

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2023-010 Eliminate Minimum Parking Requirements

Description: Amendment to Title 25 (and Title 30) to eliminate minimum off-street motor vehicle parking requirements.

Background: Initiated by City Council [Resolution No. 20230504-022](#)

On May 4, 2023, City Council directed staff to eliminate minimum off-street vehicle parking requirements in the City from City Code Title 25 (Land Development) through [Resolution 20230504-022](#). Per the resolution, “[t]he City Manager is directed to return with recommendations for developments proposing no on-site parking that allow for accessible parking spaces on-street, adjacent to or reasonably nearby the development and located on an accessible route. The recommendations should ensure accessible parking spaces comply with all design, accessibility, and location requirements of the ADA [Americans with Disabilities Act] and FHA [Fair Housing Act], as appropriate.” Council directed the City Manager to return with an ordinance for Council consideration by December 31, 2023.

Minimum parking requirements are established primarily in Chapter 25-6 (Appendix A) of the Land Development Code. There are numerous references throughout Title 25 to Appendix A for specific areas of the City, and Appendix A includes requirements besides minimum vehicle parking requirements, such as requirements for off-street loading/unloading and bicycle parking. Additionally, there are additional parking requirements in several other chapters of Title 25.

Summary of Proposed Code Amendment:

The proposed amendments to the LDC:

- Remove the minimum vehicle off-street parking requirements from Chapter 25-6, Article 7 (Off-Street Parking and Loading) and make corresponding changes to other code sections with references or requirements of minimum parking;
- Update Chapter 25-6, Article 7 (Off-Street Parking and Loading) with appropriate text edits to remove references to minimum vehicle parking requirements in Appendix A, Part 1;
- Update Chapter 25-6, Article 7 (Off-Street Parking and Loading) for clarity on the provision of accessible parking spaces for development;
- Update the table in Appendix A to maintain previous parking requirements that are referenced throughout the LDC for purposes such as provision of accessible parking spaces, maintain off-street loading/unloading requirements, and the use of the table to establish parking maximums in certain districts and certain zoning categories; and
- Update the remainder of Title 25 and Title 30 for a number of references to minimum off-street vehicle parking requirements.

Proposed Text Amendment(s):

The following sections of Title 25 and Title 30 are affected by the proposed changes:

Chapter 25-2 - Zoning**Subchapter A – Zoning Uses, Districts, and Map**

- Article 2. Zoning Districts
 - § 25-2-91 Purposes of Commercial Districts Designations
 - § 25-2-121 Purposes of Industrial District Designations
 - § 25-2-181 Corridor Overlay (COR) District Purpose and Boundaries

Subchapter B – Zoning Procedures; Special Requirements for Certain Districts

- Article 2. Special Requirements for Certain Districts
 - § 25-2-312 CURE Combining District Regulations
 - § 25-2-441 Planned Development Areas Generally

Subchapter C – Use and Development Regulations

- Article 1. General Provisions
 - § 25-2-474 Required Findings
- Article 2. Principal Use and Development Regulations
 - § 25-2-519 Commercial-Residential Development
- Article 3. Additional Requirements for Certain Districts
 - § 25-2-766.14 Parking Regulations (Transit-Oriented Development District Regulations)
 - § 25-2-772 Single-Family Attached Residential Use
 - § 25-2-773 Duplex Residential Use
 - § 25-2-780 Multifamily Residential Use
- Article 4. Additional Requirements for Certain Uses
 - § 25-2-807 Special Use in Historic District
 - § 25-2-818 Mobile Retail Establishments
 - § 25-2-831 College or University
 - § 25-2-865 Light Manufacturing Use
- Article 5. Accessory Uses
 - § 25-2-900 Home Occupations
- Article 6. Accessory Uses
 - § 25-2-924 Conditions of Approval
- Article 7. Nonconforming Uses
 - § 25-2-947 Nonconforming Use Regulation Groups
- Article 10. Compatibility Standards
 - § 25-2-1052 Exceptions
- Article 14. Mobile Homes and Tourist or Trailer Camps
 - § 25-2-1205 Site Development Regulations for Mobile Home Parks

Subchapter D – Neighborhood Plan and Combining Districts

- Article 6. Neighborhood Mixed Use Building Special Use
 - § 25-2-1504 Neighborhood Mixed Use Building Regulations
- Article 7. Residential Infill and Neighborhood Urban Center Special Uses
 - § 25-2-1556 Multifamily and Condominium Regulations
 - § 25-2-1566 Commercial Use Parking Requirements

Subchapter E – Design Standards and Mixed Use

- Article 2. Site Development Standards
 - 2.3.1 Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity
 - Article 4. Mixed Use
 - § 4.3 Vertical Mixed Use Buildings
 - 4.3.3.E Height, Dimensional and Parking Requirements*
- *Additional references to 4.3.3.E.3 removed from:
- 4.3.3.F and .G
 - 4.3.5.A
 - 4.3.5.B.5.a and .c
 - 4.3.5.C.1.a and .b
 - 4.3.5.C.2.a and .b
 - 4.3.5.C.3 and .5

Subchapter F – Residential Design and Compatibility Standards

- Article 3. Definitions and Measurement
 - 3.3.2 Gross Floor Area

Chapter 25-3 – Traditional Neighborhood District

- Article 4. General Development Standards
 - § 25-3-83 Parking

Chapter 25-4 – Subdivision

- Article 3. Platting Requirements**
 - § 25-4-232 Small Lot Subdivisions
 - § 25-4-233 Single-Family Attached Residential Subdivision

****Same Changes proposed in Title 30 (ETJ)**

- § 30-2-232 *Small Lot Subdivisions*
- § 30-2-233 *Single-Family Attached Residential Subdivision*

Chapter 25-5 – Site Plans

- Article 3. Land Use Commission Approved Site Plans
 - § 25-5-145 Evaluation of Conditional Use Site Plan

Chapter 25-6 – Transportation

- Article 7. Off-Street Parking and Loading
 - § 25-6-471 Off-Street Parking Facility Required
 - § 25-6-472 Parking Facility Standards
 - § 25-6-473 Modification of Parking Requirement
 - § 25-6-474 Parking Facility for Persons with Disabilities*
 - § 25-6-476 Parking for Mixed Use Developments
 - § 25-6-477 Bicycle Parking
 - § 25-6-478 Motor Vehicle Reductions General
 - § 25-6-501 Off-Site Parking
 - § 25-6-502 Application and Approval
 - § 25-6-591 Parking Provisions for Development in the Central Business District (CBD), the Downtown Mixed Use (DMU) District, the Public (P) Zoning Districts, and the University Neighborhood Overlay (UNO) District

- § 25-6-593 Provisions for Property in the Central Urban Redevelopment (CURE) Combining District Area
- § 25-6-601 Parking Requirements for University Neighborhood Overlay District
- § 25-6-611 Parking Requirements for a Transit Oriented Development District

Staff Recommendation: Recommended.

This amendment is consistent with City goals around housing affordability and it aligns with the Parking section of the Austin Strategic Mobility Plan, which reads (bold added for emphasis):

“Effective management of parking can improve mobility, safety, the environment, and affordability. Parking management is closely tied to **land use regulations** and curb management practices, and as such, they **should both be written to encourage better parking management**. Land use regulations should be written to ensure new developments accommodate different travel options, not just people in cars. Parking requirements should focus on maximums instead of minimums, and parking spaces should be offered to buyers and renters separately from rent or housing purchase, a practice known as ‘unbundling.’”

Another section reads “[m]inimum parking requirements have resulted in an overabundance of parking in many locations throughout Austin and have continued to encourage people to drive to their destination. **These parking spaces are expensive to build and maintain**, and promote automobile use even when short trips can be easily accessed by walking, bicycling, or by taking transit. More efficient use of our land should be considered when building new developments and when remodeling older properties. **Zoning codes should be modified to: reduce parking requirements**; promote shared and off-site parking among neighboring properties; utilize unbundling of parking in conjunction with site-specific TDM plans; and to support walkable, mixed-use developments to lessen the need for parking. Unbundling of parking, for example, would help manage demand on the transportation network by only providing parking for those who use it and decrease project costs for the creation of affordable housing. **Affordable housing, creative and music venues, and small, local businesses in neighborhoods especially would benefit from reductions in parking requirements.**”

Indicators for achieving our parking goals include decreasing the number of parking spaces per capita and increasing the percentage of developments that opt for parking reductions available in the Land Development Code.

Staff also met and worked with Americans Disabled for Attendant Programs Today (ADAPT) of Texas to ensure that the accessible parking requirements are maintained and strengthened where appropriate. The revised code language around accessible parking spaces suggests that no development applications would be able to provide fewer spaces than are currently required, and developments formerly required to provide fewer than 500 spaces per Code would be required to provide zero to two more spaces. Larger developments, those formerly required to provide more than 500 spaces, could be required to provide more than two additional accessible parking spaces, though the change would represent less than one percent of total parking spaces.

Lastly, Title 25 (and Title 30) are not the only documents that include parking regulations. The following documents also include minimum parking requirements that are separate from the Land Development Code:

- Transit-Oriented Development (TOD) Regulating Plan
 - Lamar Boulevard/Justin Lane TOD Station Area Plan
 - MLK TOD Station Area Plan
 - Plaza Saltillo TOD Station Area Plan
- Regulating Plans
 - North Burnet/Gateway Zoning District
 - East Riverside Corridor Zoning District
 - *South Central Waterfront (in development)*
- Neighborhood Conservation Combining District (NCCD)
 - Hyde Park
 - North Hyde Park
 - North University
 - Fairview Park
 - 11th Street
 - 12th Street

The three TOD and two other adopted regulating plans refer back to the LDC for their parking requirements. All of them refer to a ratio, or percentage, of LDC required parking to determine their minimum parking requirement. The proposed changes to the LDC would eliminate those requirements (e.g., 60 percent of 0 required parking spaces would be 0 required parking spaces), but that could lead to confusion in the regulating plans. For the purposes of enforcement, these proposed changes would apply to the regulating plans; however, for clarity, those regulating plans will be modified to ensure consistency with the LDC around required parking.

Additionally, the South Central Waterfront Regulating Plan is in development right now, and the proposed text has been reviewed and modified to be consistent with the proposed Title 25 text.

For the NCCDs, the 11th Street and 12th Street areas do not include any additional parking requirements as compared to the LDC. The other four NCCDs do have additional requirements, and they are as follows:

Hyde Park

- Part 7 (General Provisions): 17.g.2 requires two spaces per dwelling unit in the Residential District and the West 38th Street District
- Part 8 (Residential District): 16 requires an additional parking space for each new full bathroom constructed if there are at least five bathrooms in a duplex
- Part 9 (Speedway District): 17 requires an additional parking space for each new full bathroom constructed if there are at least five bathrooms in a duplex

North Hyde Park

- Part 7 (Residential District): 13 requires an additional parking space for each new full bathroom constructed if there are at least five bathrooms in a duplex

- Part 8 (Avenue A District): 13 requires an additional parking space for each new full bathroom constructed if there are at least five bathrooms in a duplex

North University

- Part 6 (General Provisions): 7.g requires a parking space for each bedroom in a dwelling unit for a multi-family use
- Part 6 (General Provisions): 7.j requires an additional parking space for each new full bathroom constructed if there are at least five bathrooms in a duplex
- Part 8 (Speedway District): 7.c requires a parking space for each bedroom plus an extra 10 percent for visitor parking for Lots 8-14, Block 6, Fruth Addition
- Part 13 (Waller Creek / Seminary District): 8 requires a parking space per dwelling unit associated with college/university facilities, a parking space for two residents in a dorm, and one space per 1,000 square feet for all other uses

Fairview Park

- Part 6: B.4 requires a parking space for each unit in a duplex
- Part 6: D.4.b requires a parking space for each dwelling unit for senior living facilities
- Part 6: I.6 requires a parking space for each room/suite for a bed and breakfast

Given the limited scope of these requirements and the potential complexity in making these changes, they are not proposed to be repealed with this code amendment. However, staff will be revisiting each of these ordinances to make minimum parking requirements consistent with the rest of the City per the LDC. Additionally, staff has flexibility to waive parking requirements or reduce them as necessary if the parties included agree to a reduced parking provision, even as low as zero parking spaces.

Lastly, there are specifically negotiated parking requirements as part of Planned Unit Development (PUD) agreements. Many of these likely decrease the current parking requirements, but there are also likely PUD agreements that increase parking requirements for certain uses. As PUD agreements have been specifically negotiated and are legal agreements, the proposed code changes would not supersede parking requirements included in PUD agreements. However, staff again has flexibility to waive parking requirements or reduce them as necessary if the parties included in a PUD agreement agree to a reduced parking provision, even as low as zero parking spaces.

Board and Commission Action:

August 29th, 2023, briefing to the Planning Commission, no action

September 20th, 2023, to be reviewed by the Codes and Ordinances Joint Committee

October 3rd, 2023, to be reviewed by the Urban Transportation Commission

October 10th, 2023, to be reviewed by the Planning Commission

Council Action:

To be considered on November 2nd, 2023

Sponsor Department: Transportation and Public Works

City Staff:

Dan Hennessey, Dan.Hennessey@austintexas.gov, (512) 974-1305 (Case Manager)