

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CITY CODE TITLE 25 (*LAND DEVELOPMENT*)
ESTABLISHING REGULATIONS APPLICABLE TO DENSITY BONUS
UNIVERSITY NEIGHBORHOOD OVERLAY (DBUNO) ZONING AND
REPEALING UNIVERSITY NEIGHBORHOOD OVERLAY DISTRICT
REGULATIONS AND BOUNDARIES.**

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

PART 1. City Code Section 25-2-179 (*University Neighborhood Overlay (UNO) District Purpose and Boundaries*) is repealed in its entirety with this section number reserved for future use.

PART 2. City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (*University Neighborhood Overlay District Requirements*) is repealed in its entirety with this division number reserved for future use.

PART 3. City Code Chapter 25-2, Appendix C (*University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, Height Limits, and Additional Height and Affordable University Neighborhood Overlay District Boundaries*) is repealed in its entirety with this appendix designation reserved for future use.

PART 4. Subsection (F) of City Code Section 25-2-32 (*Zoning Districts and Map Codes*) is amended to add a new combining district to read:

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

(25) density bonus university neighborhood overlayDBUNO

PART 5. City Code Section 25-2-181 (*Density Bonus Combining Districts*) is amended to add a new Subsection (E) to read:

§ 25-2-181 DENSITY BONUS COMBINING DISTRICTS.

(E) DBUNO Combining District promotes high-density, pedestrian-friendly development in the area generally west of the University of Texas campus that:

- (1) provides quality, safe, and affordable living for all, especially students attending college and university;
- (2) preserves certain existing residential and non-residential uses;

- (3) modifies site development regulations; and
- (4) grants additional building height in exchange for income-restricted housing.

PART 6. City Code Chapter 25-2, Subchapter C, Article 3, Division 5 (*Combining and Overlay Districts*) is amended to add a new Section 25-2-656 to read:

§ 25-2-656 DENSITY BONUS UNIVERSITY NEIGHBORHOOD OVERLAY (DBUNO) COMBINING DISTRICT REGULATIONS.

- (A) The boundaries and subdistricts of the density bonus university neighborhood overlay (DBUNO) combining district are identified in Appendix H (*DBUNO Boundaries and Subdistricts*) of this chapter.
- (B) This section applies to a property with DBUNO zoning.
- (C) This section governs over a conflicting provision of this title or other ordinance.
- (D) Pre-Requisites.
 - (1) To use the regulations described throughout this section, the site's zoning must include density bonus university neighborhood overlay (DBUNO) combining district.
 - (2) Unless otherwise identified, a site must comply with affordability requirements defined in this section.
 - (3) To preserve reserved dwelling units and existing non-residential spaces, an applicant must comply with City Code Chapter 4-18, Article 2 (*Density Bonus and Incentive Programs*) before applying for a building permit or site plan that relies on the regulations described in this section.
 - (4) In addition to pre-requisites, for a subdistrict identified in Appendix H (*DBUNO Boundaries and Subdistricts*) a development must comply with the applicable subdistrict regulations.
- (E) Combining District.
 - (1) DBUNO may only be combined with a site located within the boundary designated by Appendix H (*DBUNO Boundaries and Subdistricts*).
 - (2) DBUNO may not be combined with a single-family (SF) zoning district.

60 (F) Definitions.

61
62 In this section,

- 63 (1) AFFORDABLE BEDROOM means a bedroom that is for lease in a
64 dwelling unit and is reserved for an income-eligible household.
- 65 (2) AFFORDABILITY MINIMUM means the minimum percentage of
66 owned or leased affordable units or affordable bedrooms a development
67 must provide or the minimum amount of fee-in-lieu that must be provided.
- 68 (3) AFFORDABLE OWNERSHIP UNIT means a dwelling unit that is for
69 sale and is reserved for an income-eligible household.
- 70 (4) AFFORDABLE RENTAL UNIT means a dwelling unit that is for lease
71 and is reserved for an income-eligible household.
- 72 (5) AFFORDABLE UNIT means an affordable ownership unit or an
73 affordable rental unit.
- 74 (6) BONUS HEIGHT means the amount of height that exceeds the height
75 allowed by the base zoning district.
- 76 (7) FEE IN-LIEU means the fee paid in-lieu of providing on-site affordable
77 units or affordable bedrooms.
- 78 (8) MFI means the Austin-Round Rock Metropolitan Statistical Area Median
79 Family Income as determined by the director of the Housing Department.
- 80 (9) MFI- HOME RENT LIMIT means the maximum rent for an affordable
81 bedroom.

82 (G) Affordability Requirements.

- 83
84 (1) To use bonus height or to use a development standard under DBUNO that
85 is not height-related, a development must provide the affordability
86 minimum.
- 87 (2) The affordability minimum is established by the applicable subdistrict.
- 88 (3) Fee-in-lieu.
- 89 (a) The housing fee in-lieu is the equivalent to 100 percent of the
90 required percentage of the total affordable units and affordable
91 bedrooms.

(b) The housing fee in-lieu is set by separate ordinance.

(c) The amount of housing fee in-lieu due is determined using the fee schedule ordinance in effect at site plan submittal.

(H) Transit Supportive Infrastructure.

(1) In this section, TRANSIT SUPPORTIVE INFRASTRUCTURE includes appurtenances, facilities, and amenities related to a transit system project as defined in Ordinance No. 20221115-048.

(2) A development may partially satisfy the affordability minimum by providing transit supportive infrastructure.

(3) If an applicant provides transit supportive infrastructure, the affordability requirement is reduced by two percent.

(4) It is presumed that the value of the transit supportive infrastructure equals at least two percent of the minimum affordability.

(a) The director of the Housing Department is authorized to reduce the affordability requirement by more than two percent if the director of the Housing Department and the director of Transportation and Public Works agree that the value of the transit supportive infrastructure is greater than or equal to the value of the reduction.

(b) The director of the Housing Department may not reduce the affordability requirement to less than one residential unit or the equivalent of the fee in-lieu for one ownership unit.

(5) An applicant must submit a written request to the Director of Transportation and Public Works Department to provide transit supportive infrastructure.

(6) If the applicant proposes transit supportive infrastructure that serves a community benefit, the director of Transportation and Public Works is required to approve a request.

(7) Before approving a request to provide transit supportive infrastructure, the director of Transportation and Public Works will adopt rules under Chapter 1-2 (*Administrative Rules*) that establish when transit supportive infrastructure serves a community benefit.

(I) Existing Non-Residential Spaces.

(1) In this subsection,

(a) CREATIVE SPACE means a use described in Chapter 25-2 (*Zoning*) that allows one or more of the following occupancies:

- (i) art gallery;
- (ii) art workshop;
- (iii) cultural services;
- (iv) performance venue; or
- (v) theater.

(b) EXISTING NON-RESIDENTIAL SPACE means a:

- (i) adult care services use (general or limited) that has operated for a minimum of 12 continuous months;
- (ii) child care services use (general or limited) that has operated for a minimum of 12 continuous months;
- (iii) cocktail lounge use that has operated for a minimum of 10 continuous years;
- (iv) creative space use that has operated for a minimum of three continuous years;
- (v) food sales use that has operated for a minimum of 10 continuous years with a gross floor area of 20,000 square feet or less; or
- (vi) small format use that has operated for a minimum of five continuous years with a gross floor area of 5,000 square feet or less.

(c) SMALL FORMAT USE means a use described in Chapter 25-2 (*Zoning*) that allows one or more of the following occupancies:

- (i) general retail sales;
- (ii) personal services; or

(iii) restaurant (general or limited).

(2) If a site includes an existing non-residential space, the proposed development must replace each existing non-residential space with a space that is comparable in size for a period of 5 years.

(3) This subsection establishes an existing non-residential space subject to City Code Chapter 4-18, Article 2, Division 2 (*Redevelopment Requirements*).

(4) A non-conforming use is not discontinued or abandoned under Section 25-2-945 (*Abandonment of Nonconforming Use*) if the non-conforming use qualifies as an existing non-residential space and is required to be replaced under this subsection.

(J) Permitted and Conditional Uses.

(1) The following uses are permitted on a property utilizing DBUNO:

- (a) residential uses;
- (b) hotel-motel use;
- (c) a local use as defined in this section; and
- (d) unless specifically prohibited or made conditional in this section, uses permitted by the zoning that applies to the property.

(2) The following uses are prohibited on a property utilizing DBUNO:

COMMERCIAL USES:	Recreational Equipment Sales
Agricultural Sale and Services	Research Assembly Services
Automotive Sales	Research Testing Services
Automotive Rentals	Research Warehousing Services
Automotive Repair Services	Scrap and Salvage
Building Maintenance Services	Service Station
Campground	Stables
Carriage Stable	Vehicle Storage
Convenience Storage	INDUSTRIAL USES:
Drop-off Recycling Collection Facility	Basic Industry
Electronic Prototype Assembly	General Warehousing and Distribution
Electronic Testing	Recycling Center
Equipment Repair Services	Resource Extraction

Equipment Sales	AGRICULTURAL USES:
Exterminating Services	Animal Production
Funeral Services	Crop Production
Marina	Indoor Crop Production
Recreational Equipment Maintenance & Storage	

(3) A conditional use under the base zoning district that applies to the property remains a conditional use on a property utilizing DBUNO.

(4) The following uses are additional conditional uses of a property utilizing DBUNO:

COMMERCIAL USES:	Off-Site Accessory Parking
Alternative Financial Services	Pawn Shop Services
Automotive Washing	Pedicab Storage and Dispatch
Bail Bond Services	Special Use Historic
Commercial Blood Plasma Center	INDUSTRIAL USES:
Commercial Off-Street Parking	Custom Manufacturing
Communications Services	Light Manufacturing
Construction Sales and Services	Limited Warehousing and Distribution
Kennels	AGRICULTURAL USES:
Monument Retail Sales	Horticulture

(5) In this section, a local use includes:

- (a) administrative and business offices;
- (b) art gallery;
- (c) art workshop;
- (d) business and trade school;
- (e) consumer convenience services;
- (f) consumer repair services;
- (g) counseling services;

- (h) custom manufacturing;
- (i) cultural services;
- (j) child care services (general or limited);
- (k) adult care service (general or limited);
- (l) financial services;
- (m) food preparation, in conjunction with food sales,
- (n) restaurant (general or limited);
- (o) food sales;
- (p) general retail sales (convenience or general);
- (q) guidance services;
- (r) indoor sports and recreation;
- (s) medical offices (not exceeding 5,000 square feet gross floor area);
- (t) performance venue;
- (u) personal improvement services;
- (v) personal services;
- (w) pet services;
- (x) postal services;
- (y) printing and publishing services;
- (z) professional office;
- (aa) religious assembly;
- (bb) theater;

(cc) a conditional use in the base zoning district previously approved for use by the Land Use Commission; and

(dd) a civic use permitted in the base zoning district.

(6) A local use may not include a drive-through facility.

(K) Development Standards.

(1) The minimum lot area is 2,500 square feet.

(2) A development must comply with Subchapter E, Article 2 (*Site Development Standards*) and Subchapter E, Article 3 (*Building Design Standards*) except when those provisions conflict with this section.

(3) A development must comply with design guidelines adopted by the director of the Planning Department under Chapter 1-2 (*Administrative Rules*).

(4) In this section,

(a) OCCUPANT SPACE means space in a building that is not a parking facility or a mechanical facility; and

(b) STREET WALL AREA means the portion of an exterior wall of a building adjacent to a public street other than an alley and accessible from a pedestrian path that extends from the base of street level.

(5) The maximum height of a street wall area is:

(a) 65 feet; or

(b) for an accessory parking structure, to a maximum height of two stories.

(6) At least 42 percent of the street wall area of a building must contain occupant space.

(7) No more than two floors may include local uses.

- 276 (8) A public or common open space and the property that triggers the
277 compatibility standards in Article 10 (*Compatibility Standards*) must be
278 separated by a building or a solid masonry wall that is at least six feet high.
- 279 (9) Building Wall Height.
- 280
- 281 (a) An exterior building wall that faces a street must be a minimum of
282 24 feet in height.
- 283
- 284 (b) Any portion of an exterior wall adjacent to a street, other than an
285 alley, reaching 65 feet in height must step-back a minimum of 12
286 feet from the property line.
- 287
- 288 (c) A parapet may not extend more than five feet above the 65-foot
289 step-back.
- 290
- 291 (10) The ground floor of a building, including a parking garage must comply
292 with the following:
- 293
- 294 (a) On the ground floor, at least 75 percent of the net length of street
295 frontage must include occupant space.
- 296
- 297 (b) Net length of street frontage is calculated by determining the
298 cumulative length of the building at ground level adjacent to each
299 street, other than an alley, and then deducting the cumulative width
300 of driveways, exit stairs, elevators, and utility equipment space.
- 301
- 302 (c) If a site includes frontage on more than one street, each driveway,
303 set of exit stairs, and elevator must be located on a street that runs
304 north and south, unless the director of the Planning Department
305 determines that those features cannot reasonably be located along
306 that street.
- 307
- 308 (d) Except for the area adjacent to an alley, the ground floor of a
309 building may not be more than five feet higher or lower than an
310 adjacent public street sidewalk.
- 311
- 312 (e) The minimum distance between the finished ground floor of the
building and the structural portion of the ceiling is 10 feet.

- (f) The minimum depth of occupant space is 18 feet and is measured from the outside face of the front exterior wall to the outside face of the rear interior wall.

(11) Screening Requirements.

- (a) Utility equipment, mechanical equipment, solid waste collection areas, loading docks, truck parking, outdoor storage, trash collection, trash compaction and other service functions:

- (i) are prohibited in the area between a building and a street;
- (ii) must not be visible from a street, adjacent property line, and the property line on the far side of an adjacent public street; and
- (iii) must be screened or located in a public alley.

- (b) Above-ground parking must be screened so that vehicles are concealed from view from a public street or adjacent property; and

- (c) Screening materials shall be the same as, or of equal quality to, material used for the principal building.

(12) This subsection applies to a site with frontage on an alley 20 feet or more wide.

- (a) A transformer room or utility vault must be located adjacent to and accessible from the alley.
- (b) A pump room, sprinkler room, or other utility or mechanical room must be adjacent to and accessible from the alley unless an alternative location is required by the Austin Fire Department.

(13) Multifamily Residential Use.

- (a) A minimum of two percent of the total number of dwelling units must be accessible to a person with a hearing or visual disability.
- (b) A minimum of 10 percent of the total number of dwelling units must be accessible to a person with a mobility impairment.

- (c) Each ground floor dwelling unit must be adaptable for use by a person with a disability and accessible by a person with a disability from the on-site parking, pedestrian path, and common area building facilities.
- (d) A multistory building that contains dwelling units must be served by an elevator except when:
 - (i) 25 percent of the dwelling units within the multistory building are located on the ground floor; or
 - (ii) five percent of the dwelling units within the multistory building are located on the ground floor and the building contains less than 20 dwelling units.
- (e) Except as modified by this section, a site with a residential base zoning district shall follow development standards applicable to the site's residential base zoning district and the residential use.

(14) Bicycle Parking. A development must provide the greater of:

- (a) five spaces, or
- (b) spaces equal to 15 percent of the proposed motor vehicle parking spaces.

(15) Streetscape Improvements.

- (a) Street trees must have a tree grating and be:
 - (i) spaced to create a nearly contiguous canopy when the trees reach maturity;
 - (ii) in scale with the adjacent building; and
 - (iii) installed at-grade.
- (b) Street Furnishings and Pedestrian-scale Lighting.

- (i) A development must provide benches, bike racks, and trash receptacles along each adjacent street or right-of-way.
- (ii) A development must provide pedestrian-scale lighting.
- (c) The director of the Planning Department shall adopt administrative rules prescribing the requirements for tree planting and maintenance and the provision of pedestrian-scale lighting and street furnishings.
- (d) The director of the Transportation and Public Works Department shall adopt administrative rules prescribing the minimum widths of pedestrian zones.
- (16) Setbacks.
- (a) Except as provided in this subsection, there are no minimum front yard or street side yard setbacks.
- (i) The maximum front yard and street side yard setbacks are 10 feet for a public plaza or private common open space.
- (ii) There are no maximum front yard or street side yard setbacks for a pedestrian entry court or an outdoor café.
- (b) There are no minimum or maximum interior side yard setback.
- (c) There are no minimum or maximum rear yard setback.
- (d) A building must be at least 12 feet from the front face of the curb of the adjacent street and at least 30 feet from the centerline of the adjacent street.
- (e) If the width of the right-of-way is less than 60 feet, the minimum front yard setback for a building with three or more stories in height shall be 30 feet from the centerline of the street.
- (17) Pedestrian-Oriented Local Uses.
- (a) In this section, PRINCIPAL STREET has the same meaning assigned in Article 5 (*Definitions*).

(b) In this section, LOCAL GROCERY STORE means a site containing a food sales use limited to a grocery store with:

- (i) pedestrian access on the ground floor of the building; and
- (ii) a minimum gross area of 2,500 square feet.

(c) Pedestrian-Oriented Local Use. Except for a development that includes a local grocery store, at least 75 percent of the building frontage along the principal street and on the ground floor of a building must contain one or more local uses and must comply with the dimensional requirements found in Subchapter E, Section 4.3.3.C (*Pedestrian-Oriented Commercial Space*).

- (i) A lobby serving one or more non-pedestrian-oriented local uses does not satisfy the 75 percent frontage requirement unless the development includes: transit-supportive infrastructure; a group residential use; or a local grocery store.
- (ii) The 75 percent requirement does not include space dedicated to emergency exits, required utility connections, and any other service component required by the building or other codes and requirements.

(d) Limitation on Mix of Uses For a Building Containing Residential Uses and No Transit-Supportive Infrastructure.

- (i) A cocktail lounge or performance venue may only be located on the first and second story of the building.
- (ii) A residential use may not be located below a cocktail lounge or performance venue.
- (iii) An on-site amenity is a residential use when provided solely for use by occupants, or occupants' guests.

(18) Hotel-Motel Use and Other Non-Residential Uses.

- (a) If a fee-in-lieu is paid to the University Neighborhood District Housing Trust Fund, a development may include more than three

stories that are designed to contain permitted non-residential uses other than hotel-motel use.

(i) A fee in-lieu under this provision is set by separate ordinance.

(ii) The amount of non-residential fee in-lieu due is determined using the fee schedule ordinance in effect at site plan submittal.

(b) If a hotel-motel fee-in-lieu is paid to the University Neighborhood District Housing Trust Fund, a development may include a hotel-motel use.

(i) A fee in-lieu under this provision is set by separate ordinance.

(ii) The amount of hotel-motel use fee in-lieu due is determined using the fee schedule ordinance in effect at site plan submittal.

(19) A site is not required to comply with the base zoning district's:

(a) minimum site area requirements (if applicable);

(b) maximum floor area ratio;

(c) maximum building coverage;

(d) Article 9 (*Landscaping*);

(e) Private Common Open Space requirements in Subchapter E (*Design Standards and Mixed Use*)

(20) Subchapter E, Section 1.4 (*Minor Modifications*) and Section 1.5 (*Alternative Equivalent Compliance*) apply to a site developed under this section.

(L) Subdistrict 1 Regulations (Subdistrict 1).

Affordability Minimum- Tier 1

- (1) To use up to 240 feet in bonus height or to use a development standard under DBUNO that is not height-related, a development must provide:
- (a) a minimum of 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this affordable ownership units requirement; or
 - (b) a minimum of 10 percent of the residential units as affordable rental units to households earning 50 percent or less MFI; or
 - (c) a minimum of 30 percent of bedrooms as affordable bedrooms to households earning 50 percent or less MFI- Home Rent Limit.

Affordability Minimum- Tier 2

- (2) To use more than 240 feet in bonus height a development must satisfy the affordability requirement in Tier 1 and shall:
- (a) provide an additional 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this additional affordable ownership units requirement; or
 - (b) provide an additional 7.5 percent of residential units above the 240 feet of bonus height as affordable rental units to households earning 50 percent or less MFI; or
 - (c) provide an additional 23 percent of bedrooms above the 240 feet of bonus height as affordable bedrooms to households earning 50 percent or less MFI- Home Rent Limit.
- (3) A building may exceed the maximum building height in the base zoning district by 540 feet except that no building may exceed 600 feet in height.
- (4) The maximum amount of impervious coverage for a site is 100 percent.
- (5) A development is limited to 40 percent of spaces previously required by Appendix A – (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) of Chapter 25-6 (Transportation). This

limitation shall not apply to a development which includes a local grocery store.

(M) Subdistrict 2 Regulations (Subdistrict 2).

Affordability Minimum- Tier 1

- (1) To use up to 240 feet in bonus height or to use a development standard under DBUNO that is not height-related, a development must provide:
 - (a) a minimum of 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this affordable ownership units requirement; or
 - (b) a minimum of 10 percent of residential units as affordable rental units to households earning 50 percent or less MFI; or
 - (c) a minimum of 30 percent of bedrooms as affordable bedrooms to households earning 50 percent or less MFI- Home Rent Limit.

Affordability Minimum- Tier 2

- (2) To use more than 240 feet in bonus height a development must provide the affordability minimum required in Tier 1 and shall:
 - (a) provide an additional 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this additional affordable ownership units requirement; or
 - (b) provide an additional 7.5 percent of residential rental units above the 240 feet of bonus height as affordable units to households earning 50 percent or less MFI; or
 - (c) provide an additional 23 percent of bedrooms above the 240 feet of bonus height as affordable bedrooms to households earning 50 percent or less MFI- Home Rent Limit.

- (3) A building may exceed the maximum building height in the base zoning district by 390 feet except that no building may exceed 450 feet in height.
- (4) The maximum amount of impervious coverage for a site is 100 percent.
- (5) A development is limited to 40 percent of spaces previously required by Appendix A – (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) of Chapter 25-6 (Transportation). This limitation shall not apply to a development which includes a local grocery store.
- (6) The maximum amount of impervious coverage for a site is 100.

(N) Subdistrict 3 Regulations (Subdistrict 3).

- (1) Affordability Minimum- Affordable Units.
- (a) To use up to 240 feet in bonus height or to use a development standard under DBUNO that is not height-related, a development must provide:
- (i) a minimum of 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this affordable ownership units requirement; or
 - (ii) a minimum of 10 percent of the residential units as affordable rental units to households earning 50 percent or less MFI; or
 - (iii) a minimum of 30 percent of the bedrooms as affordable bedrooms to households earning 50 percent or less MFI-Home Rent Limit.
- (2) A building may exceed the maximum building height in the base zoning district by 240 feet except that no building may exceed 300 feet in height.

- (3) A development is limited to 40 percent of spaces previously required by Appendix A – (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) of Chapter 25-6 (Transportation). This limitation shall not apply to a development which includes a local grocery store.

(O) Subdistrict 4 Regulations (Subdistrict 4).

(1) Affordability Minimum- Affordable Units.

- (a) To use up to 115 feet in bonus height or to use a development standard under DBUNO that is not height-related, a development must provide:
- (i) a minimum of 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this affordable ownership units requirement; or
 - (ii) a minimum of 10 percent of the residential units as affordable rental units to households earning 50 percent or less MFI; or
 - (iii) a minimum of 30 percent of the bedrooms as affordable bedrooms to households earning 50 percent or less MFI-Home Rent Limit.

- (2) A building may exceed the maximum building height in the base zoning district by 115 feet except that no building may exceed 175 feet in height.

- (3) A development is limited to 40 percent of spaces previously required by Appendix A – (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) of Chapter 25-6 (Transportation). This limitation shall not apply to a development which includes a local grocery store.

(P) Subdistrict 5 Regulations (Subdistrict 5).

(1) Affordability Minimum- Affordable Units.

(a) To use 70 feet in bonus height or to use a development standard under DBUNO that is not height-related, a development must provide:

- (i) a minimum of 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI; or
- (ii) a minimum of 10 percent of the residential units as affordable rental units to households earning 50 percent or less MFI; or
- (iii) a minimum of 30 percent of the bedrooms as affordable bedrooms to households earning 50 percent or less MFI-Home Rent Limit.

(2) A building may exceed the maximum building height in the base zoning district by 70 feet except that no building may exceed 130 feet in height.

(3) A development is limited to 40 percent of spaces previously required by Appendix A – (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) of Chapter 25-6 (Transportation). This limitation shall not apply to a development which includes a local grocery store.

(Q) Subdistrict 6 Regulations (Subdistrict 6).

(1) Affordability Minimum- Affordable Units.

(a) To use 30 feet in bonus height or to use a development standard under DBUNO that is not height-related, a development must provide:

- (i) a minimum of 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this affordable ownership units requirement; or

- (ii) a minimum of 10 percent of the residential units as affordable units to households earning 50 percent or less MFI.

- (2) A building may exceed the maximum building height in the base zoning district by 30 feet except that no building may exceed 90 feet in height.
- (3) Street Furnishings are not required on sites with less than 150 feet cumulative street frontage.
- (4) The maximum amount of impervious coverage for a site is the greater of 90 percent or the maximum amount allowed in the base zoning district.
- (5) A development is limited to 60 percent of spaces previously required by Appendix A – (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) of Chapter 25-6 (Transportation). This limitation shall not apply to a development which includes a local grocery store.

(R) Subdistrict 7 Regulations (Subdistrict 7).

(1) Affordability Minimum- Affordable Units.

- (a) To use 70 feet in bonus height or to use a development standard under DBUNO that is not height-related, a development must provide:

- (i) a minimum of 10 percent of the residential units as affordable ownership units to households earning 80 percent or less MFI or pay fee in-lieu of this affordable ownership units requirement; or
- (ii) a minimum of 10 percent of the residential units as affordable rental units to households earning 50 percent or less MFI.

- (2) A building may exceed the maximum building height in the base zoning district by 70 feet except that no building may exceed 130 feet in height.

- (3) A development is limited to 40 percent of spaces previously required by Appendix A – (*Tables of Off-Street Loading Requirements and Former Off-Street Parking Requirements*) of Chapter 25-6 (Transportation). This limitation shall not apply to a development which includes a local grocery store.

PART 7. Chapter 25-2 (*Zoning*) is amended to add a new Appendix H (*DBUNO Boundaries and Subdistrict Map*) attached to this ordinance as **Exhibit “A”**.

PART 8. References made to *University Neighborhood Overlay (UNO) District* in City Code Title 25 (*Land Development*) and Building Criteria Manual, Section 12 (*University Neighborhood Overlay (UNO) Zoning District Design Regulations*) shall include *density bonus university neighborhood overlay (DBUNO) combining district*.

PART 9. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____, 2025

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§
§

Kirk Watson
Mayor

APPROVED:

Deborah Thomas
City Attorney

ATTEST:

Erika Brady
City Clerk