

ORDINANCE NO. 20240530-137

AN ORDINANCE AMENDING CITY CODE SECTION 25-6-591 RELATING TO PARKING REQUIREMENTS.

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

PART 1. City Code Section 25-6-591 is amended to read:

§ 25-6-591 PARKING PROVISIONS FOR DEVELOPMENT IN THE CENTRAL BUSINESS DISTRICT (CBD), THE DOWNTOWN MIXED USE (DMU) DISTRICT, THE PUBLIC (P) ZONING DISTRICTS, AND THE UNIVERSITY NEIGHBORHOOD OVERLAY (UNO) DISTRICT.

- (A) The requirements of this section apply to the:
- (1) central business district (CBD);
 - (2) downtown mixed use (DMU) zoning district;
 - (3) public (P) zoning district within the area bounded by Martin Luther King, Jr., Boulevard; IH-35; Lady Bird Lake; and Lamar Boulevard; and
 - (4) university neighborhood overlay (UNO) district.
- (B) Off-street motor vehicle parking is not required within the central business district (CBD) or downtown mixed use (DMU) zoning districts except as provided by this subsection. For purposes of this subsection, off-street parking includes any parking that is designated to serve a use and is not located in a public right-of-way, regardless of whether the parking is onsite or offsite.
- (1) If off-street parking is provided, it must include parking for persons with disabilities as required by the Building Code and may not include fewer accessible spaces than would be required under Paragraph (2)(a) of this subsection.
 - (2) Except for a use occupying a designated historic landmark or an existing building in a designated historic district, off-street motor vehicle parking for persons with disabilities must be provided for a use that occupies 6,000 square feet or more of floor space under the requirements of this paragraph.

- (a) The following requirements apply if no parking is provided for a use, other than parking for persons with disabilities:
- (i) the minimum number of accessible parking spaces is calculated by taking 100 percent of the parking previously required for the use under Appendix A (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) and using that result to determine the number of accessible spaces required under the Building Code. The accessible spaces may be provided on- or off-site, within 250 feet of the use and must be on an accessible route.
 - (ii) The director may waive or reduce the number of accessible spaces required under Paragraph (2)(a)(i) if the applicant pays a fee in-lieu to be used by the city to construct and maintain accessible parking in the vicinity of the use. The availability of this option is contingent on the establishment of a fee by separate ordinance and the adoption of a program by the director to administer the fee and establish eligibility criteria. A decision by the director that a use is ineligible for a fee in-lieu is final.
 - (iii) The director may waive or reduce the number of accessible spaces required if no accessible spaces can be provided consistent with the requirements of Paragraph (2)(a)(i) and the use is ineligible for participation in the fee in-lieu program under Paragraph (2)(a)(ii).
 - (iv) An off-site or on-street parking space designated for persons with disabilities that is located within 250 feet of a use may be counted towards the number of parking spaces the use is required to provide under Paragraph (2)(a)(i).
- (b) If any off-street parking is provided for a use, other than parking for persons with disabilities, then the use is subject to the requirements in Paragraph (1).
- (3) Except as provided in Subsections (C) and (F) [~~of this section~~], the maximum motor vehicle parking facility allowed is 60 percent of the number of motor vehicle parking spaces previously required by Appendix A (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*).

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

- (2) A development that is less than 10,000 square feet in floor area or containing 70 or fewer residential units can include up to 60 percent of motor vehicle parking spaces formerly required by Appendix A (Tables of Off-Street Parking and Loading Requirements).
- (3) The maximum number of motor vehicle parking spaces allowed is 80 percent of the number of motor vehicle parking spaces formerly required by Appendix A (Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements) if:
- (a) all parking spaces are contained in a parking structure;
 - (b) the director finds that allowing additional parking spaces does not impact public health, safety, or welfare or undermine established planning policies for the area; and
 - (c) one of the following:
 - (i) the parking is a shared parking facility, and the site plan includes a note that identifies the shared parking facility as a condition of approval;
 - (ii) the parking is rented or sold separately from the building space, and the site plan includes a note that identifies the separate rental or sale of the parking spaces as a condition of approval;
 - (iii) the parking is designed and constructed for conversion to usable building space in the future, and the site plan includes a note that identifies the ability to convert the parking to usable building space as a condition of approval;
 - (iv) the parking is included in an underground parking structure; or
 - (v) the applicant pays a mitigation fee established by separate ordinance.


- (4) In addition to the number of motor vehicle parking spaces allowed under Subdivision (3), the number of motor vehicle parking spaces can be increased up to 20 percent of the number of spaces formerly required by Appendix A (Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements) for a maximum of 100 percent,) if the additional parking spaces are included in an underground parking structure.
- (5) A mitigation fee collected in Subdivision (3) is to be used for multimodal improvements within the area bounded by Martin Luther King, Jr., Boulevard; IH-35; Lady Bird Lake; and Lamar Boulevard.

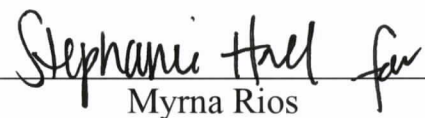
PART 2. This ordinance takes effect on June 10, 2024.

PASSED AND APPROVED

_____ May 30 _____, 2024

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Kirk Watson
Mayor

APPROVED: _____

Anne L. Morgan
City Attorney

ATTEST: _____

Myrna Rios
City Clerk