

## 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, CODE OF ORDINANCES (2010 EDITION), CITY OF ROUND ROCK, TEXAS, TO CREATE NEW ZONING DISTRICT SF-D (SINGLE-FAMILY - DOWNTOWN), BY ADDING SECTION 46-36.1 AND AMENDING SECTION 46-160; 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, Code of Ordinances (2010 Edition), City of Round Rock, Texas, is hereby amended by adding a new Section 46-136.1, which shall read as follows:

**Sec. 46-136.1 - SF-D (Single-family - downtown) district.**

(a) *Purpose.* To establish and preserve areas of land use primarily devoted to low density residential development. This district provides for traditional residential development and includes standards to reinforce the scale and design of an established residential neighborhood with numerous historic structures.

(b) *Permitted uses.*

(1) The following uses are permitted by right:

| Use                         | Supplementary Standard |
|-----------------------------|------------------------|
| Park, community             | None                   |
| Park, linear/linkage        | None                   |
| Park, neighborhood          | None                   |
| Place of worship            | None                   |
| Single-family detached home | None                   |

(2) The following uses are permitted with conditions:

| Use                                          | Supplementary Standard |
|----------------------------------------------|------------------------|
| Bed and breakfast                            | 46-160(e)(2)           |
| Day care (in home) for six or fewer children | 46-160(i)(1)           |
| Group home                                   | 46-160(m)              |
| School, elementary                           | 46-160(bb)(1)          |
| School, middle                               | 46-160(bb)(2)          |
| Self-enclosed monopole                       | 46-160(k)(k)           |
| Utilities, minor                             | 46-160(hh)             |
| Utilities, intermediate                      | 46-160(hh)             |
| Wireless transmission facilities, stealth    | 46-160(kk)             |

(c) *Density and development standards.* All development within the SF-D (single-family - downtown) district shall conform to the density, development, and special standards described below.

(1) *Density and development standards.*

| Description                                       | Requirement                                                 |
|---------------------------------------------------|-------------------------------------------------------------|
| Minimum lot area                                  | 4,356 sq. ft.                                               |
| Minimum lot width                                 | None                                                        |
| Minimum width of principal building               | None                                                        |
| Minimum setback from street (ROW)                 | contextual. <sup>(1)</sup>                                  |
| Minimum garage door setback from street (ROW)     | 25 ft./15 ft. <sup>(2)</sup>                                |
| Minimum rear setback                              | 5 ft.                                                       |
| Minimum side setback                              | 5 ft.                                                       |
| Minimum setback for accessory building            | 5 ft. <sup>(3)</sup>                                        |
| Maximum height of principal building              | 2.5 stories <sup>(4)</sup>                                  |
| Maximum height of accessory building              | 15 ft.                                                      |
| Maximum lot coverage for buildings                | 60 percent                                                  |
| Maximum height of fence within front street yard  | 3 ft. non-wrought iron <sup>(5)</sup><br>6 ft. wrought iron |
| Maximum height of fence outside front street yard | 6 ft. or 8 ft. <sup>(5)</sup>                               |

<sup>(1)</sup> Front setback shall be the same as adjacent buildings +/- 5 feet. If the two setbacks on either side of the subject property are greater than 10 feet different from one another, the owner of the subject property may choose which adjacent property to use to establish the contextual setback.

<sup>(2)</sup> All portions of a garage and garage doors shall be set back a minimum of 5 feet from the front elevation of the main structure.

<sup>(3)</sup> Accessory buildings or structures are prohibited in any street yard.

|     |                                                                                                                             |
|-----|-----------------------------------------------------------------------------------------------------------------------------|
| (4) | Floor to floor heights shall be the same as adjacent structures in a block.                                                 |
| (5) | Fences may be up to eight (8) feet in height to accommodate topographical changes, as approved by the zoning administrator. |

(2) *Setback requirements.*

a. All required setbacks shall be free from all encroachments, including accessory buildings or structures, eaves, roof overhangs, box windows and fireplaces/chimneys. Air conditioning units and other ground mounted mechanical equipment are exempt from this requirement.

b. Structures shall not encroach into any public utility easements

(3) *Parking requirements.*

a. Parking and access shall be permitted only on improved surfaces.

b. On-site parking is not required for single-family dwelling units, but is required for the following uses:

1. A bed and breakfast shall provide one on-site parking space for each guest room.

2. Other uses shall provide on-site parking in accordance with Sec. 46-196.

c. Garages shall not be required. When a garage is constructed, it shall be complementary in materials and design to the primary structure on the lot.

d. Where an alley exists and is clear of man-made obstructions, new garages shall be oriented toward the alley. If no alley exists, new garages shall be oriented toward an available secondary frontage. If the garage is oriented toward the secondary frontage, the facade that faces the primary frontage shall include articulation such as windows.

e. A driveway constructed to access a new garage shall be no wider than 18 feet within the setback, and no wider than the garage at any point.

f. The garage doors facing a public street shall not exceed 18 feet in width.

g. On-site parking placement.

1. Where access is available from an alley or secondary frontage, parking shall be located at the rear of the property behind the principal structure.

2. If a property has an existing driveway, it may be utilized to meet any on-site parking requirement but may not be expanded in the street yard to accommodate additional parking. Slight modifications may be made to the existing driveway to access additional parking located at the rear of the structure. A driveway shall be no wider than 18 feet within the required front or side setback.

(d) *SF-D district design standards.*

1. *Exterior wall finish.*

- a. Permitted exterior wall materials include wood siding (novelty, tongue and groove, shiplap, or equivalent), stone (such as rough-faced limestone), brick, and lapped fiber cement siding that is smooth and without a drop in the panel (not cottage lap).
- b. Stone and masonry bonding patterns, size, and color shall be similar to existing structures in the district. Limestone shall have an ashlar pattern, and other stone shall be installed in uniform patterns and shapes.
- c. Exterior insulation and finishing systems (EIFS), concrete tilt-wall, concrete block, artificial brick, simulated stone, and synthetic wood shingles are prohibited.
- d. Accessory structures less than 150 square feet are exempt from exterior wall finish requirements.
- e. Day-Glo, luminescent, neon, or similar types of color finishes are prohibited.

2. *Height, massing and placement requirements.* For explanation of measurements, computations, and exceptions, see section 46-163.

- a. Front facades of the primary structure shall be parallel to the street.
- b. The scale of a new building or addition shall reflect the scale of adjacent buildings.
- c. The scale and placement of façade elements such as doors, windows, porches, columns, and other architectural features shall be similar to surrounding buildings.

3. *Additions to the primary structure on a lot.* Additions shall be compatible and secondary in size, design, proportion, and detail to the primary residential structure on a lot.

4. *Roofs.*

- a. Roof pitch shall be a minimum of 4:12.
- b. Synthetic wood shingles or synthetic clay tile roofs are prohibited.

5. *Lot fencing.*

- a. Fences shall be constructed of the following materials: brick, stone, wrought iron, or wood. Other decorative masonry materials, reinforced concrete, or wrought iron equivalents may be approved by the zoning administrator.
- b. Fence posts shall be constructed of wood, rust-resistant metal parts, concrete-based masonry or concrete pillars.
- c. Fence posts and fence panels for non-wood fences shall be capped.
- d. All fences shall provide a finished face to all public rights-of-way.
- e. Fences shall not conflict with sight triangles at street intersections or obstruct views from adjacent driveways.

6. *Fence requirements and maintenance.*

- a. These regulations shall apply only to fences that:

- 112 1) face a public street, a public park, a public recreation facility, a school, a  
113 library, or a government office; or  
114 2) are adjacent to a public drainage facility and are visible from a public  
115 street.
- 116 b. Fences are not required in the SF-D district. However, the owners of fences  
117 subject to this section shall maintain fences in a safe condition and in good  
118 repair, with all components free from deterioration, dilapidation, rot, rust,  
119 loosening, or leaning. Fences shall be able to withstand the wind load for which  
120 they were designed. In addition, the following regulations shall apply:
- 121 1) A fence shall not be out of vertical alignment more than one (1) foot from  
122 the vertical measured at the top of the fence, with the exception of  
123 fencing measuring four (4) feet or less in height, which vertical alignment  
124 shall not be more than six (6) inches from the vertical measured at the  
125 top of the fence.
- 126 2) A fence shall not have any broken, loose, damaged or rotted  
127 components having a combined total area of twenty (20) square feet or  
128 more, said area being calculated over any 50 contiguous linear foot  
129 section of fence.
- 130 3) A fence shall not have any missing posts, panels, or pickets.
- 131 4) Painted fence components shall be regularly maintained to prevent  
132 rusting, peeling, or blistering surfaces.
- 133 5) If the city determines a fence is unsafe, dilapidated or a public nuisance,  
134 or otherwise in violation of this chapter, it shall be repaired, replaced or  
135 demolished within 60 days upon first notification of non-compliance.  
136 Repairs shall be made with materials comparable in composition, color,  
137 size, shape and quality to the original fence. Products not intended to be  
138 used as fencing are prohibited from being used in the repair of a fence.
- 139 6. *Mechanical equipment and trash receptacles for non-residential uses.*
- 140 a. Roof-mounted equipment shall be set back from the edges of roofs and screened  
141 so as not to be visible from public view.
- 142 b. No mechanical or service areas shall be placed in the street yard.
- 143 c. Trash receptacles shall be screened from the street and pedestrian areas with  
144 fencing or appropriate height landscaping.

## 146 II.

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148 That Chapter 46, Section 46-160, subsection (e)(2), Code of Ordinances (2010  
149 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

### 150 Section 46-160

151 (e) Bed and breakfast.

(2) A bed and breakfast located in ~~an~~the SF-2 or SF-D district shall be subject to the following additional standards:

- a. A bed and breakfast located in an SF-2 district shall be in the downtown development area.
- b. The operator of the bed and breakfast shall be a full-time resident of the dwelling in which the bed and breakfast establishment is housed.
- c. A maximum of four guest rooms shall be provided in any one bed and breakfast establishment.

## II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

**READ, PASSED, and ADOPTED** on first reading this \_\_\_\_ day of \_\_\_\_\_, 2016.

181 Alternative 2.

182 READ and APPROVED on first reading this the \_\_\_\_ day of  
183 \_\_\_\_\_, 2016.

184 READ, APPROVED and ADOPTED on second reading this the \_\_\_\_ day of  
185 \_\_\_\_\_, 2016.

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191 ATTEST:

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ALAN MCGRAW, Mayor  
City of Round Rock, Texas

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194 SARA L. WHITE, City Clerk