



## Legislation Details (With Text)

**File #:** 2016-3776  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 8/31/2016  
**In control:** City Council  
**On agenda:** 9/22/2016  
**Final action:** 9/22/2016  
**Title:** Consider public testimony regarding, and an ordinance amending Chapter 46, Section 46-155.2, Code of Ordinances (2010 Edition) regarding creek-facing properties. (First Reading)\*

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance

Date	Ver.	Action By	Action	Result
9/22/2016	1	City Council	approve	Pass
9/22/2016	1	City Council	dispense with the second reading and adopt	Pass

Consider public testimony regarding, and an ordinance amending Chapter 46, Section 46-155.2, Code of Ordinances (2010 Edition) regarding creek-facing properties. (First Reading)\*

This code amendment will alter the treatment of properties with creek frontage in the MU-2 (Mixed-Use Downtown Medium Density) zoning district. Staff recognizes the unique appeal of the land fronting Brushy Creek and Lake Creek. Those properties should be able to be developed in a way that accentuates their frontage, but the current MU-2 zoning regulations make such development impossible. Broadly, the goal of MU-2 is to create an urban built environment by requiring buildings to be constructed close to the street, shifting the optional on-site parking lot to the rear of the property. This forces properties with creek frontage to move their building away from the creek and place the parking lot in the creek-side land. This significantly diminishes the natural beauty of the property, and the amendment is a potential remedy. As proposed, the amendment will exempt MU-2 properties with creek frontage from the strict front setback requirement, allowing the developer to place their structure at any depth on the lot. Additionally, on-site parking will be permitted in the front street yard in an attempt to encourage preservation of creek-side land. This will provide flexibility to the property owner, as they will have the option of building close to the road in an urban style like other properties in MU-2, or to orient their development toward the creek and take advantage of the natural features of the land.

The Planning and Zoning Commission unanimously recommended approval at their meeting on August 17, 2016.

Staff recommends approval.