

ORDINANCE NO. 20191114-067

**AN ORDINANCE AMENDING CITY CODE TITLE 25 RELATING TO
ALLOWABLE USES, BUILDING HEIGHTS, PARKING
REQUIREMENTS, AND SIGN REGULATIONS IN THE UNIVERSITY
NEIGHBORHOOD OVERLAY (UNO) DISTRICT.**

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

PART 1. Subsection (D) of City Code Section 25-2-754 (*Use Regulations*) is amended to read 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.
 - (2) Except as provided in Paragraph (3), up to 20 percent of the gross floor area of a site may be used for local uses. At least one-half of the gross floor area of the local uses must be located at street level and accessible from a pedestrian path. In determining these percentages, a nonresidential use that is accessory to the principal residential use or located in a historic landmark is excluded from the gross floor area of the local uses.
 - (3) Up to 100 percent of the gross floor area of a structure may be used for local uses if the structure:
 - (a) is a historic landmark and is located entirely in a subdistrict having a permitted building height of 65 feet or greater;
 - (b) was constructed before September 13, 2004, contains less than 10,000 square feet of gross floor area, is less than 65 feet in height, and is located in the inner west campus or Guadalupe subdistricts; or
 - (c) is less than 65 feet in height and located on:
 - (i) Guadalupe Street between Martin Luther King, Jr. Blvd. and 29th Street;

- (ii) Martin Luther King, Jr. Blvd. between Guadalupe Street and Rio Grande Street; or
- (iii) 24th Street between Guadalupe Street and Rio Grande Street.

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

- (L) 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;
 - (3) local uses located above or adjacent to the street wall area;
 - (4) an art gallery use and an art workshop use are limited to 1,500 square feet of floor area; and
 - (5) an indoor crop production use or convenience storage use not located in or above a street wall area.

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

§25-2-756 Height

- (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.
 - ~~[(1) In this subsection, HISTORIC PROPERTY means property zoned historic or listed in the City's historic building survey on October 6, 2008.]~~
 - (1) [2]Except as provided in Paragraph (2[3]), a structure with a multi-family residential use or group residential use may exceed by [15]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; [if]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 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:

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

(a) [i] 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below 60 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Neighborhood Housing and Community Development Office;

(b) [ii] 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below 50 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Neighborhood Housing and Community Development Office; and

(c) [iii] The applicant:

1. Pays into the University Neighborhood District Housing Trust Fund a fee of \$0.50 for each square foot of net rentable floor area in the multi-family residential use or group residential use development; or,
2. Provides an additional 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below 50 percent of the median income in the Austin statistical metropolitan area as determined by the director of the Neighborhood Housing and Community Development Office.

(3) A building on a lot in the outer west campus subdistrict that has a common side lot line with a historic property may not exceed by more than 20 feet the maximum building height of the base district in which the historic property is located.

(4) The fee in (c)(1) above will be adjusted annually in accordance with the Consumer Price Index All Urban Consumers, US City Average, All Items (1982-84=100), as published by the Bureau of Labor Statistics of the United States Department of Labor or in accordance with any other similar, applicable standard as defined by the director of the Neighborhood Housing and Community Development Office. The city manager shall annually determine the new fee amounts for each fiscal year, beginning October 1, 2014, and report the new fee amounts to the city council.

PART 4. Section 25-2-758 (*Building Wall Height, Stepbacks, and Envelope*) is amended to read as follows:

§ 25-2-758 Building Wall Height, Stepbacks, and Envelope.

- (A) An exterior building wall that faces a street must be at least 24 feet high.
- (B) Except as provided in Subsection (C):
 - (1) if an exterior wall of a building is adjacent to a street other than an alley, at a height of 65 feet, the upper portion of the wall must be set back from the property line by a distance of at least 12 feet; and
 - ~~[(2) if the north side of a building is adjacent to a street other than an alley and is greater than 65 feet in height, the upper portion of the north side of the building must be set back within a building envelope that is formed by a plane that extends from a point on the property line 65 feet high toward the building at an angle of 62 degrees above horizontal.]~~
- (C) ~~[(D)]~~ A parapet may not extend more than five feet above the 65 foot stepback height described in Subsection (B) or more than five feet above the total building height.
- (D) ~~[(E)]~~ Instead of complying with Subsections (A) ~~[through]~~ and (B) ~~[(D)]~~, a hotel/motel use in the outer west campus subdistrict must comply with the requirements of this subsection.
 - (1) On property fronting Martin Luther King, Jr. Blvd., all buildings must fit within an envelope delineated by a 45 degree angle starting at a height of 60 feet above the grade of the property line adjacent to Martin Luther King, Jr. Blvd. and extending to a maximum height of 85 feet.

- (2) If the property abuts a historic property as defined in Section 25-2-756(B)(3), the property must have open space measuring at least 50 feet deep for at least 50 feet along the street frontage beginning at the common boundary with the historic property. The open space shall contain no buildings, but may contain paving, parking, fountains, fences, patios, terraces, canopies, trellises, and landscaping.
- (3) If parking is provided on the site, 75 percent of the spaces must be below grade.

PART 5. City Code Chapter 25-2, 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. Subsection (A) of City Code Section 25-6-591 (*Parking Provisions for Development in the Central Business District (CBD) and the Downtown Mixed Use (DMU) and Public (P) Zoning Districts*) is amended to read as follows:

§ 25-6-591 PARKING PROVISIONS FOR DEVELOPMENT IN THE CENTRAL BUSINESS DISTRICT (CBD), [~~AND~~] THE DOWNTOWN MIXED USE (DMU) DISTRICT [~~AND~~] THE PUBLIC (P) ZONING DISTRICT, AND THE UNIVERSITY NEIGHBORHOOD OVERLAY (UNO) DISTRICT.

(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[~~;~~]; and
- (4) university neighborhood overlay (UNO) district.

PART 7. City Code Section 25-6-601 (*Parking Requirements for University Neighborhood Overlay District*) is amended to read as follows:

§ 25-6-601 Parking Requirements for University Neighborhood Overlay District.

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 rule, as determined by the director of the Watershed Protection and Development Review Department; or~~
 - ~~(2) sets aside for a period of not less than 15 years from the date a certificate of occupancy is issued at least 10 percent of the dwelling units on the site to house persons whose household income is less than 50 percent 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*).]~~

PART 8. Subsections (C), (F), and (G) of City Code Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) are amended to read as follows:

§ 25-10-133 University Neighborhood Overlay Zoning District Signs

- (A) This section applies to property that is:
- (1) within the university neighborhood overlay (UNO) zoning district; and
 - (2) outside a historic sign district.

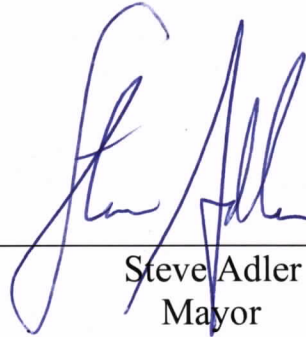
- (B) This section supersedes the other provisions of this article to the extent of conflict.
- (C) A sign may not exceed 150 ~~[100]~~ square feet of sign area, except that this limitation does not apply along the following roadways:
- (1) Guadalupe Street, from Martin Luther King, Jr. Blvd. to West 29th Street;
 - (2) West 24th Street, from Guadalupe Street to Leon Street;
 - (3) Martin Luther King, Jr. Blvd., from Pearl Street to the alley one block east of University Avenue; and
 - (4) West 29th Street, from Guadalupe Street to Rio Grande Street.
- (D) A freestanding sign is prohibited.
- (E) A roof sign is prohibited.
- ~~[(G)]~~(F) 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)]~~(G) A sign may not be illuminated or contain electronic images or moving parts.

PART 9. This ordinance takes effect on November 25, 2019.


PASSED AND APPROVED

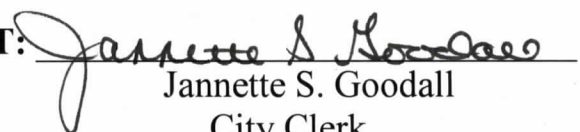
____ November 14 _____, 2019

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Steve Adler
Mayor

APPROVED: 
Anne L. Morgan
City Attorney

ATTEST: 
Jannette S. Goodall
City Clerk