

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 25-2 OF THE CITY CODE RELATING TO HISTORICALLY SIGNIFICANT BUILDINGS ON RAINEY STREET.**

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

**PART 1.** Section 25-2-739 (*Rainey Street Subdistrict Regulations*) of the City Code is amended to reflect the following:

**§ 25-2-739 RAINEY STREET SUBDISTRICT REGULATIONS.**

- (A) This section applies in the Rainey Street subdistrict of the WO combining district.
- (B) The primary setback lines are located:
  - (1) 150 feet landward from the Town Lake shoreline; and
  - (2) 50 feet from the Waller Creek centerline.
- (C) This subsection applies to property zoned central business district (CBD) after April 17, 2005.
  - (1) For a building located on Red River Street from Cesar Chavez Street to Driskill Street or River Street from I-35 to River Street's western terminus, the development must have sidewalks not less than ten feet wide along the street frontage.
  - (2) For a residential or mixed-use building, the maximum building height is 40 feet. This limitation does not apply if at least five percent of the dwelling units on the site are available to house persons whose household income is less than 80 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 use with a drive-in service is prohibited.
  - (4) The permitted floor-to-area ratio is 12 to 1 if the building height limitation of 40 feet prescribed by Paragraph (2) does not apply and the development cumulates at least 65 points, as described in this paragraph.
    - (a) The development qualifies for 10 points if:
      - (i) at least 10 percent of the gross floor area of the development is used for a residential use; and
      - (ii) at least 10 percent of the gross floor area of the development is used for a nonresidential use.

- 1 (b) The development qualifies for 15 points if the development complies with this  
2 paragraph.
- 3 (i) Street lights must be installed along the street frontage. The street lights  
4 may not be closer together than 88 feet and may not be farther apart than  
5 112 feet.
- 6 (ii) Conduit for traffic signals and street lighting must be installed along the  
7 street frontage. The conduit and its installation must comply with the  
8 City's criteria manuals.
- 9 (iii) Shade trees must be installed along the street frontage. The trees may  
10 not be closer together than 22 feet and may not be farther apart than 30  
11 feet. The trees must be Class A trees, as described in the City's criteria  
12 manuals.
- 13 (iv) Benches must be installed along the street frontage. Two benches for  
14 each 150 feet of street frontage are required.
- 15 (v) Trash receptacles must be installed along the street frontage. One trash  
16 receptacle for each street adjoining the development is required.
- 17 (vi) The director shall determine the placement of the street lights, conduit,  
18 shade trees, benches, and trash receptacles. Only products approved by  
19 the director may be used. The director shall by rule promulgate a list of  
20 approved products.
- 21 (c) The development qualifies for 10 points if:
- 22 (i) for a non-residential or mixed-use building:
- 23 1. along not less than 75 percent of the building's street frontage,  
24 for a building depth of not less than 20 feet the minimum  
25 distance between the finished ground floor of the building and  
26 the structural portion of the ceiling is 15 feet; and
- 27 2. for a ground level wall that faces a public street, not less than 50  
28 percent of the wall area that is between two and ten feet above  
29 grade is constructed of glass with a visible transmittance rating  
30 of 0.6 or higher; or
- 31 (ii) for a residential building, each ground floor dwelling unit has its  
32 principal entrance facing and opening onto the street.
- 33 (d) The development qualifies for five points if at least 10 percent of the  
34 development is used for a plaza, square, park, green, or other similar open  
35 space.
- 36 (e) The development qualifies for five points if:

- 1 (i) the parking is underground;
- 2 (ii) the parking is located in an interior court; or
- 3 (iii) the parking is located in an above-ground parking structure; and
- 4 1. the headlights of automobiles in the parking structure are not
- 5 directly visible from an adjacent building or a building across a
- 6 street, other than an alley; and
- 7 2. automobiles in the parking structure are screened from public
- 8 view; and
- 9 (iv) for a parking garage within 50 feet of a public street other than an alley:
- 10 1. each floor must be flat, except for access ramps between floors;
- 11 2. the minimum distance between a floor and the structural portion
- 12 of the ceiling is eight feet; and
- 13 3. the minimum distance between adjacent floors is ten feet.
- 14 (f) The development qualifies for five points if the development complies with this
- 15 paragraph.
- 16 (i) For a building adjacent to a historically significant structure, as
- 17 determined in accordance with Subsection (C)(4)(j), the adjacent
- 18 portions of the building above the second story are stepped back not less
- 19 than 15 feet.
- 20 (ii) Each building has an entrance on each street on which it has frontage.
- 21 (iii) Each primary building entrance is architecturally differentiated from the
- 22 entrances to the building's street level businesses, if any.
- 23 (g) The development qualifies for:
- 24 (i) five points if each building achieves at least a two star rating under the
- 25 Austin Green Building program, as prescribed by a rule adopted in
- 26 accordance with Chapter [1-2](#) (*Adoption of Rules*); or
- 27 (ii) 10 points if each building achieves at least a three star rating under the
- 28 Austin Green Building program.
- 29 (h) The development qualifies for five points if the development improves street or
- 30 pedestrian connectivity in the Rainey Street subdistrict. The improvement must
- 31 be in addition to a sidewalk or street improvement that is already required by
- 32 this title.
- 33 (i) The development qualifies for 10 points if the development is located along
- 34 Rainey Street or River Street and each building has:

- 1 (i) a minimum front setback of ten feet; and
- 2 (iii) a base wall with a maximum height of 45 feet and a building stepback of
- 3 not less than 15 feet at the top of the base wall.

- 4 (j) The development qualifies for five points for each historically significant
- 5 building structure that is preserved on-site, ~~or~~ relocated to a site within the
- 6 Rainey Street subdistrict, or relocated to a location within the city limits as
- 7 determined appropriate by the Historic Landmark Commission, up to a
- 8 maximum of 25 points. A building structure is historically significant if the
- 9 City's historic preservation officer determines that the building structure
- 10 contributes to the historic character of the Rainey Street National Register
- 11 Historic District.

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13 **PART 2.** This ordinance takes effect on \_\_\_\_\_, 2013.

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16 **PASSED AND APPROVED**

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20 \_\_\_\_\_, 2013 §

21 Lee Leffingwell

22 Mayor

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25 **APPROVED:** \_\_\_\_\_

26 Karen M. Kennard

27 City Attorney

**ATTEST:** \_\_\_\_\_

Jannette Goodall

City Clerk