

Memorandum

TO: Planning and Zoning Commission
FROM: Bradley Dushkin, AICP – Senior Planner
RE: Proposed text amendments to the Code of Ordinances
DATE: August 17, 2016

The next three items are code amendments affecting the downtown area. First is an amendment altering the treatment of creek-fronting properties in the MU-2 zoning district. Staff recognizes the unique appeal of the land fronting Brushy Creek and Lake Creek. Those properties should be able to be developed in a way that accentuates their frontage, but the current MU-2 zoning regulations make such development impossible. Instead, buildings are required to be built close to the street, shifting on-site parking to the rear of the lot between the building and the creek. This significantly diminishes the natural beauty of the land, and the amendment is a potential remedy. As proposed, the amendment will exempt properties with creek frontage from the strict front setback requirement, allowing the developer to place their structure at any depth on the lot. Additionally, on-site parking is proposed to be permitted in the front street yard in an attempt to encourage preservation of creek-side land.

Second is an amendment to the supplementary use standards for hotels in the MU-1 and MU-2 districts. The existing requirements were composed with a single-building hotel in mind, most likely located near the downtown core. Recently staff met with a hotel developer interested in constructing multiple bungalows on a large property located along Brushy Creek, exposing a weakness in the code requirements. The proposed amendment will more clearly address this type of development by clarifying a requirement that applies only to the primary structure (lobby and other common areas) and not the other structures on the lot (where individual rooms may be).

Lastly is an ordinance creating a new single-family zoning district for an area of east downtown that is home to many non-conforming structures and lots. The genesis of this district is a homeowner who has since moved out of the area, but with whom staff agreed a new zoning district could be an appropriate way to address the nature of the affected lots. Many of the lots and structures in the proposed district were built prior to the creation of the current SF-2 zoning district and are non-conforming in a number of ways. They don't meet the minimum lot size requirement, lack a garage, are built too close to the street, or have another feature that makes the SF-2 requirements impossible to meet. The proposed SF-D district will essentially make these lots and structures conforming again while allowing the property owners to renovate or build new homes without being constrained by the SF-2 standards. The district also includes architectural standards that will seek to ensure the integrity of the historic character of the neighborhood.

Staff began work on the district in 2015 and frequently corresponded with the homeowner to ensure the proposed regulations would be received favorably. The homeowner spoke with many of his neighbors and claimed they were generally in agreement that a new zoning district would be an appropriate measure. Staff sent a draft copy of the district to the affected property owners in June of this year seeking further feedback, but none was received.

ORDINANCE NO. O-2016-____

AN ORDINANCE AMENDING CHAPTER 46, SECTION 46-155.2, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING CREEK-FACING PROPERTIES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 46, Section 46-155.2, subsections (c)(1) and (3), Code of Ordinances (2010 Edition), City of Round Rock, Texas, are hereby amended to read as follows:

Sec. 46-155.2. MU-2 (Mixed-use downtown medium density) district.

(c) *Density and development standards.* All development within the MU-2 (Mixed-use downtown medium density) district shall conform to the density, development, and special standards described below:

(1) *MU-2 (Mixed-use downtown medium density) density and development standards.*

Density and Development Standards for MU-2 ⁽¹⁾	
Description	Requirement
Minimum lot width	20 ft.
Minimum front setback from street (ROW), new single-family, multifamily and buildings with nonresidential uses	0 ft.
<u>Maximum and minimum front setbacks from street (ROW), for lots located on Brushy Creek or Lake Creek</u>	<u>N/A</u>
Maximum front setback from street (ROW), new single-family, multifamily and buildings with nonresidential uses	10 ft. ⁽²⁾

Minimum front setback from street (ROW), expansion of existing single-family uses	10 ft.
Maximum front setback from street (ROW), expansion of existing single-family uses	20 ft.
Minimum setback from front building facade, single-family garages	10 ft. ⁽³⁾
Minimum rear setback	5 ft.
Minimum side setback	2.5 ft. ⁽⁴⁾
Minimum side setback, new and existing single-family uses	5 ft.
Maximum height, principal building	3 stories, not to exceed 50 ft. ⁽⁵⁾
Maximum height, new and existing single-family uses	2.5 stories
Maximum height of fence within street yard	3 ft. (non-wrought iron) 6 ft. (wrought iron)
Maximum height of fence outside street yard	6 ft. ⁽⁶⁾
Height of fence outside street yard for outdoor rear or side dining or patio areas associated with eating establishments and indoor entertainment uses along any shared property line with a residential use, with the exception of multi-story apartments and upper story residential	8 ft.
Accessory structures for new and existing single-family uses	See section 46-136 for accessory structure regulations in SF-2 district
⁽¹⁾ Special purpose lots, such as landscape lots and utility lots, are exempted from these requirements.	
⁽²⁾ Steps, stoops and other access features are allowed in the front setback. For courtyard multifamily, the setback may be more than the maximum as long as the courtyard fills the space from the maximum setback to the facade of any building.	
⁽³⁾ When a garage for an existing single-family dwelling takes access from the front of the property, it	

	shall be setback from the primary facade of the house.
(4)	Side wall requirements for separation from adjacent structures, wall construction, and allowable openings for elements such as windows and doors shall be regulated by the fire code.
(5)	Number of stories includes mezzanines or other occupiable levels. Rooftop decks and patios shall not be included in the number of stories, but structures placed on rooftop decks and patios shall qualify towards the height requirement.
(6)	Fences may be eight feet in height to accommodate topographical changes, as approved by the Zoning Administrator.

- (3) *Parking.* In accordance with the downtown master plan, the following standards are meant to encourage a pedestrian-friendly environment by minimizing curb cuts and the presence of on-site parking. Where on-site parking is incorporated, it shall be placed in an unobtrusive location that minimizes impacts to pedestrian circulation.
- a. On-site parking.
 - b. On-site parking may consist of surface-level or structured parking.
 - 1. On-site parking is not required for nonresidential establishments, with the following exceptions:
 - i. Overnight accommodations at the ratio provided in section 46-196.
 - ii. The residential portion of a live/work unit.
 - iii. Parking determined to be required as a result of a parking generation study performed in accordance with subsection (4)b., below. Alternative solutions may include a shared parking agreement as described in subsection 46-196(c)(2), on-site parking, or other solution as approved by the transportation director.
 - 2. On-site parking shall be required for all residential uses, or residential portions of any building.
 - i. Required residential parking.
 - Single-family detached: Two spaces
 - Other residential units (multifamily, upper-story residential):
 - 1 Bedroom: One space
 - 2 Bedrooms or more: Two spaces
 - For residential units without defined bedrooms, including the residential portion of live/work units:
 - Under 800 square feet: One space
 - 800 square feet or more: Two spaces
 - ii. New garages for residential units.

- (1) The location of new garages and their associated driveways shall be approved by the city.
- (2) Garages are not permitted in any street yard.
- c. If on-site surface-level parking is proposed or required, it shall be in accordance with the following requirements in addition to standards provided in section 46-196 of this Code:
1. Parking and access shall be permitted only on improved surfaces.
 2. Wherever possible, alleys shall be utilized to access on-site parking areas.
 3. If a property owner desires vehicular access from the alley and the alley is not improved, the property owner shall be responsible for the necessary improvements from the alley entrance to the entrance of the parking area.
 4. Vehicular entrances to all parking areas shall be no wider than the minimum standard allowed by the city's design and construction standards.
 5. On-site parking areas shall not be permitted in any street yard, and all parking shall be setback a minimum of five feet from any street-facing building facade.
 6. All existing driveways that are no longer required for parking access shall be removed and replaced with landscaping at the time of site plan review and street improvements installed to match adjacent areas.
 7. On-site parking areas visible from a public street shall be screened by a building or wall, hedge or other landscaping screen that is at least three feet in height.
- d. For lots located on Brushy Creek or Lake Creek, on-site parking is permitted in the street yard in order to minimize the presence of parking along the creek frontage. Parking lots with more than 30 spaces shall comply with the requirements of Sec. 46-195 (f)(1) and (g).
- de. On-street parking.
1. The applicant for a building permit may provide interim on-street parking adjacent to the property, if the existing right-of-way will accommodate it. The materials, design and location of the interim parking improvements shall be in accordance with the downtown master plan and approved by the city.
- ef. Structured parking. All structured parking garages where any of the parking is above grade shall meet the following standards:
1. The first 20 feet in height of the frontage of a garage that faces a public street, with the exception of pedestrian and vehicular ingress and egress areas, shall require either a ground-level use or vehicle parking areas to be screened from view from a public street by means of landscaping or manufactured materials.
 2. Exterior garage building materials shall be limited to stone, cast stone, brick, or split-face or stone-face concrete masonry units (CMU). In addition, architectural steel or metal may be used as accent features.
 3. The glazing percentage requirements provided in subsection (d)(7) shall apply to ground-level occupant spaces, if any.
 4. Pedestrian access.
 - i. Pedestrian ingress and egress to all parking structures shall provide access directly to a street or public frontage except for underground parking levels, where pedestrians may exit the parking area directly into a building.
 - ii. Pedestrians shall have direct access from parking areas to the street on the primary frontage.
 - iii. There shall be direct access to the street from commercial uses.

- 92 5. Vehicular access shall be from the secondary frontage where possible.
- 93 6. Service access shall be from an alley where possible. Where an alley does not exist,
- 94 service access shall be from a secondary frontage where one exists and shall be
- 95 enclosed or screened from view.

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97 **II.**

98 **A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are

99 expressly repealed.

100 **B.** The invalidity of any section or provision of this ordinance shall not

101 invalidate other sections or provisions thereof.

102 **C.** The City Council hereby finds and declares that written notice of the date,

103 hour, place and subject of the meeting at which this Ordinance was adopted was posted

104 and that such meeting was open to the public as required by law at all times during

105 which this Ordinance and the subject matter hereof were discussed, considered and

106 formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas

107 Government Code, as amended.

108 Alternative 1.

109 By motion duly made, seconded and passed with an affirmative vote of all the

110 Council members present, the requirement for reading this ordinance on two separate

111 days was dispensed with.

112 **READ, PASSED, and ADOPTED** on first reading this ____ day of

113 _____, 2016.

114 Alternative 2.

115 **READ** and **APPROVED** on first reading this the _____ day of
116 _____, 2016.

117 **READ, APPROVED** and **ADOPTED** on second reading this the _____ day of
118 _____, 2016.

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124 ATTEST:

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ALAN MCGRAW, Mayor
City of Round Rock, Texas

SARA L. WHITE, City Clerk