



29 (a) The following requirements apply if no parking is provided for a use,  
30 other than parking for persons with disabilities:

31  
32 (i) the minimum number of accessible parking spaces is calculated by  
33 taking 100 percent of the parking previously required for the use  
34 under Appendix A (*Tables of Off-Street Loading Requirements*  
35 *and Former Off-Street Parking Requirements*) and using that result  
36 to determine the number of accessible spaces required under the  
37 Building Code. The accessible spaces may be provided on- or off-  
38 site, within 250 feet of the use and must be on an accessible route.

39 (ii) The director may waive or reduce the number of accessible spaces  
40 required under Paragraph (2)(a)(i) if the applicant pays a fee in-  
41 lieu to be used by the city to construct and maintain accessible  
42 parking in the vicinity of the use. The availability of this option is  
43 contingent on the establishment of a fee by separate ordinance and  
44 the adoption of a program by the director to administer the fee and  
45 establish eligibility criteria. A decision by the director that a use is  
46 ineligible for a fee in-lieu is final.

47 (iii) The director may waive or reduce the number of accessible spaces  
48 required if no accessible spaces can be provided consistent with  
49 the requirements of Paragraph (2)(a)(i) and the use is ineligible for  
50 participation in the fee in-lieu program under Paragraph (2)(a)(ii).

51 (iv) An off-site or on-street parking space designated for persons with  
52 disabilities that is located within 250 feet of a use may be counted  
53 towards the number of parking spaces the use is required to  
54 provide under Paragraph (2)(a)(i).

55 (b) If any off-street parking is provided for a use, other than parking for  
56 persons with disabilities, then the use is subject to the requirements in  
57 Paragraph (1).

58 (3) Except as provided in Subsections (C) and (F) [~~of this section~~], the maximum  
59 motor vehicle parking facility allowed is 60 percent of the number of motor  
60 vehicle parking spaces previously required by Appendix A (*Tables of Off-*  
61 *Street Loading Requirements and Former Off-Street Parking Requirements*).

- 62 (4) Except as provided in Subsections (C) and (D) of this section, a parking  
63 garage must be separated from an adjacent street by a pedestrian-oriented use  
64 described in Section 25-2-691 (*Waterfront Overlay (WO) District Uses*) that  
65 fronts on the street at the ground level.
- 66 (5) A curb cut for a garage access must have a width of 30 feet or less.
- 67 (6) At the intersection of sidewalk and parking access lane, ten-degree cones of  
68 vision are required.
- 69 (C) The maximum number of parking spaces allowed under Subsection (B)(3) of this  
70 section may be increased at the request of an applicant under the requirements of this  
71 subsection.
- 72 (1) The director shall approve an increase if all parking spaces are contained in a  
73 parking structure and the total number of spaces is less than 110 percent of the  
74 spaces calculated under Appendix A (*Tables of Off-Street Loading  
75 Requirements and Former Off-Street Parking Requirements*).
- 76 (2) Only if bicycle parking is also increased proportionately.
- 77 (D) The Land Use Commission may waive the requirement of Subsection (B)(5) of this  
78 section during the site plan review process after determining that:
- 79 (1) present and anticipated development in the area is not amenable to access by  
80 pedestrians;
- 81 (2) the requirement does not allow a reasonable use of the property; or
- 82 (3) other circumstances attributable to the property make compliance impractical.
- 83 (E) If a waiver is granted under Subsection (D), an area for which the requirement is  
84 waived must be screened.
- 85 (F) This subsection applies to property zoned CBD and DMU.
- 86 (1) Except as otherwise provided in this subsection, the maximum motor vehicle  
87 parking facility allowed is 40 percent of the number of motor vehicle parking  
88 spaces formerly required by Appendix A (*Tables of Off-Street Parking and  
89 Loading Requirements*).

- 90           (2)   A development that is less than 10,000 square feet in floor area or containing  
91                   70 or fewer residential units can continue to include up to 60 percent of motor  
92                   vehicle parking spaces formerly required by Appendix A (*Tables of Off-Street*  
93                   *Parking and Loading Requirements*).
- 94           (3)   The director may approve an increase to the maximum number of parking  
95                   spaces if:
- 96                   (a)   all parking spaces are contained in a parking structure and the total  
97                   number of spaces is less than 80 percent of the spaces formerly required  
98                   by Appendix A (*Tables of Off-Street Loading Requirements and Former*  
99                   *Off-Street Parking Requirements*) and bicycle parking is increased  
100                   proportionately; or
- 101                   (b)   the director finds that allowing additional parking spaces does not impact  
102                   public health, safety, or welfare or undermine established planning  
103                   policies for the area; and
- 104                   (c)   the parking is a shared parking facility and the site plan includes a note  
105                   that identifies the shared parking facility as a condition of approval; or
- 106                   (d)   the parking is rented or sold separately from the building space and the  
107                   site plan includes a note that identifies the separate rental or sale of the  
108                   parking spaces as a condition of approval; or
- 109                   (e)   the parking is designed and constructed for conversion to usable building  
110                   space in the future and the site plan includes a note that identifies the  
111                   ability to convert the parking to usable building space as a condition of  
112                   approval; or
- 113                   (f)   the parking is included in an underground parking structure; or
- 114                   (g)   the applicant pays a mitigation fee established by separate ordinance.
- 115           (4)   A development may include up to 100 percent of motor vehicle parking  
116                   spaces formerly required by Appendix A (*Tables of Off-Street Loading*  
117                   *Requirements and Former Off-Street Parking Requirements*) if at least 20  
118                   percent of the spaces are included in an underground parking structure.
- 119           (5)   A mitigation fee collected in Subdivision (3) is to be used for multimodal  
120                   improvements within the area bounded by Martin Luther King, Jr., Boulevard;  
121                   IH-35; Lady Bird Lake; and Lamar Boulevard.