

1
2 **ORDINANCE NO.**
3

4 **AN ORDINANCE AMENDING CITY CODE TITLE 25 TO AMEND THE**
5 **UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT TO INCREASE**
6 **INCENTIVES FOR PROVIDING ONSITE AFFORDABILITY, INCREASING**
7 **LOCAL USES IN THE OUTER WEST CAMPUS SUBDISTRICT, REDUCING**
8 **THE PARKING REQUIREMENT, AND ADDING ADDITIONAL PARKING**
9 **GARAGE USAGE.**

10
11 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
12

13 **PART 1.** Section 25-2-754 (*Use Regulations*) is amended as follows:
14

15 (D) Local uses are permitted in any base district, subject to the limitations of this
16 subsection.

17
18 (1) In the outer west campus subdistrict, local uses are not permitted in a
19 residential base district unless the property:

20 (a) has a permitted building height of [~~65~~] 50 feet or greater; or
21

22 (b) is zoned historic and has a permitted building height of 65 feet or greater.
23

24 **PART 2.** Section 25-2-754 (*Use Regulations*) is amended to add a new Subsection (K) as
25 follows:
26

27 (K) Existing structures constructed under the provisions of this division may convert
28 non-accessible parking spaces to:

29 (1) a multi-family residential use;
30

31 (2) a group residential use; and
32

33 (3) local uses:
34

35 (a) local uses allowed under this title must be located above or adjacent to
36 the street wall area;
37
38

1 (b) an art gallery use and an art workshop use are limited to 1,500 square
2 feet of floor area; and

3
4 (4) an indoor crop production use or convenience storage use;

5
6 (a) these uses shall not be located in or above a street wall area.

7
8 **PART 3.** Section 25-2-756 (*Height*) is amended as follows:

9
10 (A) Except as provided in Subsection (B), maximum heights for structures are
11 prescribed by Appendix C (*University Neighborhood Overlay District Boundaries,*
12 *Subdistrict Boundaries, ~~and~~ Height Limits, and Additional Height and Affordability*).

13
14 (B) This subsection applies in the outer west campus subdistrict, guadalupe
15 subdistrict, and inner west campus subdistrict.

16
17 ~~[In this subsection, historic property means property zoned historic or listed in the~~
18 ~~City's historic building survey on October 6, 2008.]~~

19
20 (1) Except as provided in Paragraph (3), a structure with a multi-family
21 residential use or group residential use may exceed by 25 feet in the outer west
22 campus subdistrict or the guadalupe subdistrict the maximum height prescribed
23 by Appendix C (*University Neighborhood Overlay District Boundaries,*
24 *Subdistrict Boundaries, ~~And~~ Height Limits, and Additional Height and*
25 *Affordability*) if the structure is located in an area with a maximum height of at
26 least 50 feet; or

27
28 (2) A structure with a multi-family residential use or group residential use may
29 exceed by 125 feet in the inner west campus subdistrict the maximum height
30 prescribed by Appendix C (*University Neighborhood Overlay District*
31 *Boundaries, Subdistrict Boundaries, ~~And~~ Height Limits, and Additional Height*
32 *and Affordability*) if:

33
34 (a) ~~[the structure is located in an area for which the maximum height is at least~~
35 ~~50 feet; and]~~

36
37 (a) the multi-family residential use or group residential use, for a period of not
38 less than 40 years from the date a certificate of occupancy is issued, sets
39 aside at least:

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
- (i) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below 60 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Neighborhood Housing and Community Development Office; and
 - (ii) 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below 50 percent of the median income in the Austin statistical metropolitan area, as determined by the director of the Neighborhood Housing and Community Development Office; and
 - (iii) The applicant:
 - 1. Pays into the University Neighborhood District Housing Trust Fund a fee of \$0.50 for each square foot of net rentable floor area in the multi-family residential use or group residential use development; or
 - 2. Provides an additional 10 percent of the dwelling units or bedrooms on the site to house persons whose household income is at or below 50 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 building on a lot in the outer west campus subdistrict that has a common side lot line with a historic property listed in the most recent City of Austin historic resource survey may not exceed by more than 20 feet the maximum building height of the base district in which the historic property is located.
 - (4) The fee in (b)(iii) above will be adjusted annually in accordance with the Consumer Price Index All Urban Consumers, US City Average, All Items (1982-84=100), as published by the Bureau of Labor Statistics of the United States Department of Labor or in accordance with any other similar, applicable standard as defined by the director of the Neighborhood Housing and Community Development Office. The city manager shall annually determine the new fee amounts for each fiscal year, beginning October 1, 2014, and report the new fee amounts to the city council.

1 **PART 4.** Title 25, Appendix C (*UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT*
2 *BOUNDARIES, SUBDISTRICT BOUNDARIES, AND HEIGHT LIMITS*) is amended as
3 follows:

4
5 APPENDIX C. - UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT
6 BOUNDARIES, SUBDISTRICT BOUNDARIES, ~~[AND]~~ HEIGHT LIMITS, AND
7 ADDITIONAL HEIGHT AND AFFORDABILITY
8

9 **PART 5.** Section 25-6-601 (*Parking Requirements for University Neighborhood Overlay*
10 *District*) is amended as follows:

11 A. There are no minimum off-street requirements in the UNO district.

12
13
14 A. ~~[Except as otherwise provided in this section, the minimum off-street parking~~
15 ~~requirement in the university neighborhood overlay district is 60 percent of that~~
16 ~~prescribed by Appendix A (*Tables Of Off-Street Parking And Loading Requirements*).~~

17
18 B. Off-street parking is not required for a commercial use if the use:

19
20 (1) ~~occupies less than 6,000 square feet of gross floor area; or~~

21
22 (2) ~~is located on:~~

23
24 (a) ~~Guadalupe Street between Martin Luther King, Jr. Blvd. and West~~
25 ~~29th Street; or~~

26
27 (b) ~~West 24th Street between Guadalupe Street and Rio Grande Street.~~

28
29 C. ~~For a multi-family residential use, the minimum off-street parking requirement is 40~~
30 ~~percent of that prescribed by Appendix A (*Tables Of Off-Street Parking And Loading*~~
31 ~~*Requirements*) if the multi-family residential use.~~

32
33 (1) ~~participates in a car-sharing program and provides bicycle stations or~~
34 ~~kiosks that complies with the program requirements prescribed by administrative~~
35 ~~rule, as determined by the director of the Watershed Protection and Development~~
36 ~~Review Department; or~~
37

1 (2) ~~sets aside for a period of not less than 15 years from the date a certificate~~
2 ~~of occupancy is issued at least 10 percent of the dwelling units on the site to~~
3 ~~house persons whose household income is less than 50 percent of the median~~
4 ~~income in the Austin statistical metropolitan area, as determined by the director~~
5 ~~of the Austin Neighborhood Housing and Community Development Office, in~~
6 ~~addition to complying with Section 25-2-765 (Affordable Housing).]~~

7
8 **PART 6.** Section 25-6-591 (*Parking Provisions for Development in the Central Business*
9 *District (CBD) and the Downtown Mixed Use (DMU) and Public (P) Zoning Districts*) is
10 amended as follows:

11
12 25-6-591 – PARKING PROVISIONS FOR DEVELOPMENT IN THE CENTRAL
13 BUSINESS DISTRICT, ~~[AND] THE DOWNTOWN MIXED USE (DMU) AND~~
14 PUBLIC (P) ZONING DISTRICTS, AND THE UNIVERSITY NEIGHBORHOOD
15 OVERLAY (UNO) DISTRICT.

- 16
17 (A) The requirements of this section apply to the:
18 (1) central business district (CBD);
19
20 (2) downtown mixed use (DMU) zoning district; ~~[and]~~
21
22 (3) public (P) zoning district within the area bounded by Martin Luther King,
23 Jr., Boulevard; IH-35; Lady Bird Lake; and Lamar Boulevard~~[-];~~ and
24
25 (4) university neighborhood overlay (UNO) district.

26
27 **PART 7.** Section 25-10-133 (*University Neighborhood Overlay Zoning District Signs*) is
28 amended as follows:

- 29
30 (A) This section applies to property that is:
31
32 (1) within the university neighborhood overlay (UNO) zoning district; and
33
34 (2) outside a historic sign district.
35
36 (B) This section supersedes the other provisions of this article to the extent of
37 conflict.

1
2 (C) A sign may not exceed 150 [100] square feet of sign area, except that this
3 limitation does not apply along the following roadways:

4
5 (1) Guadalupe Street, from Martin Luther King, Jr. Blvd. to West 29th Street;

6
7 (2) West 24th Street, from Guadalupe Street to Leon Street;

8
9 (3) Martin Luther King, Jr. Blvd., from Pearl Street to the alley one block east
10 of University Avenue; and

11
12 (4) West 29th Street, from Guadalupe Street to Rio Grande Street.

13
14 (D) A freestanding sign is prohibited.

15
16 (E) A roof sign is prohibited.

17
18 (F) No sign may be placed above the second floor of a building, except for a non-
19 electric sign that is engraved, cut into the building surface, or otherwise inlaid to
20 become part of the building.

21
22 (G) A wall sign [~~may be a projecting sign~~] is permitted if the sign complies with this
23 subsection.

24
25 (1) One projecting sign for each building facade is permitted.

26
27 (2) The sign area of a projecting sign may not exceed 35 square feet.

28
29 (3) A sign may extend from the building facade not more than the lesser of:

30
31 (a) six feet; or
32

1 (b) a distance equal to two-thirds the width of the abutting sidewalk.
2

3 (4) For a sign that projects over state right-of-way, the state must approve the
4 sign.
5

6 (H) A sign may not be illuminated or contain electronic images or moving parts.
7

8 **PART 8.** This ordinance takes effect on _____, 2019.

9
10 **PASSED AND APPROVED**

11
12
13
14 _____, 2019

§
§
§

15 _____
16 Steve Adler
17 Mayor

18
19 **APPROVED:** _____

Anne L. Morgan
City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk