



**Downtown Austin Plan Implementation
Staff Recommendations**

**Downtown Commission Briefing
January 15, 2014**



PLANNING AND DEVELOPMENT REVIEW

MEMORANDUM

TO: Downtown Commission

FROM: Jorge Rousselin, Development Services Process Coordinator
Sylvia Leon-Guerrero, Senior Planner
Urban Design - Planning and Development Review

DATE: January 10, 2014

RE: Draft Downtown Austin Plan Implementation Recommendations:
Code Amendments and Zoning Changes

The purpose of this memo is to outline a draft implementation framework to address property rezonings as recommended by the [Downtown Austin Plan \(DAP\)](#), City Code amendments including the creation of Downtown Compatibility Standards, and other recommended Code amendments to implement DAP recommendations.

Background:

The DAP as approved by Council in December of 2011 recommends the creation of three new Downtown Mixed-use (DMU) districts and a modification of the existing DMU district.¹ The intent of these new zoning districts is to promote a mixture of uses at a scale that is appropriate to their context, providing a transition from existing DMU properties to surrounding single-family neighborhoods and lower intensity districts while encouraging a true mixed-use environment for Downtown.

The DAP recommends accomplishing this by way of creating additional DMU zoning classifications for Downtown as follows:

1. **DMU-40:** Recommends that properties currently zoned LO, NO, LR, and MF-3 be rezoned to DMU-40 and expand the land uses to match DMU; limit the maximum height to 40 feet; and increase the maximum FAR up to 1.0 if certain conditions are met;
2. **DMU-60:** Recommends that properties currently zoned CS, GO, MF-4, and GR be rezoned to DMU-60 and expand the land uses to match DMU; limit the maximum height to 60 feet; and increase the maximum FAR up to 2.0 if certain conditions are met;

¹ Downtown Austin Plan, Proposed Zoning Changes, Pg. 79.

3. **DMU-80:** Recommends that properties along both sides of Congress Avenue north of the Capitol be rezoned to DMU-80 per the recommendations of the 1989 Master Plan for the Capital calling for the enhancement of North Congress Avenue as a civic spine connecting to MLK Boulevard; and expand the land uses to match DMU; limit the maximum height to 80 feet; and increase the maximum FAR up to 3.0 if residential uses are incorporated; and
4. **DMU-120:** Recommends modifying existing DMU by renaming it while retaining existing maximum height of 120 feet and a maximum FAR of 5.0.

Staff Recommendation:

A technical advisory group (TAG) comprised of key staff from PDR's Development Assistance Center, Land Use Review, Zoning, and Urban Design Divisions met in recent months to discuss a pathway to implement the zoning changes and various Land Development Code (Code) amendments as recommended in the DAP. Multiple options were considered including the creation of new zoning districts as recommended by the DAP via code amendments.

After much debate, the TAG finalized a recommendation to propose a master *Downtown Overlay* by creating a new geographic overlay for the boundaries as specified in the DAP. The recommendation was due in part to the eminent [Code Revision \(CodeNEXT\)](#) currently underway. The eventual new Code may modify, annul, or create additional zoning districts for Downtown based on wide community input, documents such as adopted neighborhood plans, and the DAP. Therefore, the TAG crafted a set of tools under a draft *Downtown Overlay* recommendation to prevent multiple rezonings of properties based first on the DAP recommendations, then based on potential Code modifications in the near future.

The proposed *Downtown Overlay* will accomplish the same goals as what the DAP recommends but through a different approach as described below:

1. **Land Uses:** Allow for an expanded and diversified list of permitted and conditional land uses to underlying zoning districts (MF-3, MF-4, MF-5, NO, LO, GO, LR, GR, CS, and CS-1) with the goal to create a mixed-use environment.

For example, if a property is currently zoned General Office (GO), the list of permitted and conditional land uses to the base district will be expanded to allow additional uses not currently allowed under GO but allowed either by right or conditionally under DMU. Conditional and prohibited uses will not become permitted under the overlay but carry over. This will mean, for example, that a *Cocktail Lounge* use can be a conditional use under GO. In the case where there is an existing Conditional Overlay (CO), such will remain in place and not be affected by the new list of permitted/conditional uses. Therefore, if a property is zoned GO-CO with the CO prohibiting medical offices, such will still be prohibited

and the proposed overlay will not modify or permit the use even though it is allowed under DMU;

2. **Maximum Height:** Maintain existing height limitations of the base zoning district.

Using the same GO example above, the maximum height will remain at 60 feet. Height may be further restricted if the property is subject to the *Proposed Downtown Compatibility Zones and Standards*² or height provisions of any local historic district;

3. **Floor-to-Area Ratio (FAR):** Maintain existing base FAR for all zoning districts but Adjust the FAR per the following DAP recommendations.

For properties zoned MF-3, LO, NO, and LR zoning districts the following FAR maximums may be applied under the conditions below:

Maximum FAR is up to 1.0 if:

- a. At least 75% of the gross floor area is residential;
- b. The design is in compliance with form-based standards for Low-Rise Neighborhood Infill Buildings described in Appendix B of the DAP; and
- c. At least 50% of the additional floor area above the base zoning density limit meets the affordable housing requirements of the DAP Downtown Density Bonus Program, with on-site affordable housing, and/or contributions to the Affordable Housing Trust Fund.

For properties zoned MF-4, CS, CS-1, GO, and GR zoning districts the following FAR maximums may be applied under the conditions below:

Maximum FAR is up to 2.0 if:

- a. At least 75% of the gross floor area is residential;
- b. Ground level pedestrian-oriented uses are included along the street frontage;
- c. The design is in compliance with form-based standards for Low-Rise Mixed-Use Buildings; and
- d. At least 50% of the additional floor area above the base density meets the affordable housing requirements of the Downtown Density Bonus Program, with on-site affordable housing and/or contributions to the Affordable Housing Trust Fund.

4. **Site Development Standards:** The site development standards will be modified only as specified in the DAP to affect front yard setbacks per the *Streetfront*

² Downtown Austin Plan, Proposed Downtown Compatibility Zone and Standards, Pg. 109.

*Setback Requirements*³. Additional setback requirements may apply per the *Proposed Downtown Compatibility Zones and Standards* or as further modified by any local historic district;

5. Centralized Downtown Overlay: Roll all the above provisions into a new Downtown Overlay that will include most applicable overlays. This option will conveniently place most Downtown overlays in one section of the Code:

1. Congress Avenue Conditional Overlay
2. East 6th St Conditional Overlay
3. Justice Center Conditional Overlay
4. Convention Center Conditional Overlay
5. Downtown Creeks Conditional Overlay
6. Downtown Parks Conditional Overlay
7. Capitol Dominance Conditional Overlay

Overlays excluded:

1. National Register of Historic Districts Conditional Overlay
2. Mixed Use Districts
3. Transit Oriented Development
4. Scenic Roadways Conditional Overlay
5. Waterfront Conditional Overlay
6. Capitol View Corridors Conditional Overlay
7. Green Building Mandatory
8. C.U.R.E. Overlay

For clarity and consistency, the overlay should be renamed “Downtown Overlay” with the above-named overlays rolled into it as sub districts of the Downtown Overlay.

6. Additional DAP Recommended Rezoning: The DAP recommends additional rezonings⁴ that need to occur in addition to the above. Those rezonings can happen concurrently with the proposed overlay and address rezoning public property to P zoning and upzoning properties along IH-35 and Waller Creek to CBD and DMU.

Additional Code Amendments

Compatibility Standards for Downtown

Current Compatibility Standards are applied citywide to properties adjacent to or near single-family zoned and/or used properties and implement a graduated height limit

³ Downtown Austin Plan, Streetfront Setback Requirements Map, Pg. 111.

⁴ Downtown Austin Plan, Proposed Zoning Changes, Pg. 79.

radiating out horizontally from such properties up to 540 feet, regulating height, building and parking setbacks, and screening. This generic, one size-fits-all approach to ensuring compatibility is not appropriate in a Downtown setting as it produces results counter to many aspects of the vision for a dense, mixed-use Downtown. Therefore, the DAP recommends the adoption of more specific standards to protect adjacent neighborhoods and to promote compatibility of building scale and massing.

Five compatibility zones are proposed, each with specific height standards aimed at providing an appropriate scale transition to the Judges Hill and Old West Austin Neighborhoods. These are illustrated in the Proposed Downtown Compatibility Zones and Standards Map.⁵ The intent is to produce a Code amendment in conjunction with the above recommendations, that implements Compatibility Standards as recommended in the DAP.

DAP Appendix E Land Uses

A Code amendment will modify existing DMU uses for any zoning base district under MF-3, MF-4, MF-5, NO, LO, GO, LR, GR, CS, and CS-1, as recommended by [Appendix E](#) of the DAP:

1. Permit Retirement Housing (both large and small site)
2. Allow Cocktail Lounge as a Conditional Use
3. Allow Exterminating Services as a Conditional Use.
4. Allow Pawn Shop as a Conditional Use
5. Allow Limited Warehousing and Distribution as a Conditional Use
6. Permit Urban Farming as a Conditional Use
7. Permit Administrative Services (Civic Use)

The following Appendix E recommendations are addressed in the Justice Center Overlay which covers the majority of the Northwest District and therefore, the TAG recommends keeping the provisions of the [Justice Center Overlay](#) as the controlling regulations for the following:

For properties zoned NO, LO, GO, LR, GR, CS, and CS-1:

1. Prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, Bail Bond Services, Pawn Shop Services, Service Station, Vehicle Storage, Limited Warehousing and Distribution and Maintenance and Service Facilities.
2. Prohibit Cocktail Lounge use, except along 12th Street (west of West Avenue), 15th Street and MLK Boulevard, where it shall be a Conditional Use.
3. Allow Liquor Sales (limited to a 2,500 gross square foot sales area) as a Conditional Use along the above-mentioned street frontages only.

⁵ Downtown Austin Plan, Proposed Downtown Compatibility Zone and Standards, Pg. 109.

Proposed Downtown Austin Overlay Framework

- (A) This Section applies to the Downtown Austin overlay as bounded approximately by Interstate 35 to the east, Lamar Blvd. to the west, Lady Bird Lake to the south, and Martin Luther King Jr. Blvd. to the north as described in Attachment “A.”
- (B) The Judges Hill District as described in the Downtown Austin Plan (DAP) is exempt from the requirements of this Section with the exception of the *Streetfront Setback Map* as described in Attachment “B” and the provisions of Sub-section (H) – Compatibility Standards.
- (C) Unless specified in this Section all base zoning district uses and site development standards apply as described in Article 2 – Principal Use and Development Regulations apply.
- (D) The following land uses are permitted in the MF-3, MF-4, MF-5, NO, LO, GO, LR, GR, CS, and CS-1 zoning districts under the Downtown Austin overlay:
1. Residential uses:
 - a. Bed & Breakfast (Group 1)
 - b. Bed & Breakfast (Group 2)
 - c. Condominium Residential
 - d. Duplex Residential
 - e. Group Residential
 - f. Multifamily Residential
 - g. Retirement Housing (Large Site)
 - h. Retirement Housing (Small Site)
 - i. Short -Term Rental
 - j. Single-Family Residential
 - k. Townhouse Residential
 2. Commercial uses:
 - a. Administrative and Business Offices
 - b. Art Gallery
 - c. Art Workshop
 - d. Bail Bond Services subject to 25-2-177 and 25-2-650
 - e. Business or Trade School
 - f. Business Support Services
 - g. Communications Services
 - h. Consumer Convenience Services
 - i. Consumer Repair Services

- j. Financial Services
 - k. Food Preparation
 - l. Food Sales
 - m. Funeral Services
 - n. General Retail Sales (Convenience)
 - o. General Retail Sales (General)
 - p. Hotel-Motel
 - q. Indoor Entertainment
 - r. Indoor Sports and Recreation
 - s. Laundry Services
 - t. Liquor Sales
 - u. Medical Offices --exceeding 5000 sq.ft. gross floor area
 - v. Medical Offices --not exceeding 5000 sq. ft. gross floor area
 - w. Outdoor Sports and Recreation
 - x. Personal Improvement Services
 - y. Personal Services
 - z. Pet Services
 - aa. Printing and Publishing
 - bb. Professional Office
 - cc. Research Services
 - dd. Restaurant (General)
 - ee. Restaurant (Limited)
 - ff. Software Development
 - gg. Theater
3. Industrial uses:
- a. Custom Manufacturing
4. Agricultural uses:
- a. Community Garden
5. Civic uses:
- a. Administrative Services
 - b. College and University Facilities
 - c. Communication Service Facilities
 - d. Community Recreation (Private)
 - e. Community Recreation (Public)
 - f. Congregate Living
 - g. Counseling Services
 - h. Cultural Services
 - i. Day Care Services (Commercial)
 - j. Day Care Services (General)
 - k. Day Care Services (Limited)

- l. Family Home
- m. Group Home, Class I (General)
- n. Group Home, Class I (Limited)
- o. Group Home, Class II
- p. Guidance Services
- q. Hospital Services (Limited)
- r. Local Utility Services
- s. Private Primary Educational Facilities
- t. Private Secondary Educational Facilities
- u. Public Primary Educational Facilities
- v. Public Secondary Educational Facilities
- w. Religious Assembly
- x. Residential Treatment
- y. Safety Services

(E) The following land uses are conditional in the MF-3, MF-4, MF-5, NO, LO, GO, LR GR, CS, and CS-1 zoning districts under the Downtown Austin overlay:

1. Commercial uses:
 - a. Alternative Financial Services subject to Section 25-2-816;
 - b. Automotive Rentals
 - c. Automotive Repair Services
 - d. Automotive Sales
 - e. Automotive Washing (of any type)
 - f. Cocktail Lounge
 - g. Commercial Off-Street Parking
 - h. Exterminating Services
 - i. Off-Site Accessory Parking
 - j. Outdoor Entertainment
 - k. Pawn Shop Services
 1. Except as described in the Justice Center Overlay in Section 25-2-177
 - l. Pedicab Storage and Dispatch
 - m. Service Station
 - n. Vehicle Storage
2. Industrial uses:
 - a. Limited Warehousing and Distribution
3. Agricultural uses:
 - a. Urban Farm
4. Civic uses:
 - a. Club or Lodge

- b. Community Events as permitted by 25-2-842
- c. Hospital Services (General)
- d. Maintenance and Service Facilities
- e. Telecommunication Tower subject to 25-2-839
- f. Transitional Housing
- g. Transportation Terminal

(F) The following applies to the MF-3, LO, NO, and LR zoning districts under the Downtown Austin overlay:

1. Maximum height is 40 feet.
2. Maximum FAR is up to 1.0 if the following conditions are met:
 - a. At least 75% of the gross floor area is residential;
 - b. The design is in compliance with form-based standards for Low-Rise Neighborhood Infill Buildings described in Appendix B of the DAP; and
 - c. At least 50% of the additional floor area above the base zoning density limit meets the affordable housing requirements of the DAP Downtown Density Bonus Program, with on-site affordable housing, and/or contributions to the Affordable Housing Trust Fund.
3. The front yard setback is as described in the *Streetfront Setback Map* in Attachment "B".

(G) The following applies to the MF-4, CS, CS-1, GO, and GR zoning districts under the Downtown Austin overlay:

1. Maximum height is 60 feet.
2. Maximum FAR is up to 2.0 if the following conditions are met:
 - a. At least 75% of the gross floor area is residential;
 - b. Ground level pedestrian-oriented uses are included along the street frontage;
 - c. The design is in compliance with form-based standards for Low-Rise Mixed-Use Buildings; and
 - d. At least 50% of the additional floor area above the base density meets the affordable housing requirements of the Downtown Density Bonus Program, with on-site affordable housing and/or contributions to the Affordable Housing Trust Fund.
3. The front yard setback is as described in the *Streetfront Setback Map* in Attachment "B".

(H) Article 10 – Compatibility Standards are hereby amended to regulate height and setbacks for the Downtown Austin Overlay and sub-district as described in Attachment “C” and as described in this Section. Other provisions of Article 10 – Compatibility Standards not exempted in this sub-section apply to all properties in the Downtown area.

1. For “Zone A” the following standards apply:
 - a. Boundaries: along West Ave. half block on either side, from 12th St. to half block south of MLK Blvd. as depicted in Attachment “C”;
 - b. Maximum height of 40 feet or base zoning, whichever is less; 30 feet within 50 feet of single-family (SF) zoned property;
 - c. Front yard setback: See *Streetfront Setback Map* in Attachment “B”;
 - d. Street side yard setback of 15 feet;
 - e. Side yard/rear yard setback of five feet or 15 feet for properties less than 20,000 square feet abutting single-family (SF) zoned properties or 25 feet for properties equal to or greater than 20,000 square feet abutting single-family (SF) properties.

2. For “Zone B” the following standards apply:
 - a. Boundaries: along West side of Rio Grande St., half block, from 12th St. to half block south of MLK Blvd. as depicted in Attachment “C”;
 - b. Maximum height of sixty feet or base zoning, whichever is less; except properties adjoining single-family (SF) zoned property which shall be subject to following compatibility standards:
 - I. No construction within fifteen feet of single-family (SF) zoned property;
 - II. Maximum height of forty feet within 50 feet of single-family (SF) zoned property;
 - III. Maximum height of fifty feet within 100 feet of single-family (SF) zoned property;
 - c. Front yard setback: See *Streetfront Setback Map* in Attachment “B”;
 - d. Street side yard setback of 15 feet;
 - e. Side yard/rear yard setback of five feet;

3. For “Zone C” the following standards apply:
 - a. Boundaries: Along East side of Rio Grande St., half block, from half block north of 12th St. to MLK Blvd. as depicted in Attachment “C”;
 - b. Maximum height of 70 feet or base zoning, whichever is less;
 - c. Front yard setback: See *Streetfront Setback Map* in Attachment “B”;
 - d. Side yard/rear yard setback of five feet;

- d. For “Zone D” the following standards apply:
 - a. Boundaries: along MLK Blvd. half block south, from half block west of West Av. easterly to Rio Grande St. as depicted in Attachment “C”;
 - b. Maximum height of sixty feet for properties fronting West Ave.;
 - c. Front yard setback: See *Streetfront Setback Map* in Attachment “B”;

- d. Side yard/rear yard setback of five feet;
- e. For “Zone E” the following standards apply:
 - a. Boundaries: along Lamar Blvd., 85' east of Right-of-Way, from old 7th St. ROW to half block north of 10th St. as depicted in Attachment “C”;
 - b. Maximum height of fifty feet (4 floors) within eighty-five feet of Lamar Blvd. property line; Remainder of property subject to base zoning;
 - c. Front yard setback: See *Streetfront Setback Map* in Attachment “B”;
 - d. Street side yard of five feet;
 - e. Rear yard setback of zero feet.

§ 25-2-641 CAPITOL DOMINANCE (CD) COMBINING DISTRICT REGULATIONS.

- (A) This section applies in the Capitol dominance (CD) combining district.
- (B) The maximum height of a structure is the lesser of:
 - (1) the base district maximum height; or
 - (2) a height that coincides with the 653 foot elevation above sea level, plus 0.04366 feet of height for each foot horizontally that the measurement point is separated from the center of the Capitol dome.

§ 25-2-643 CONGRESS AVENUE (CA), EAST SIXTH / PECAN STREET (PS), DOWNTOWN PARKS (DP), AND DOWNTOWN CREEKS (DC) COMBINING DISTRICT REGULATIONS.

- (A) In the Congress Avenue (CA), East Sixth / Pecan Street (PS), downtown parks (DP), and downtown creeks (DC) combining districts:
 - (1) glass used on the first floor of a structure must have a visible transmittance rating of 0.6 or higher;
 - (2) reflective surface building materials must not produce glare; and
 - (3) within 60 feet of Congress Avenue:
 - (a) the minimum structure height is 30 feet; and
 - (b) the maximum structure height is 90 feet.
- (B) This subsection applies to new development on Congress Avenue or East 6th Street, on streets adjacent to a downtown park or Town Lake, and along a downtown creek.
 - (1) Surface parking lots, curb cuts, and unscreened garage openings are prohibited.
 - (2) The Land Use Commission may waive the prohibition of this subsection after determining that:

- (a) compliance with the prohibition is impractical;
 - (b) the proposed project will not unreasonably impair pedestrian or vehicular movement; and
 - (c) adequate precautions have been made for public safety, convenience, and the aesthetic values of the combining district.
- (C) This section applies to the PS overlay district.
- (1) Except as otherwise provided in this subsection, a structure may not exceed a height of 45 feet.
 - (2) A structure located west of Brazos Street is subject to the height limit of the base zoning district.
 - (3) An exterior sign must comply with the standards adopted by the Landmark Commission for the Sixth Street Historic District.
- (D) In the DP combining district:
- (1) a structure may not exceed a height of 120 feet; and
 - (2) at least one entrance to a new development must face the park unless the new development is located diagonally across an intersection from the park.
- (E) In the DC combining district:
- (1) a structure may not exceed a height of 60 feet; and
 - (2) storage, trash collection, loading, and associated facilities must be screened from view from a creek.

§ 25-2-644 CONVENTION CENTER (CC) COMBINING DISTRICT REGULATIONS.

- (A) Commercial off-street parking is prohibited in the convention center (CC) combining district east of IH-35.
- (B) This subsection applies in the CC combining district to development for which an application for approval of commercial off-street parking is filed after November 18, 1990.
 - (1) A commercial off-street parking use must be contained entirely within a structure and be screened.
 - (2) A commercial off-site parking use must be separated at ground level from an adjacent street by an enclosed space designed for a pedestrian-oriented use described in [Section 25-2-691](#) (*Waterfront (WO) District Uses*).

- (3) For a site that is less than one city block in length on a side, the Land Use Commission may waive the requirement of this subsection after determining that:
 - (a) compliance with the regulation is physically impractical; or
 - (b) the proposed project is located in an area that is not pedestrian-oriented.

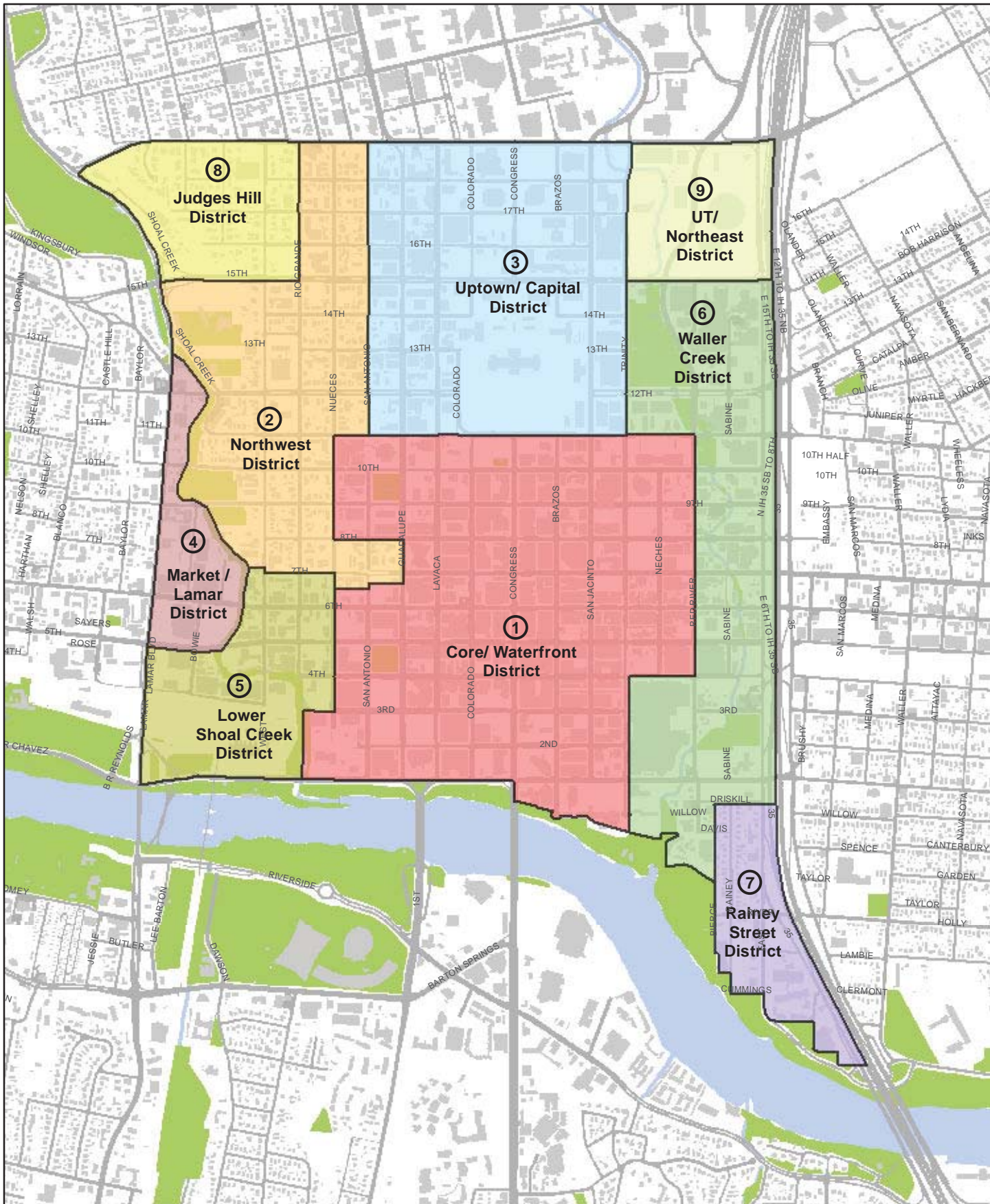
§ 25-2-177 CRIMINAL JUSTICE CENTER OVERLAY DISTRICT PURPOSE AND BOUNDARIES.

- (A) The purpose of the criminal justice center (CJC) overlay district is to mitigate the effects of the criminal justice center on the surrounding neighborhood by restricting certain land uses.
- (B) The CJC overlay district applies to the area generally bounded on the north by 13th Street, on the east by Guadalupe Street, on the south by 7th Street, and on the west by Shoal Creek Boulevard. The official map of the district is on file with the director of the Neighborhood Planning and Zoning Department, who shall resolve uncertainty regarding the boundary of the district.

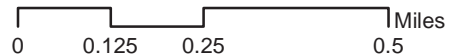
§ 25-2-650 CRIMINAL JUSTICE CENTER (CJC) OVERLAY DISTRICT REGULATIONS.

In the criminal justice center overlay district:

- (1) a bail bond services use, cocktail lounge use, or liquor sales use that would otherwise be a permitted use is a conditional use; and
- (2) a pawn shop services use is prohibited.

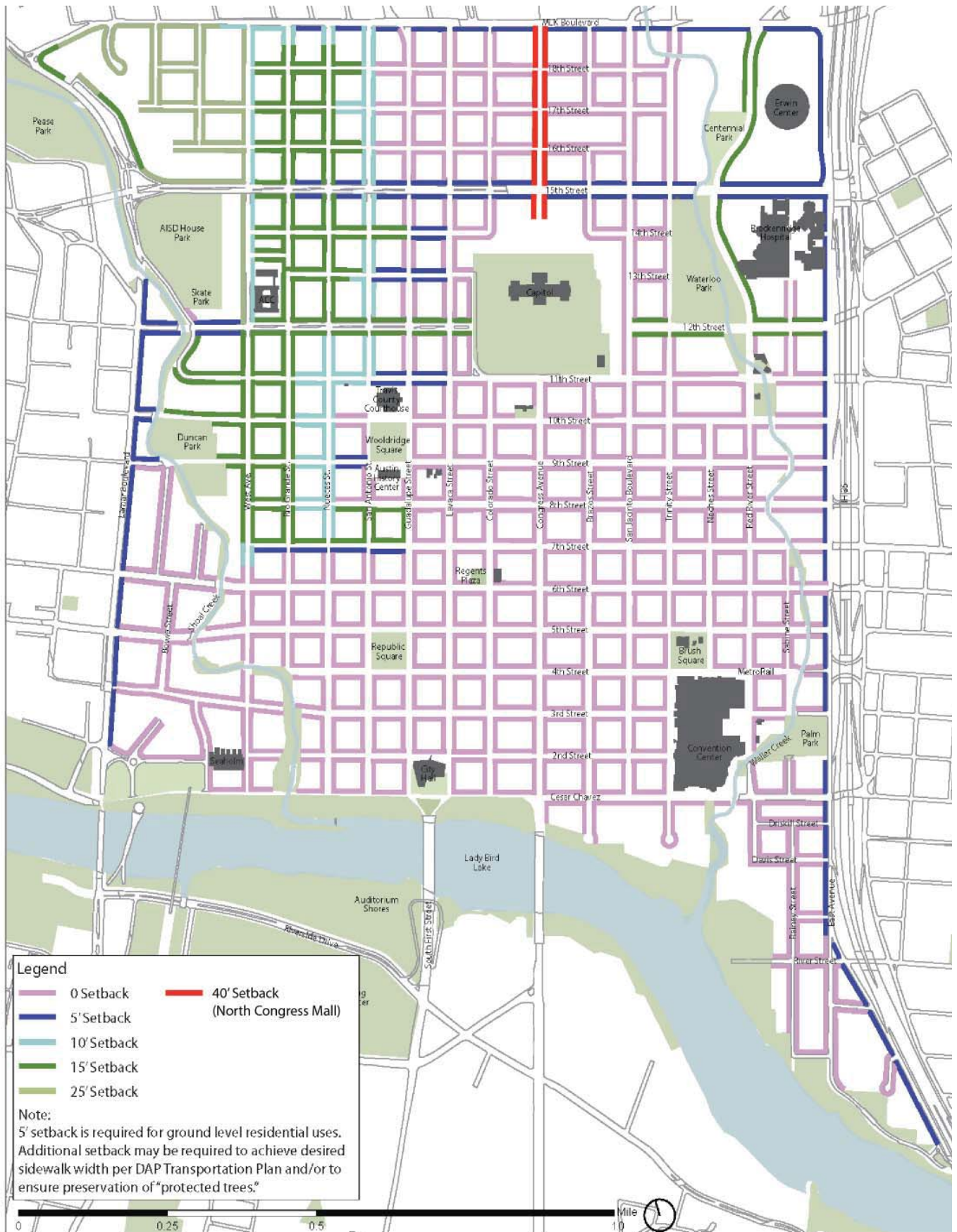


DAP Districts

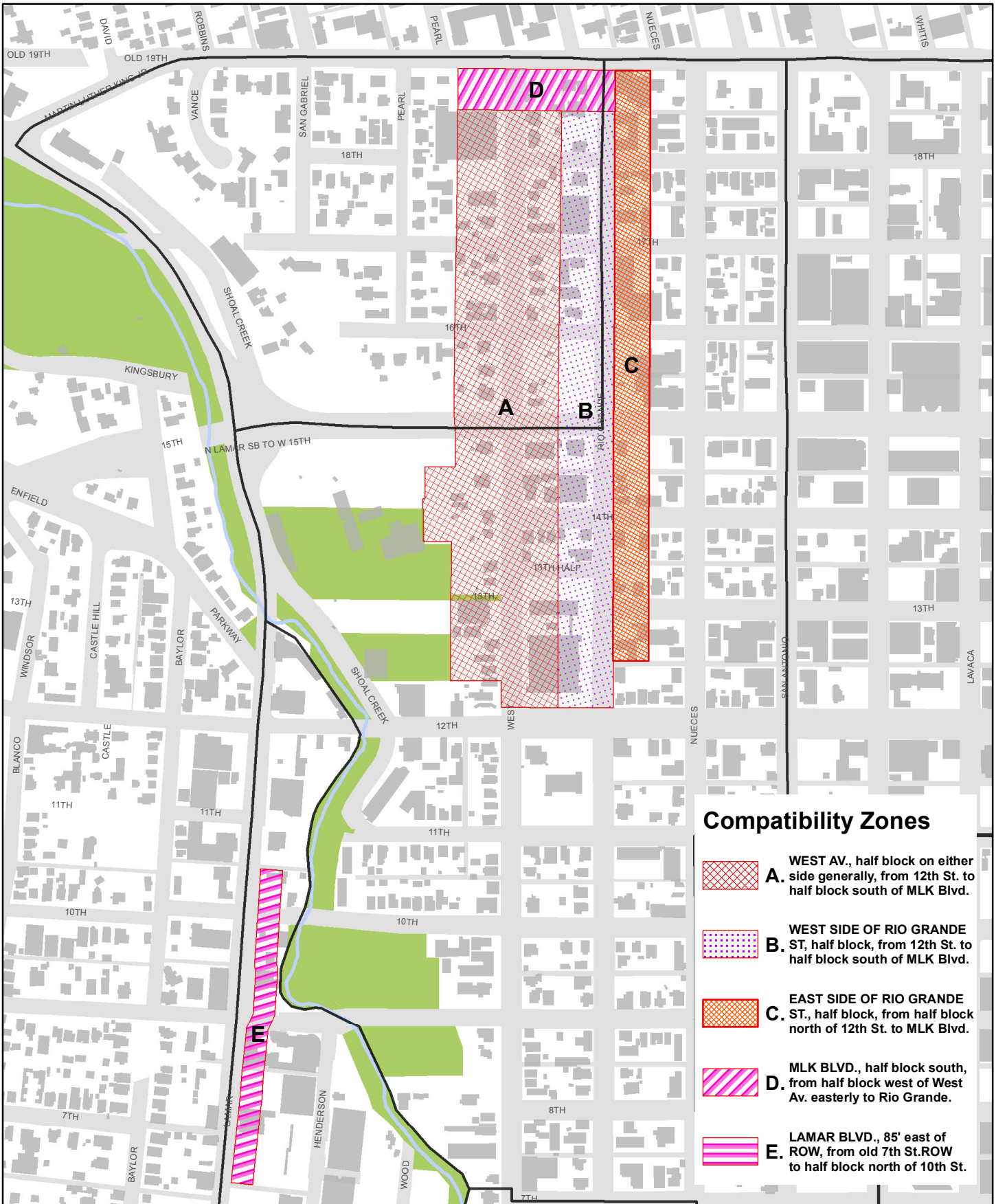


PLANNING AND
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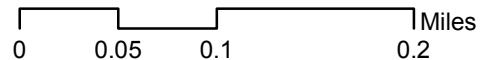


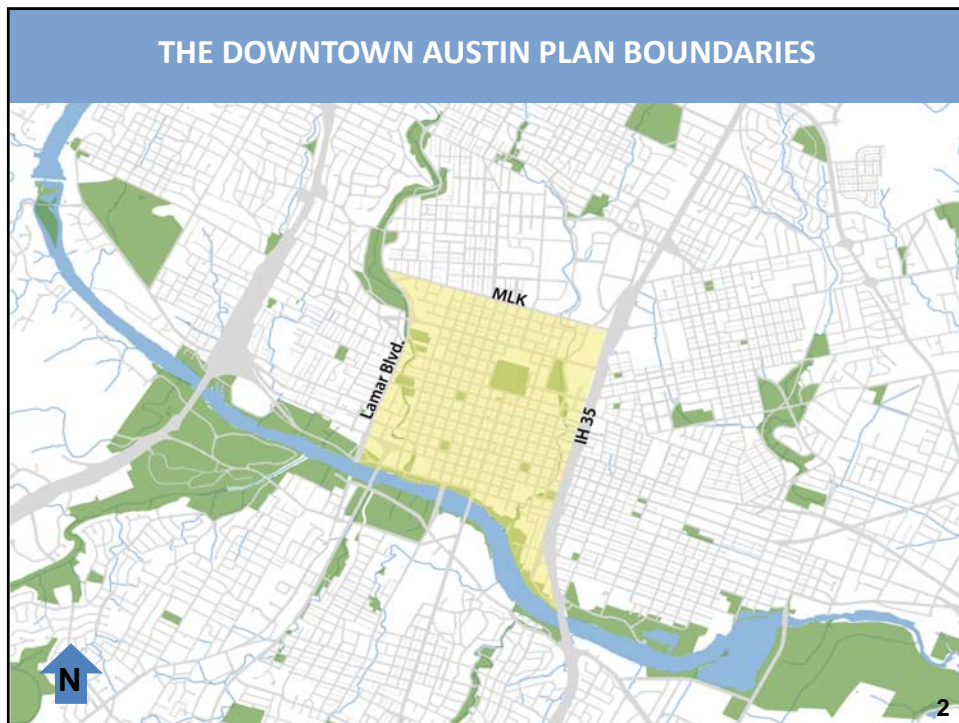
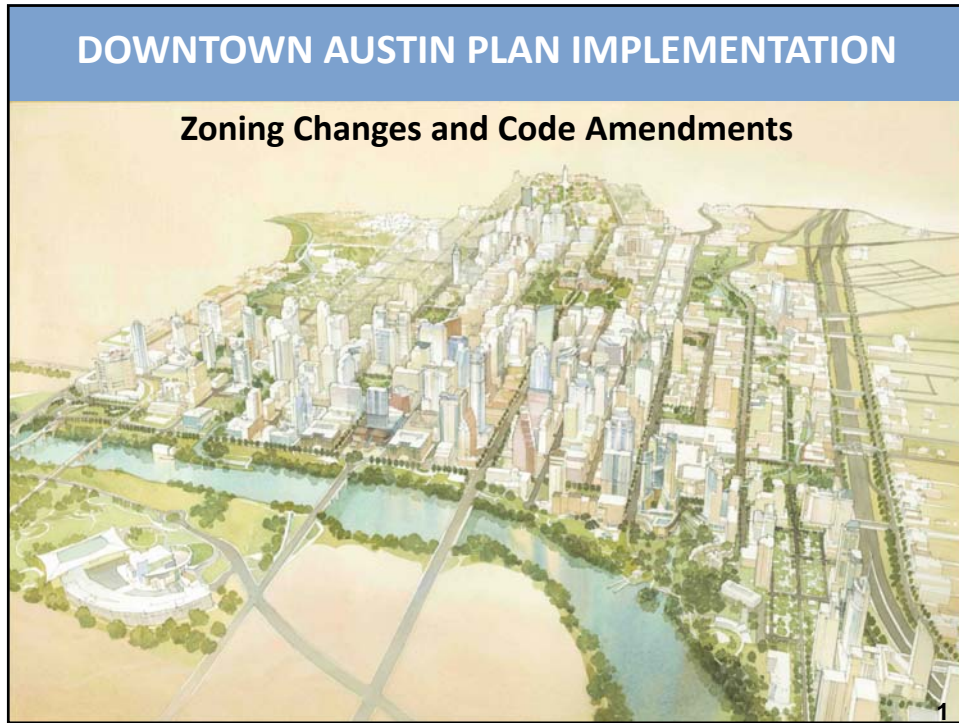
Streetfront Setback Requirements Map

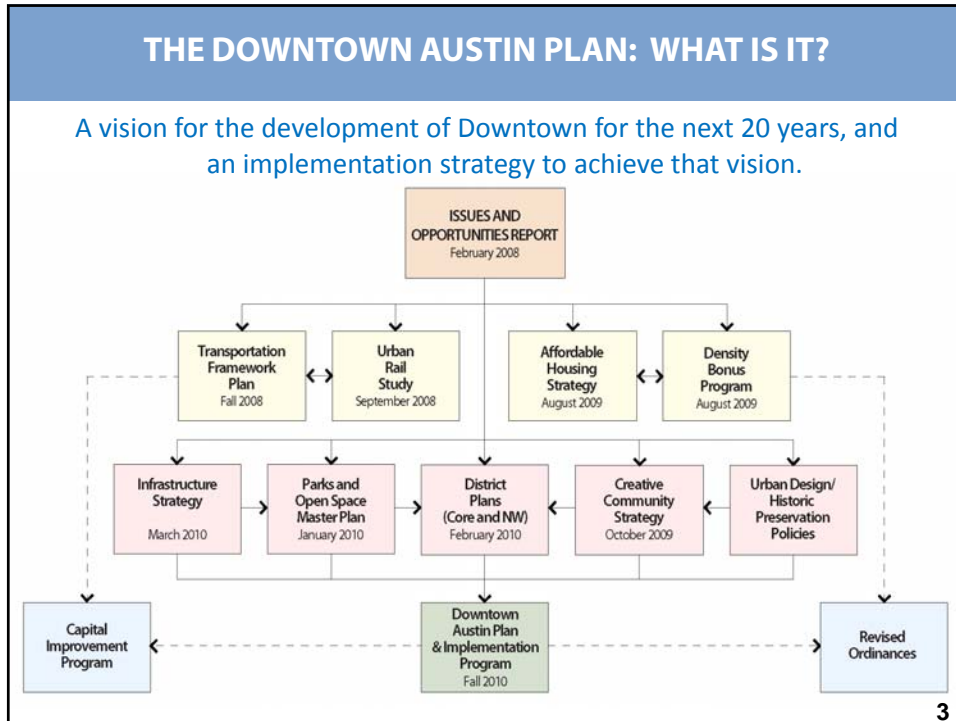


Compatibility Zones

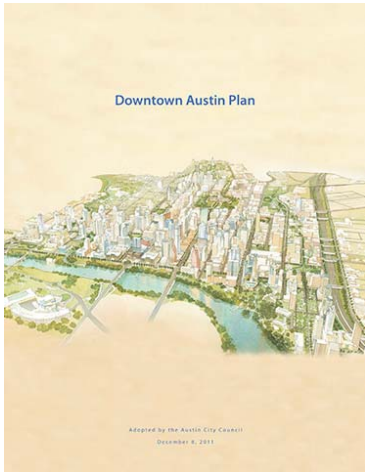
-  **A.** WEST AV., half block on either side generally, from 12th St. to half block south of MLK Blvd.
-  **B.** WEST SIDE OF RIO GRANDE ST., half block, from 12th St. to half block south of MLK Blvd.
-  **C.** EAST SIDE OF RIO GRANDE ST., half block, from half block north of 12th St. to MLK Blvd.
-  **D.** MLK BLVD., half block south, from half block west of West Av. easterly to Rio Grande.
-  **E.** LAMAR BLVD., 85' east of ROW, from old 7th St. ROW to half block north of 10th St.







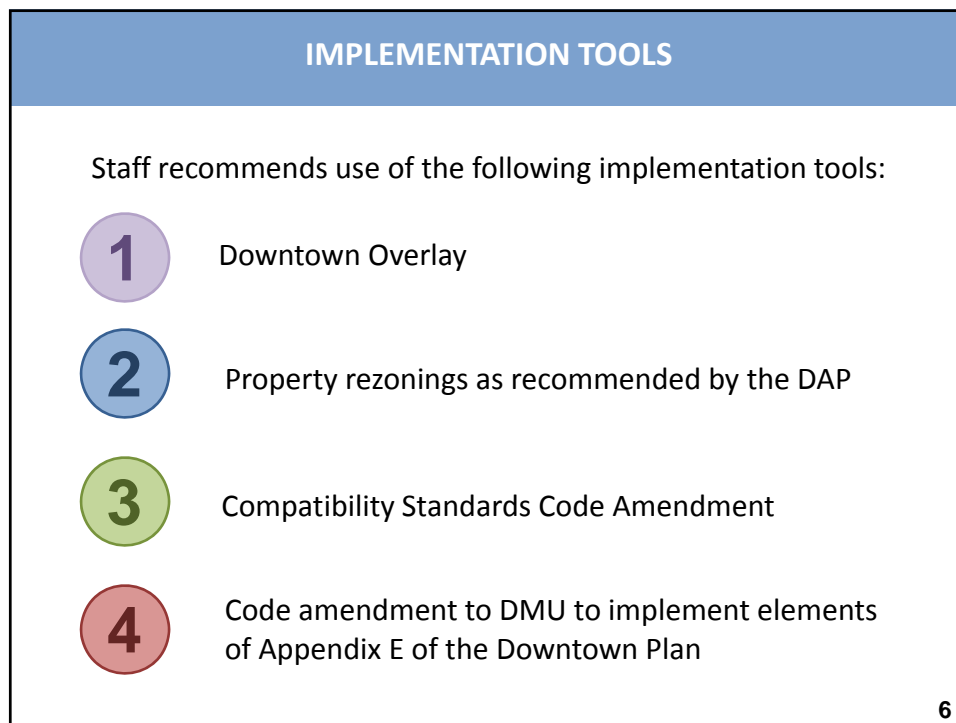
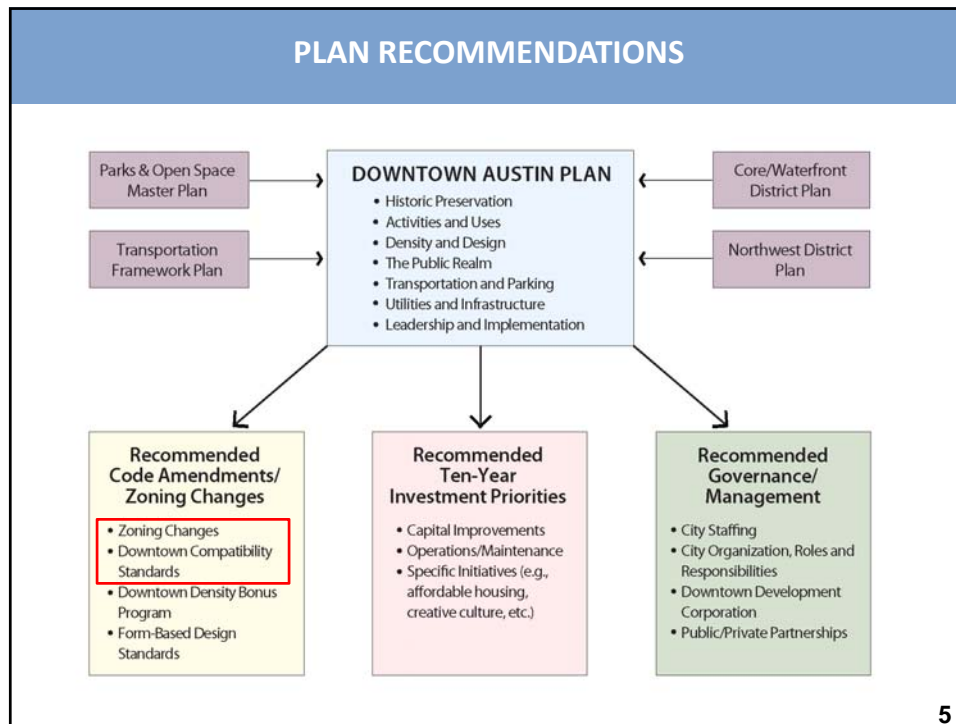
PLAN ORGANIZATION



The “Plan Elements” contain over 100 implementation-oriented recommendations about:

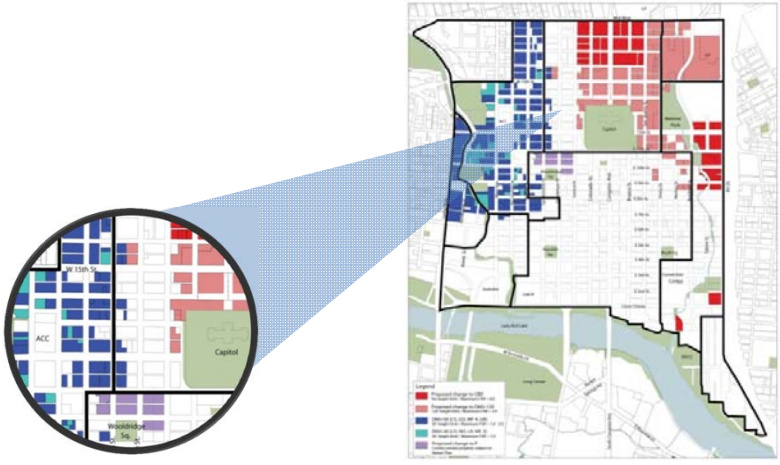
1. Historic Preservation
2. Activities and Uses
3. Density and Design
4. The Public Realm
5. Transportation and Parking
6. Infrastructure and Utilities
7. Leadership and Implementation

4



**PLAN RECOMMENDATIONS
CODE AMENDMENTS AND ZONING CHANGES**

Focus on land uses and zoning






7

**PLAN RECOMMENDATIONS
CODE AMENDMENTS AND ZONING CHANGES**

Why address zoning and land uses?

Some of the zoning districts within Downtown restrict the full range of residential and non-residential uses that are desirable for a healthy urban district.

For example, properties with Commercial Service (CS) and General Office (GO) designations are prohibited from constructing residential units, and those with Multi-family (MF) zoning do not allow office uses.



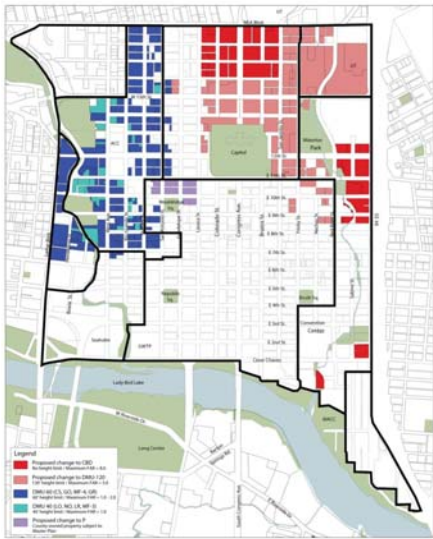
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PLAN RECOMMENDATIONS CODE AMENDMENTS AND ZONING CHANGES

The Downtown Austin Plan (DAP) recommends the establishment of new Downtown Mixed Use (DMU) districts to replace “single-use” zoning. (GO, LO, CS, MF, NO, LR, GR, etc.)

Legend

- Proposed change to CBD
- Proposed change to DMU-120
- Proposed change to DMU-60
- Proposed change to DMU-40
- Proposed change to P



9

PLAN RECOMMENDATIONS CODE AMENDMENTS AND ZONING CHANGES

Staff Recommendation: A Downtown Overlay

1. This approach will not create new zoning classifications: DMU-40; DMU-60; DMU-80, and DMU-120;
2. Downtown Overlay will be a different approach with the same result;
3. Expand base zoning district land uses to match DMU;
4. Retain existing base height;
5. Retain existing floor-to-area (FAR) ratios but allow for tweaking as recommended in the DAP;
6. Address front building setback as recommended in the DAP;
7. Codify recommended Downtown Compatibility Standards.

10

Downtown Overlay: Which properties will be subject to the *Overlay*?

Most of Downtown with the exception of the Judges Hill District will be subject to all sections of the *Overlay*. The Judges Hill District will only be subject to the *Streetfront Setback Requirements* and *Compatibility Standards* as recommended in the DAP.

The map shows various zoning districts: Judges Hill District, Northwest District, Uptown/Capitol District, Core/Waterfront District, Market/Lamar District, Lower Shoal Creek District, UT/Northeast District, Waller Creek District, and Rainey Street District. A red outline indicates the DAP boundary. A legend at the bottom left explains the symbols: a grey box for 'Zoning District', a red outline for 'DAP boundary', a white box for 'DAP district boundaries', a white box for 'exempt from Downtown Overlay sections C,D, E, and F', and a yellow box for 'subject to all Downtown Overlay sections'. A red arrow points to the Judges Hill District.

11

Downtown Overlay: Which properties will be affected by the *Overlay*?

Those properties affected by expansion of allowable land uses are primarily located in the Northwest District.

This detailed map shows the Northwest District, Market/Lamar District, and Judges Hill District. Properties affected by the overlay are highlighted in blue and green. The map includes street names such as 15TH, 13TH, 10TH, 9TH, 8TH, 7TH, 6TH, 5TH, SHELLEY, CASTLE HILL, BAYLOR, SHERWOOD, SAYERS, ROSE, MARKET CREEK, BILOE CREEK, and GUADALUPE.

12

DOWNTOWN OVERLAY - How does it work?

Land Uses: Allow for an expanded list of permitted and conditional land uses to underlying zoning districts (MF-3, MF-4, MF-5, NO, LO, GO, LR, GR, CS, and CS-1) with the goal to create a mixed-use environment for Downtown.

Example - If a property is currently zoned **General Office (GO)**:

1. The list of permitted and conditional land uses to the base district will be expanded to allow additional uses not currently allowed under GO but allowed either by right or conditionally under DMU.
2. In the case where there is an existing **Conditional Overlay (CO)**, such will remain in place and not be affected by the new list of permitted/conditional uses. Therefore, if a property is zoned GO-CO with the CO prohibiting medical offices, such will still be prohibited and the proposed overlay will not modify or permit the use even though it is allowed under DMU.

Overlay is based on the DAP recommendations

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DOWNTOWN OVERLAY - How does it work?

All DMU Uses:

Land Uses for Proposed Downtown Overlay		
Residential		
Bed & Breakfast (Group 1)	P	
Bed & Breakfast (Group 2)	P	
Condominium Residential	P	
Duplex Residential	P	
Group Residential	P	
Multifamily Residential	P	
Retirement Housing (Large Site)	P	
Retirement Housing (Small Site)	P	
Short - Term Rental 13	P	
Single-Family Residential	P	
Townhouse Residential	P	
Commercial		
Administrative and Business Offices	P	
Alternative Financial Services 12	C	
Art Gallery	P	
Art Workshop	P	
Automotive Rentals	C	
Automotive Repair Services	C	
Automotive Sales	C	
Automotive Washing (of any type)	C	
Automotive Services 10	PC	
Commercial		
Outdoor Entertainment	C	
Outdoor Sports and Recreation	P	
Pawn Shop Services	C	
Pedicab Storage and Dispatch	C	
Personal Improvement Services	P	
Personal Services	P	
Pet Services	P	
Printing and Publishing	P	
Professional Office	P	
Research Services	P	
Restaurant (General)	P	
Restaurant (Limited)	P	
Service Station	C	
Software Development	P	
Theater	P	
Vehicle Storage	C	
Industrial		
Custom Manufacturing	P	
Limited Warehousing and Distribution	C	
Agricultural		
	P	
Civic		
Maintenance and Service Facilities	C	
Private Primary Educational Facilities	P	
Private Secondary Educational Facilities	P	
Public Primary Educational Facilities	P	
Public Secondary Educational Facilities	P	
Religious Assembly	P	
Residential Treatment	P	
Safety Services	P	
Telecommunication Tower 7	PC	
Transitional Housing	C	
Transportation Terminal	C	

14

DOWNTOWN OVERLAY - How does it work?

Development Standards and Land Use changes with Zoning change from GO to Downtown Overlay

Zoning	Current GO	Proposed Downtown Overlay
Front Setback	15'	refer to DAP Streetfront Setback Map
FAR	1	2 if 75% minimum residential use
Height	60'	60'

Additional Land Uses currently prohibited with zoning change from	Land Uses Removed with zoning change from	Land Uses Changed with zoning change from
current GO to proposed Overlay	current GO to proposed Overlay	current GO to proposed Overlay
Residential	Commercial	Commercial
Condominium Residential P	Special Use Historic	Off-Site Accessory Parking P C
Duplex Residential P	Civic	Restaurant (Limited) C P
Group Residential P	Convalescent Services	Agricultural
Multifamily Residential P		Urban Farm P C
Retirement Housing (Large Site) P		Civic
Retirement Housing (Small Site) P		Community Recreation (Private) C P
Short-Term Rental 13 P		Community Recreation (Public) C P
Single-Family Residential P		Residential Treatment C P
Townhouse Residential P		
Commercial		
Alternative Financial Services 12 C		
Automotive Rentals C		
Automotive Repair Services C		
Automotive Sales C		
Automotive Washing (of any type) C		
Ball Bond Services 10 PC		
Cocktail Lounge C		
Commercial Off-Street Parking C		

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DOWNTOWN OVERLAY - How does it work?

Development Standards and Land Use changes with Zoning change from GO to Downtown Overlay

Zoning	Current GO	Proposed Downtown Overlay
Front Setback	15'	refer to DAP Streetfront Setback Map
FAR	1	2 if 75% minimum residential use
Height	60'	60'

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DOWNTOWN OVERLAY - How does it work?

Development Standards and Land Use changes with Zoning change from GO to Downtown Overlay

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DOWNTOWN OVERLAY - How does it work?

Development Standards and Land Use changes with Zoning change from GO to Downtown Overlay

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DOWNTOWN OVERLAY - How does it work?

Development Standards and Land Use changes with Zoning change from GO to Downtown Overlay

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Height	60'	60'

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DOWNTOWN OVERLAY - How does it work?

Maximum Height: Maintain existing height limitations of the base zoning district.

- Using the same GO example, the maximum height will **remain at 60 feet**. Height may be further restricted if the property is subject to the *Proposed Downtown Compatibility Zones and Standards*, Capital View Corridor restrictions, or height provisions of any local historic district as applicable.

Floor-to-Area Ratio (FAR): The FAR will **remain the same** except when incentivizing multi-family development and affordable housing as recommended in the DAP:

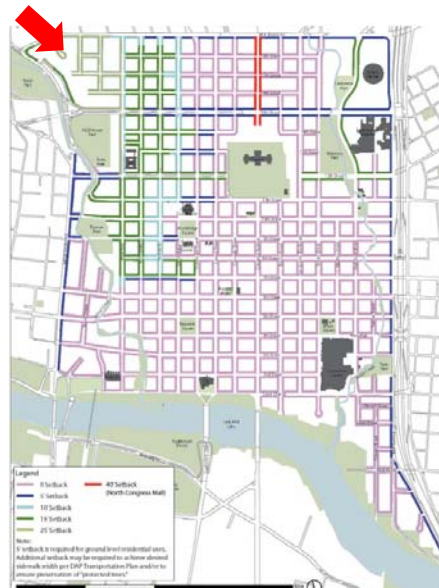
- **In the GO example, the FAR will remain the same (1:1) but may increase to a maximum of 2:1 if the following are met:**
 1. at least 75% of the gross floor area is residential;
 2. the design is in compliance with form-based standards for Low-Rise Neighborhood Infill Buildings described in the DAP; and
 3. at least 50% of the additional floor area above the base density meets the affordable housing requirements of the Downtown Density Bonus Program, with on-site affordable housing, and/or contributions to the Affordable Housing Trust Fund.

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DOWNTOWN OVERLAY - How does it work?

Site Development Standards:

- Site development standards will be modified only as specified in the DAP to affect front yard setbacks per the *Streetfront Setback Requirements*.
- Additional setback requirements may apply per the *Proposed Downtown Compatibility Zones and Standards* or as further modified by any local historic district.



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RECOMMENDED ZONING CHANGES

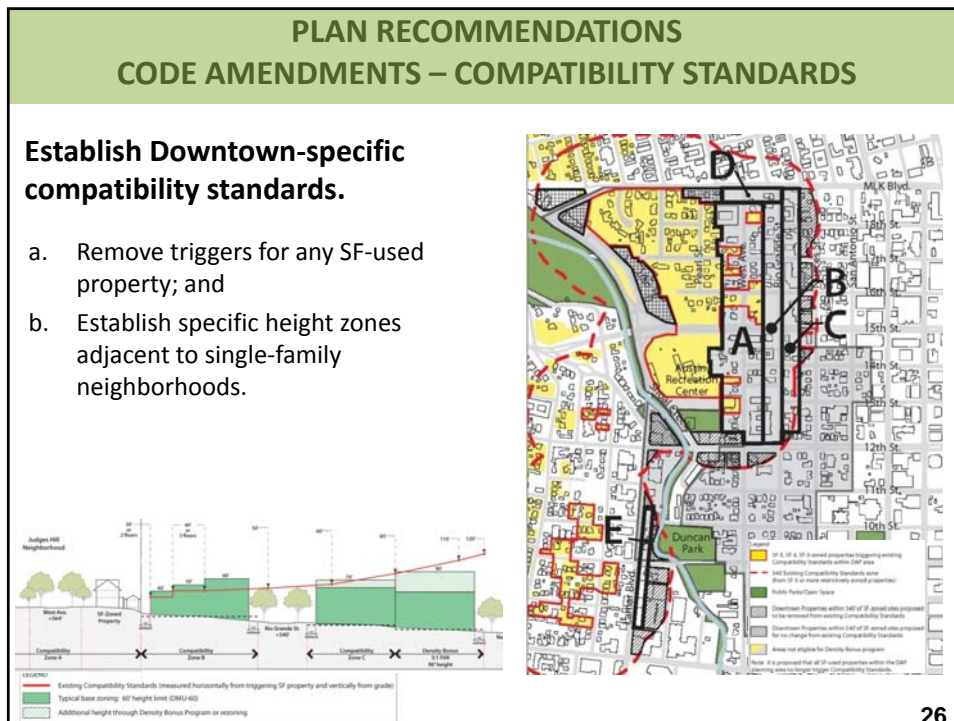
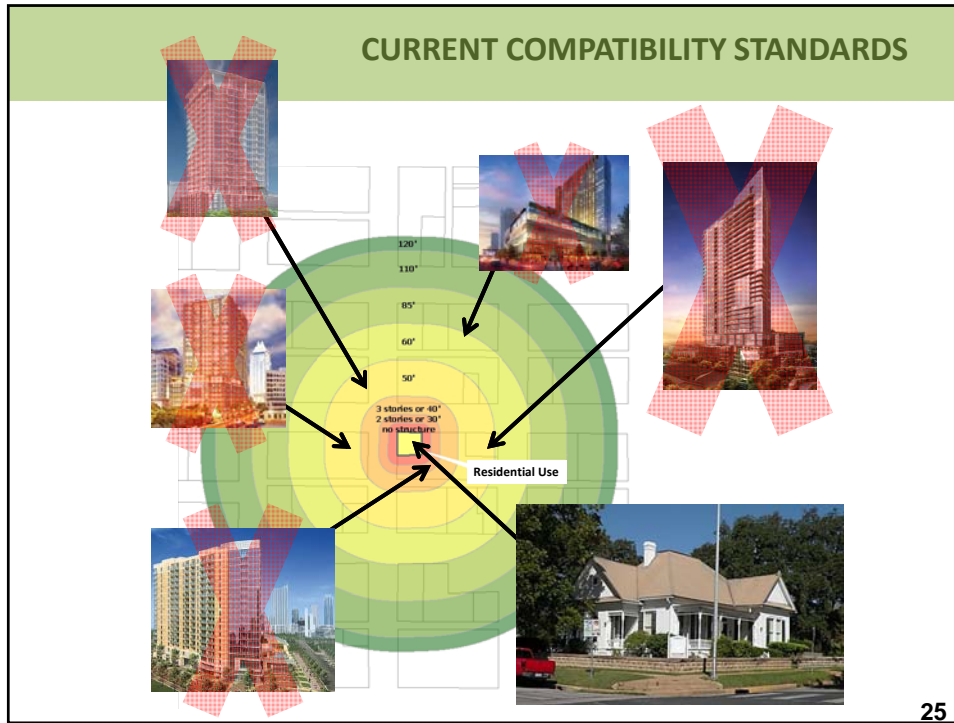
- **Rezoning:**
 - Rezone properties from base zoning districts to DMU and CBD as recommended by the DAP;
 - Total number of rezonings: 31
 - Mainly commercial-based zoned properties like CS that are not conducive to a dense, mixed-use Downtown district.

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CURRENT COMPATIBILITY STANDARDS

- Current Compatibility Standards are applied citywide to properties adjacent to or near single-family zoned and/or used properties and implement a graduated height limit radiating out horizontally from such properties up to 540 feet, regulating height, building and parking setbacks, and screening.
- This generic, one size-fits-all approach to ensuring compatibility is not appropriate in a Downtown setting as it produces results counter to many aspects of the vision for a dense, mixed-use Downtown. Therefore, the DAP recommends the adoption of more specific standards to protect adjacent neighborhoods and to promote compatibility of building scale and massing.

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PLAN RECOMMENDATIONS CODE AMENDMENTS – COMPATIBILITY STANDARDS

Refined Compatibility Boundary:

1. Reflects DAP recommendations
2. As Compatibility Standards regulate physical form and are tied to physical characteristics

Compatibility Zones

- A. WEST SIDE OF RIO GRANDE, half block on either side generally from 12th St. to half block south of MLK Blvd.
- B. WEST SIDE OF RIO GRANDE, half block, from 12th St. to half block south of MLK Blvd.
- C. EAST SIDE OF RIO GRANDE, half block, from half block south of 12th St. to MLK Blvd.
- D. MLK BLVD., half block south, from half block west of Peak Ave. eastward to Rio Grande.
- E. LAMAR BLVD., half block south, from half block west of 12th St. to half block north of 12th St.

Based on the DAP recommendations

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PLAN RECOMMENDATIONS ADDITIONAL CODE AMENDMENTS – Appendix E

DAP Appendix E Land Uses

A Code amendment will modify existing DMU uses for any zoning base district under MF-3, MF-4, MF-5, NO, LO, GO, LR, GR, CS, and CS-1, as recommended by Appendix E of the DAP:

Code Amendment to DMU to include:

1. Permit Retirement Housing (both large and small site);
2. Allow Cocktail Lounge as a Conditional Use;
3. Allow Exterminating Services as a Conditional Use;
4. Allow Pawn Shop as a Conditional Use;
5. Allow Limited Warehousing and Distribution as a Conditional Use;
6. Permit Urban Farming as a Conditional Use; and
7. Permit Administrative Services (Civic Use).

Other recommendations of Appendix E are addressed by the Justice Center Overlay

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RECOMMENDATIONS SUMMARY

Let's review...

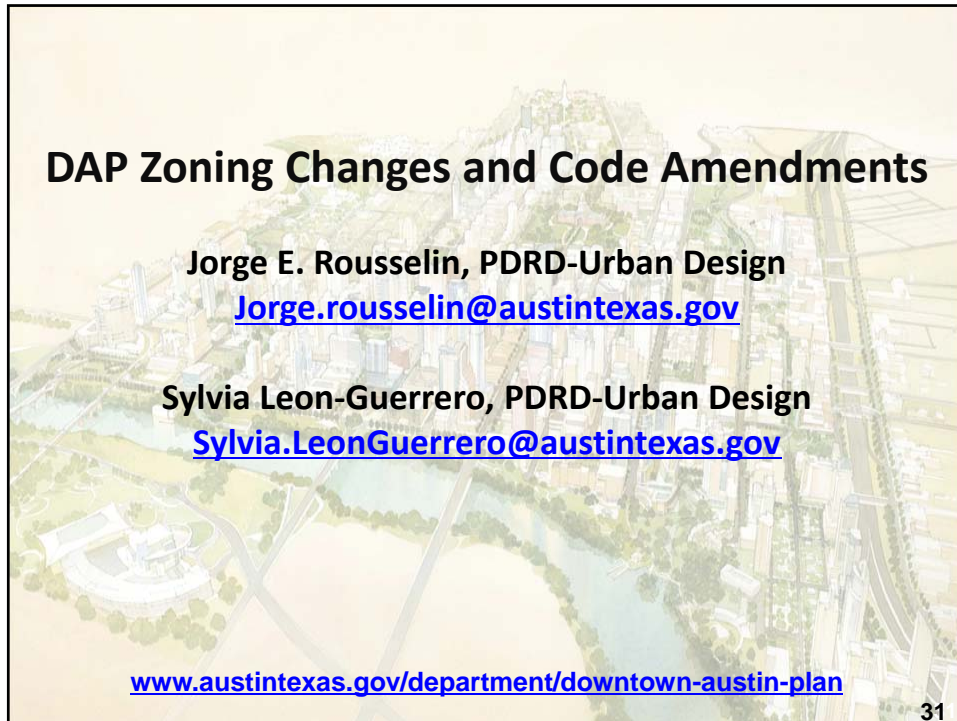
1. The proposed **Downtown Overlay (Overlay)** will accomplish what the DAP recommends in regards to identified zoning changes and modifications to existing base zoning districts without the need to create new zoning districts and subsequent rezoning of properties;
2. Base zoning districts to remain (LO, GO, LR, etc.);
3. Land uses in base zoning districts to be expanded to align with existing DMU uses;
4. Any existing conditional overlay remains with base zoning;
5. Base zoning district maximum height prevails but may be further restricted by Downtown Compatibility Standards , Capital View Corridor restrictions, or height provisions of any local historic district as applicable;
6. Floor-to-area ratio modified per DAP recommendations;
7. Site development standards modified per the DAP *Streetfront Setback Requirements*;
8. Centralized Downtown Overlay: Roll all the above provisions into a new Overlay that will include most applicable overlays. This option will conveniently place most Downtown overlays in one section of the Code.

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NEXT STEPS

1. **Winter 2014** - Community input sessions and engagement:
 - a. Downtown Commission briefings and recommendation
 - b. Community Open Houses
 - c. Neighborhood/Stakeholder Roundtables
2. **Spring 2014:**
 - Planning Commission Neighborhood Planning Committee
 - Planning Commission public hearings
3. **Late Spring 2014** – City Council briefing
4. **Summer 2014** – City Council public hearings

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An aerial rendering of downtown Austin, Texas, showing a mix of modern skyscrapers and lower-rise buildings, green spaces, and a river. The image is semi-transparent, allowing text to be overlaid.

DAP Zoning Changes and Code Amendments

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www.austintexas.gov/department/downtown-austin-plan

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Land Uses for Proposed Downtown Overlay

Residential

Bed & Breakfast (Group 1)	P
Bed & Breakfast (Group 2)	P
Condominium Residential	P
Duplex Residential	P
Group Residential	P
Multifamily Residential	P
Retirement Housing (Large Site)	P
Retirement Housing (Small Site)	P
Short -Term Rental 13	P
Single-Family Residential	P
Townhouse Residential	P

Commercial

Administrative and Business Offices	P
Alternative Financial Services 12	C
Art Gallery	P
Art Workshop	P
Automotive Rentals	C
Automotive Repair Services	C
Automotive Sales	C
Automotive Washing (of any type)	C
Bail Bond Services 10	PC
Business or Trade School	P
Business Support Services	P
Cocktail Lounge	C
Commercial Off-Street Parking	C
Communications Services	P
Consumer Convenience Services	P
Consumer Repair Services	P
Exterminating Services	C
Financial Services	P
Food Preparation	P
Food Sales	P
Funeral Services	P
General Retail Sales (Convenience)	P
General Retail Sales (General)	P
Hotel-Motel	P
Indoor Entertainment	P
Indoor Sports and Recreation	P
Laundry Services	P
Liquor Sales	P
Medical Offices --exceeding 5000 sq. ft. gross floor area	P
Medical Offices --not exceeding 5000 sq. ft. gross floor area	P
Off-Site Accessory Parking	C

Commercial

Outdoor Entertainment	C
Outdoor Sports and Recreation	P
Pawn Shop Services	C
Pedicab Storage and Dispatch	C
Personal Improvement Services	P
Personal Services	P
Pet Services	P
Printing and Publishing	P
Professional Office	P
Research Services	P
Restaurant (General)	P
Restaurant (Limited)	P
Service Station	C
Software Development	P
Theater	P
Vehicle Storage	C

Industrial

Custom Manufacturing	P
Limited Warehousing and Distribution	C

Agricultural

Community Garden	P
Urban Farm	C

Civic

Administrative Services	P
Club or Lodge	C
College and University Facilities	P
Communication Service Facilities	P
Community Events	8
Community Recreation (Private)	P
Community Recreation (Public)	P
Congregate Living	P
Counseling Services	P
Cultural Services	P
Day Care Services (Commercial)	P
Day Care Services (General)	P
Day Care Services (Limited)	P
Family Home	P
Group Home, Class I (General)	P
Group Home, Class I (Limited)	P
Group Home, Class II	P
Guidance Services	P
Hospital Services (General)	C
Hospital Services (Limited)	P
Local Utility Services	P

Civic

Maintenance and Service Facilities	C
Private Primary Educational Facilities	P
Private Secondary Educational Facilities	P
Public Primary Educational Facilities	P
Public Secondary Educational Facilities	P
Religious Assembly	P
Residential Treatment	P
Safety Services	P
Telecommunication Tower 7	PC
Transitional Housing	C
Transportation Terminal	C

Development Standards and Land Use changes with Zoning change from CS-1 to Downtown Overlay

	Current		Proposed
Zoning	CS-1		Downtown Overlay
Front Setback	10'		refer to DAP Streetfront Setback Map
FAR	2		2 if 75% minimum residential use
Height	60'		60'

Additional Land Uses currently prohibited with zoning change from	
<i>current CS-1</i>	<i>to proposed Overlay</i>
Residential	
Condominium Residential	P
Duplex Residential	P
Group Residential	P
Multifamily Residential	P
Retirement Housing (Large Site)	P
Retirement Housing (Small Site)	P
Short -Term Rental 13	P
Single-Family Residential	P
Townhouse Residential	P
Commercial	
Alternative Financial Services 12	C
Civic	
Administrative Services	P

Land Uses Removed with zoning change from	
<i>current CS-1</i>	<i>to proposed Overlay</i>
Commercial	
Agricultural Sales and Services	
Building Maintenance Services	
Campground	
Commercial Blood Plasma Center	
Construction Sales and Services	
Convenience Storage	
Drop-Off Recycling Collection Facility	
Electronic Prototype Assembly	
Equipment Repair Services	
Equipment Sales	
Kennels	
Plant Nursery	
Veterinary Services	

Land Uses Changed with zoning change from		
	<i>current CS-1</i>	<i>to proposed Overlay</i>
Commercial		
	<i>from</i>	<i>to</i>
Automotive Rentals	P	C
Automotive Repair Services	P	C
Automotive Sales	P	C
Automotive Washing (of any type)	P	C
Commercial Off-Street Parking	P	C
Exterminating Services	P	C
Off-Site Accessory Parking	P	C
Pawn Shop Services	P	C
Pedicab Storage and Dispatch	P	C
Service Station	P	C
Vehicle Storage	P	C
Industrial		
	<i>from</i>	<i>to</i>
Limited Warehousing and Distribution	P	C
Agricultural		
	<i>from</i>	<i>to</i>
Urban Farm	P	C
Civic		
	<i>from</i>	<i>to</i>
Maintenance and Service Facilities	P	C

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225) 3 Refers to Subchapter B, Art. 2, Div 5 3 Refers to 25-2-803 (13-2-233) 7 Subject to 25-2-839 (13-2-235 13-2-273) 9 Refers to 25-2-863
 2 Refers to 25-2-622 (13-2-226) 4 Refers to 25-2-624 (13-2-227) 4 Refers to 25-2-805 (13-2-224) 8 Refers to 25-2-842 10 Refers to 25-2-177 25-2-650
 11 Subject TO 25-2-587 (D)

Development Standards and Land Use changes with Zoning change from CS to Downtown Overlay

	Current	Proposed
Zoning	CS	Downtown Overlay
Front Setback	10'	refer to DAP Streetfront Setback Map
FAR	2	2 if 75% minimum residential use
Height	60'	60'

Additional Land Uses currently prohibited with zoning change from	
current CS	to proposed Overlay
Residential	
Condominium Residential	P
Duplex Residential	P
Group Residential	P
Multifamily Residential	P
Retirement Housing (Large Site)	P
Retirement Housing (Small Site)	P
Short -Term Rental 13	P
Single-Family Residential	P
Townhouse Residential	P
Commercial	
Cocktail Lounge	C
Liquor Sales	P
Civic	
Administrative Services	P

Land Uses Removed with zoning change from	
current CS	to proposed Overlay
Commercial	
Agricultural Sales and Services	
Building Maintenance Services	
Campground	
Commercial Blood Plasma Center	
Construction Sales and Services	
Convenience Storage	
Drop-Off Recycling Collection Facility	
Electronic Prototype Assembly	
Electronic Testing	
Equipment Repair Services	
Equipment Sales	
Kennels	
Monument Retail Sales	
Plant Nursery	
Veterinary Services	

Land Uses Changed with zoning change from		current CS	to proposed Overlay
		from	to
Commercial			
Alternative Financial Services 12		P	C
Automotive Rentals		P	C
Automotive Repair Services		P	C
Automotive Sales		P	C
Automotive Washing (of any type)		P	C
Commercial Off-Street Parking		P	C
Exterminating Services		P	C
Off-Site Accessory Parking		P	C
Pawn Shop Services		P	C
Pedicab Storage and Dispatch		P	C
Service Station		P	C
Vehicle Storage		P	C
Industrial			
Limited Warehousing and Distribution		P	C
Agricultural			
Urban Farm		P	C
Civic			
Maintenance and Service Facilities		P	C

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1 Refers to 25-2-602 (13-2-225) 3 Refers to Subchapter B, Art. 2, Div 5 3 Refers to 25-2-803 (13-2-233) 7 Subject to 25-2-839 (13-2-235 13-2-273) 9 Refers to 25-2-863
 2 Refers to 25-2-622 (13-2-226) 4 Refers to 25-2-624 (13-2-227) 4 Refers to 25-2-805 (13-2-224) 8 Refers to 25-2-842 10 Refers to 25-2-177 25-2-650
 Page 1 of 1 1/9/2014 11 Subject TO 25-2-587 (D)

Development Standards and Land Use changes with Zoning change from GO to Downtown Overlay

	Current	Proposed
Zoning	GO	Downtown Overlay
Front Setback	15'	refer to DAP Streetfront Setback Map
FAR	1	2 if 75% minimum residential use
Height	60'	60'

Additional Land Uses currently prohibited with zoning change from <i>current GO</i> to <i>proposed Overlay</i>	
Residential	
Condominium Residential	P
Duplex Residential	P
Group Residential	P
Multifamily Residential	P
Retirement Housing (Large Site)	P
Retirement Housing (Small Site)	P
Short -Term Rental 13	P
Single-Family Residential	P
Townhouse Residential	P
Commercial	
Alternative Financial Services 12	C
Automotive Rentals	C
Automotive Repair Services	C
Automotive Sales	C
Automotive Washing (of any type)	C
Bail Bond Services 10	PC
Cocktail Lounge	C
Commercial Off-Street Parking	C
Consumer Convenience Services	P
Consumer Repair Services	P
Exterminating Services	C
Financial Services	P
Food Preparation	P
Food Sales	P
Funeral Services	P
General Retail Sales (Convenience)	P
General Retail Sales (General)	P
Hotel-Motel	P
Indoor Entertainment	P
Indoor Sports and Recreation	P
Laundry Services	P

Land Uses Removed with zoning change from <i>current GO</i> to <i>proposed Overlay</i>	
Commercial	
Special Use Historic	
Civic	
Convalescent Services	

Land Uses Changed with zoning change from	<i>current</i>	<i>to proposed</i>
	GO	Overlay
Commercial	<i>from</i>	<i>to</i>
Off-Site Accessory Parking	P	C
Restaurant (Limited)	C	P
Agricultural	<i>from</i>	<i>to</i>
Urban Farm	P	C
Civic	<i>from</i>	<i>to</i>
Community Recreation (Private)	C	P
Community Recreation (Public)	C	P
Residential Treatment	C	P

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225)

3 Refers to Subchapter B, Art. 2, Div 5

3 Refers to 25-2-803 (13-2-233)

7 Subject to 25-2-839 (13-2-235 13-2-273)

9 Refers to 25-2-863

2 Refers to 25-2-622 (13-2-226)

4 Refers to 25-2-624 (13-2-227)

4 Refers to 25-2-805 (13-2-224)

8 Refers to 25-2-842

10 Refers to 25-2-177 25-2-650

11 Subject TO 25-2-587 (D)

Additional Land Uses currently prohibited with zoning change from	
<i>current GO</i>	<i>to proposed Overlay</i>
Liquor Sales	P
Outdoor Entertainment	C
Outdoor Sports and Recreation	P
Pawn Shop Services	C
Pedicab Storage and Dispatch	C
Personal Improvement Services	P
Pet Services	P
Research Services	P
Restaurant (General)	P
Service Station	C
Theater	P
Vehicle Storage	C
Industrial	
Custom Manufacturing	P
Limited Warehousing and Distribution	C
Civic	
Administrative Services	P
Maintenance and Service Facilities	C
Transitional Housing	C
Transportation Terminal	C

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225)
2 Refers to 25-2-622 (13-2-226)

3 Refers to Subchapter B, Art. 2, Div 5
4 Refers to 25-2-624 (13-2-227)

3 Refers to 25-2-803 (13-2-233)
4 Refers to 25-2-805 (13-2-224)

7 Subject to 25-2-839 (13-2-235 13-2-273)
8 Refers to 25-2-842

9 Refers to 25-2-863
10 Refers to 25-2-177 25-2-650
11 Subject TO 25-2-587 (D)

Development Standards and Land Use changes with Zoning change from GR to Downtown Overlay

	Current	Proposed
Zoning	GR	Downtown Overlay
Front Setback	10'	refer to DAP Streetfront Setback Map
FAR	1	2 if 75% minimum residential use
Height	60'	60'

Additional Land Uses currently prohibited with zoning change from	
current GR	to proposed Overlay
Residential	
Condominium Residential	P
Duplex Residential	P
Group Residential	P
Multifamily Residential	P
Retirement Housing (Large Site)	P
Retirement Housing (Small Site)	P
Short -Term Rental 13	P
Single-Family Residential	P
Townhouse Residential	P
Commercial	
Cocktail Lounge	C
Laundry Services	P
Liquor Sales	P
Vehicle Storage	C
Industrial	
Limited Warehousing and Distribution	C
Civic	
Administrative Services	P
Maintenance and Service Facilities	C
Transitional Housing	C
Transportation Terminal	C

Land Uses Removed with zoning change from	
current GR	to proposed Overlay
Commercial	
Drop-Off Recycling Collection Facility	
Plant Nursery	
Special Use Historic	

Land Uses Changed with zoning change from		current GR	to proposed Overlay
		from	to
Commercial			
Alternative Financial Services 12		P	C
Automotive Rentals		P	C
Automotive Repair Services		P	C
Automotive Sales		P	C
Automotive Washing (of any type)		P	C
Commercial Off-Street Parking		P	C
Exterminating Services		P	C
Food Preparation		C	P
Off-Site Accessory Parking		P	C
Pawn Shop Services		P	C
Pedicab Storage and Dispatch		P	C
Service Station		P	C
Industrial			
Custom Manufacturing		C	P
Agricultural			
Urban Farm		P	C

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225)
2 Refers to 25-2-622 (13-2-226)

3 Refers to Subchapter B, Art. 2, Div 5
4 Refers to 25-2-624 (13-2-227)

3 Refers to 25-2-803 (13-2-233)
4 Refers to 25-2-805 (13-2-224)

7 Subject to 25-2-839 (13-2-235 13-2-273)
8 Refers to 25-2-842

9 Refers to 25-2-863
10 Refers to 25-2-177 25-2-650
11 Subject TO 25-2-587 (D)

Additional Land Uses currently prohibited with zoning change from	
<i>current LO</i>	<i>to proposed Overlay</i>
Indoor Sports and Recreation	P
Laundry Services	P
Liquor Sales	P
Off-Site Accessory Parking	C
Outdoor Entertainment	C
Outdoor Sports and Recreation	P
Pawn Shop Services	C
Pedicab Storage and Dispatch	C
Personal Improvement Services	P
Pet Services	P
Printing and Publishing	P
Research Services	P
Restaurant (General)	P
Restaurant (Limited)	P
Service Station	C
Theater	P
Vehicle Storage	C
Industrial	
Custom Manufacturing	P
Limited Warehousing and Distribution	C
Civic	
Administrative Services	P
Guidance Services	P
Hospital Services (General)	C
Maintenance and Service Facilities	C
Transitional Housing	C
Transportation Terminal	C

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NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225)
2 Refers to 25-2-622 (13-2-226)

3 Refers to Subchapter B, Art. 2, Div 5
4 Refers to 25-2-624 (13-2-227)

3 Refers to 25-2-803 (13-2-233)
4 Refers to 25-2-805 (13-2-224)

7 Subject to 25-2-839 (13-2-235 13-2-273)
8 Refers to 25-2-842

9 Refers to 25-2-863
10 Refers to 25-2-177 25-2-650
11 Subject TO 25-2-587 (D)

Development Standards and Land Use changes with Zoning change from LR to Downtown Overlay

	Current		Proposed
Zoning	LR		Downtown Overlay
Front Setback	25'		refer to DAP Streetfront Setback Map
FAR	0.5		1 if 75% minimum residential use
Height	40'		40'

Additional Land Uses currently prohibited with zoning change from	
<i>current LR</i>	<i>to proposed Overlay</i>
Residential	
Condominium Residential	P
Duplex Residential	P
Group Residential	P
Multifamily Residential	P
Retirement Housing (Large Site)	P
Retirement Housing (Small Site)	P
Short -Term Rental 13	P
Single-Family Residential	P
Townhouse Residential	P
Commercial	
Automotive Rentals	C
Automotive Repair Services	C
Automotive Sales	C
Automotive Washing (of any type)	C
Bail Bond Services 10	PC
Business or Trade School	P
Business Support Services	P
Cocktail Lounge	C
Commercial Off-Street Parking	C
Communications Services	P
Exterminating Services	C
Food Preparation	P
Funeral Services	P
Hotel-Motel	P
Indoor Entertainment	P
Indoor Sports and Recreation	P
Laundry Services	P
Liquor Sales	P
Outdoor Entertainment	C
Outdoor Sports and Recreation	P
Pawn Shop Services	C

Land Uses Removed with zoning change from	
<i>current LR</i>	<i>to proposed Overlay</i>
Commercial	
Plant Nursery	
Special Use Historic	

Land Uses Changed with zoning change from		<i>current LR</i>	<i>to proposed Overlay</i>
<i>from</i>	<i>to</i>		
Commercial			
General Retail Sales (General)		11	P
Medical Offices --exceeding 5000 sq. ft. gross floor area		C	P
Off-Site Accessory Parking		P	C
Pedicab Storage and Dispatch		P	C
Personal Improvement Services		11	P
Restaurant (General)		11	P
Service Station		P	C
Industrial			
Custom Manufacturing		C	P
Agricultural			
Urban Farm		P	C
Civic			
Community Recreation (Private)		C	P
Community Recreation (Public)		C	P
Congregate Living		C	P
Group Home, Class II		C	P
Hospital Services (Limited)		C	P
Residential Treatment		C	P

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NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225)
2 Refers to 25-2-622 (13-2-226)

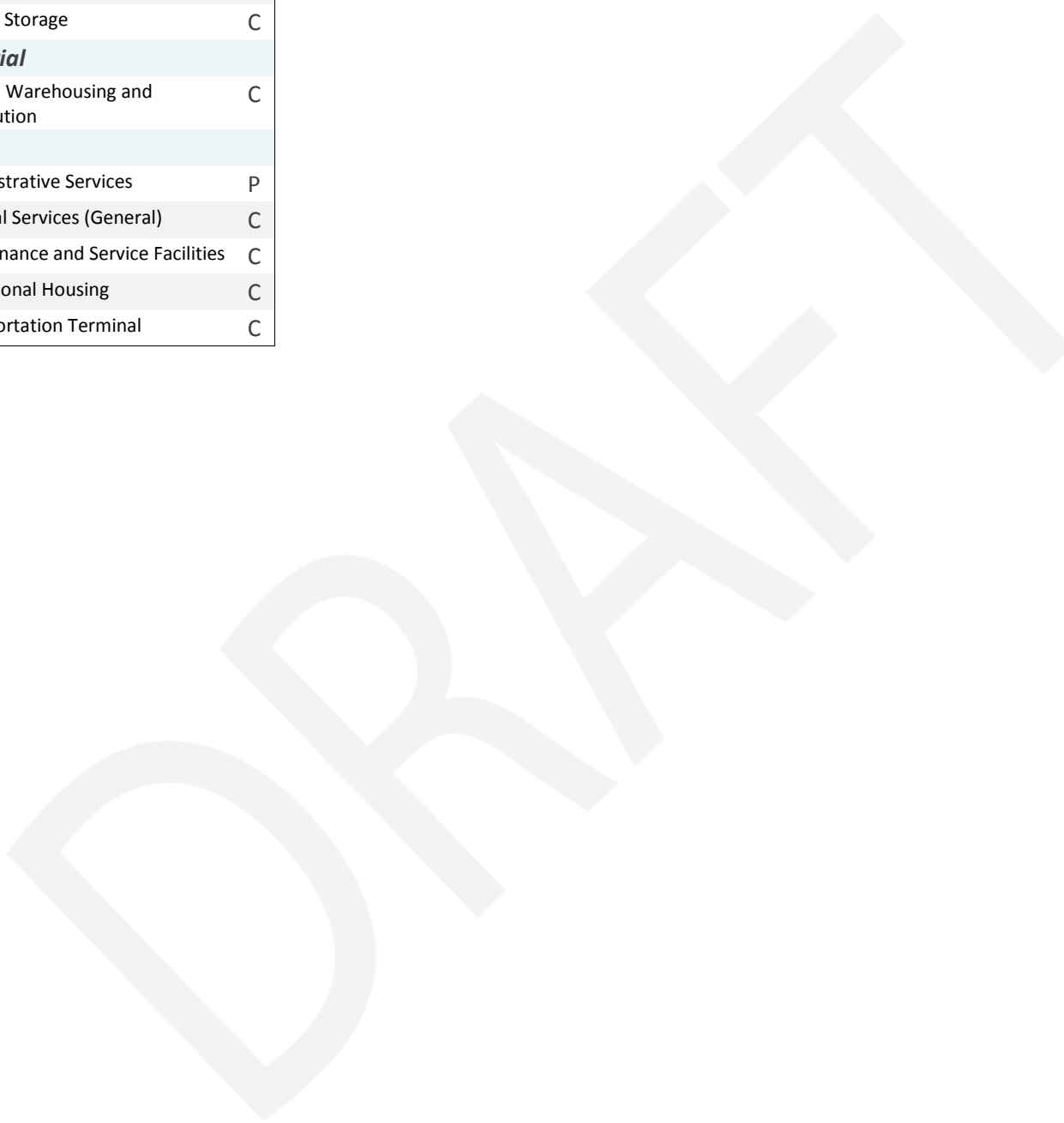
3 Refers to Subchapter B, Art. 2, Div 5
4 Refers to 25-2-624 (13-2-227)

3 Refers to 25-2-803 (13-2-233)
4 Refers to 25-2-805 (13-2-224)

7 Subject to 25-2-839 (13-2-235 13-2-273)
8 Refers to 25-2-842

9 Refers to 25-2-863
10 Refers to 25-2-177 25-2-650
11 Subject TO 25-2-587 (D)

Additional Land Uses currently prohibited with zoning change from	
<i>current LR</i>	<i>to proposed Overlay</i>
Research Services	P
Theater	P
Vehicle Storage	C
Industrial	
Limited Warehousing and Distribution	C
Civic	
Administrative Services	P
Hospital Services (General)	C
Maintenance and Service Facilities	C
Transitional Housing	C
Transportation Terminal	C



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 11 Subject TO 25-2-587 (D)

Development Standards and Land Use changes with Zoning change from MF-3 to Downtown Overlay

	Current	Proposed
Zoning	MF-3	Downtown Overlay
Front Setback	25'	refer to DAP Streetfront Setback Map
FAR	0.75	1 if 75% minimum residential use
Height	40'	40'

Additional Land Uses currently prohibited with zoning change from	current MF-3	to proposed Overlay
Commercial		
Administrative and Business Offices	P	
Alternative Financial Services 12	C	
Art Gallery	P	
Art Workshop	P	
Automotive Rentals	C	
Automotive Repair Services	C	
Automotive Sales	C	
Automotive Washing (of any type)	C	
Bail Bond Services 10	PC	
Business or Trade School	P	
Business Support Services	P	
Cocktail Lounge	C	
Commercial Off-Street Parking	C	
Communications Services	P	
Consumer Convenience Services	P	
Consumer Repair Services	P	
Exterminating Services	C	
Financial Services	P	
Food Preparation	P	
Food Sales	P	
Funeral Services	P	
General Retail Sales (Convenience)	P	
General Retail Sales (General)	P	
Hotel-Motel	P	
Indoor Entertainment	P	
Indoor Sports and Recreation	P	
Laundry Services	P	
Liquor Sales	P	
Medical Offices --exceeding 5000 sq. ft. gross floor area	P	

Land Uses Removed with zoning change from	current MF-3	to proposed Overlay
Residential		
Single-Family Attached Residential		
Two-Family Residential		
Civic		
Convalescent Services		

Land Uses Changed with zoning change from	current MF-3	to proposed Overlay
Residential		
from		to
Group Residential	C	P
Retirement Housing (Large Site)	C	P
Agricultural		
from		to
Urban Farm	P	C
Civic		
from		to
College and University Facilities	C	P
Community Recreation (Private)	C	P
Community Recreation (Public)	C	P
Congregate Living	C	P
Cultural Services	C	P
Day Care Services (Commercial)	C	P
Group Home, Class II	C	P
Hospital Services (Limited)	C	P
Local Utility Services	C	P
Private Primary Educational Facilities	C	P
Private Secondary Educational Facilities	C	P
Residential Treatment	C	P
Safety Services	C	P

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225) 3 Refers to Subchapter B, Art. 2, Div 5 3 Refers to 25-2-803 (13-2-233) 7 Subject to 25-2-839 (13-2-235 13-2-273) 9 Refers to 25-2-863
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 Page 1 of 2 1/9/2014 11 Subject TO 25-2-587 (D)

Additional Land Uses currently prohibited with zoning change from	
<i>current MF-3</i>	<i>to proposed Overlay</i>
Medical Offices --not exceeding 5000 sq. ft. gross floor area	P
Off-Site Accessory Parking	C
Outdoor Entertainment	C
Outdoor Sports and Recreation	P
Pawn Shop Services	C
Pedicab Storage and Dispatch	C
Personal Improvement Services	P
Personal Services	P
Pet Services	P
Printing and Publishing	P
Professional Office	P
Research Services	P
Restaurant (General)	P
Restaurant (Limited)	P
Service Station	C
Software Development	P
Theater	P
Vehicle Storage	C
Industrial	
Custom Manufacturing	P
Limited Warehousing and Distribution	C
Civic	
Administrative Services	P
Counseling Services	P
Guidance Services	P
Hospital Services (General)	C
Maintenance and Service Facilities	C
Transitional Housing	C
Transportation Terminal	C

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225)
2 Refers to 25-2-622 (13-2-226)

3 Refers to Subchapter B, Art. 2, Div 5
4 Refers to 25-2-624 (13-2-227)

3 Refers to 25-2-803 (13-2-233)
4 Refers to 25-2-805 (13-2-224)

7 Subject to 25-2-839 (13-2-235 13-2-273)
8 Refers to 25-2-842

9 Refers to 25-2-863
10 Refers to 25-2-177 25-2-650
11 Subject TO 25-2-587 (D)

Development Standards and Land Use changes with Zoning change from MF-4 to Downtown Overlay

	Current	Proposed
Zoning	MF-4	Downtown Overlay
Front Setback	15'	refer to DAP Streetfront Setback Map
FAR	0.75	2 if 75% minimum residential use
Height	60'	60'

Additional Land Uses currently prohibited with zoning change from <i>current MF-4 to proposed Overlay</i>	Land Uses Removed with zoning change from <i>current MF-4 to proposed Overlay</i>	Land Uses Changed with zoning change from	<i>current</i>	<i>to proposed</i>
			MF-4	Overlay
Commercial	Residential	Residential	<i>from</i>	<i>to</i>
Administrative and Business Offices	Single-Family Attached Residential	Retirement Housing (Large Site)	C	P
Alternative Financial Services 12	Two-Family Residential	Agricultural	<i>from</i>	<i>to</i>
Art Gallery	Civic	Urban Farm	P	C
Art Workshop	Convalescent Services	Civic	<i>from</i>	<i>to</i>
Automotive Rentals		College and University Facilities	C	P
Automotive Repair Services		Community Recreation (Private)	C	P
Automotive Sales		Community Recreation (Public)	C	P
Automotive Washing (of any type)		Congregate Living	C	P
Bail Bond Services 10		Cultural Services	C	P
Business or Trade School		Day Care Services (Commercial)	C	P
Business Support Services		Group Home, Class II	C	P
Cocktail Lounge		Hospital Services (Limited)	C	P
Commercial Off-Street Parking		Local Utility Services	C	P
Communications Services		Private Primary Educational Facilities	C	P
Consumer Convenience Services		Private Secondary Educational Facilities	C	P
Consumer Repair Services		Residential Treatment	C	P
Exterminating Services		Safety Services	C	P
Financial Services				
Food Preparation				
Food Sales				
Funeral Services				
General Retail Sales (Convenience)				
General Retail Sales (General)				
Hotel-Motel				
Indoor Entertainment				
Indoor Sports and Recreation				
Laundry Services				
Liquor Sales				
Medical Offices --exceeding 5000 sq. ft. gross floor area				

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

1 Refers to 25-2-602 (13-2-225) 3 Refers to Subchapter B, Art. 2, Div 5 3 Refers to 25-2-803 (13-2-233) 7 Subject to 25-2-839 (13-2-235 13-2-273) 9 Refers to 25-2-863
 2 Refers to 25-2-622 (13-2-226) 4 Refers to 25-2-624 (13-2-227) 4 Refers to 25-2-805 (13-2-224) 8 Refers to 25-2-842 10 Refers to 25-2-177 25-2-650
 11 Subject TO 25-2-587 (D)

Additional Land Uses currently prohibited with zoning change from

current MF-4 to proposed Overlay

Medical Offices --not exceeding 5000 sq. ft. gross floor area	P
Off-Site Accessory Parking	C
Outdoor Entertainment	C
Outdoor Sports and Recreation	P
Pawn Shop Services	C
Pedicab Storage and Dispatch	C
Personal Improvement Services	P
Personal Services	P
Pet Services	P
Printing and Publishing	P
Professional Office	P
Research Services	P
Restaurant (General)	P
Restaurant (Limited)	P
Service Station	C
Software Development	P
Theater	P
Vehicle Storage	C
Industrial	
Custom Manufacturing	P
Limited Warehousing and Distribution	C
Civic	
Administrative Services	P
Counseling Services	P
Guidance Services	P
Hospital Services (General)	C
Maintenance and Service Facilities	C
Transitional Housing	C
Transportation Terminal	C

P= Permitted C=Conditional Use PC= Permitted in the district, but under some circumstances may be conditional

NOTE: Other portions of a zoning string beyond base zoning, such as -CO, may affect land use and are not reflected here.

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11 Subject TO 25-2-587 (D)