

Administrative Services Code Amendment

Background information

As Travis County begins the development of a new Civil Courthouse within downtown via a public-private partnership agreement, their development partner has asked for our confirmation that civic courthouse, civic offices, and city administrative facilities are permitted uses in Downtown Mixed Use (DMU) and Central Business District (CBD) zoning districts. We have reviewed the City of Austin Land Development Code and have determined that whereas it is clear in the Code that administrative offices, business offices, etc., are permitted uses in DMU and CBD zoning, the Permitted Use Chart within the code makes it unclear whether there is a distinction between “non-civic” offices and “civic” offices. Additionally, whereas civic “offices” are referenced in the Code, “courthouses” are not.

The Permitted Uses chart within Section 25-2-491 of the Code is not exhaustive but lists several uses to demonstrate what is permitted and what is not permitted in each zoning district designation. This use chart shows “non-civic” administrative and business offices as permitted in DMU and CBD but not “civic” administrative and business offices. And, again, it does not list courthouses at all.

Given that these uses would be permitted in both DMU and CBD if they were “non-civic” raises a question in the code about why these same uses would be prohibited if they were civic. In short, the permitted uses chart appears to reflect these uses as **prohibited** in error. At best, whether they are permitted or not is ambiguous.

Planning and Zoning staff have discussed this issue and have determined that the City historically has and will continue to deem these uses to be **permitted** uses in both the DMU and CBD zoning districts. To resolve any ambiguity in the current Code related to this issue, we propose the Planning Commission consider initiating a Code Amendment to do the following:

1. Amend the Permitted Uses chart of Section 25-2-491 *Permitted, Conditional, and Prohibited Uses* to make Administrative Services permitted uses in DMU and CBD; and
2. Amend Code Section 25-2-6 (B) (1) *Civic Uses Described* to specifically add “courthouses” to the list of uses that are expressly deemed to be administrative services.

handling of materials or equipment. This use includes monument or stone yards, grain elevators, and open storage yards.

- (4) **LIGHT MANUFACTURING** use is the use of a site for manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of the products, and incidental storage, sales, and distribution of the products. This use excludes basic industrial processing.
- (5) **LIMITED WAREHOUSING AND DISTRIBUTION** use is the use of a site for provision of wholesaling, storage, or warehousing services within an enclosed structure. This use includes wholesale distributors, storage warehouses, and moving or storage firms.
- (6) **RECYCLING CENTER** use is the use of a site for collection, transfer, or processing of recyclable materials. Recyclable materials include glass, paper, plastic, cans, or other source-separated, nonputrescible materials. This use excludes bulk or single-feed reverse vending machines.
- (7) **RESOURCE EXTRACTION** use is the use of a site for on-site extraction of surface or sub-surface mineral products or natural resources. This use includes quarries, borrow pits, sand or gravel operations, oil or gas extraction, and mining operations.
- (8) **STOCKYARDS** use is the use of a site for temporary keeping of livestock for slaughter, market, or shipping. This use includes stockyards, animal sales, and auction yards.

Source: Section 13-2-4; Ord. 990225-70; Ord. 031211-11; Ord. 040617-Z-1.

§ 25-2-6 CIVIC USES DESCRIBED.

- (A) Civic uses include the performance of utility, educational, recreational, cultural, medical, protective, and governmental functions, and other uses that are strongly vested with public or social importance.
- (B) Civic use classifications are described as follows:
 - (1) **ADMINISTRATIVE SERVICES** use is the use of a site for provision of offices or administrative, clerical, or public contact services, together with incidental storage and maintenance of necessary vehicles. This use includes federal, state, county, and city offices.
 - (2) **AVIATION FACILITIES** use is the use of a site for provision of landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, or rental of aircraft, including activities directly associated with the operation and maintenance of airport facilities.
 - (3) **CAMP** use is the use of a site for provision of indoor or outdoor activities for children, including sports, arts and crafts, entertainment, recreation, educational activities, swimming, fishing, horseback riding, and incidental food service. If incidental to the camp use, camp facilities may be used to provide meeting, recreation, or social facilities for a private association or group.
 - (4) **CEMETERY** is the use of land that is dedicated for cemetery purposes for the burial of the dead, including columbariums, crematoriums, mausoleums, and mortuaries.

Item F-01

ZONING USE SUMMARY TABLE (LAND DEVELOPMENT CODE)

3 of 5

P = Permitted Use C = Conditional Use Permit -- = Not Permitted

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-Subject to 25-2-177 & 25-2-650; 11-Subject to 25-2-587 (D); 12-Subject to 25-2-816; 13-Permitted in MU and V combining districts, subject to 25-2, Subchapter E, Art. 4, Subsec. 4.2.C.1C; 14-Refers to 25-6-501; 15-Refers to 25-2-817; 16-Refers to 25-2-811.
PC-Permitted in the district, but under some circumstances may be conditional; CP-Conditional in the district, but under some circumstances may be permitted.

PC - Permitted in the district, but under some circumstances may be conditional; CP - Conditional in the district, but under some circumstances may be permitted

Item F-01

ZONING USE SUMMARY TABLE (LAND DEVELOPMENT CODE)

4 of 5

P = Permitted Use C = Conditional Use Permit .. = Not Permitted

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); 5-Refers to 25-2-803 (13-2-233); 6-Subject 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-Subject to 25-2-177 & 25-2-650; 11-Subject to 25-2-587 (D); 12-Subject to 25-2-816; 13-Permitted in MU and V combining districts, subject to 25-2, Subchapter E, Art. 4, Subsec. 4.2.1.C; 14-Refers to 25-6-501; 15-Refers to 25-2-817; 16-Refers to 25-2-811.
PC - Permitted in the district, but under some circumstances may be conditional; CP - Conditional in the district, but under some circumstances may be permitted.

PC - Permitted in the district, but under some circumstances may be conditional; CP - Conditional in the district, but under some circumstances may be permitted

P = Permitted Use C = Conditional Use Permit -- = Not Permitted

CIVIC USES	LA	RR	SF-1	SF-2	SF-3	SF-4A	SF-4B	SF-5	SF-6	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MH	NO	LO	GO	CR	LR	GR	L	CBD	DMU	W/L/O	CS	CS-1	CH	IP	MI	LI	R&D	DR	AV	AG	PUD	P	
Administrative Services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4						
Aviation Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4						
Camp	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	P	--	3	4							
Cemetery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	3	4								
Club or Lodge	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	1	C	--	C	3	4				
College and University Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	P	C	P	P	P	P	P	P	P	1	P	1	--	3	4		
Communication Service Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1	P	2	P	3	4		
Community Events	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8					
Community Recreation (Private)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	P	C	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Community Recreation (Public)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	C	P	C	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Congregate Living	--	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	C	C	P	C	P	C	P	P	C	P	P	P	P	P	P	P	P	1	--	3	4		
Convalescent Services	--	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	C	C	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	3	4		
Convention Center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Counseling Services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Cultural Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Day Care Services (Commercial)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Day Care Services (General)	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	--	P	C	P	P	P	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Day Care Services (Limited)	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	C	P	P	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Detention Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	3	4		
Employee Recreation	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	1	--	3	4		
Family Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Group Home, Class I (General)	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Group Home, Class I (Limited)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Group Home, Class II	--	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	C	C	P	--	C	P	C	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Guidance Services	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	P	C	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Hospital Services (General)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	C	C	C	C	C	C	C	C	--	--	1	--	2	--	3	4				
Hospital Services (Limited)	--	--	--	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	P	C	C	P	P	P	P	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Local Utility Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Maintenance and Service Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	P	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Major Public Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4
Major Utility Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4
Military Installations	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4
Park and Recreation Services (General)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4
Park and Recreation Services (Special)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4
Postal Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4
Private Primary Educational Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Private Secondary Educational Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	P	P	C	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Public Primary Educational Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Public Secondary Educational Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Railroad Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	1	--	2	--	3	4
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	1	P	2	--	3	4
Residential Treatment	--	--	--	--	--	--	--	C	C	C	C	C	C	C	C	C	C	C	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	1	--	3	4		
Safety Services	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P	1	--	2	--	3	4
Telecommunication Tower. ⁷	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	4				
Transitional Housing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	--	C	C	C	C	C	C	C	C	C	1	--	3	4		
Transportation Terminal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	--	C	C	C	C	C	C	C	C	C	1	--	2	--	3	4
All other Civic Uses	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	1	--	2	--	3	4

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); 5-Refers to 25-2-803 (13-2-233); 6-Subject 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-Subject to 25-2-177 & 25-2-650; 11-Subject to 25-2-587 (D); 12-Subject to 25-2-816; 13-Permitted in MU and V combining districts, subject to 25-2, Subchapter E, Art. 4, Subsec. 4.2.1.C; 14-Refers to 25-6-501; 15-Refers to 25-2-817; 16-Refers to 25-2-811.

PC - Permitted in the district, but under some circumstances may be conditional; CP - Conditional in the district, but under some circumstances may be permitted