

ORDINANCE NO. 20130523-104

AN ORDINANCE AMENDING CITY CODE TITLE 25 RELATING TO BICYCLE AND MOTOR VEHICLE PARKING REQUIREMENTS; AND ESTABLISHING A BICYCLE PARKING FUND.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 25-1-21 (*Definitions*) is amended to add new definitions and revise existing definitions, to read as follows, and to renumber the remaining definitions accordingly:

§ 25-1-21 DEFINITIONS.

(81) PRINCIPAL BUILDING ENTRANCE means the primary building entrance where the majority of the public enters the building and which is open during all business hours, excluding secondary access through an attached parking garage. For mixed use development in a multi-tenant building, the entrance to each use at the tenant's outside entrance is considered a principal building entrance.

(93) [(92)] RESPONSIBLE DIRECTOR means:

- (a) the director of the Watershed Protection and Development Review Department or the director's designee; or
- (b) the director of the [~~Neighborhood Planning and Zoning~~] Planning and Development Review Department or the director's designee for responsibilities arising under:
 - (i) Chapter 25-2, Subchapter A, B, or D; or
 - (ii) Chapter 25-3, except Article 3.

(98) SECURE means either in a dedicated locked room, an area enclosed by a fence with a locked gate, and/or within 100 feet of a permanent security guard station. For residential use enclosed private garage space is considered to be secure.

PART 2. City Code Section 25-2-474 (*Required Findings*) is amended to add a new Subsection (D) to read:

- (D) A variance granted under Subsection (B) shall not apply to bicycle parking. An applicant may also seek a waiver pursuant to Code Section § 25-6-477(F) (*Bicycle Parking*) to waive bicycle parking.

PART 3. City Code Subsection (C) of Section 25-6-472 (*Parking Facility Standards*) is amended to read:

- (C) A parking facility requirement is based on gross floor area of a building or use served by the facility. For the purpose of calculating parking requirements, gross floor area does not include enclosed or covered areas used for off-street parking or loading, bicycle storage rooms or shower facilities.

PART 4. City Code Section 25-6-474 (*Parking Facilities for Persons with Disabilities*) is amended to add new Subsections (C) and (D) to read:

- (C) A variance granted under Subsection (B) applies only to the use for which the variance was granted and does not run with the land on which the use is located.
- (D) A variance granted under Subsection (B) must specify whether it includes bicycle parking and the amount of bicycle parking required. An applicant may also seek a waiver pursuant to Code Section § 25-6-477(F) (*Bicycle Parking*) to waive bicycle parking.

PART 5. Subsections (C) and (G) of City Code Section 25-6-476 (*Parking for Mixed Use Developments*) are amended to read:

- (C) To apply for an adjustment under this section, an applicant must submit to the director a site plan and transportation engineering report addressing the following:
 - (1) the characteristics of each use and the differences in projected peak parking demand, including days or hours of operation;
 - (2) potential reduction in vehicle movements resulting from the multi-purpose use of the parking facility by employees, customers, or residents of the uses served;
 - (3) potential improvements in parking facility design, circulation, and access resulting from a joint parking facility; ~~and~~
 - (4) compliance with shared parking guidelines in the Transportation Criteria Manual; and[-]
 - (5) detail the amount of bicycle parking to be provided.
- (G) The director shall determine the type and number of bicycle spaces required for a mixed use development at the time that the director determines the

bicycle parking requirements under this section, or at the time a request for an adjustment is made under this section.

PART 6. City Code Section 25-6-477 (*Bicycle Parking*) is amended to read:

§ 25-6-477 BICYCLE PARKING.

~~[(A) In this section, "bicycle" includes a motorized bicycle.]~~

(A) [(B)] [Am] Off-street parking facilities [facility] for bicycles as prescribed in Appendix A (*Tables Of Off-Street Parking And Loading Requirements*) must be provided for each use on a site, and shall be calculated prior to any reductions approved under this article for motor vehicle parking.

(B) Any addition or enlargement of an existing building or use or any change of occupancy or operation that increases the number of required motor vehicle parking spaces above the existing spaces on an existing site shall require a proportional increase in bicycle parking adhering to Appendix A, Part 2 (*Bicycles*) for the new use or expanded use or change in occupancy.

(C) A required bicycle space must comply with the requirements of the Transportation Criteria Manual.

(D) The location of an off-street bicycle parking facility shall comply with the following requirements[~~must~~]:

(1) A minimum of 50% of all required bicycle parking shall be located within 50 feet of the principal building entrance which shall not be obscured from public view; and [be as convenient to building entrances as the motor vehicle parking facility;]

(2) The remaining required bicycle parking may be located as follows: [not interfere with pedestrian traffic.]

a. in a secure location within 50 feet of other building entryways other than the principal building entrance;

b. at employee only entrances;

c. within a building; or

d. in a covered motor vehicle parking facility within 50 feet of a street level entrance.

(3) The closest bicycle parking facility must be no farther than the closest motor vehicle parking space, excluding accessible parking spaces.

- (E) A provision of this article that is applicable to off-street motor vehicle parking also applies to bicycle parking, unless the provision conflicts with this section.
- (F) The city manager may waive a requirement relating to the number or type of bicycle spaces or approve an alternate method of compliance after considering the characteristics of the use, the site, and the surrounding area. A waiver may not reduce the number of required bicycle spaces to less than two.

PART 7. City Code Section 25-6-478 is amended to read:

§ 25-6-478 ~~[REDUCED] MOTOR VEHICLE [PARKING IN CERTAIN GEOGRAPHIC AREAS]~~ REDUCTIONS GENERAL.

- (A) Except as provided in Subsection (B), this section applies in the area bounded by:
 - (1) Highway 183 from Burnet Road to Highway 71;
 - (2) Highway 71 from Highway 183 to Loop 1;
 - (3) Loop 1 from Highway 71 to Lake Austin Boulevard;
 - (4) Lake Austin Boulevard from Loop 1 to Exposition Boulevard;
 - (5) Exposition Boulevard from Lake Austin Boulevard to 38th Street;
 - (6) 38th Street from Exposition Boulevard to Loop 1;
 - (7) Loop 1 from 38th Street to RM Road 2222;
 - (8) RM Road 2222 from Loop 1 to Mesa Drive;
 - (9) Mesa Drive from RM Road 2222 to Spicewood Springs Road;
 - (10) Spicewood Springs Road from Mesa Drive to Loop 360;
 - (11) Loop 360 from Spicewood Springs Road to Great Hills Trail;
 - (12) Great Hills Trail from Loop 360 to Highway 183;
 - (13) Highway 183 from Great Hills Trail to Braker Lane;
 - (14) Braker Lane from Highway 183 to Burnet Road; and
 - (15) Burnet Road from Braker Lane to Highway 183.
- (B) This section does not apply:

- (1) to property in a central business (CBD) district or an area with a TOD district or regulatory plan, or downtown mixed use (DMU) district;
 - (2) to a commercial, industrial, or civic use in a traditional neighborhood (TN) district;
 - (3) to a corner store special use; neighborhood mixed use building special use; commercial, industrial, or civic use portion of a neighborhood urban center special use; or commercial or civic use portion of a residential infill special use;
 - (4) to property in the university neighborhood overlay (UNO) district; or
 - (5) if the off-street parking requirement has been modified under Section 25-6-473 (*Modification Of Parking Requirement*) or Section 25-6-476 (*Parking For Mixed-Use Developments*).
- ~~[(C) The minimum off-street parking requirement is 80 percent of that prescribed by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*).]~~
- (C) Bicycle parking spaces shall be calculated as described by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*) and shall be calculated prior to any reductions approved under this article for motor vehicle parking.
- (D) If a shower facility is provided on-site per the criteria below, the required amount of motor vehicle parking may be reduced by 10%.
- (1) For buildings with up to 19,999 square feet of gross floor area, a minimum of one shower and changing facility available to both genders.
 - (2) For buildings with 20,000 to 99,999 square feet of gross floor area, a minimum of one shower and changing facility available to each gender.
 - (3) For buildings with 100,000 or more square feet of gross floor area, a minimum of two showers and changing facilities available to each gender.
- (E) The minimum off-street parking requirement shall be reduced as follows:
- (1) One space for each on-street parking space located adjacent to the site on a public street, including spaces on Internal Circulation Routes that meet public street standards;

- (2) Up to 10 percent to preserve significant stands of trees or protected trees in addition to those required to be preserved by the Code, pursuant to protection measures specified in the Environmental Criteria Manual. If the applicant provides more parking spaces than the minimum required, the additional parking spaces may not result in the removal of significant stands of trees or protected trees; or
 - (3) Twenty (20) spaces for every car-sharing vehicle provided in a program that complies with the requirements prescribed by the Director by administrative rule.
- (F) Reductions or waivers for parking requirements granted under this section may be combined with other applicable parking reductions in this chapter provided the total reduction for the site does not exceed 40%. Reductions or waivers in excess of 40% of the site's required parking is only permitted in conjunction with compliance of § 25-6-478(D) (*Motor Vehicle Parking Reductions General*) and with the approval by the director with consultation with the director of Public Works.

PART 8. City Code Subsections (A) through (C) of Section 25-6-591 are amended to read:

§ 25-6-591 PARKING PROVISIONS FOR DEVELOPMENT IN THE CENTRAL BUSINESS DISTRICT (CBD) AND THE DOWNTOWN MIXED USE (DMU) AND PUBLIC (P) ZONING DISTRICTS.

- (A) The requirements of this section apply to the:
 - (1) central business district (CBD);
 - (2) downtown mixed use (DMU) zoning district; and
 - (3) public (P) zoning district within the area bounded by Martin Luther King, Jr., Boulevard; IH-35; Lady Bird Lake; and Lamar Boulevard.
- (B) The requirements of this subsection apply within the zoning districts subject to this section.
 - (1) Except for a minimum of two (2) bicycle parking spaces, vehicle off-street parking is not required:
 - (a) for a use occupying a designated historic landmark or located in an existing building in a designated historic district, [;] bicycle parking shall be determined by the Director of Public Works or his designee in accordance with section 25-6-477 (*Bicycle Parking*); or

- (b) off-street motor vehicle parking is not required for a use occupying less than 6,000 square feet of floor space in a structure that existed on April 7, 1997. An applicant may also seek a waiver pursuant to Code Section § 25-6-477(F) (Bicycle Parking) to waive bicycle parking.
- (2) Except as provided in Subsections (B)(3) and (C) of this section, the minimum parking facility requirement is 20% of the number of motor vehicle parking spaces required by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*) and the maximum parking facility requirement is 60 percent of the number of motor vehicle parking spaces required by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*). Bicycle parking requirements shall be calculated prior to any reductions made by this article.
- (3) A parking facility for a residential use must provide at least 60 percent of the number of motor vehicle parking spaces required by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*). Bicycle parking requirements shall be calculated prior to any reductions made by this article.
- (4) Except as provided in Subsections (C) and (D), a parking garage must be separated from an adjacent street by a pedestrian-oriented use described in Section 25-2-691 (*Waterfront Overlay (WO) District Uses*) that fronts on the street at the ground level.
- (5) A curb cut for a garage access must have a width of 30 feet or less.
- (6) At the intersection of sidewalk and parking access lane, ten degree cones of vision are required.
- (C) The number of parking spaces allowed under Subsection (B)(2) of this section may be increased:
- (1) by the director if all parking spaces are contained in a parking structure; or
- (2) by the Land Use Commission if the criteria in Section 25-6-501(D) (*Off-Site Parking Allowed*) are satisfied; and[-]
- (3) only if bicycle parking is also increased proportionately.

PART 9. The City Code is amended to add a new Section 25-6-656 (*Bicycle Parking Fund*) to read:

Bicycle Parking Fund.

- (A) An applicant may request to pay a fee instead of installing bicycle parking by filing a written request at the time the person submits a permit application in the manner prescribed by the director. An applicant who has not filed a request at the time of application, may later amend the application to request to pay the fee instead of installing a bicycle parking.
- (B) Fund use and administration. The Bicycle Parking Fund is collected and administered by the Public Works Department—Neighborhood Connectivity Division. The funds collected will be used to install bicycle parking and associated improvements in the right-of-way in the same service area as the subject property in the application. The service area boundaries shall be determined by the Planning and Development Review Department.
- (C) For bicycle parking required under Section 25-6-477 (*Bicycle Parking*), the director shall approve payment of a fee instead of installation of a bicycle parking space if the director determines that:
- (1) on the date the property was subdivided, the land development regulations did not include a bicycle parking requirement; and
 - (2) there is not sufficient area on or in the premises to accommodate the minimum required bicycle parking; and
 - (3) more than 50 percent of the block face on which the property is located has available space for bicycle parking.
- (D) The director may approve payment of a fee instead of installation of bicycle parking if the director determines that installation is impractical because:
- (1) installation of the bicycle parking would require the removal of a protected tree or other major obstruction within the right-of-way; or
 - (2) other unusual circumstances make the bicycle parking installation requirement unreasonable or inappropriate.
- (E) The amount of the fee is the current bicycle parking materials and installation cost and will be determined by Administrative Rule.
- (F) A fee paid under this section must be used to install bicycle parking in the same service area, as established by the Administrative Rules.

(G) The City may refund the fee to the applicant if it is not spent or allocated for a specific project within 10 years of the date of its collection.

PART 10. The City Code Chapter 25-6, Schedule A. of Appendix A. (*Tables of Off-Street Parking and Loading Requirements*) is amended to add the following language to read:

Commercial off-street parking requires one bike parking space for every 10 motor vehicle parking spaces.

PART 11. The City Code Chapter 25-6, Schedule B. of Appendix A. (*Tables of Off-Street Parking and Loading Requirements*) is amended to read:

The director shall determine the minimum off-street motor vehicle parking requirement, minimum off-street bicycle parking requirement, and minimum off-street loading requirement for a use that is subject to this schedule. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data. A minimum of one bicycle parking space shall be provided for any use except Single-Family residential or Two-Family residential.

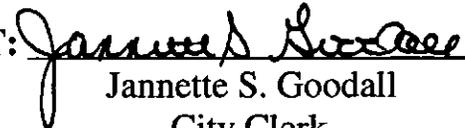
PART 12. This ordinance takes effect on June 3, 2013.

PASSED AND APPROVED

_____ May 23 _____, 2013

APPROVED: 
Karen M. Kennard
City Attorney

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§ _____ 
Lee Leffingwell
Mayor

ATTEST: 
Jannette S. Goodall
City Clerk