

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2019-008 University Neighborhood Overlay – Allowable uses, building heights, parking requirements, and sign regulations

Description:

Amend certain provisions the City Code relating to provisions of the University Neighborhood Overlay (UNO) concerning, use regulations, building heights, parking requirements, and sign regulations.

The draft ordinance and map are attached.

Overview of Proposed Code Amendments:**USE REGULATIONS**

- **Revised Regulations** — Currently, local uses (a list of pedestrian-oriented uses in the UNO section of the Code) are allowed in residential base districts with permitted building heights of 75 feet or greater. The proposed amendment would reduce the height to 50 feet.
- **New Regulations** — In existing parking structures, parking spaces may be converted to a multi-family residential use, a group residential use, local uses, indoor crop production use, or convenience storage use under certain conditions.
- **Revised based on Codes and Ordinance's action** — In attached ordinance, Part 2. Section 25-2-754 (Use Regulations) the following changes were made from the ordinance in your previous backup:

(K) Existing structures constructed under the provisions of this division may convert non-accessible parking spaces to:

(1) a multi-family residential use;

(2) a group residential use; and

(3) local uses:

(a) local uses allowed under this title must be located above or adjacent to the street wall area;

(b) an art gallery use and an art workshop use are limited to 1,500 square feet of floor area; and

(4) an indoor crop production use or convenience storage use; and

~~(5) these uses shall not be located in or above a street wall area.~~

(a) these uses shall not be located in or above a street wall area.

BUILDING HEIGHTS

- **Revised Regulations** — Currently, projects in the Outer West Campus Subdistrict located in 50 foot height district or greater may add 15 feet if they meet the affordability levels listed below. The proposed amendment would allow building heights to be increased by 25 feet in the Outer West Campus Subdistrict and Guadalupe Subdistrict if a project is in a height district of 50 feet and greater or by 125 feet in the Inner West Campus Subdistrict if:
 - 10% of units/bedrooms are set aside for individuals earning 60% of local MFI for 40 years;
 - 10% of units/bedrooms are set aside for individuals earning 50% of local MFI for 40 years; and
 - An additional 10% of units/bedrooms s are set aside for individuals earning 50% of local MFI for 40 years; or
 - The applicant pays a one-time, annually adjusted fee for each square foot of net rentable residential floor area.

NOTE: *The affordability percentages are already established in the UNO section of the LDC.*

- **New Regulations** — A new map is proposed, *Additional Height and Affordability*, is added to Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, and Height Limits*), indicating areas where the height bonuses are allowed.
- **Remove Regulations based Codes and Ordinances action** — Strike Code section 25-2-758 (B) (2). It was originally intended to reduce shadows and allow sunlight to penetrate to the ground on the Winter Solstice. However, for north-facing properties in Inner West Campus, this Code provision would these sites from taking advantage of the additional height for affordability provisions in these amendments.

PARKING

- **New Regulations** — Parking requirements for a multi-family residential use in the Inner West Campus Subdistrict and Guadalupe Subdistrict are eliminated.
- **Revised Regulations** — With the exception of a segment of West 24th Street and changes proposed under this set of amendments noted in the bullet above, parking requirements are reduced from 60% to 35% of what the code requires in the Outer West Campus Subdistrict.

- **New Regulations** — Parking requirements in the Outer West Campus Subdistrict could be reduced to 25% of code requirements if a project:
 - Participates in a bicycle sharing program and provides onsite bicycle stations or kiosks; or
 - Provides electrical automobile charging stations for 10% of the required off-street parking spaces and sets aside 300 square feet for charging electric bicycles or micromobility devices; or
 - Provides 10% of the units or bedrooms for individuals making 50% or less than the local MFI.
- **New Regulations** — Required parking for multi-family residential projects developed in the Outer West Campus Subdistrict in a 45-foot or 40-foot height district can be reduced to 20% of that required by Code if it provides 20% or greater onsite affordability.
- **New Regulations** — Required parking for multi-family residential projects developed in the Outer West Campus Subdistrict using funds from the University Neighborhood District Housing Trust Fund can be reduced to 10% of that required by Code.
- **New Regulations** — The minimum parking space requirements for multi-family residential projects in the outer west campus subdistrict proposed under these amendments may not be combined with other parking space reductions.
- **New Regulations** — Multi-family residential projects in the outer west campus subdistrict reducing the number of required parking spaces under the provisions of this section must provide the number of accessible parking spaces required by the Uniform Building Code based on the project's number and type of bedrooms and dwelling units.

SIGNS

- **Revised Regulations** — A sign may not exceed 150 square feet of sign area (previously was 100 square feet), except that this limitation does not apply along segments of Guadalupe Street and West 24th Street.
- **Revised Regulations** — A wall sign is permitted if it complies with specific regulations.
- **Revised based on Codes and Ordinances action** — Allow wayfinding signage above the 2nd floor.

Staff Recommendation:

Staff recommends approval of this set of amendments.

The ordinance is a consensus developed by neighborhood and property owner stakeholders.

Board and Commission Actions

Item was originally presented to the Codes and Ordinances Joint Committee on June 19, 2019 with a recommendation to staff to bring revisions to the proposed amendment based on the Committee's discussions.

Codes and Ordinances Joint Committee heard the item on August 21, 2019. It Voted 5-0 (Commissioners Azhar and Barrera-Ramirez absent) to recommend the item to the Planning Commission.

City Council Action

A public hearing at City Council was set for August 8, 2019 and postponed to September 19, 2019.

Ordinance Number: NA

City Staff: Mark Walters

Phone: 512-974-7695

Email: Mark.Walters@AustinTexas.gov

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE TITLE 25 TO AMEND THE UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT TO INCREASE INCENTIVES FOR PROVIDING ONSITE AFFORDABILITY, INCREASING LOCAL USES IN THE OUTER WEST CAMPUS SUBDISTRICT, REDUCING THE PARKING REQUIREMENT, AND ADDING ADDITIONAL PARKING GARAGE USAGE.

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

PART 1. Section 25-2-754 (*Use Regulations*) is amended as follows:

(D) Local uses are permitted in any base district, subject to the limitations of this subsection.

(1) In the outer west campus subdistrict, local uses are not permitted in a residential base district unless the property:

(a) has a permitted building height of ~~[65]~~ 50 feet or greater; or

(b) is zoned historic and has a permitted building height of 65 feet or greater.

PART 2. Section 25-2-754 (*Use Regulations*) is amended to add a new Subsection (K) as follows:

(K) Existing structures constructed under the provisions of this division may convert non-accessible parking spaces to:

(1) a multi-family residential use;

(2) a group residential use; and

(3) local uses:

(a) local uses allowed under this title must be located above or adjacent to the street wall area;

(b) an art gallery use and an art workshop use are limited to 1,500 square feet of floor area; and

(4) an indoor crop production use or convenience storage use; and

(5) these uses shall not be located in or above a street wall area.

PART 3. Section 25-2-756 (*Height*) is amended as follows:

(A) Except as provided in Subsection (B), maximum heights for structures are prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, ~~and~~ Height Limits, and Additional Height and Affordability*).

(B) This subsection applies in the outer west campus subdistrict, guadalupe subdistrict, and inner west campus subdistrict.

~~[In this subsection, historic property means property zoned historic or listed in the City's historic building survey on October 6, 2008.]~~

(1) Except as provided in Paragraph (3), a structure with a multi-family residential use or group residential use may exceed by 25 feet in the outer west campus subdistrict or the guadalupe subdistrict the maximum height prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, ~~And~~ Height Limits, and Additional Height and Affordability*) if the structure is located in an area with a maximum height of at least 50 feet; or

(2) A structure with a multi-family residential use or group residential use may exceed by 125 feet in the inner west campus subdistrict the maximum height prescribed by Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, ~~And~~ Height Limits, and Additional Height and Affordability*) if:

(a) ~~[the structure is located in an area for which the maximum height is at least 50 feet; and]~~

(a) the multi-family residential use or group residential use, for a period of not less than 40 years from the date a certificate of occupancy is issued, sets aside at least:

- 1
- 2 (i) 10 percent of the dwelling units or bedrooms on the site to house persons
- 3 whose household income is at or below 60 percent of the median income in
- 4 the Austin statistical metropolitan area, as determined by the director of the
- 5 Neighborhood Housing and Community Development Office; and
- 6
- 7 (ii) 10 percent of the dwelling units or bedrooms on the site to house persons
- 8 whose household income is at or below 50 percent of the median income in
- 9 the Austin statistical metropolitan area, as determined by the director of the
- 10 Neighborhood Housing and Community Development Office; and
- 11
- 12 (iii) The applicant:
- 13
- 14 1. Pays into the University Neighborhood District Housing Trust Fund a
- 15 fee of \$0.50 for each square foot of net rentable floor area in the multi-
- 16 family residential use or group residential use development; or
- 17
- 18 2. Provides an additional 10 percent of the dwelling units or bedrooms on
- 19 the site to house persons whose household income is at or below 50
- 20 percent of the median income in the Austin statistical metropolitan area
- 21 as determined by the director of the Neighborhood Housing and
- 22 Community Development Office.
- 23
- 24 (3) A building on a lot in the outer west campus subdistrict that has a common
- 25 side lot line with a historic property listed in the most recent City of Austin
- 26 historic resource survey may not exceed by more than 20 feet the maximum
- 27 building height of the base district in which the historic property is located.
- 28
- 29 (4) The fee in (b)(iii) above will be adjusted annually in accordance with the
- 30 Consumer Price Index All Urban Consumers, US City Average, All Items (1982-
- 31 84=100), as published by the Bureau of Labor Statistics of the United States
- 32 Department of Labor or in accordance with any other similar, applicable standard
- 33 as defined by the director of the Neighborhood Housing and Community
- 34 Development Office. The city manager shall annually determine the new fee
- 35 amounts for each fiscal year, beginning October 1, 2014, and report the new fee
- 36 amounts to the city council.
- 37

PART 4. Title 25, Appendix C (*UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT BOUNDARIES, SUBDISTRICT BOUNDARIES, AND HEIGHT LIMITS*) is amended as follows:

APPENDIX C. - UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT BOUNDARIES, SUBDISTRICT BOUNDARIES, ~~[AND]~~ HEIGHT LIMITS, AND ADDITIONAL HEIGHT AND AFFORDABILITY

PART 5. Section 25-6-601 (*Parking Requirements for University Neighborhood Overlay District*) is amended as follows:

(A) Except as otherwise provided in this section, the minimum off-street parking requirement in the university neighborhood overlay district is ~~[60]~~ 35 percent of that prescribed by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*).

(B) Off-street parking is not required for a commercial use if the use:

(1) occupies less than 6,000 square feet of gross floor area; or

(2) is located on:

(a) Guadalupe Street between Martin Luther King, Jr. Blvd. and West 29th Street; or

(b) West 24th Street between Guadalupe Street and Rio Grande Street.

(C) For a multi-family residential use located within the inner west campus subdistrict or the guadalupe subdistrict, off-street parking is not required. ~~[, the minimum off-street parking requirement is 40 percent of that prescribed by Appendix A (Tables Of Off-Street Parking And Loading Requirements) if the multi-family residential use]~~

(D) For a multi-family residential use in the outer west campus subdistrict, the minimum off-street parking requirement is 25 percent of that prescribed by Appendix A (Tables Of Off-Street Parking And Loading Requirements) if the multi-family residential use:

(1) participates in a ~~[ear]~~ bicycle sharing program and provides onsite bicycle stations or kiosks ~~[that complies with the program requirements prescribed by administrative rule,]~~ as determined by the director of the Austin Transportation Department ~~[Watershed Protection and Development Review Department]~~; or

(2) provides electrical automobile charging stations for 10 percent of the required off-street parking spaces and sets aside 300 square feet for charging electric bicycles or micromobility devices; or

(3) sets aside for a period of not less than ~~[15]~~ 40 years from the date a certificate of occupancy is issued at least 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is ~~[less than]~~ 50 percent or less of the median income in the Austin statistical metropolitan area, as determined by the director of the Austin Neighborhood Housing and Community Development Office, in addition to complying with Section 25-2-765 (*Affordable Housing*).

(E) For multi-family residential projects developed in the outer west campus subdistrict in a 45-foot or 40-foot height district that provide 20 percent or greater onsite affordability in compliance with Subsections 25-2-756 or 25-2-765, the minimum off-street parking requirement is 20 percent of that proscribed in Appendix A (*Tables Of Off-Street Parking And Loading Requirements*).

(F) For multi-family residential projects in the inner west campus subdistrict receiving funds from the University Neighborhood District Housing Trust Fund (25-2-756 (A)), the minimum off-street requirement is 10 percent of that prescribed by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*).

(G) The minimum parking space requirements for multi-family residential projects in the outer west campus subdistrict prescribed in this section may not be combined with other parking space reductions contained elsewhere in this Title.

(H) Multi-family residential projects in the outer west campus subdistrict reducing the number of required parking spaces under the provisions of this section must provide the number of accessible parking spaces required by the Uniform Building Code based on the project's number and type of bedrooms and dwelling units.

1 **PART 6.** Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) is
2 amended as follows:
3

4 (A) This section applies to property that is:
5

- 6 (1) within the university neighborhood overlay (UNO) zoning district; and
7
8 (2) outside a historic sign district.
9

10 (B) This section supersedes the other provisions of this article to the extent of
11 conflict.
12

13 (C) A sign may not exceed 150 [100] square feet of sign area, except that this
14 limitation does not apply along the following roadways:
15

- 16 (1) Guadalupe Street, from Martin Luther King, Jr. Blvd. to West 29th Street;
17
18 (2) West 24th Street, from Guadalupe Street to Leon Street;
19
20 (3) Martin Luther King, Jr. Blvd., from Pearl Street to the alley one block east
21 of University Avenue; and
22
23 (4) West 29th Street, from Guadalupe Street to Rio Grande Street.
24

25 (D) A freestanding sign is prohibited.
26

27 (E) A roof sign is prohibited.
28

29 (F) No sign may be placed above the second floor of a building, except for a non-
30 electric sign that is engraved, cut into the building surface, or otherwise inlaid to
31 become part of the building.
32

(G) A wall sign [~~may be a projecting sign~~] is permitted if the sign complies with this subsection.

(1) One projecting sign for each building facade is permitted.

(2) The sign area of a projecting sign may not exceed 35 square feet.

(3) A sign may extend from the building facade not more than the lesser of:

(a) six feet; or

(b) a distance equal to two-thirds the width of the abutting sidewalk.

(4) For a sign that projects over state right-of-way, the state must approve the sign.

(H) A sign may not be illuminated or contain electronic images or moving parts.

PART 7. This ordinance takes effect on _____, 2019.

PASSED AND APPROVED

_____, 2019 § _____
 § _____
 § _____

Steve Adler
Mayor

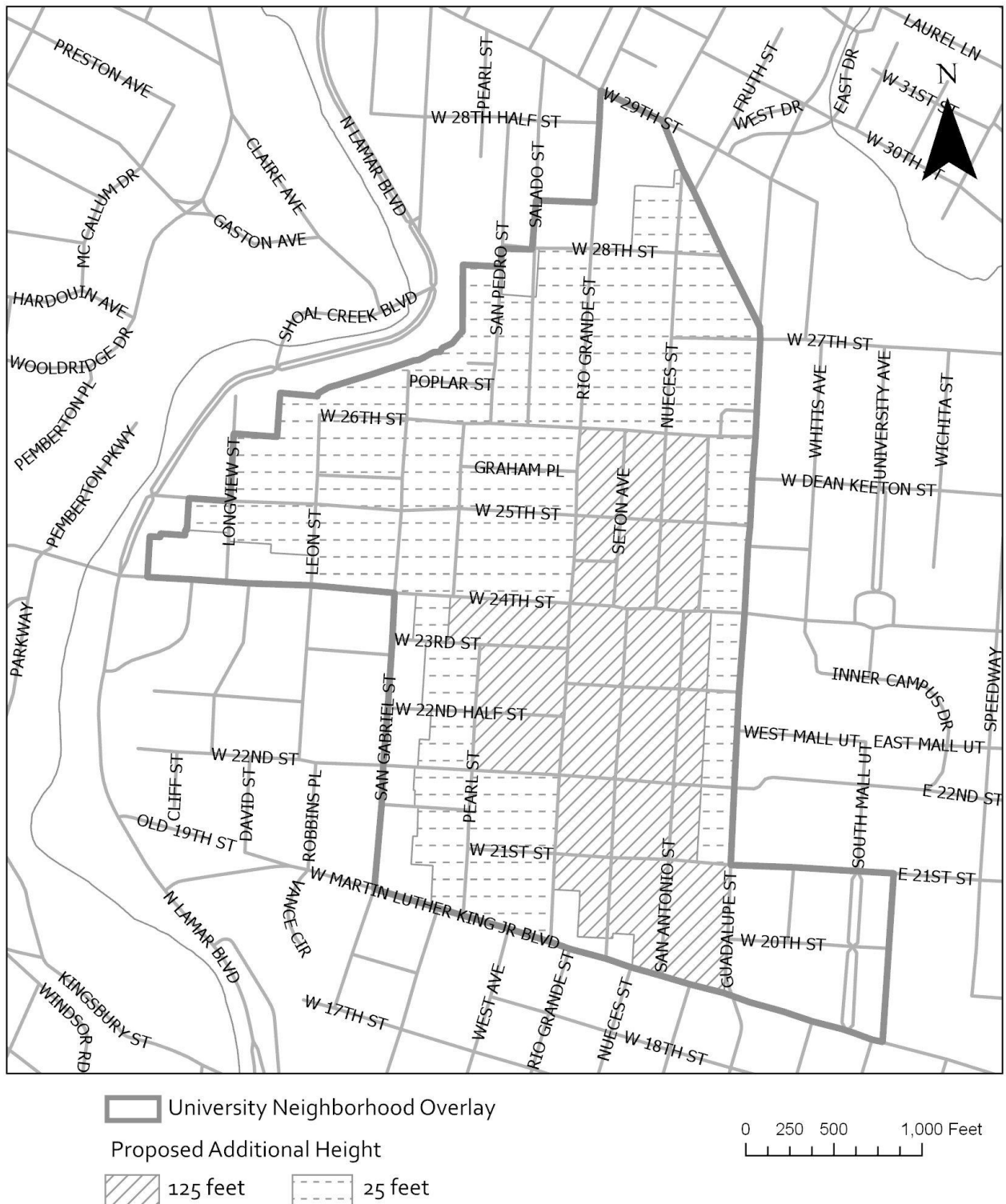
APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk

University Neighborhood Overlay

Additional Height & Affordability



Item C-12

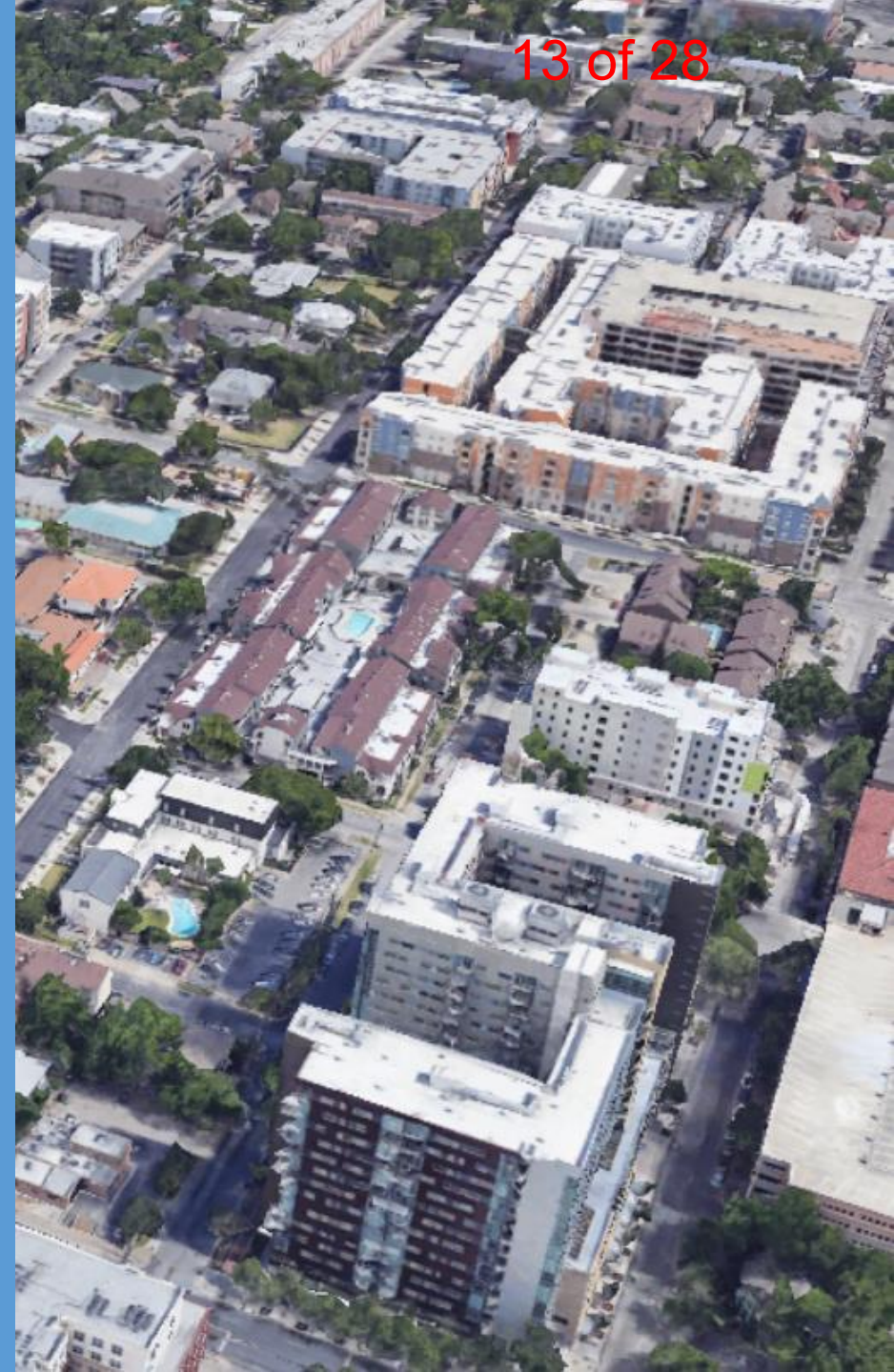
THE UNIVERSITY NEIGHBORHOOD OVERLAY (UNO) CODE AMENDMENTS: Building Heights, Uses, Parking, & Signs

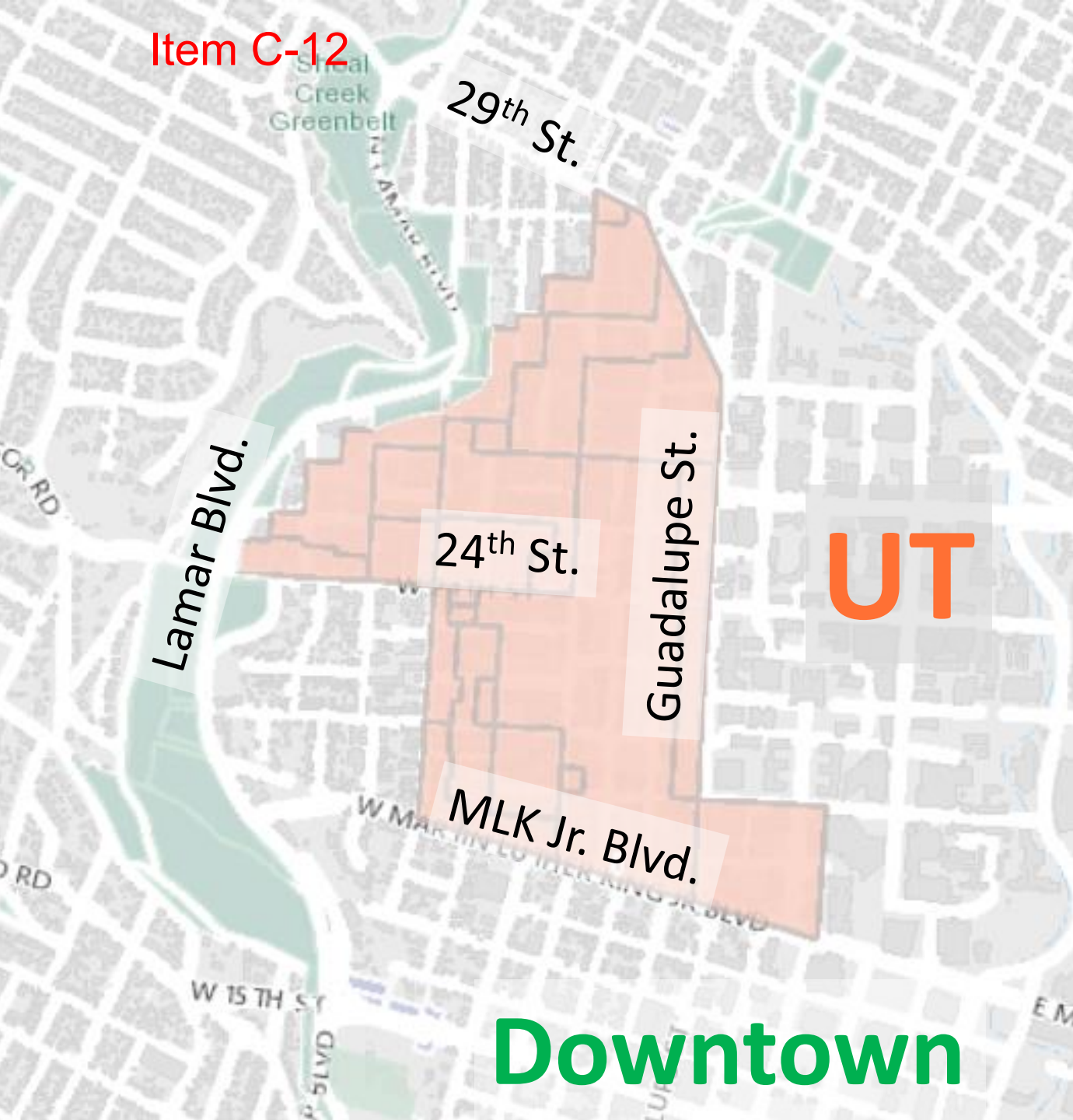
Planning Commission
August 27th, 2019

Case # C20-2019-008

Mark Walters
Planning & Zoning Department

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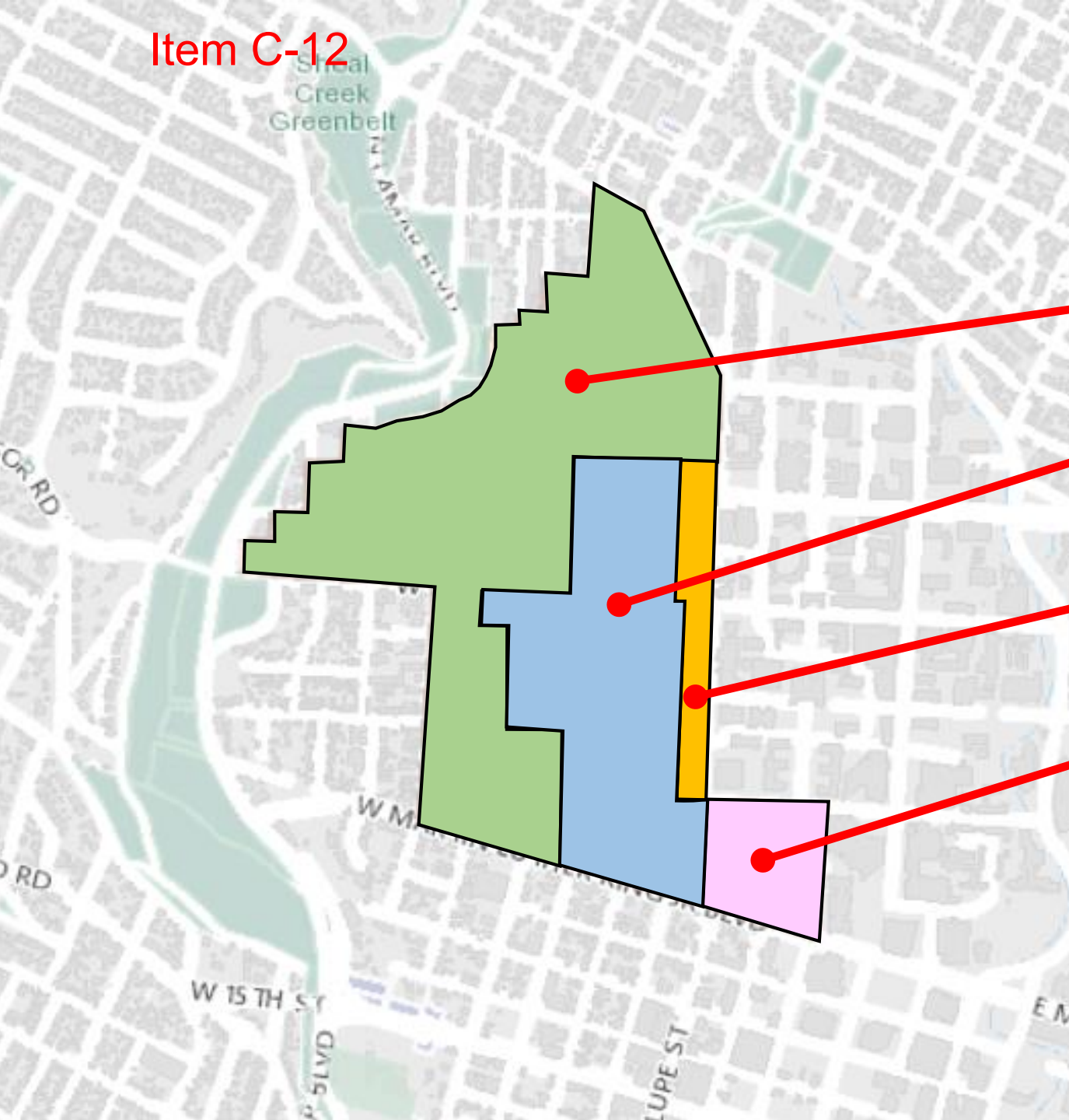


University Neighborhood Overlay (UNO)

14 of 28

- Central Austin Combined Neighborhood Plan
- Adopted in 2004
- Incentive-based redevelopment
- 2Q18: 6,516 units/15,614 bedrooms
- Onsite affordability & UNO Trust Fund (3Q18: \$2.76M)

UNO Districts



Outer West Campus

Inner West Campus

Guadalupe

Dobie

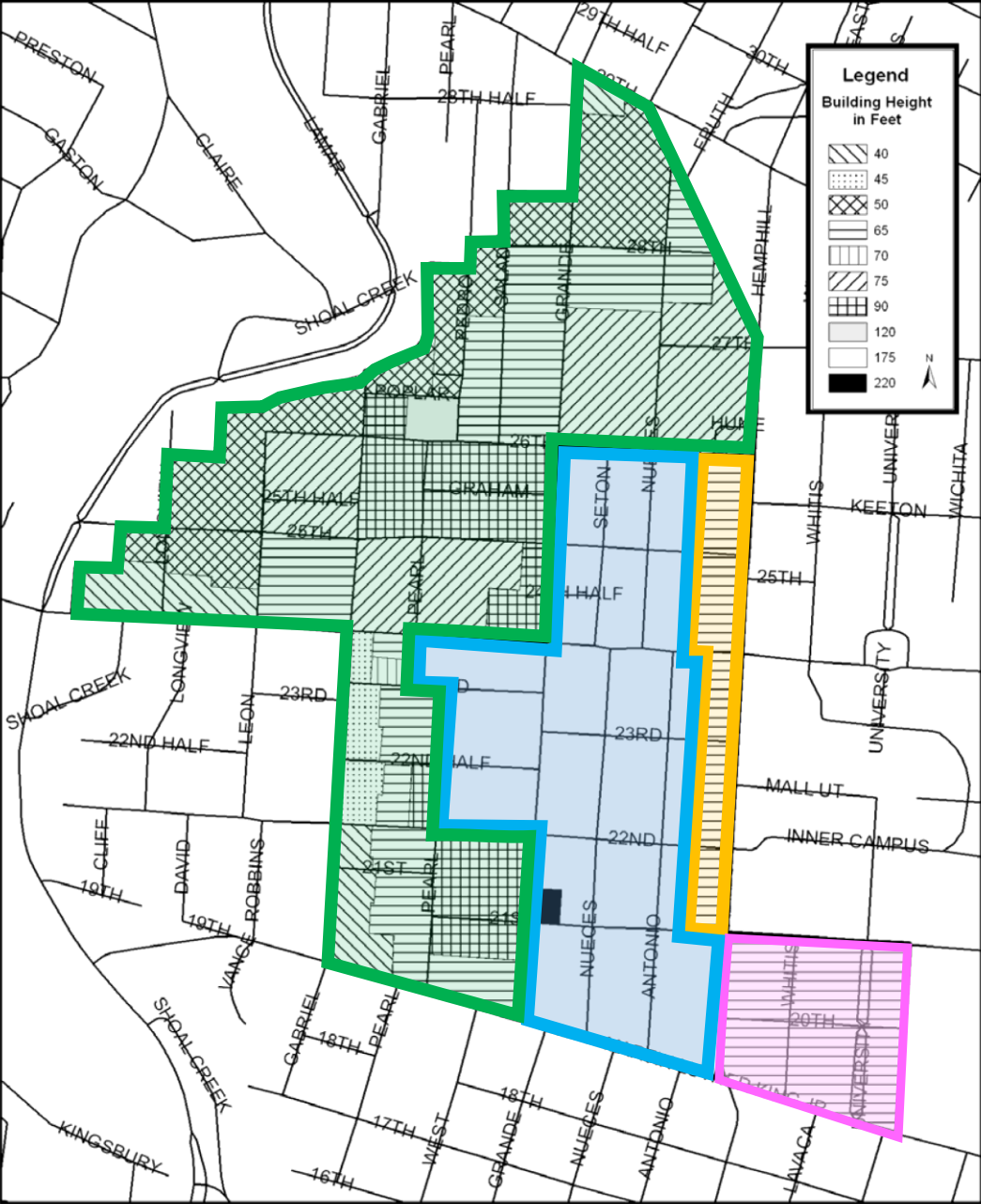
UNO Districts

Outer West Campus (40' to 120')

Inner West Campus (175' to 220')

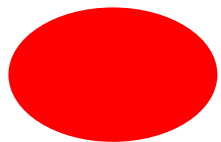
Guadalupe (65')

Dobie (65')

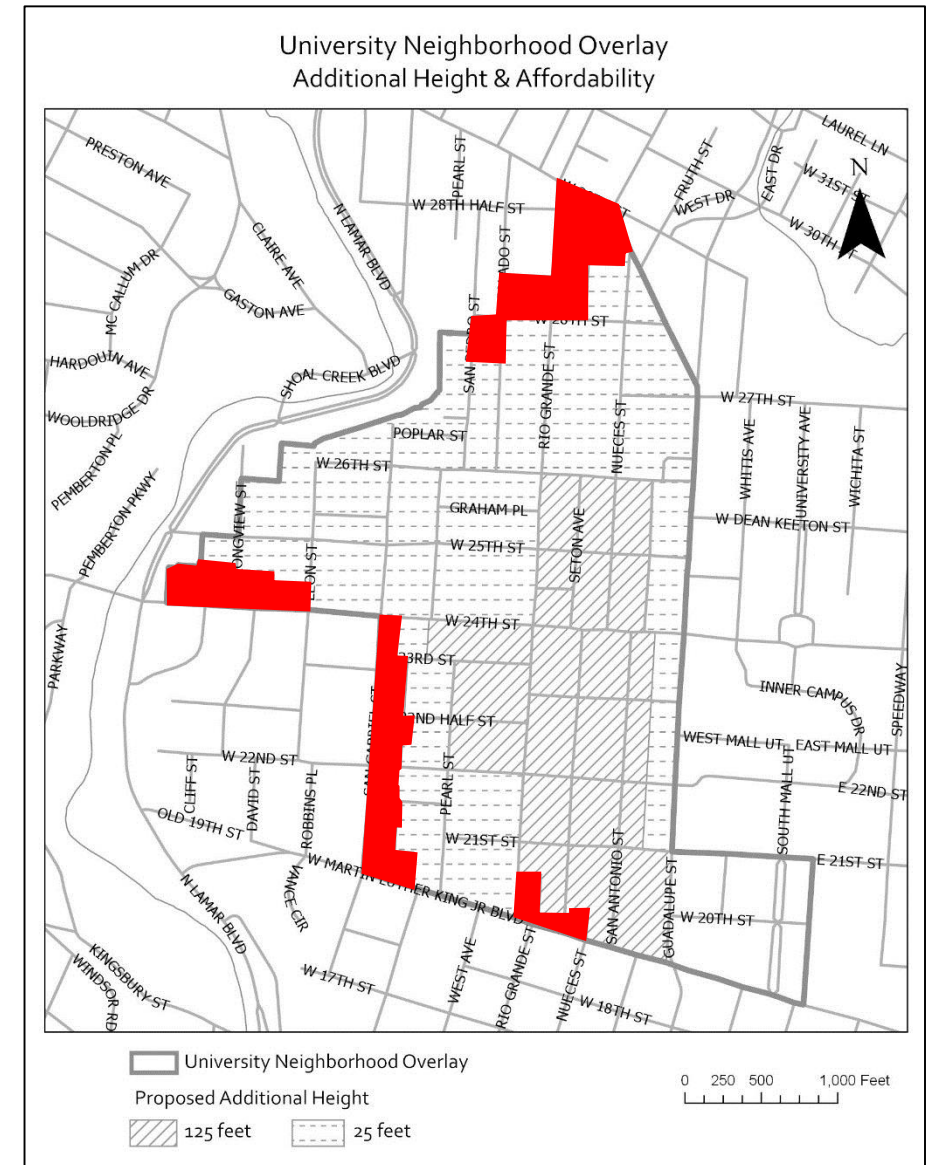


- **Revised** — Allow an additional **125'** building height in the Inner West Campus Subdistrict and an additional **25'** in the Outer West Campus Subdistrict if:
 - 10% of units/bedrooms are set aside for individuals earning 60% of local MFI for 40 years; **and**
 - 10% of units/bedrooms are set aside for individuals earning 50% of local MFI for 40 years; **and**
 - An additional 10% of units/bedrooms are set aside for individuals earning 50% of local MFI for 40 years; **or**
 - The applicant pays a one-time, annually adjusted fee for each sq/ft of net rentable residential floor area.

New Regulations — A map, *Additional Height and Affordability*, is added to Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, and Height Limits*), indicating areas where the height bonuses are allowed.

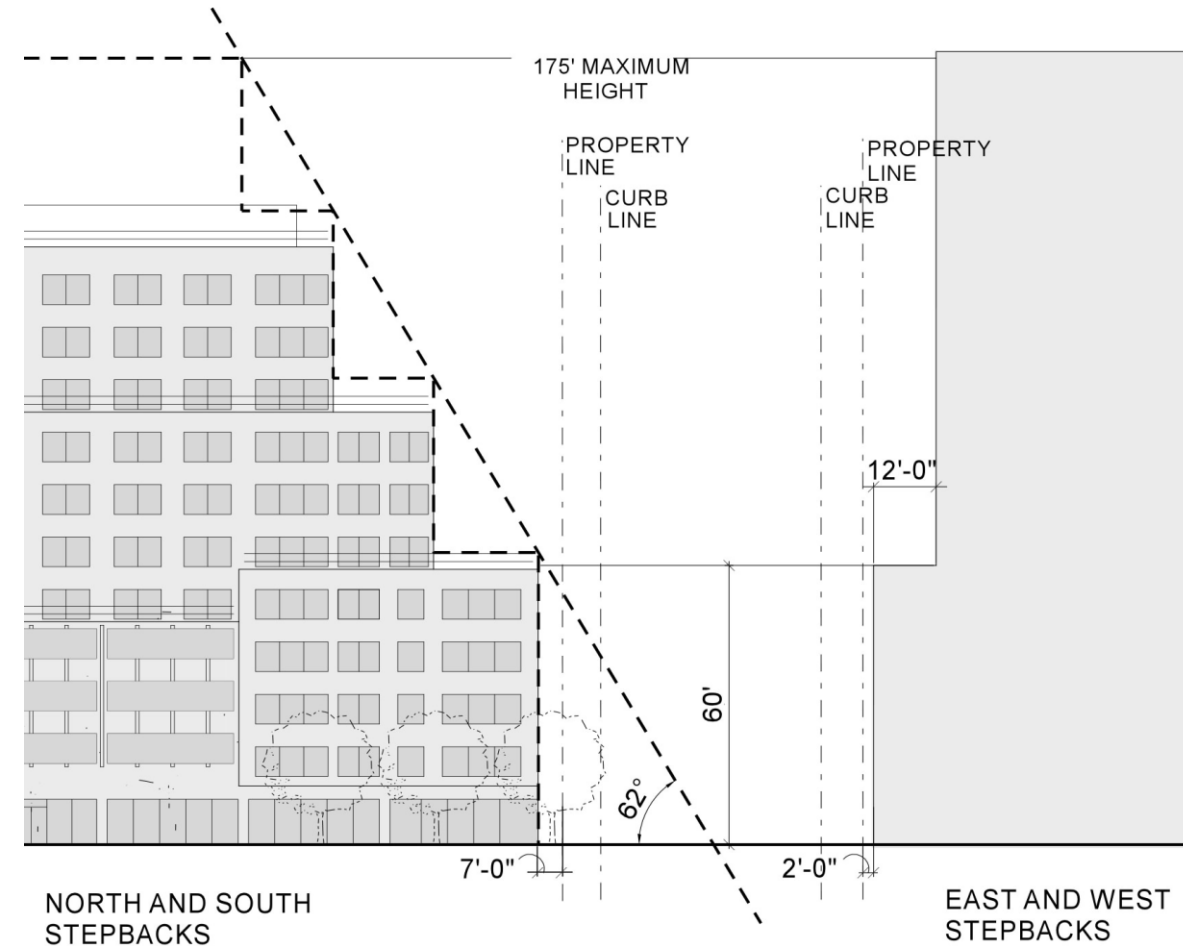


Indicates where additional height for increased affordability is **not** allowed.



Remove — Strike Code section 25-2-758 (B) (2)

- Intended to reduce shadows and allow sunlight to penetrate to the ground on the Winter Solstice.
- For north-facing properties in Inner West Campus, this Code provision would take these sites from taking advantage of the additional height for affordability provisions in these amendments.



- **Revised** — Allow “Local Uses” in residential base districts with permitted building heights of 50 or greater / Currently 75 feet
- **New** — Allow the following uses in existing parking structures
 - Multi-Family Residential
 - Group Residential
 - Local Uses (Art Gallery/Workshop limited to 1,500 sq/ft)
 - Indoor Crop Production
 - Convenience Storage

- **Revised — 25-2-754 (Use Regulations)**

(K) Existing structures constructed under the provisions of this division may convert non-accessible parking spaces to:

(1) a multi-family residential use;

(2) a group residential use; and

(3) local uses:

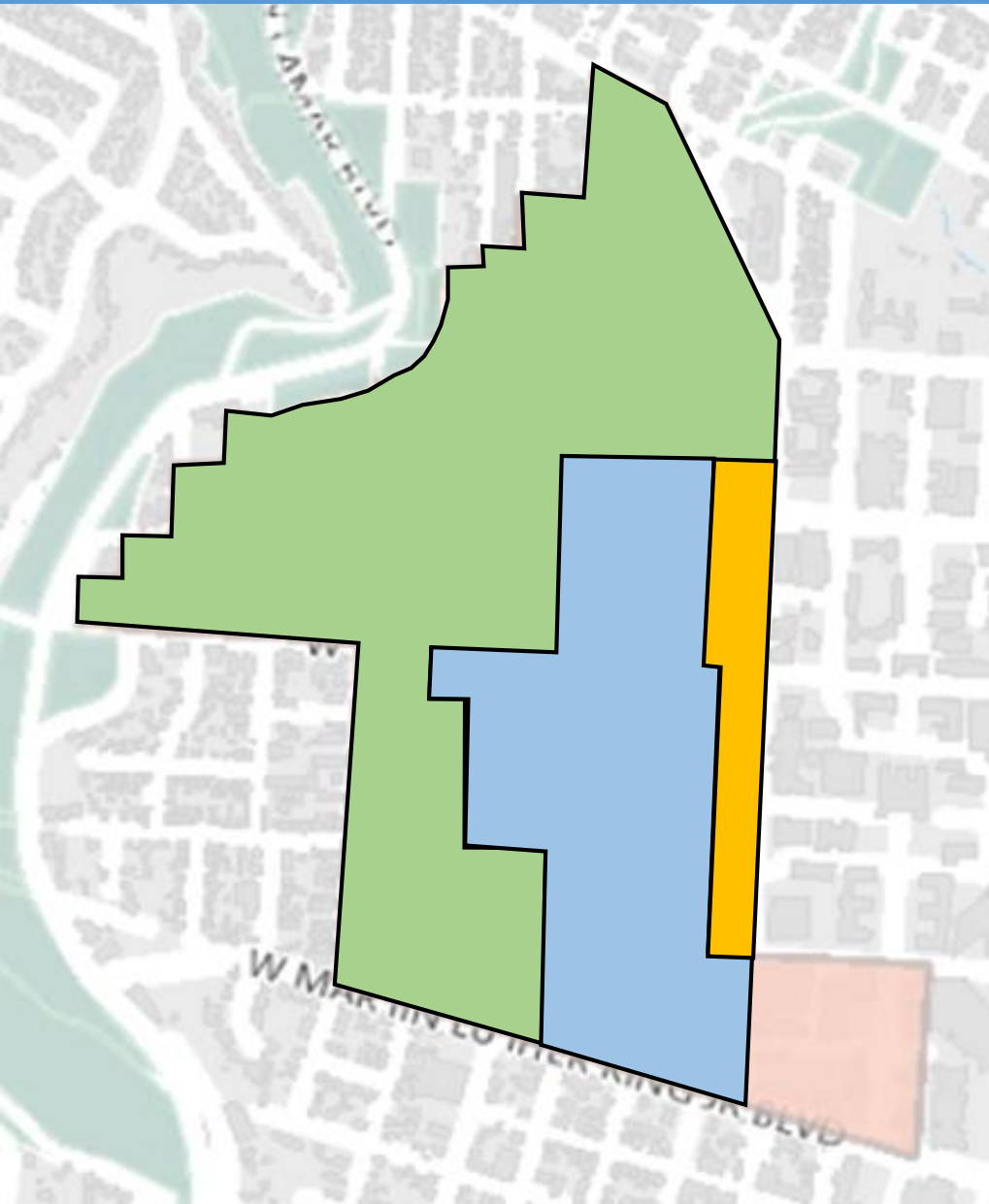
(a) local uses allowed under this title must be located above or adjacent to the street wall area;

(b) an art gallery use and an art workshop use are limited to 1,500 square feet of floor area; and

(4) an indoor crop production use or convenience storage use; and

~~(5) these uses shall not be located in or above a street wall area.~~

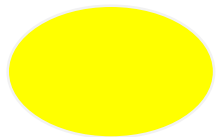
(a) these uses shall not be located in or above a street wall area.



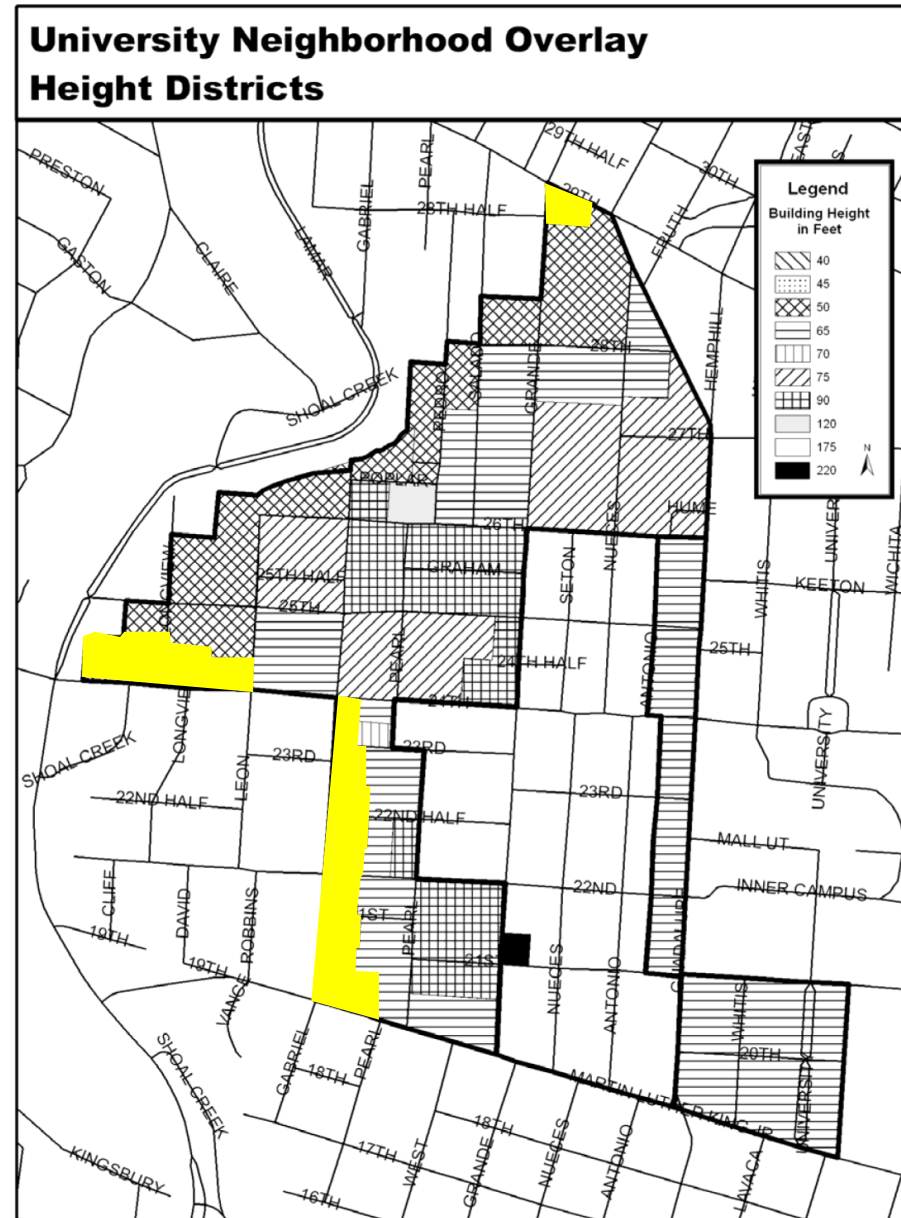
- **New** — Parking requirements for a multi-family projects in the Inner West Campus and Guadalupe Subdistricts are eliminated.
- **Revised** — With the exception of segments of West 24th Street and other changes proposed under these amendments, parking requirements are reduced from 60% to 35% of what the code requires in the Outer West Campus Subdistrict.

- **New** — Parking requirements in the Outer West Campus Subdistrict could be reduced to 25% of code requirements if a project:
 - Participates in a bicycle sharing program and provides onsite bicycle stations or kiosks; or
 - Provides electrical automobile charging stations for 10% of the required off-street parking spaces and sets aside 300 square feet for charging electric bicycles or micromobility devices; or
 - Provides 10% of the units or bedrooms for individuals making 50% or less than the local MFI.

- **New** — Required parking for multi-family projects in the Outer West Campus Subdistrict in a 45-foot or 40-foot height district can be reduced to 20% of that required by providing 20% or greater onsite affordability.

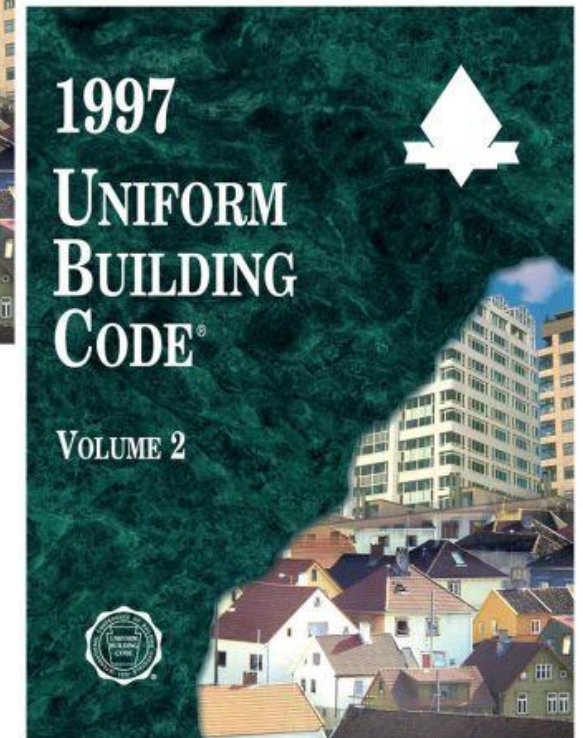
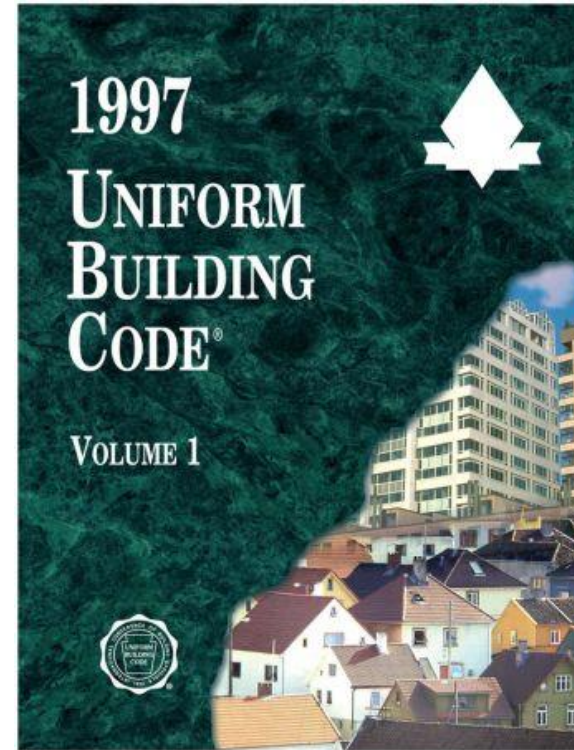


Indicates where reduced parking may be allowed.



- **New** — Required parking for multi-family projects in the Outer West Campus Subdistrict using funds from the University Neighborhood District Housing Trust Fund can be reduced to 10% of required.
- **New** — The minimum parking space requirements for multi-family projects in the Outer West Campus Subdistrict are not cumulative with other parking reductions proposed in these amendments.

- **New** — Multi-family projects in the Outer West Campus subdistrict reducing the number of required parking spaces must provide the number of accessible parking spaces required by the *Uniform Building Code* based on the number and type of bedrooms and/or dwelling units.



- **Revised** — A sign may not exceed 150 square feet of sign area (previously was 100 square feet), except that this limitation does not apply along segments of Guadalupe Street and West 24th Street.
- **Revised** — A wall sign is permitted if it complies with specific regulations.
- **New** (Codes and Ordinances Change) — Allow wayfinding signage above the 2nd floor.

Questions?