

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38

**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;

(a) 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

38 **PART 4.** Section 25-2-758 (*Building Wall Height, Stepbacks, and Envelope*) is amended

39 as follows:

1  
2 (A) An exterior building wall that faces a street must be at least 24 feet high.  
3

4 ~~[(B) Except as provided in Subsection (C):~~

5  
6 ~~(1) — if an exterior wall of a building is adjacent to a street other than an alley,~~  
7 ~~at a height of 65 feet, the upper portion of the wall must be set back from the~~  
8 ~~property line by a distance of at least 12 feet; and~~  
9

10 ~~(2) — if the north side of a building is adjacent to a street other than an alley~~  
11 ~~and is greater than 65 feet in height, the upper portion of the north side of the~~  
12 ~~building must be set back within a building envelope that is formed by a plane~~  
13 ~~that extends from a point on the property line 65 feet high toward the building~~  
14 ~~at an angle of 62 degrees above horizontal.~~  
15

16 ~~(C) Subsection (B) does not apply to up to 15 percent of the length of a building~~  
17 ~~frontage, if that portion of the building frontage is used for an elevator or stairway.]~~  
18

19 ~~(B) [(D)]~~ A parapet may not extend more than five feet above the 65 foot stepback  
20 height described in Subsection (B) or more than five feet above the total building  
21 height.  
22

23 ~~(C) [(E)]~~ Instead of complying with Subsections (A) ~~[through]~~ and ~~(B) [(D)]~~, a  
24 hotel/motel use in the outer west campus subdistrict must comply with the  
25 requirements of this subsection.  
26

27 (1) On property fronting Martin Luther King, Jr. Blvd., all buildings must fit  
28 within an envelope delineated by a 45 degree angle starting at a height of 60  
29 feet above the grade of the property line adjacent to Martin Luther King, Jr.  
30 Blvd. and extending to a maximum height of 85 feet.  
31

32 (2) If the property abuts a historic property as defined in Section 25-2-  
33 756(B)(3), the property must have open space measuring at least 50 feet deep  
34 for at least 50 feet along the street frontage beginning at the common boundary  
35 with the historic property. The open space shall contain no buildings, but may  
36 contain paving, parking, fountains, fences, patios, terraces, canopies, trellises,  
37 and landscaping.

(3) If parking is provided on the site, 75 percent of the spaces must be below grade.

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

A. There are no minimum off-street requirements in the UNO district.

~~A. [Except as otherwise provided in this section, the minimum off street parking requirement in the university neighborhood overlay district is 60 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, 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.~~

~~(1) — participates in a car sharing program and provides bicycle stations or kiosks that complies with the program requirements prescribed by administrative~~

1 rule, as determined by the director of the Watershed Protection and Development  
2 Review Department; or  
3

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

10  
11 **PART 7.** Section 25-6-591 (*Parking Provisions for Development in the Central Business*  
12 *District (CBD) and the Downtown Mixed Use (DMU) and Public (P) Zoning Districts*) is  
13 amended as follows:  
14

15 25-6-591 – PARKING PROVISIONS FOR DEVELOPMENT IN THE CENTRAL  
16 BUSINESS DISTRICT, [AND] THE DOWNTOWN MIXED USE (DMU) AND  
17 PUBLIC (P) ZONING DISTRICTS, AND THE UNIVERSITY NEIGHBORHOOD  
18 OVERLAY (UNO) DISTRICT.  
19

20 (A) The requirements of this section apply to the:

21 (1) central business district (CBD);  
22

23 (2) downtown mixed use (DMU) zoning district; ~~and~~  
24

25 (3) public (P) zoning district within the area bounded by Martin Luther King,  
26 Jr., Boulevard; IH-35; Lady Bird Lake; and Lamar Boulevard[-]; and  
27

28 (4) university neighborhood overlay (UNO) district.  
29

30 **PART 8.** Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) is  
31 amended as follows:  
32

33 (A) This section applies to property that is:  
34

35 (1) within the university neighborhood overlay (UNO) zoning district; and  
36

37 (2) outside a historic sign district.

1  
2 (B) This section supersedes the other provisions of this article to the extent of  
3 conflict.  
4

5 (C) A sign may not exceed 150 [100] square feet of sign area, except that this  
6 limitation does not apply along the following roadways:  
7

- 8 (1) Guadalupe Street, from Martin Luther King, Jr. Blvd. to West 29th Street;  
9  
10 (2) West 24th Street, from Guadalupe Street to Leon Street;  
11  
12 (3) Martin Luther King, Jr. Blvd., from Pearl Street to the alley one block east  
13 of University Avenue; and  
14  
15 (4) West 29th Street, from Guadalupe Street to Rio Grande Street.  
16

17 (D) A freestanding sign is prohibited.  
18

19 (E) A roof sign is prohibited.  
20

21 (F) No sign may be placed above the second floor of a building, except for a non-  
22 electric sign that is engraved, cut into the building surface, or otherwise inlaid to  
23 become part of the building.  
24

25 (G) A wall sign [~~may be a projecting sign~~] is permitted if the sign complies with this  
26 subsection.  
27

- 28 (1) One projecting sign for each building facade is permitted.  
29  
30 (2) The sign area of a projecting sign may not exceed 35 square feet.  
31  
32 (3) A sign may extend from the building facade not more than the lesser of:

1  
2 (a) six feet; or  
3

4 (b) a distance equal to two-thirds the width of the abutting sidewalk.  
5

6 (4) For a sign that projects over state right-of-way, the state must approve the  
7 sign.  
8

9 (H) A sign may not be illuminated or contain electronic images or moving parts.  
10

11 **PART 9.** This ordinance takes effect on \_\_\_\_\_, 2019.  
12

13 **PASSED AND APPROVED**  
14

15 §  
16 §  
17 \_\_\_\_\_, 2019 § \_\_\_\_\_  
18 Steve Adler  
19 Mayor  
20

21  
22 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
23 Anne L. Morgan Jannette S. Goodall  
24 City Attorney City Clerk  
25