

**CURRENT REGULATIONS****§ 25-2-168 - DOWNTOWN PARKS (DP) OVERLAY DISTRICT PURPOSE AND BOUNDARIES.**

(A) The purpose of the downtown parks (DP) overlay district is to enhance the pedestrian use and vitality of downtown parks and to establish a unique urban design identity associated with the public open spaces.

(B) The DP overlay district applies to property zoned CBD or DMU that is within:

- (1) 60 feet of the public right-of-way surrounding Republic Square;
- (2) 60 feet of the public right-of-way surrounding Brush Square; or
- (3) 60 feet of the public right-of-way surrounding Wooldridge Square.

Source: Section 13-2-174; Ord. 990225-70; Ord. 030612-93; Ord. 031211-11.

**ORDINANCE NO. 030612-93**

**AN ORDINANCE AMENDING CHAPTERS 15-12 AND 25-2 OF THE CITY CODE RELATING TO THE USE AND DEVELOPMENT OF PROPERTY ZONED CENTRAL BUSINESS AND DOWNTOWN MIXED USE.**

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

**PART 1.** Section 15-12-43 of the City Code is amended to amend Subsection (A) and add a new Subsection (F) to read as follows:

- (A) Except as provided in Subsections (C), [~~and~~] (E), and (F), the holder of an approved license agreement shall pay the City an annual license fee.
- (F) The director of the Public Works Department shall waive an annual license fee if the director determines that:
  - (1) the license agreement relates to property zoned central business (CBD) or downtown mixed use (DMU) and authorizes overhead pedestrian cover or a roof drain on adjacent public property; and
  - (2) the overhead cover, if any, is provided by a projection from a building, including a balcony or awning, or an arcade that is open to the street.

**PART 2.** Section 25-2-168(B) of the City Code is amended to read as follows:

- (B) The DP overlay district applies to property zoned CBD or DMU that is within:
  - (1) 60 feet of the public right-of-way surrounding Republic Square; [~~or~~]
  - (2) 60 feet of the public right-of-way surrounding Brush Square; or
  - (3) 60 feet of the public right-of-way surrounding Wooldridge Square.

**PART 3.** Chapter 25-2, Subchapter C, Article 3, Division 2 of the City Code is amended to designate Sections 25-2-581 through 25-2-585 as "Subpart A: General Requirements" and to add a new Subpart B to read as follows:

**§ 25-2-643 - CONGRESS AVENUE (CA), EAST SIXTH/PECAN STREET (PS), DOWNTOWN PARKS (DP), AND DOWNTOWN CREEKS (DC) COMBINING DISTRICT REGULATIONS.**

(A) In the Congress Avenue (CA), East Sixth/Pecan Street (PS), downtown parks (DP), and downtown creeks (DC) combining districts:

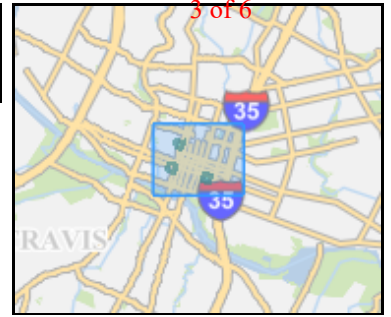
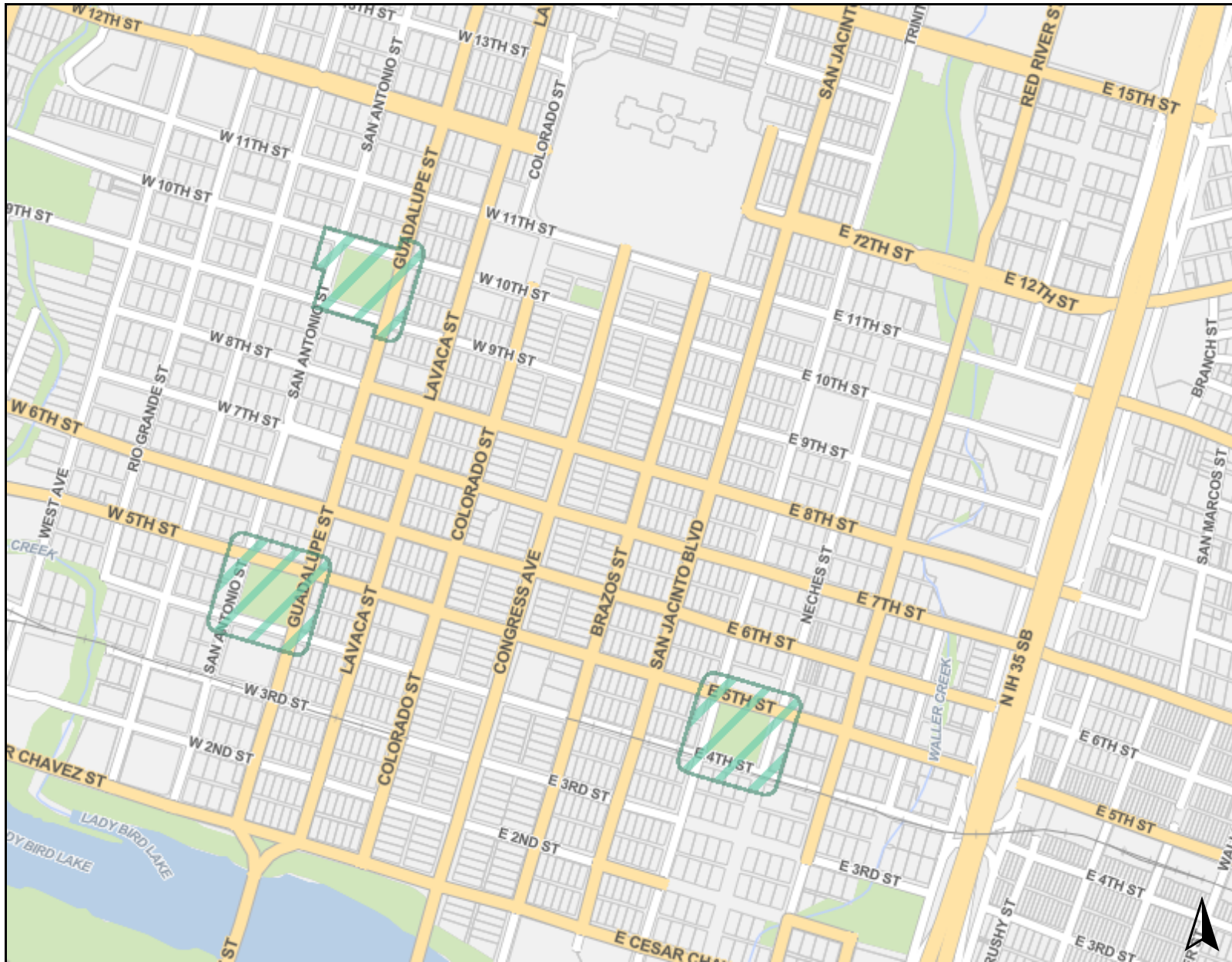
- (1) glass used on the first floor of a structure must have a visible transmittance rating of 0.6 or higher; and
- (2) reflective surface building materials must not produce glare.

(D) In the DP combining district:

- (1) a structure may not exceed a height of 120 feet; and
- (2) at least one entrance to a new development must face the park unless the new development is located diagonally across an intersection from the park.



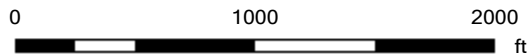
# Downtown Parks Overlay



## Legend

Zoning\_2

Downtown Parks



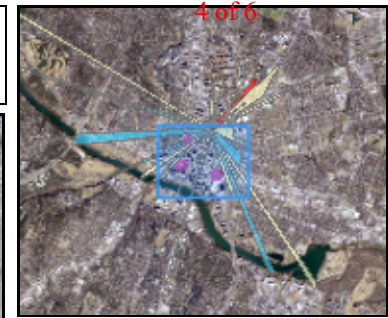
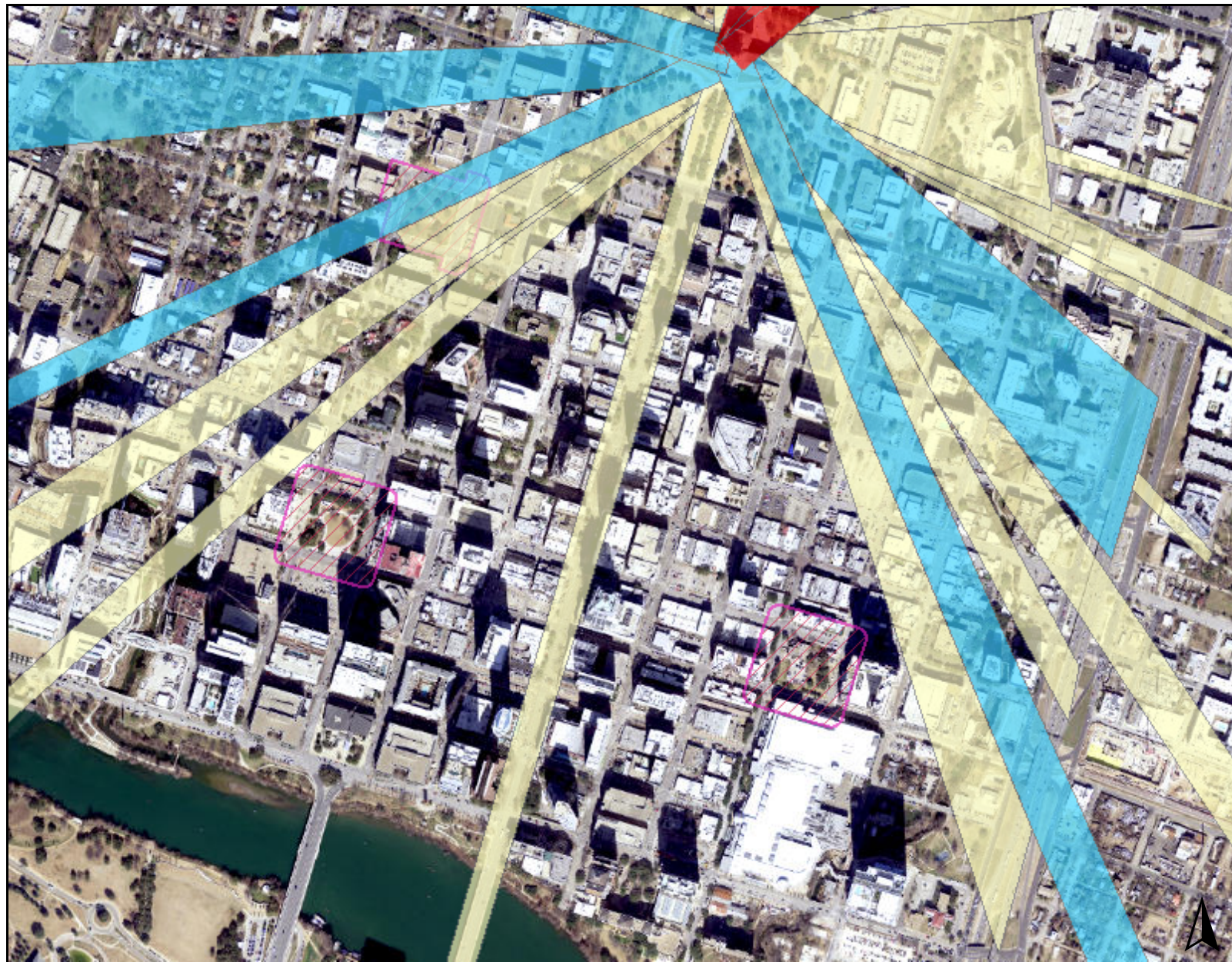
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## Notes



# Downtown Parks Overlay



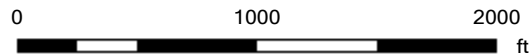
## Legend

Zoning\_2

### Capitol View Corridors

- City of Austin
- State Defined City Corridors
- State Defined City Corridors
- State Defined City Corridors
- State Defined City Corridors
- State Defined City Corridors
- State of Texas Corridors

### Downtown Parks



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## Notes

**POTENTIAL CODE AMENDMENT (DRAFT FOR DISCUSSION)****§ 25-2-586 DOWNTOWN DENSITY BONUS PROGRAM.****(B) Downtown Density Bonus Maps and Table.**

- (1) The downtown district boundaries are shown on the Downtown Districts Map (Figure 1). Properties in the downtown district that are eligible for density bonuses under this section are shown on the Eligibility, Floor-to-Area Ratio and Height Maps (Figure 2).
- (2) Properties in the Rainey Street Subdistrict may participate in the Downtown Density Bonus Program only for floor-to-area ratio that exceeds 8:1. To achieve floor-to-area ratio up to 8:1, properties in the Rainey Street Subdistrict must comply with Subsection (C)(4) of Section 25-2-739 (*Rainey Street Subdistrict Regulations*) of the City Code.
- (3) The amount of floor-to-area ratio or height that may be achieved by a downtown density bonus for a site is limited by the maximum height or Floor-to-Area Ratio identified on Figure 2.
- (4) The maximum heights and maximum floor-to-area ratios on Figure 2 do not modify a site's primary entitlement. If the maximum height or maximum floor-to-area ratio allowed under a primary entitlement exceeds the height or floor-to-area ratio on Figure 2, the bonus area is calculated by using the site's primary entitlement that does not exceed the maximums shown on Figure 2.
- (5) The development bonus fee may vary by use and downtown district. The applicable development bonus fee within each of the nine districts is established by ordinance.
- (6) Notwithstanding the limitation provided for in Subsection (B)(3) of this section, the city council may grant to an applicant floor-to-area ratio that exceeds the maximum floor-to-area ratio in Figure 2 if:
  - (a) The applicant has already achieved the maximum floor-to-area ratio in Figure 2 by participating in the Downtown Density Bonus Program;
  - (b) The applicant submits a written request and rationale for the additional floor-to-area ratio to the director;
  - (c) The director makes a written recommendation on the application and then submits the recommendation to the Planning Commission for its review and recommendation; and
  - (d) The city council determines that the additional floor-to-area ratio should be granted because:
    - (i) The applicant has offered additional community benefits described in Subsections (E)(1)–(12) above and beyond those offered to achieve the floor-to-area ratio in Figure 2;
    - (ii) The applicant agrees to use the same methodology and bonus area granted for each community benefit as described in the downtown density bonus program to achieve the desired bonus area;
    - (iii) The city council determines that awarding the additional floor-to-area ratio substantially furthers the goals and objectives of the Downtown Austin Plan and the Imagine Austin Comprehensive Plan; and
    - (iv) the applicant has agreed that any residential parking space shall be offered separately from the dwelling unit.
- (7) Properties described in the downtown district boundary (Figure 1) and subject to Section 25-2-161 (*Capitol Dominance Overlay District*) or Section 25-2-168 (*Downtown Parks (DP) Overlay District*)

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**POTENTIAL CODE AMENDMENT (DRAFT FOR DISCUSSION)**

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*Purpose and Boundaries* are eligible for density bonuses shown on the Eligibility, Floor-to-Area Ratio and Height Maps (Figure 2).

- (8) A property described in the downtown district boundary (Figure 1) and subject to Section 25-2-162 (*Capitol View Corridor Overlay District*) is eligible for density bonuses shown on the Eligibility, Floor-to-Area Ratio and Height Maps (Figure 2) that do not conflict with the height limitations established in Section 25-2-642 (*Capitol View Corridor Overlay District Regulations*).

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