

# P.C. RECOMMENDATION

2-2

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

1 AN ORDINANCE AMENDING TITLE 25 OF THE CITY CODE TO ADD A NEW  
2 UNIVERSITY NEIGHBORHOOD OVERLAY ZONING DISTRICT.

3  
4 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
5

6 PART 1. Section 25-2-32(F) of the City Code is amended to read:

7 (F) Combining districts and map codes are as follows:

- |                                     |      |
|-------------------------------------|------|
| 8 (1) historic landmark             | H    |
| 9 (2) conditional overlay           | CO   |
| 10 (3) neighborhood conservation    | NC   |
| 11 (4) planned development area     | PDA  |
| 12 (5) waterfront overlay           | WO   |
| 13 (6) mixed use                    | MU   |
| 14 (7) Capitol view corridor        | CVC  |
| 15 (8) Capital dominance            | CD   |
| 16 (9) Congress Avenue              | CA   |
| 17 (10) East Sixth / Pecan Street   | PS   |
| 18 (11) downtown parks              | DP   |
| 19 (12) downtown creeks             | DC   |
| 20 (13) convention center           | CC   |
| 21 (14) central urban redevelopment | CURE |
| 22 (15) East Austin                 | EA   |
| 23 (16) neighborhood plan           | NP   |

**PART 2.** Chapter 25-2 of the City Code is amended to add a new Section 25-2-178 to read:

**§ 25-2-178 UNIVERSITY NEIGHBORHOOD OVERLAY (UNO) DISTRICT PURPOSE AND BOUNDARIES.**

(A) The purpose of the university neighborhood overlay (UNO) district is to promote high density redevelopment in the area generally west of the University of Texas campus, provide a mechanism for the creation of a densely populated but livable and pedestrian friendly environment, and protect the character of the predominantly single-family residential neighborhoods adjacent to the district.

(B) The UNO district consists of the following subdistricts:

(1) inner west campus subdistrict;

(2) outer west campus subdistrict;

(3) Guadalupe subdistrict; and

(4) Dobie subdistrict.

(C) The boundaries of the UNO district and each subdistrict are identified in Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*) of this chapter.

**PART 3.** Chapter 25-2, Subchapter C, Article 3 of the City Code is amended to add a new Division 9 to read:

**Division 9. University Neighborhood Overlay District Requirements.**

**§ 25-2-751 APPLICABILITY.**

This division applies to property in the university neighborhood overlay (UNO) district if the property owner files a site plan and an election for the property to be governed by this division.

**§ 25-2-752 CONFLICT OF LAW.**

For property governed by this division, this division supersedes the other provisions of this title to the extent of conflict.

1       **§ 25-2-753 LOCAL USES DESCRIBED.**

2           In this division, a local use is a use that serves the public by providing goods or  
3       services in a manner readily accessible by pedestrians or the occupants of the structure in  
4       which the uses are located. Local uses include:

- 5           (1) administrative and business offices;
- 6           (2) art and craft studio (general or limited);
- 7           (3) consumer repair services;
- 8           (4) counseling services;
- 9           (5) day care services (commercial, general, or limited);
- 10          (6) food sales;
- 11          (7) general retail sales (convenience or general);
- 12          (8) guidance services;
- 13          (9) medical offices (under 5,000 square feet);
- 14          (10) personal improvement services;
- 15          (11) personal services;
- 16          (12) pet services;
- 17          (13) professional offices;
- 18          (14) religious assembly;
- 19          (15) restaurant (general or limited);
- 20          (16) theater; and
- 21          (17) a conditional use in the base zoning district that is approved by the land  
22          use commission.

23       **§ 25-2-754 USE REGULATIONS.**

24           (A) In a nonresidential zoning base district, residential uses are permitted.

25           (B) In any base zoning district, a hotel-motel use, a multifamily use, or a group  
26       residential use is permitted.

1 (C) This subsection applies to a multifamily residential use.

- 2 (1) Each building must achieve at least a one star rating under the Austin  
3 Green Building program.
- 4 (2) All ground floor dwelling units must be:
- 5 (a) adaptable for use by a person with a disability; and
- 6 (b) accessible by a person with a disability from the on-site parking and  
7 common facility, if any.
- 8 (3) At least 10 percent of the dwelling units must be accessible for a person  
9 with a mobility impairment.
- 10 (4) At least two percent of the dwelling units must be accessible for a person  
11 with a hearing or visual disability.
- 12 (5) Each multistory building must be served by an elevator, unless at least  
13 25 percent of the site's dwelling units are located on the ground floor.
- 14 (6) A parking space must be leased separately from a dwelling unit.

15 (D) This subsection governs local uses in a residential base district.

- 16 (1) Except as provided in Paragraph (2), up to 20 percent of the gross floor  
17 area of a site may be used for local uses. At least one-half of the gross  
18 floor area of the local uses must be located at street level and accessible  
19 from a pedestrian path. In determining these percentages, a  
20 nonresidential use that is accessory to the principal residential use or  
21 located in a historic landmark is excluded from the gross floor area of  
22 the local uses.
- 23 (2) Up to 100 percent of the gross floor area of a structure may be used for  
24 local uses if the structure is a historic landmark or the structure contains  
25 less than 10,000 square feet of gross floor area and is the only structure  
26 on the site.

27 (E) This subsection applies to commercial off-street parking.

- 28 (1) Commercial off-street parking on a surface lot is prohibited.
- 29 (2) Commercial off-street parking in a structure is:
- 30 (a) permitted in any base zoning district in the Guadalupe, Dobie, or  
31 inner west campus subdistrict; and

1 (b) prohibited in the outer west campus subdistrict.

2 (3) The street level portion of a commercial off-street parking structure that  
3 is accessible from a pedestrian path must contain local uses for a depth  
4 of at least 18-1/2 feet. This requirement does not apply to a portion of  
5 the structure used for an entrance or exit.

6 (F) A cocktail lounge is a conditional use if it is accessory to a hotel-motel use  
7 with at least 50 rooms.

8 **§ 25-2-755 HEIGHT.**

9 Maximum heights for structures are prescribed by Appendix C (*University  
10 Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*).

11 **§ 25-2-756 SETBACKS.**

12 (A) The minimum front yard setback and the minimum side yard setback are 3-1/2  
13 feet, except:

14 (1) the minimum setbacks are 10 feet along Martin Luther King, Jr. Blvd.  
15 between Rio Grande Street and San Gabriel Street; and

16 (2) there are no minimum setbacks:

17 (a) along Guadalupe Street between Martin Luther King, Jr. Blvd. and  
18 28<sup>th</sup> Street; and

19 (b) along 24<sup>th</sup> Street between Guadalupe Street and Rio Grande Street.

20 (B) The maximum front yard setback and the maximum street side yard setback  
21 are 10 feet except:

22 (1) the maximum setbacks are 15 feet along 24<sup>th</sup> Street or along Martin  
23 Luther King, Jr. Blvd. between Rio Grande Street and San Gabriel  
24 Street;

25 (2) the maximum setbacks are 45 feet for a public plaza or private common  
26 open space;

27 (3) there are no maximum setbacks for a pedestrian entry court or an  
28 outdoor cafe; and

29 (4) the director of the Watershed Protection and Development Review  
30 Department may modify a maximum setback if the director determines

1 that the modification is required to protect a historic structure or a tree  
2 designated as significant by the city arborist.

3 (C) There is no minimum or maximum interior side yard setback.

4 (D) There is no minimum or maximum rear yard setback.

5 **§ 25-2-757 BUILDING STEPBACKS AND BUILDING ENVELOPE**  
6 **RESTRICTION.**

7 (A) Except as provided in Subsection (B):

- 8 (1) if an exterior wall of a building is adjacent to a street other than an alley,  
9 at a height of 57 feet, the upper portion of the wall must be set back from  
10 the lower portion of the wall by a distance of at least 12 feet; and  
11 (2) if the north side of a building is adjacent to a street other than an alley  
12 and is greater than 57 feet in height, the upper portion of the north side  
13 of the building must be set back within a building envelope that is  
14 formed by a plane that extends from the top of the lower portion of the  
15 north side exterior wall toward the building at an angle of 62 degrees  
16 above horizontal.

17 (B) If a building facade abuts street frontage for a distance of at least 280 feet,  
18 Subsection (A) does not apply to:

- 19 (1) 15 percent of the length of a building facade that faces east, south, or  
20 west; or  
21 (2) 20 percent of the length of a building facade that faces north.

22 **§ 25-2-758 STREET WALL AREAS ADJACENT TO OCCUPANT SPACE.**

23 (A) In this section:

- 24 (1) **OCCUPANT SPACE** means space in a building used for a use other  
25 than a parking facility.  
26 (2) **STREET WALL AREA** means the portion of an exterior wall of a  
27 building adjacent to a public street other than an alley and accessible  
28 from a pedestrian path that extends from the base of street level:  
29 (a) to a maximum height of 57 feet; or  
30 (b) for an accessory parking structure, to a maximum height of two  
31 stories.

1 (B) At least 42 percent of the street wall area of a building must be adjacent to  
2 occupant space.

3 (C) If a building has street wall areas on more than one street, at least 29 percent of  
4 the total street wall area must be adjacent to occupant space on a street that  
5 runs east and west.

6 (D) This section does not apply to a commercial off-street parking structure.

7 **§ 25-2-759 STREETSCAPE IMPROVEMENTS.**

8 (A) A site owner shall install a sidewalk not less than five feet wide along each  
9 street frontage adjacent to the site. The director of the Transportation,  
10 Planning, and Sustainability Department may require that the sidewalk be up  
11 to 12 feet wide. The director shall determine an appropriate sidewalk width  
12 after considering right-of-way width and other factors affecting the site.

13 (B) A site owner shall plant and maintain trees along an adjacent street right-of-  
14 way.

15 (1) Trees must be spaced to create a nearly contiguous canopy when the  
16 trees reach maturity.

17 (2) A tree must be in scale with the adjacent building.

18 (3) A tree planted in a sidewalk area must have a tree grating.

19 (C) A site owner shall install and maintain pedestrian-scale lighting along an  
20 adjacent street right-of-way.

21 (1) Lighting may be provided either on-site or in the street right-of-way.

22 (2) A light may not be more than 13 feet above finished grade, and the light  
23 must be on a building-mounted fixture or a pole.

24 (3) A light must provide illumination of at least one-half lumen on the  
25 surface of the pedestrian path.

26 (4) A light must be shielded to prevent it from shining upward.

27 (D) The director of the Transportation, Planning, and Sustainability Department  
28 shall adopt rules prescribing the requirements for tree planting and  
29 maintenance and the installation and maintenance of pedestrian-scale lighting.

30 (E) The director of the Transportation, Planning, and Sustainability Department  
31 may require fiscal security to ensure compliance with this section.

1       **§ 25-2-760 PLACEMENT OF EQUIPMENT AND TRASH RECEPTACLES.**

2           Utility equipment, mechanical equipment, and large trash receptacles:

- 3               (1) are prohibited in the area between a building and a street; and
- 4               (2) must not be visible from a street.

5       **§ 25-2-761 SITE ACCESS.**

- 6           (A) Vehicular access from a site to a public street is limited to two curb cuts.
- 7           (B) Vehicular access to a site from 21<sup>st</sup> Street, 22<sup>nd</sup> Street, 25<sup>th</sup> Street, or 26<sup>th</sup> Street
- 8               between Guadalupe Street and Pearl Street is prohibited if the site has frontage
- 9               on another street or alley.
- 10          (C) A site with access to an alley must use the alley or a parking structure for
- 11               service and delivery access.
- 12          (D) A site that does not have access to an alley must provide a service and delivery
- 13               area that is at least 30 feet deep, measured from the front setback line or side
- 14               setback line, as applicable.
- 15          (E) The director of the Watershed Protection and Development Review
- 16               Department may waive or modify a requirement of this section if the director
- 17               determines that the waiver or modification is necessary for adequate traffic
- 18               circulation or public safety.

19       **§ 25-2-762 CERTAIN REGULATIONS INAPPLICABLE OR SUPERSEDED.**

20           (A) The following provisions of this subchapter do not apply:

- 21               (1) maximum floor-to-area ratios;
- 22               (2) maximum building coverage percentages;
- 23               (3) Article 9 (*Landscaping*); and
- 24               (4) Article 10 (*Compatibility Standards*), if the property is at least 75 feet
- 25               from the boundary of the university neighborhood overlay district.

26           (B) Impervious cover limitations of this subchapter are superseded by this

27               subsection. Maximum impervious cover is:

- 28               (1) 100 percent in the inner west campus and Guadalupe subdistricts;
- 29               (2) 90 percent in the outer west campus subdistrict; and



1 (3) 85 percent in the Dobie subdistrict.

2 (C) For a multi-family residential use:

3 (1) minimum site area requirements of this subchapter for each dwelling  
4 unit do not apply; and

5 (2) the minimum open space for each dwelling unit is 100 square feet.

6 **§ 25-2-763 DESIGN GUIDELINES.**

7 (A) A site plan must substantially comply with the design guidelines prescribed by  
8 administrative rule. An applicant shall file with the site plan a building  
9 elevation drawing that demonstrates substantial compliance with the design  
10 guidelines.

11 (B) The director of the Transportation, Planning, and Sustainability Department  
12 shall determine whether a site plan substantially complies with the design  
13 guidelines.

14 (C) The director of the Transportation, Planning, and Sustainability Department  
15 may waive a provision of the design guidelines if the director determines that  
16 the provision is unreasonable or impractical as applied to the site plan and that,  
17 with the waiver, the site plan will still substantially comply with the design  
18 guidelines. A waiver under this subsection must be the minimum departure  
19 from the provision necessary to avoid an unreasonable or impractical result.

20 (D) An interested party may appeal to the land use commission:

21 (1) a determination by the director of the Transportation, Planning, and  
22 Sustainability Department that a site plan substantially complies with the  
23 design guidelines; or

24 (2) a decision by the director of the Transportation, Planning, and  
25 Sustainability Department granting or denying a waiver under  
26 Subsection (C).

27 **§ 25-2-764 AFFORDABLE HOUSING.**

28 A multi-family residential use established after [effective date of ordinance] must  
29 set aside at least 10 percent of the dwelling units on the site to house persons whose  
30 household income is less than 80 percent of the median income in the Austin statistical  
31 metropolitan area, as determined by the director of the Austin Neighborhood Housing  
32 and Community Development Department, for a period of not less than 15 years from the  
33 date a certificate of occupancy is issued.

1 **PART 4.** Section 25-6-478(B) of the City Code is amended to read:

2 (B) This section does not apply:

- 3 (1) to property in a central business (CDB) district or downtown mixed use  
4 (DMU) district;
- 5 (2) to commercial, industrial, or civic use in a traditional neighborhood (TN)  
6 district;
- 7 (3) to a corner store special use; neighborhood mixed use building special  
8 use; commercial, industrial, or civic use portion of a neighborhood urban  
9 center special use; or commercial or civic use portion of a residential  
10 infill special use;
- 11 (4) to property in the university neighborhood overlay (UNO) district; or
- 12 (5) [(4)] if the off-street parking requirement has been modified under  
13 Section 25-6-473 (*Modification Of Parking Requirement*) or Section 25-  
14 6-476 (*Parking For Mixed-Use Developments*).

15 **PART 5.** Chapter 25-6, Article 7 of the City Code is amended to add a new Division 6 to  
16 read:

17 **Division 6. Special Provisions For The University Neighborhood Overlay District.**

18 **§ 25-6-601. PARKING REQUIREMENTS FOR UNIVERSITY**  
19 **NEIGHBORHOOD OVERLAY DISTRICT.**

20 (A) Except as otherwise provided in this section, the minimum off-street parking  
21 requirement in the university neighborhood overlay district is 60 percent of  
22 that prescribed by Appendix A (*Tables Of Off-Street Parking And Loading*  
23 *Requirements*).

24 (B) Off-street parking is not required for a commercial use if the use occupies less  
25 than:

- 26 (1) 6,000 square feet of gross floor area, and the use is located in the inner  
27 west campus, Guadalupe, or Dobie subdistrict; or
- 28 (2) 3,500 square feet of gross floor area, and the use is located in the outer  
29 west campus subdistrict.

30 (C) For a multi-family residential use, the minimum off-street parking requirement  
31 is 40 percent of that prescribed by Appendix A (*Tables Of Off-Street Parking*  
32 *And Loading Requirements*) if the multi-family residential use participates in a

1 car sharing program that complies with the program requirements prescribed  
2 by administrative rule, as determined by the director of the Transportation,  
3 Planning, and Sustainability Department.

4 **PART 6.** Chapter 25-2 of the City Code is amended to add a new Appendix C to read:

5  
6 **APPENDIX C**

7 **UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT BOUNDARIES,**  
8 **SUBDISTRICT BOUNDARIES, AND HEIGHT LIMITS**

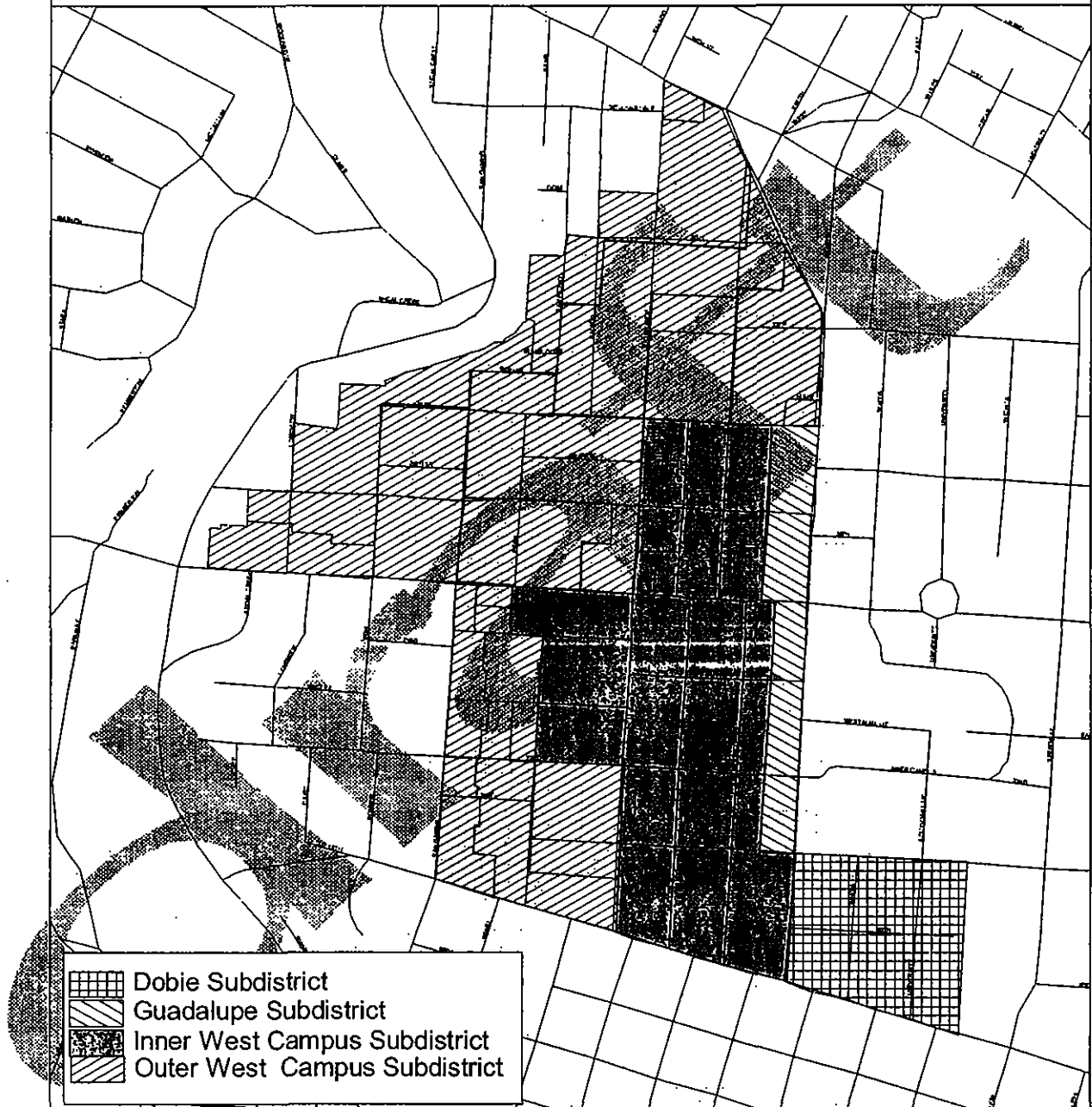
9  
10 **University Neighborhood Overlay District Boundaries**

11  
12 The university neighborhood overlay district is indicated on the subdistrict  
13 boundaries map and includes the area bounded:

- 14  
15 (1) on the north by a line along West 29<sup>th</sup> Street from Rio Grande Street to  
16 Guadalupe Street;
- 17 (2) on the east by a line along Guadalupe Street from West 29<sup>th</sup> Street to  
18 West 21<sup>st</sup> Street; West 21<sup>st</sup> Street from Guadalupe Street to the eastern  
19 ally of University Avenue; the eastern alley of University Avenue from  
20 West 21<sup>st</sup> Street to West MLK Jr. Boulevard;
- 21 (3) on the south by a line along West MLK Jr. Boulevard from the eastern  
22 alley of University Avenue to San Gabriel Street; and
- 23 (4) on the west by a line along San Gabriel Street to West 24<sup>th</sup> Street; west  
24 along West 24<sup>th</sup> Street to the western lot line of lot One of the  
25 Resubdivision of a Portion of Outlot Forty-Three; north along the  
26 western lot line of lot One of the Resubdivision of a Portion of Outlot  
27 Forty-Three to the alley between Lamar Boulevard and Longview Street;  
28 north along the alley to West 25<sup>th</sup> Street; east along West 25<sup>th</sup> Street to  
29 Longview Street; north along Longview Street to the northern lot line of  
30 lot Fifteen, Block Five of the Subdivision of Outlots Forty-Three, Forty-  
31 Four, Forty-Five and Fifty-Five; east along the northern lot line of lot  
32 Fifteen, Block Five of the Subdivision of Outlots Forty-Three, Forty-  
33 Four, Forty-Five and Fifty-Five to the alley between Longview Street  
34 and Leon Street; north along the ally to the northern lot line of lot  
35 Twenty-Three, Block Four of the Subdivision of Outlots Forty-Three,  
36 Forty-Four, Forty-Five and Fifty-Five; east along the northern lot line of

1 lot Twenty-Three, Block Four of the Subdivision of Outlots Forty-Three,  
2 Forty-Four, Forty-Five and Fifty-Five to the northern lot lines of lots  
3 Twenty-Nine, Thirty, Thirty-One, Thirty-Two, and Three of the  
4 Harwood Subdivision; along the northern lot lines of lots Twenty-Nine,  
5 Thirty, Thirty-One, Thirty-Two, and Three of the Harwood Subdivision  
6 to San Gabriel Street; north along San Gabriel Street to the northern lot  
7 line of the Graham Subdivision of Outlots Fifty-Nine, Sixty, Sixty-Four,  
8 and the North Half of Fifty-Two; along the northern lot line of the  
9 Graham Subdivision of Outlots Fifty-Nine, Sixty, Sixty-Four, and the  
10 North Half of Fifty-Two to a point 160' east of San Pedro Street of the  
11 southern lot line of lot One of the Gortons Addition; from this point  
12 north to a point 160' east of San Pedro Street on the northern lot line of  
13 lot Four of the Gortons Addition; east along the northern lot line of lot  
14 Four of the Gortons Addition to San Pedro Street; north along San Pedro  
15 Street to West 28<sup>th</sup> Street; west along 28<sup>th</sup> Street to Salado Street; north  
16 along Salado Street to an alley on the northern lot line of Outlot 67,  
17 Division D of the Graham Subdivision; east along the alley to Rio  
18 Grande Street; north along Rio Grande Street to West 29<sup>th</sup> Street.

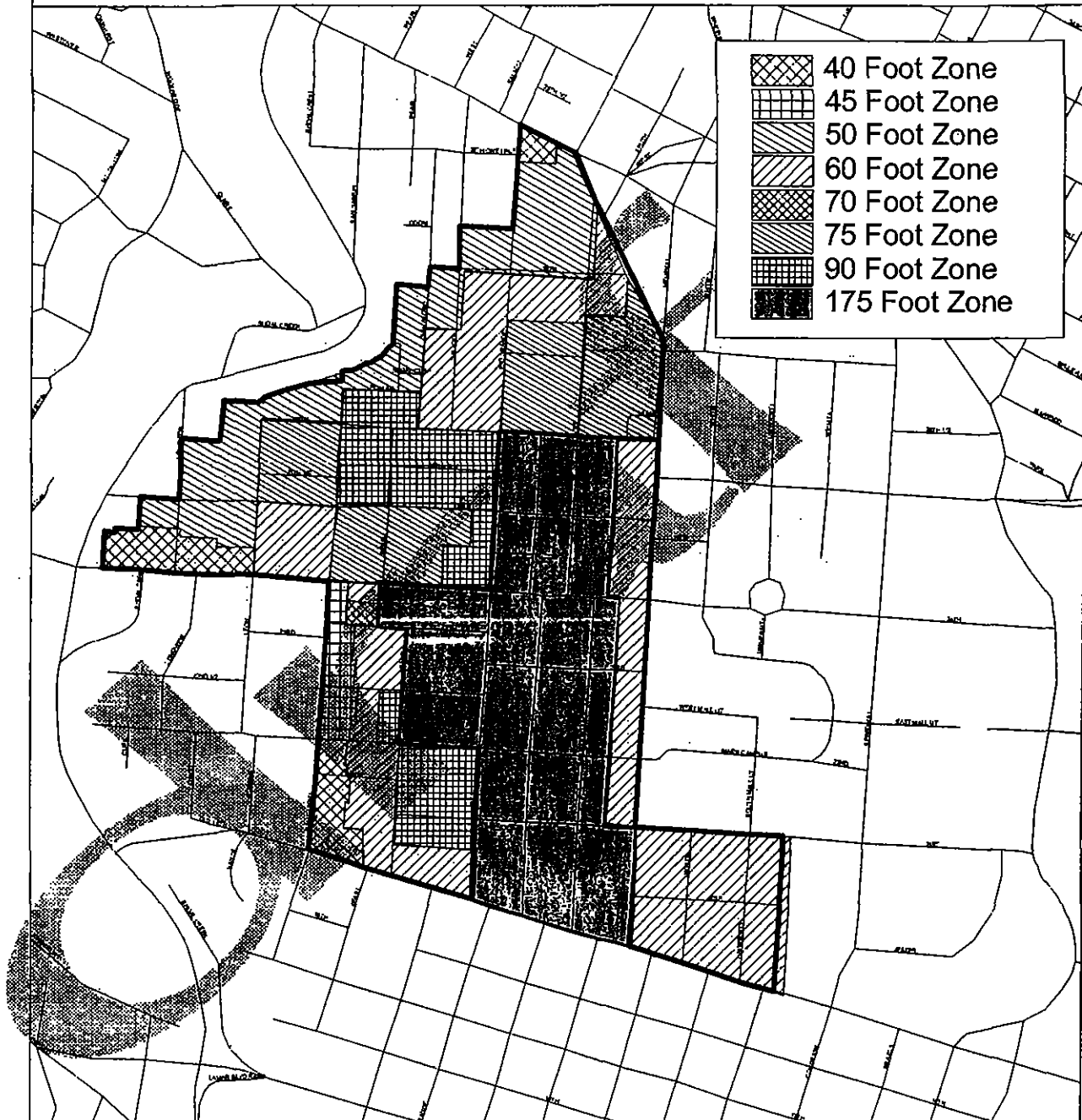
# University Neighborhood Overlay Subdistrict Boundaries



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# University Neighborhood Overlay Height Limits



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1     **PART 7.** This ordinance takes effect on \_\_\_\_\_, 2004.

2  
3     **PASSED AND APPROVED**

4  
5  
6  
7     \_\_\_\_\_, 2004

§  
§  
§

8                     Will Wynn  
9                     Mayor

10  
11  
12     **APPROVED:** \_\_\_\_\_  
13                     David Allan Smith  
14                     City Attorney

12     **ATTEST:** \_\_\_\_\_  
13                     Shirley A. Brown  
14                     City Clerk

# STAFF RECOMMENDATION

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- 13              (9) medical offices (under 5,000 square feet);
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- 15              (11) personal services;
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- 18              (14) religious assembly;
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25              (B) In any base zoning district, a hotel-motel use, a multifamily use, or a group  
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1 (C) This subsection applies to a multifamily residential use.

- 2 (1) Each building must achieve at least a one star rating under the Austin  
3 Green Building program.
- 4 (2) All ground floor dwelling units must be:
- 5 (a) adaptable for use by a person with a disability; and
- 6 (b) accessible by a person with a disability from the on-site parking and  
7 common facility, if any.
- 8 (3) At least 10 percent of the dwelling units must be accessible for a person  
9 with a mobility impairment.
- 10 (4) At least two percent of the dwelling units must be accessible for a person  
11 with a hearing or visual disability.
- 12 (5) Each multistory building must be served by an elevator, unless at least  
13 25 percent of the site's dwelling units are located on the ground floor.

14 (D) This subsection governs local uses in a residential base district.

- 15 (1) Except as provided in Paragraph (2), up to 20 percent of the gross floor  
16 area of a site may be used for local uses. At least one-half of the gross  
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18 from a pedestrian path. In determining these percentages, a  
19 nonresidential use that is accessory to the principal residential use or  
20 located in a historic landmark is excluded from the gross floor area of  
21 the local uses.
- 22 (2) Up to 100 percent of the gross floor area of a structure may be used for  
23 local uses if the structure is a historic landmark or the structure contains  
24 less than 10,000 square feet of gross floor area and is the only structure  
25 on the site.

26 (E) This subsection applies to commercial off-street parking.

- 27 (1) Commercial off-street parking on a surface lot is prohibited.
- 28 (2) Commercial off-street parking in a structure is:
- 29 (a) permitted in any base zoning district in the Guadalupe, Dobie, or  
30 inner west campus subdistrict; and
- 31 (b) prohibited in the outer west campus subdistrict.

- 1 (3) The street level portion of a commercial off-street parking structure that  
2 is accessible from a pedestrian path must contain local uses for a depth  
3 of at least 18-1/2 feet. This requirement does not apply to a portion of  
4 the structure used for an entrance or exit.

- 5 (F) A cocktail lounge is a conditional use if it is accessory to a hotel-motel use  
6 with at least 50 rooms.

7 **§ 25-2-755 HEIGHT.**

8 Maximum heights for structures are prescribed by Appendix C (*University*  
9 *Neighborhood Overlay District Boundaries, Subdistrict Boundaries, And Height Limits*).

10 **§ 25-2-756 SETBACKS.**

- 11 (A) The minimum front yard setback and the minimum side yard setback are 3-1/2  
12 feet, except:

13 (1) the minimum setbacks are 10 feet along Martin Luther King, Jr. Blvd.  
14 between Rio Grande Street and San Gabriel Street; and

15 (2) there are no minimum setbacks

16 (a) along Guadalupe Street between Martin Luther King, Jr. Blvd. and  
17 28<sup>th</sup> Street; and

18 (b) along 24<sup>th</sup> Street between Guadalupe Street and Rio Grande Street.

- 19 (B) The maximum front yard setback and the maximum street side yard setback  
20 are 10 feet, except:

21 (1) the maximum setbacks are 15 feet along 24<sup>th</sup> Street or along Martin  
22 Luther King, Jr. Blvd. between Rio Grande Street and San Gabriel  
23 Street;

24 (2) the maximum setbacks are 45 feet for a public plaza or private common  
25 open space;

26 (3) there are no maximum setbacks for a pedestrian entry court or an  
27 outdoor cafe; and

28 (4) the director of the Watershed Protection and Development Review  
29 Department may modify a maximum setback if the director determines  
30 that the modification is required to protect a historic structure or a tree  
31 designated as significant by the city arborist.

1 (C) There is no minimum or maximum interior side yard setback.

2 (D) There is no minimum or maximum rear yard setback.

3 **§ 25-2-757 BUILDING STEPBACKS AND BUILDING ENVELOPE**  
4 **RESTRICTION.**

5 (A) Except as provided in Subsection (B):

- 6 (1) if an exterior wall of a building is adjacent to a street other than an alley,  
7 at a height of 57 feet, the upper portion of the wall must be set back from  
8 the lower portion of the wall by a distance of at least 12 feet; and
- 9 (2) if the north side of a building is adjacent to a street other than an alley  
10 and is greater than 57 feet in height, the upper portion of the north side  
11 of the building must be set back within a building envelope that is  
12 formed by a plane that extends from the top of the lower portion of the  
13 north side exterior wall toward the building at an angle of 62 degrees  
14 above horizontal.

15 (B) If a building facade abuts street frontage for a distance of at least 280 feet,  
16 Subsection (A) does not apply to

- 17 (1) 15 percent of the length of a building facade that faces east, south, or  
18 west; or
- 19 (2) 20 percent of the length of a building facade that faces north.

20 **§ 25-2-758 STREET WALL AREAS ADJACENT TO OCCUPANT SPACE.**

21 (A) In this section:

- 22 (1) OCCUPANT SPACE means space in a building used for a use other  
23 than a parking facility.
- 24 (2) STREET WALL AREA means the portion of an exterior wall of a  
25 building adjacent to a public street other than an alley and accessible  
26 from a pedestrian path that extends from the base of street level:
- 27 (a) to a maximum height of 57 feet; or
- 28 (b) for an accessory parking structure, to a maximum height of two  
29 stories.

30 (B) At least 42 percent of the street wall area of a building must be adjacent to  
31 occupant space.

1 (C) If a building has street wall areas on more than one street, at least 29 percent of  
2 the total street wall area must be adjacent to occupant space on a street that  
3 runs east and west.

4 (D) This section does not apply to a commercial off-street parking structure.

5 **§ 25-2-759 STREETScape IMPROVEMENTS.**

6 (A) A site owner shall install a sidewalk not less than five feet wide along each  
7 street frontage adjacent to the site. The director of the Transportation,  
8 Planning, and Sustainability Department may require that the sidewalk be up  
9 to 12 feet wide. The director shall determine an appropriate sidewalk width  
10 after considering right-of-way width and other factors affecting the site.

11 (B) A site owner shall plant and maintain trees along an adjacent street right-of-  
12 way.

13 (1) Trees must be spaced to create a nearly contiguous canopy when the  
14 trees reach maturity.

15 (2) A tree must be in scale with the adjacent building.

16 (3) A tree planted in a sidewalk area must have a tree grating.

17 (C) A site owner shall install and maintain pedestrian-scale lighting along an  
18 adjacent street right-of-way.

19 (1) Lighting may be provided either on-site or in the street right-of-way.

20 (2) A light may not be more than 13 feet above finished grade, and the light  
21 must be on a building-mounted fixture or a pole.

22 (3) A light must provide illumination of at least one-half lumen on the  
23 surface of the pedestrian path.

24 (4) A light must be shielded to prevent it from shining upward.

25 (D) The director of the Transportation, Planning, and Sustainability Department  
26 shall adopt rules prescribing the requirements for tree planting and  
27 maintenance and the installation and maintenance of pedestrian-scale lighting.

28 (E) The director of the Transportation, Planning, and Sustainability Department  
29 may require fiscal security to ensure compliance with this section.  
30

1       **§ 25-2-760 PLACEMENT OF EQUIPMENT AND TRASH RECEPTACLES.**

2           Utility equipment, mechanical equipment, and large trash receptacles:

- 3               (1) are prohibited in the area between a building and a street; and
- 4               (2) must not be visible from a street.

5       **§ 25-2-761 SITE ACCESS.**

- 6           (A) Vehicular access from a site to a public street is limited to two curb cuts.
- 7           (B) Vehicular access to a site from 21<sup>st</sup> Street, 22<sup>nd</sup> Street, 25<sup>th</sup> Street, or 26<sup>th</sup> Street
- 8               between Guadalupe Street and Pearl Street is prohibited if the site has frontage
- 9               on another street or alley.
- 10          (C) A site with access to an alley must use the alley or a parking structure for
- 11               service and delivery access.
- 12          (D) A site that does not have access to an alley must provide a service and delivery
- 13               area that is at least 30 feet deep, measured from the front setback line or side
- 14               setback line, as applicable.
- 15          (E) The director of the Watershed Protection and Development Review
- 16               Department may waive or modify a requirement of this section if the director
- 17               determines that the waiver or modification is necessary for adequate traffic
- 18               circulation or public safety.

19       **§ 25-2-762 CERTAIN REGULATIONS INAPPLICABLE OR SUPERSEDED.**

- 20          (A) The following provisions of this subchapter do not apply:
- 21               (1) maximum floor-to-area ratios;
- 22               (2) maximum building coverage percentages;
- 23               (3) Article 9 (*Landscaping*); and
- 24               (4) Article 10 (*Compatibility Standards*), if the property is at least 75 feet
- 25               from the boundary of the university neighborhood overlay district.
- 26          (B) Impervious cover limitations of this subchapter are superseded by this
- 27               subsection. Maximum impervious cover is:
- 28               (1) 100 percent in the inner west campus and Guadalupe subdistricts;
- 29               (2) 90 percent in the outer west campus subdistrict; and

1 (3) 85 percent in the Dobie subdistrict.

2 (C) For a multi-family residential use:

3 (1) minimum site area requirements of this subchapter for each dwelling  
4 unit do not apply; and

5 (2) the minimum open space for each dwelling unit is 100 square feet.

6 **§ 25-2-763 DESIGN GUIDELINES.**

7 (A) A site plan must substantially comply with the design guidelines prescribed by  
8 administrative rule. An applicant shall file with the site plan a building  
9 elevation drawing that demonstrates substantial compliance with the design  
10 guidelines.

11 (B) The director of the Transportation, Planning, and Sustainability Department  
12 shall determine whether a site plan substantially complies with the design  
13 guidelines.

14 (C) The director of the Transportation, Planning, and Sustainability Department  
15 may waive a provision of the design guidelines if the director determines that  
16 the provision is unreasonable or impractical as applied to the site plan and that,  
17 with the waiver, the site plan will still substantially comply with the design  
18 guidelines. A waiver under this subsection must be the minimum departure  
19 from the provision necessary to avoid an unreasonable or impractical result.

20 (D) An interested party may appeal to the land use commission:

21 (1) a determination by the director of the Transportation, Planning, and  
22 Sustainability Department that a site plan substantially complies with the  
23 design guidelines; or

24 (2) a decision by the director of the Transportation, Planning, and  
25 Sustainability Department granting or denying a waiver under  
26 Subsection (C).

27 **§ 25-2-764 AFFORDABLE HOUSING.**

28 A multi-family residential use established after [effective date of ordinance] must  
29 set aside at least 10 percent of the dwelling units on the site to house persons whose  
30 household income is less than 80 percent of the median income in the Austin statistical  
31 metropolitan area, as determined by the director of the Austin Neighborhood Housing  
32 and Community Development Department, for a period of not less than 15 years from the  
33 date a certificate of occupancy is issued.



1 **PART 4.** Chapter 25-6, Article 7 of the City Code is amended to add a new Division 6 to  
2 read:

3 **Division 6. Special Provisions For The University Neighborhood Overlay District.**

4 **§ 25-6-601 REDUCED PARKING FOR CERTAIN USES.**

5 Off-street parking is not required for a commercial use if the use occupies less  
6 than:

- 7 (1) 6,000 square feet of gross floor area, and the use is located in the inner  
8 west campus, Guadalupe, or Dobie subdistrict; or  
9 (2) 3,500 square feet of gross floor area, and the use is located in the outer  
10 west campus subdistrict.

11 **PART 5.** Chapter 25-2 of the City Code is amended to add a new Appendix C to read:

12  
13 **APPENDIX C**

14 **UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT BOUNDARIES,**  
15 **SUBDISTRICT BOUNDARIES, AND HEIGHT LIMITS**

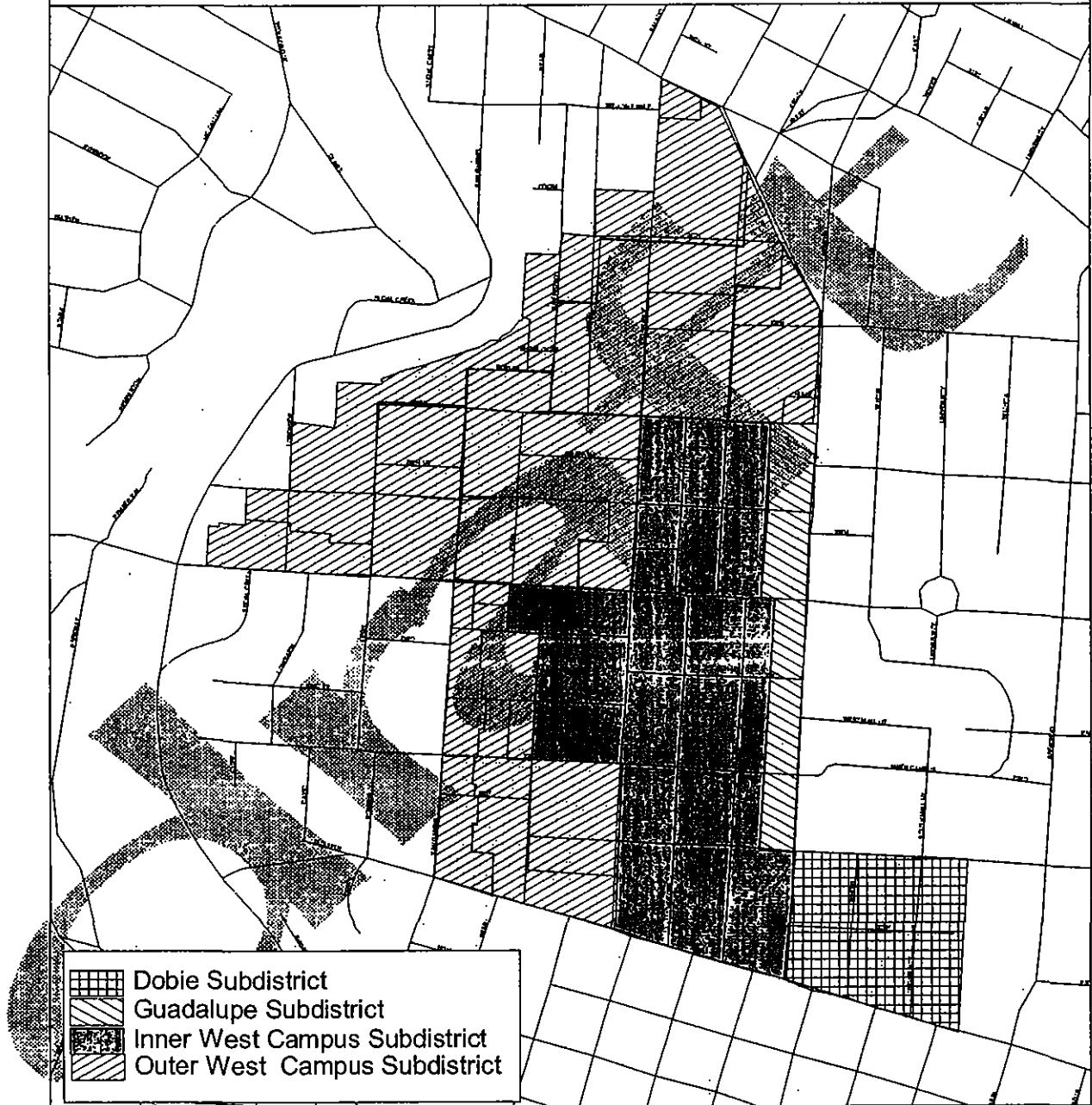
16  
17 **University Neighborhood Overlay District Boundaries**

18 The university neighborhood overlay district is indicated on the subdistrict  
19 boundaries map and includes the area bounded:

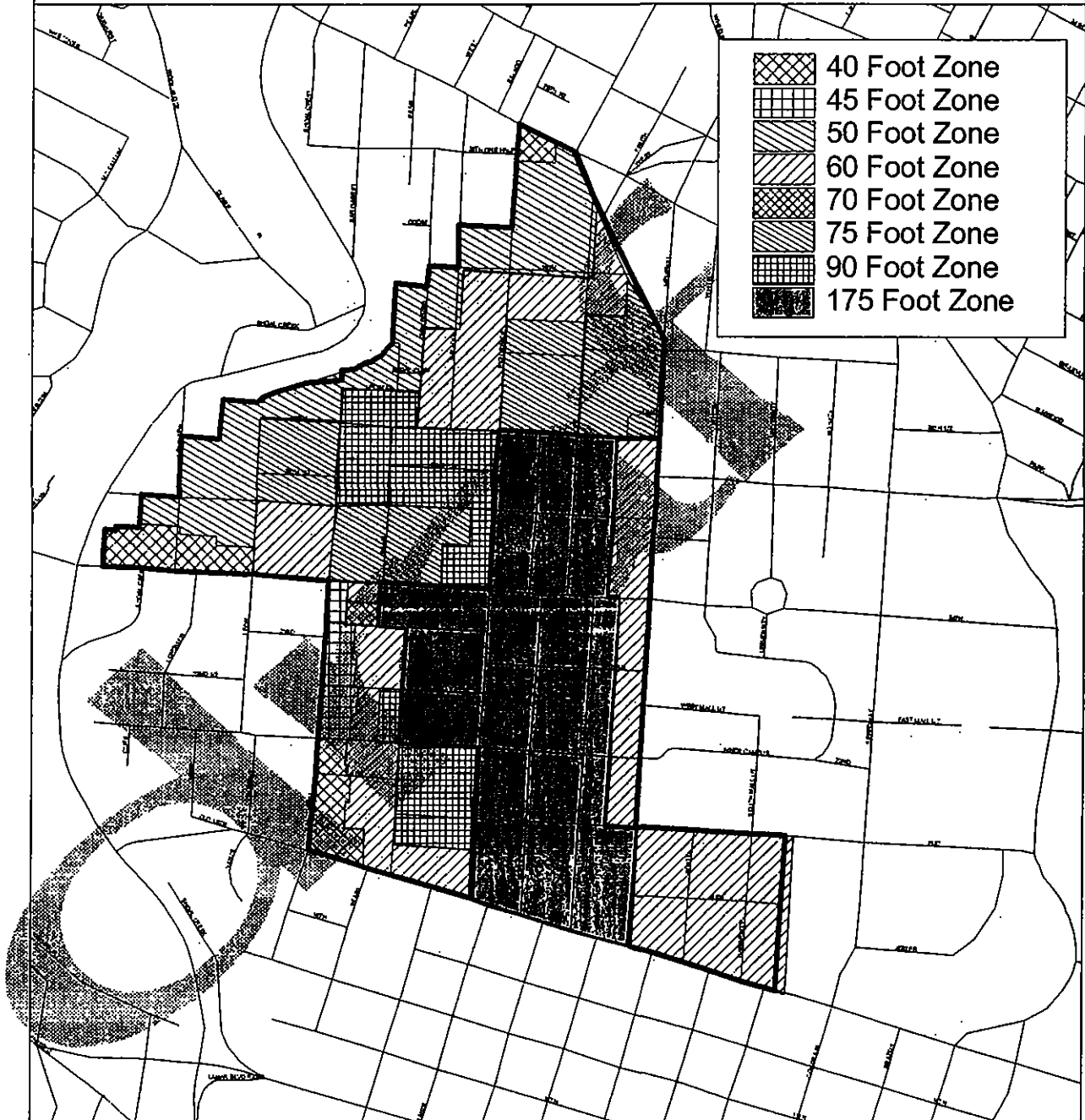
- 20  
21 (1) on the north by a line along West 29<sup>th</sup> Street from Rio Grande Street to  
22 Guadalupe Street;  
23  
24 (2) on the east by a line along Guadalupe Street from West 29<sup>th</sup> Street to  
25 West 21<sup>st</sup> Street; West 21<sup>st</sup> Street from Guadalupe Street to the eastern  
26 ally of University Avenue; the eastern alley of University Avenue from  
27 West 21<sup>st</sup> Street to West MLK Jr. Boulevard;  
28  
29 (3) on the south by a line along West MLK Jr. Boulevard from the eastern  
30 alley of University Avenue to San Gabriel Street; and  
31  
32 (4) on the west by a line along San Gabriel Street to West 24<sup>th</sup> Street; west  
along West 24<sup>th</sup> Street to the western lot line of lot One of the  
Resubdivision of a Portion of Outlot Forty-Three; north along the

1 western lot line of lot One of the Resubdivision of a Portion of Outlot  
2 Forty-Three to the alley between Lamar Boulevard and Longview Street;  
3 north along the alley to West 25<sup>th</sup> Street; east along West 25<sup>th</sup> Street to  
4 Longview Street; north along Longview Street to the northern lot line of  
5 lot Fifteen, Block Five of the Subdivision of Outlots Forty-Three, Forty-  
6 Four, Forty-Five and Fifty-Five; east along the northern lot line of lot  
7 Fifteen, Block Five of the Subdivision of Outlots Forty-Three, Forty-  
8 Four, Forty-Five and Fifty-Five to the alley between Longview Street  
9 and Leon Street; north along the ally to the northern lot line of lot  
10 Twenty-Three, Block Four of the Subdivision of Outlots Forty-Three,  
11 Forty-Four, Forty-Five and Fifty-Five; east along the northern lot line of  
12 lot Twenty-Three, Block Four of the Subdivision of Outlots Forty-Three,  
13 Forty-Four, Forty-Five and Fifty-Five to the northern lot lines of lots  
14 Twenty-Nine, Thirty, Thirty-One, Thirty-Two, and Three of the  
15 Harwood Subdivision; along the northern lot lines of lots Twenty-Nine,  
16 Thirty, Thirty-One, Thirty-Two and Three of the Harwood Subdivision  
17 to San Gabriel Street; north along San Gabriel Street to the northern lot  
18 line of the Graham Subdivision of Outlots Fifty-Nine, Sixty, Sixty-Four,  
19 and the North Half of Fifty-Two along the northern lot line of the  
20 Graham Subdivision of Outlots Fifty-Nine, Sixty, Sixty-Four, and the  
21 North Half of Fifty-Two to a point 160' east of San Pedro Street of the  
22 southern lot line of lot One of the Gortons Addition; from this point  
23 north to a point 160' east of San Pedro Street on the northern lot line of  
24 lot Four of the Gortons Addition; east along the northern lot line of lot  
25 Four of the Gortons Addition to San Pedro Street; north along San Pedro  
26 Street to West 28<sup>th</sup> Street; west along 28<sup>th</sup> Street to Salado Street; north  
27 along Salado Street to an alley on the northern lot line of Outlot 67,  
28 Division D of the Graham Subdivision; east along the alley to Rio  
29 Grande Street; north along Rio Grande Street to West 29<sup>th</sup> Street.

# University Neighborhood Overlay Subdistrict Boundaries



# University Neighborhood Overlay Height Limits



40

42

1 **PART 6.** This ordinance takes effect on \_\_\_\_\_, 2004.

2  
3 **PASSED AND APPROVED**

4  
5  
6  
7 \_\_\_\_\_, 2004

§  
§  
§

8 Will Wynn  
9 Mayor

10  
11  
12 **APPROVED:**

13 David Allan Smith  
14 City Attorney

**ATTEST:**

Shirley A. Brown  
City Clerk