 1 | office |

Figure 40: Examples (not a comprehensive list) of mix of uses that meet these requirements

⁵¹ NOTE: WPDR has suggested deleting Hill Country Roadways from this list.

⁵² NOTE: This implements LU-3 from the policy report.

1. Mix of Uses⁵³

A use on the ground floor must be different from a use on an upper floor. The second floor may be designed to have the same use as the ground floor so long as there is at least one more floor above the second floor that has a different use from the first two floors. At least one of the floors shall contain residential dwelling units. Up to ten percent of the ground floor may incorporate residential units. (See Figure 40).

2. Pedestrian-Oriented Commercial Spaces

Along at least 75 percent of the net frontage of the principal street, the building must be designed for commercial uses in ground-floor spaces that open onto the sidewalk. Each ground-floor commercial space must have:

- a. A customer entrance that opens directly onto the sidewalk;
- b. A depth of not less than 24 feet;
- c. A height of not less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling; and
- d. A front façade that meets the glazing requirements of Section 3.2.2.

3. Dimensional Requirements

- a. A vertical mixed use building is not subject to:
 - (i) Except as provided in Subsection b. below, the minimum site area requirements of LDC 25-2-647 Subsection (G); or
 - (ii) The following requirements of Section 25-2-492(C) (*Site Development Regulations*):
 - (1) Minimum front yard setback; provided, however, that if the 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 centerline of the street to

⁵³ NOTE: There has been discussion and debate at the staff level as to whether to require any of the residential units in VMU buildings to be accessible units.

ensure adequate Fire Department access);⁵⁴

- (2) Minimum street side yard setback;
- (3) Minimum interior yard setback;
- (4) Maximum floor area ratio; or
- (5) Maximum building coverage.

b. This subsection applies to VMU buildings located on property designated as a MU combining district and as a neighborhood plan (NP) combining district before April 6, 2006:⁵⁵

(i) A VMU building must comply with the minimum site area requirements of LDC 25-2-647 Subsection (G) and the floor area ratio and minimum building coverage requirement prescribed by Section 25-2-492(C) (*Site Development Regulations*), and, for a cocktail lounge or restaurant use in the building, the minimum off-street parking requirement of Chapter 25-6 (*Transportation*), unless:

- (1) The 90-day time period proscribed by subparagraph (iii) below expires without an application described in subparagraph (iii) being filed; or
- (2) An application described in subparagraph (iii) below is filed and the council determines that a VMU building on the property is not subject to the minimum site area requirements of Subsection (G), or the floor area ratio requirement or minimum building coverage requirement of Section 25-2-492(C) (*Site Development Regulations*), or that the reduced parking requirement of subsection 6. below applies to a cocktail lounge or restaurant use in the building.

⁵⁴ NOTE: This caveat has been added in response to concerns from the Fire Department that responding to fire emergencies in multi-story buildings on narrow streets could impair deployment of ladder vehicles or aerial apparatus.

⁵⁵ NOTE This subsection 2. is from the interim VMU ordinance (correction draft).

- (ii) The director shall notify the neighborhood planning or contact team for a NP combining district that a property within the district is designated as a MU combining district.
- (iii) The team may, not later than the 90th day after the notice is sent, submit an application to the city manager requesting that the Council require a VMU building on the property to comply with the minimum site area requirements, maximum floor area ratio requirements, or maximum building coverage requirements, or that the council determine that a cocktail lounge or restaurant use in the building must comply with the off-street parking requirement of Chapter 25-6 (*Transportation*).
- (iv) The planning commission shall review a request and make a recommendation to council.
- (v) The council shall consider the planning commission's recommendation before acting on a request.
- (vi) The council may, by ordinance, require a VMU building on the property to comply with the minimum site area requirements, maximum floor area requirement, or maximum building coverage requirement, or, for a cocktail lounge or restaurant use in the building, the off-street parking requirement of Chapter 25-6 (*Transportation*).

- c. VMU structures are subject to the height restrictions of the underlying zoning district.

4. Affordable Housing Requirement⁵⁶

VMU structures are eligible for a waiver from the minimum site area requirements, FAR, and building coverage restrictions of the base zoning district. In order to qualify for this waiver, the VMU building shall set aside at least ten percent of the dwelling units on the site, for a period of not less than 15

⁵⁶ NOTE: This requirement is based on feedback from the City Council at the meeting to present the Diagnosis. The language is based on similar language from the UNO district, per staff suggestion. We understand that Texas law requires this to be structured as a bonus, rather than a requirement.

years from the date a certificate of occupancy is issued, to house persons whose household income is less than 80 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office.

5. Compatibility Standards

All VMU structures are subject to the compatibility standards of Section 25-2-1564. In case of conflict between the compatibility standards and this Subchapter, the compatibility standards shall control.

6. Parking

For a VMU building, the minimum off-street parking requirement shall be 60 percent of that prescribed by Appendix A (*Tables of Off-Street Parking and Loading Requirements*). This reduction may not be used in combination with any other parking reduction.

C. Development Bonuses⁵⁷

A development that contains at least 100 lineal feet of VMU building frontage along the principal street shall be entitled to the following development bonuses:

1. The queuing requirements of Section --- shall be reduced by 50 percent for each drive-through service in the development, so long as sufficient on-site queuing space exists to ensure queuing does not occur within the public right-of-way.
2. The number of connectivity options needed to comply with Section 2.3.2. of this Subchapter shall be reduced by two for each 100 lineal feet of VMU buildings.
3. All buildings in the development may aggregate points for building design in Section 3.3 of this Subchapter, rather than each building needing the minimum number of points.
4. Impervious cover existing as of the effective date of this Subchapter may be retained for redevelopment purposes for the VMU structures and their accompanying structured parking, so long as the

⁵⁷ NOTE: From the November 2005 amendments to LU-5 in the policy report.

redevelopment meets current water quality standards.

4.3.2. Neighborhood Mixed Use Building⁵⁸

A. Where Allowed

A neighborhood mixed use building may be approved as a special use in the following zoning base districts:

1. Limited Office (LO) district;
2. General Office (GO) district;
3. Neighborhood Commercial (LR) district;
4. Community Commercial (GR) district;
5. General Commercial Services (CS) district;
6. Commercial-Liquor Sales (CS-1) district;
7. Commercial Highway Services (CH) district; and
8. Limited Industrial Services (LI) district.

B. Residential Uses Permitted

A neighborhood mixed use building special use may contain dwelling units:

1. Above the ground floor; and
2. In not more than 50 percent of the gross floor area of the ground floor.

C. Standards for Neighborhood Mixed Use Buildings

1. Dimensional Standards

For a neighborhood mixed use building special use:

- a. The maximum site area is two acres;
- b. The minimum lot size is 5,750 square feet;
- c. The minimum lot width is 50 feet;
- d. The minimum street side yard setback is 10 feet;
- e. The minimum front yard setback is:
 - (i) 5 feet; or
 - (ii) for a LO or LR district, 10 feet; and
- f. The maximum front yard setback is:
 - (i) 10 feet; or

⁵⁸ NOTE: This section carries forward standards from the existing Section 25-2-1501. There is much overlap between this use and the new VMU building. However, we understand that this use type needs to stay in the code as a distinct use, since it already has been approved and dozens have been built.

(ii) for a LO or LR district, 15 feet.

- g.** For a neighborhood mixed use building special use adjacent to a roadway with not more than two travel lanes, the building height may not exceed 40 feet.

2. Building Façade Requirements

The building facade of a neighborhood mixed use building:

- a.** May not extend horizontally in an unbroken line for more than 30 feet;
- b.** Must include windows, balconies, porches, stoops, or similar architectural features;
- c.** Must have awnings or similar weather protection along at least 50 percent of the length of the ground floor facade; and
- d.** At least 50 percent of the wall area of the ground floor façade between two and ten feet in height must consist of doors or windows with a visible light transmittance rating of 0.6 or higher.

3. Parking

The following parking standards apply to neighborhood mixed use buildings:

- a.** For the commercial portion of a neighborhood mixed use building, one vehicle parking space for each 500 square feet of gross floor area is required.
- b.** For the residential portion of a neighborhood mixed use building, the parking requirements of Chapter 25-6, Appendix A, Schedule A apply.
- c.** Parking in front of a neighborhood mixed use building, other than on a street, is prohibited.
- d.** At least 50 percent of the surface parking accessory to the building must be located to the rear of the building.

4. Landscaping

A street yard of 1,000 square feet or less is not required to be landscaped, and a parking area with 12 or fewer parking spaces is not required to have landscaped islands, peninsulas, or medians.

5. Drive-Through Facilities Prohibited

A neighborhood mixed use building may not include a drive through facility.

4.3.3. Integrated Mixed Use Development⁵⁹

A. Description

An integrated mixed use development is a development that contains a mix of uses within walking distance from each other (i.e., not more than one-quarter mile apart) and one of the following applies:

1. The site contains at least two uses, and two of the uses each comprise at least 25 percent of the built area; or
2. Twenty percent of the building footprint consists of VMU structures. (See Figure 41.)

B. Where Allowed

An integrated mixed development may be permitted in the MU combining district, so long as all the uses proposed are allowed in the underlying base zoning districts.

C. Development Bonus

A development meeting the description in Subsection A. above shall be entitled to the following development bonuses.

1. The queuing requirements of Section --- are reduced by 50 percent for each drive-through service in the development.
2. Impervious cover existing as of the effective date of this Subchapter may be retained for redevelopment purposes subject to the following limitations:
 - a. The redevelopment meets current water quality standards; and
 - b. The redevelopment meets the connectivity requirements of Section 2.3 of this Subchapter and the building location requirements along

⁵⁹ NOTE: This is a type of mixed use that is not heavily emphasized in the policy report, yet it nevertheless is mentioned and is a clear alternative to VMU. The language here implements the November 2005 amendments to LU-5 in the policy report. Where should integrated mixed use be allowed?

Internal Circulation Routes of Section 2.2.3. of this Subchapter.

3. For redevelopment projects larger than five acres, the VMU parking standards apply to the entire redevelopment so long as 20 percent of the total building footprint consists of VMU structures.
4. The number of connectivity options needed to comply with Section 2.3.3. of this Subchapter is reduced by two.
5. All buildings in the development may aggregate points for building design in Section 3.3 of this Subchapter, rather than each building needing the minimum number of points.

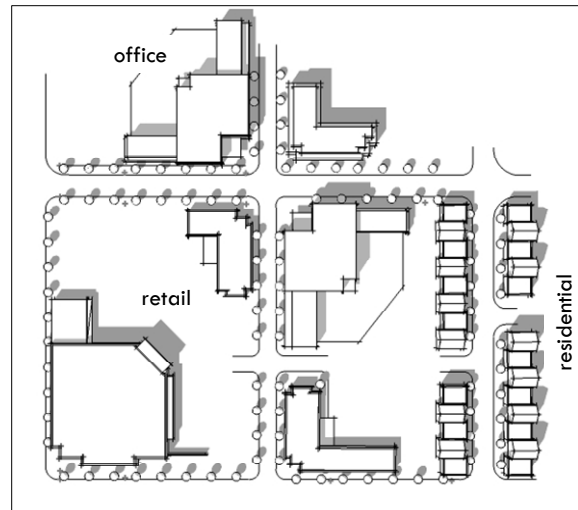


Figure 41: Example of an integrated mixed use development

ARTICLE 5: DEFINITIONS

Building Façade Line

A line that is parallel to a lot line or internal circulation route curb line, as applicable, and the same distance from the lot line or curb line as the closest portion of a building.

Civic Uses

For purposes of this Subchapter, civic uses shall consist of the following:

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

Clear Zone

The area dedicated for an unobstructed sidewalk.

Core Transit Corridors

Core Transit Corridors are the following roadways:

1. South First Street, north of Ben White Boulevard;
2. East Seventh Street, west of Pleasant Valley Road;
3. West Fifth Street;
4. West Sixth Street, between Guadalupe Street and Pressler Street;
5. Thirty-eighth Street, between Mopac Expressway and Speedway Street;
6. Airport from Lamar to I-35
7. Anderson Lane, between Burnet Road and Mopac Expressway;
8. Barton Springs Road, east of Robert E. Lee Drive;
9. Burnet Road, between 45th Street and Anderson Lane;
10. East Cesar Chavez Street, west of Pleasant Valley Road;
11. South Congress Avenue, north of Stassney Lane;
12. Guadalupe Street;

13. Lamar Boulevard, between Banyon Boulevard and Ben White Boulevard;
14. Martin Luther King, Jr., Boulevard, between Lamar Boulevard and Airport Boulevard;
15. Riverside Drive, west of Pleasant Valley Road.

Core Transit Corridors, Future⁶⁰

For purposes of Section 4.2.2. of this Subchapter, the following roadways are considered “future core transit roadways”:

1. S. Congress from Stassney to Slaughter
2. Slaughter from I35 to Mopac
3. 7th St. from Pleasant Valley to 183
4. Lamar from Anderson to Howard
5. Manor from Dean Keaton to 183
6. Airport from Manor to I-35
7. Oltorf
8. 51ST from Manor to Airport
9. Far West from Mopac to western side of Chimney Corner

Director

The Director of the Neighborhood Planning and Zoning Department, or his or her designee.

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

⁶⁰ NOTE: Further discussion needed on the topic of the “Future Core Transit Corridors.” The name is not really appropriate, since the corridors actually are given substantive meaning in this ordinance – they fall into the VMU overlay. Further, the term “future” implies that they will become CTC’s in the future, but there is no clear timeframe when that will happen. The future CTCs actually are a fifth type of roadway, as currently drafted

(10%) at or above a vertical angle of 80 above nadir. This applies to all lateral angles around the luminaire.

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.

Highways

All freeways, parkways, expressways, and frontage roads identified in the Austin Area Metropolitan Transportation Plan, except for Core Transit Corridors described in this Subchapter.

Hill Country Roadways

This roadway type applies on all properties within 1000 feet of FM 2222, FM 2244, FM 620, Loop 360 and Southwest Parkway.

Internal Block

[reserved pending discussion]

Internal Circulation Route

Either a public street or a private drive edged by a curb within a development.

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.

Liner Store

A commercial use on the ground floor of a building located not more than 30 feet from the street right-of-way with an entrance facing the street.

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.

Net Frontage Length

Determined by subtracting required drive aisles and stairs that occur at the building perimeter

Nonresidential Zoning Districts

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

- | | |
|--------|--------|
| ▪ NO | ▪ CS |
| ▪ LO | ▪ CS-1 |
| ▪ GO | ▪ CH |
| ▪ CR | ▪ IP |
| ▪ LR | ▪ MI |
| ▪ GR | ▪ LI |
| ▪ W/LO | ▪ R&D |

Pad-Site Building

A building that is intended for a single commercial use and that is physically separate from the other buildings on the site, if any.

Principal Entrance

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

Principal Street

In this Subchapter, 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 as follows, from highest to lowest:

- Core Transit Corridor;
- Internal Circulation Route;
- Urban Roadway;
- Suburban Roadway; and
- Highway or Hill Country Roadway (Unless the higher road runs parallel to the highway and is within 660 feet of the Highway or within 1,000 feet of the Hill Country Roadway (i.e., a highway development would not have to orient to the urban/Suburban Roadway next to a highway).

If a lot is adjacent to more than one street of equally high priority, the principal street is: the street with the highest level of transit service, as determined by the Director; or, if the streets do not have transit service or the level of transit service is equal, the street designated by the lot owner.

Shaded Sidewalk

For purposes of this Subchapter, a shaded sidewalk shall be any one of the following:

- A sidewalk at least ten feet wide made of pervious concrete with shade trees at 20-foot intervals, or of standard concrete with the trees planted in grates. At least 50 percent of the shade trees must come from the approved list of the Environmental Criteria Manual.
- A five-foot sidewalk adjacent to a landscape strip at least ten feet wide planted with shade trees at 20-foot intervals. At least 50 percent of the shade trees must come from the approved list of the Environmental Criteria Manual.
- A sidewalk at least six feet wide covered with weather-protection materials (such as awnings).

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 facade is measured parallel to the street lot line.

Street Tree/Furniture Zone

An area adjacent to the curb in which street trees are planted and street furniture such as newspaper boxes are placed.

Suburban Roadways

All roadways that are not Transit, Hill Country, Highway, or Urban Roadways.

Supplemental Zone

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

Trademarked Design Feature

An external design feature, including colors, shapes, and materials, of a building that is trademarked by a building occupant.

Urban Roadways

Urban Roadways are roads located within the following boundaries other than those designated as Core Transit Corridors and Highways:

Northern Boundary: Mesa to Loop 360, Loop 360 to Great Hills, Great Hills to Braker, Braker to Burnet, Burnet to 183, 183 to Manor

Eastern Boundary: Manor to Airport Blvd, Airport Blvd to 7th, 7th to Pleasant Valley to Ben White Blvd.

Southern Boundary: Ben White

Western Boundary: Mopac except for area bounded by Lake Austin Blvd., Exposition, Windsor, Pecos, 38th, Balcones, Mesa, Spicewood Springs.

Vertical Mixed Use Building

A building that meets the requirements set forth in Section 4.3.1 of this Subchapter.