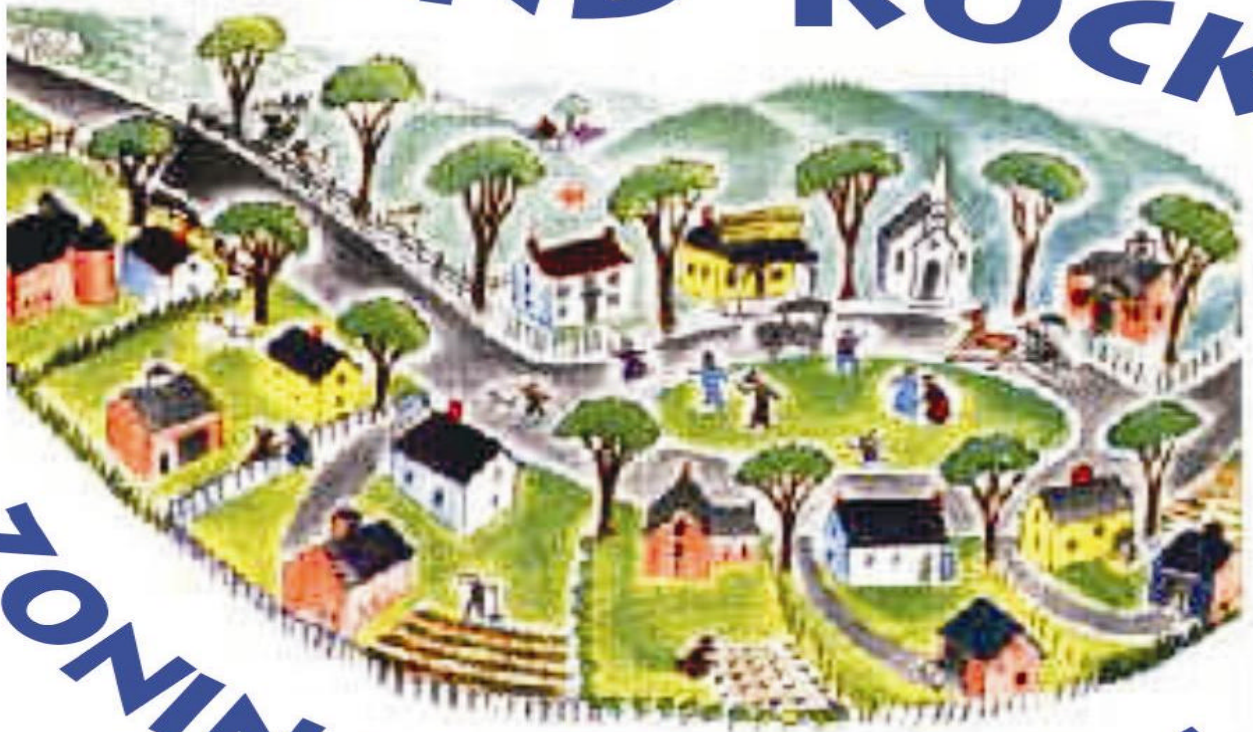


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ROUND ROCK



ZONING SOLUTIONS

January 23, 2001

prepared by

duncan associates
Austin, Texas



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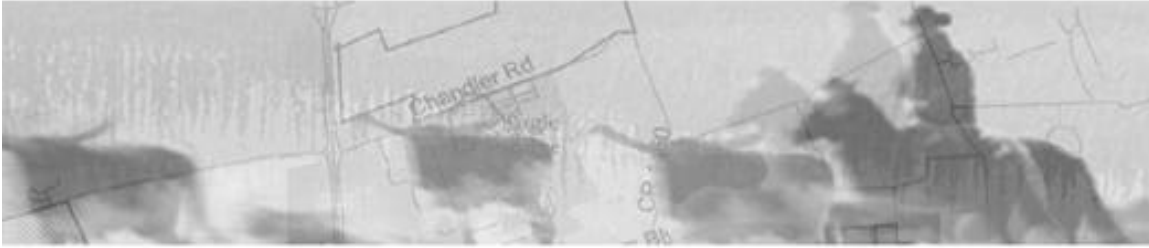


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INTRODUCTION

The City of Round Rock retained Duncan Associates, an award-winning planning and growth management consulting firm that specializes in the revision of land development regulations, to evaluate and revise its current zoning ordinance.

This guide summarizes the broad themes that will form the backbone of Duncan Associates' proposed zoning ordinance revision for Round Rock. It also addresses the broad range of issues that were raised by the General Plan 2000 and during the ordinance review process, and provides proposed solutions. The new ordinance, following the solutions presented in this guide, will be simple, easy-to-use and comprehensive.

Revising a zoning ordinance is a deliberate and methodical process. This guide is the fusion between what we have heard the City of Round Rock and its citizens want in the new ordinance and what Duncan Associates, drawing from a review of the city's existing Zoning Ordinance and General Plan and our experience with more than 75 codes for clients in 28 states, sees as the best way to meet these expectations. We have not yet written the new ordinance or any parts of it. These solutions are proposals and we encourage feedback so that the final ordinance truly is the best for Round Rock.

PROJECT GOALS

Based on information presented in the City's Request for Proposals and input received during presentations, interviews and focus group meetings with interested community members, the overall goals of the Round Rock Zoning Ordinance project are to:

- Update and modernize the City's zoning ordinance to reflect recognized best practices in zoning and land use control;
- Reorganize and reformat the ordinance into a document that is easier to use, administer, interpret and enforce;
- Implement the zoning-related recommendations of the Round Rock General Plan 2000 and the Palm Valley Area Planning & Design Study;
- Ensure that the new zoning ordinance contains provisions that are consistent with state and federal law; and
- Reinforce existing strengths of the city's zoning system.

CHARACTERISTICS OF EFFECTIVE ZONING ORDINANCES

In identifying the strengths and weaknesses of Round Rock’s current Ordinance, we draw on our experience in drafting ordinances for communities throughout Texas and the U.S. and our knowledge of innovative solutions and approaches to the types of zoning and growth issues facing the City. In our experience, modern, effective zoning and land development codes have several common factors:

- They are based on sound, well-articulated plans;
- They are well-organized and customer-friendly;
- They include review and approval criteria that are efficient and easily understood;
- They shun vague criteria in favor of development standards that are clear, consistent, and often illustrated;
- They are devoid of redundancies and internal inconsistencies;
- They are formulated with broad-based public input; and
- They are accompanied by adequate administrative and enforcement capabilities.

Five Major Themes:

- Document Improvements
- Review Procedures
- Zoning Districts
- Residential Development
- Nonresidential Development

ORGANIZATION OF SOLUTIONS

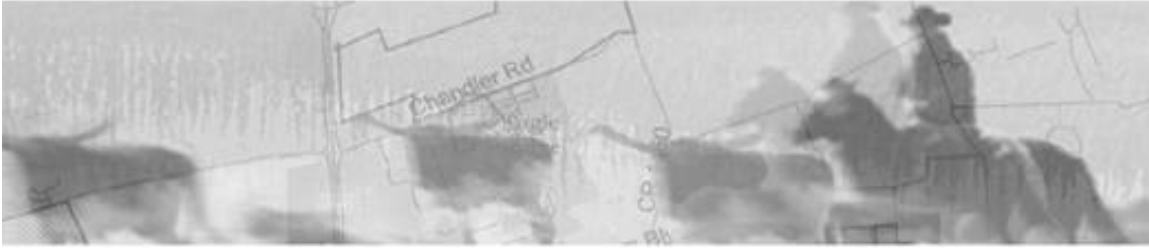
The solutions in this guide are organized into five major themes, with each theme divided into specific issues and our firm’s recommendations. These main themes represent areas where the ordinance needs to take a ‘quantum leap’ forward if it is to meet the needs of a growing Round Rock. Throughout this guide, we present examples and

illustrations of the types of improvements we propose. Finally, the appendix shows the structure of the current ordinance while the proposed new outline is shown on page 3.

BASIS OF OBSERVATIONS

Unless otherwise expressly stated, the findings and recommendations contained in this guide are based largely on the consultant team’s independent analysis and experience. By design, the themes, issues, and solutions presented in this guide focus on what is wrong with the current zoning system, rather than what is right. It would be a mistake for readers to think that Round Rock faces an imminent regulatory crisis or that the city’s regulations are not as “good” as those in other communities. No such judgment is made or implied by Duncan Associates. In fact, we give the city’s current ordinance relatively high marks on many of the benchmarks described in the earlier section. On the other hand, we believe that significant improvements can be made to the ordinance’s organization, format, standards and procedures. Of course, that is true in most communities.

No set of regulations is perfect. Regulations, like the plans they are intended to implement, require periodic revision to keep pace with cultural, economic and technological changes. In short, many of the issues and solutions presented in this guide could also be applied to most other communities and their zoning regulations. But there are specific issues, which if not addressed, will likely lead to increased frustration on behalf of citizens, developers, businesses, public officials and staff. The commissioning of this project, on the heels of Round Rock’s recently completed General Plan 2000, demonstrates the city’s awareness of these issues.



DOCUMENT IMPROVEMENTS

A series of modest improvements will make Round Rock's existing zoning ordinance easier to use and will substantially improve the ability of casual users and experts to find (and understand) the information they need. The city's existing ordinance is generally complete, but needs to feel more like a useful reference source and less like a book of rules. The new zoning ordinance must be easy to use if it is to effectively serve the needs of a vibrant and growing community such as Round Rock.

EASE OF USE

The utility of the zoning ordinance will be significantly improved by including a brief section (probably located inside the front cover) that provides basic information to users on the organization of the ordinance document. This short preface will set forth responses to a series of common questions, such as:

- If you want to know what zoning rules apply to your property
- If you want to build a structure or establish a particular use
- If you are annexing to the City and you want to know what zoning rules will apply

ORGANIZATION

The organizational philosophy of an ordinance should be self-explanatory to any user who has received a simple introduction such as the "how-to" section just described. The revised ordinance will be crafted into such a self-explanatory structure by taking the existing regulations and revising or adding provisions as described throughout this guide.

One Possible Ordinance Outline:

- 11.100 General Provisions
- 11.200 Development Review Bodies
- 11.300 Development Review Procedures
- 11.400 Zoning Districts
- 11.500 Use Regulations
- 11.600 Development Standards
- 11.700 Nonconformities
- 11.800 Enforcement
- 11.900 Definitions

One specific example of potential reorganization will be to take some of the procedural aspects of the current zoning ordinance's Historic Preservation section and move them

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into the procedures section just described. This would not weaken the City's dedication to historic preservation, but would streamline its application. (The existing ordinance structure is shown at the end of this guide.)

Round Rock's existing ordinance should receive high marks for its brevity. All too often, zoning ordinances are unwieldy collections of rules and regulations. Round Rock's current ordinance is only 75 pages. With the improvements that can be offered by new zoning solutions and by modern presentation of zoning regulations, Round Rock's revised zoning ordinance is likely to grow. The new material will make this longer document easier to use with indexing, improved use of fonts, better page layout, and the addition of tables and graphics that help illustrate zoning and other regulatory concepts.

The table of contents and index of all ordinances and regulatory documents should be useful to occasional users and experts alike. Round Rock's existing zoning ordinance contains a rudimentary table of contents, but no index. A new table of contents and detailed index will be included with the revised ordinance. The index will be carefully prepared to ensure that the user is directed to the most important instances of a word or phrase.

DEFINITIONS

The new ordinance will consolidate all definitions into one reference section near the end of the ordinance, where it will serve as a glossary for the entire document. This will eliminate any potentially unclear or duplicate definitions, and make the collected terms a more useful source of information. In the current ordinance, most definitions are located in two main sections within the document, with a few more spread throughout.

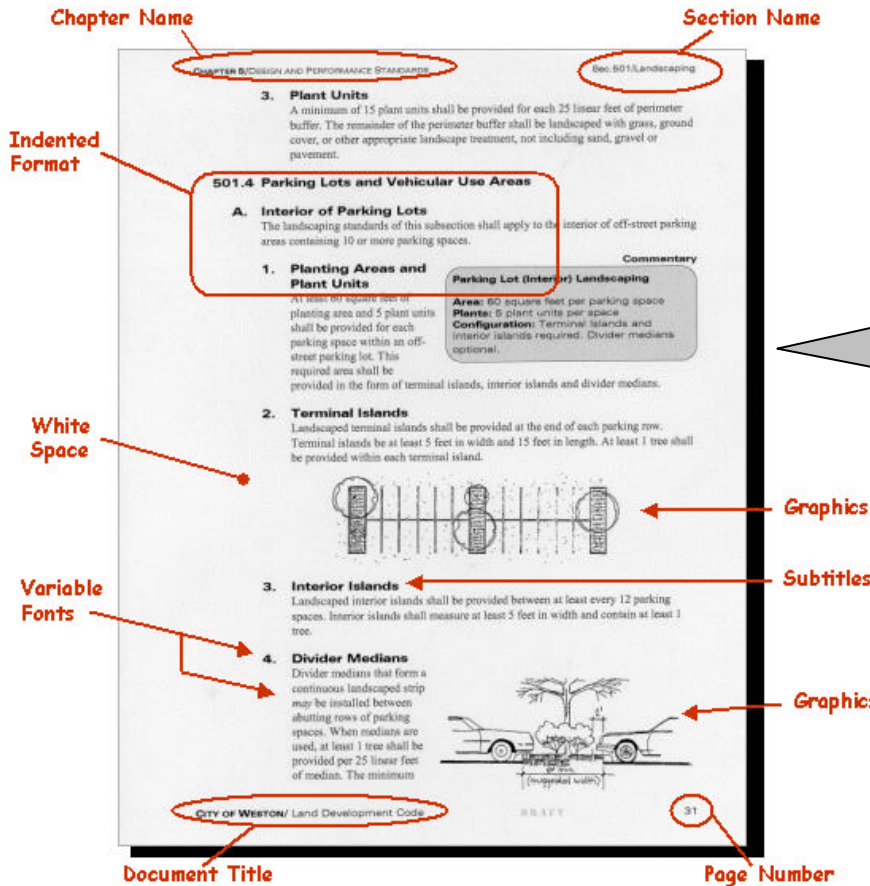
The existing definitions sections are inadequate for addressing modern zoning and land development regulatory issues. The new glossary will be comprehensively overhauled, supplemented and updated. It will include defined terms and rules regarding the construction of language within the code. Terms will be consistent with Building Code definitions and other definitions used throughout the City's ordinances. While avoiding "legalese" as much as possible, the "rules of construction" will address general issues related to interpretation of code provisions, including how time is computed; the meaning of standard terms such as "shall," "will" and "may;" the use of plural and singular nouns; the meaning of conjunctions; and other general interpretation issues that arise in administering zoning regulations.

Zoning ordinance definitions will be made consistent with state law and recent cases, and wherever appropriate, will include cross-references to appropriate sections of Texas Code or to a relevant case.

PAGE LAYOUT

The revised zoning ordinance will take advantage of modern word-processing software that allows communities to publish "in-house" documents that look as professional as those once laboriously typeset at a commercial printer. Although people have come to expect that zoning ordinances and other municipal regulations will be laid out in a boring and uninviting way, this no longer must be the case. Simple techniques, such as

the use of larger, distinctive typefaces for titles and subtitles, indented text to indicate the hierarchical level of each paragraph, generous use of white space, and graphics and tables all will help improve the visual appearance of the ordinance...and its ease-of-use.



Other page layout and "easy-find" features will include the careful application of headers and

Drafts of the new ordinance will also use cut-outs and dialogue boxes such as this to provide additional details or explanations and increase the ease of use of the document.

footers that allow users to easily negotiate their way through the document in a manner similar to using a dictionary or the yellow pages. There will also be references to Round Rock's separate Subdivision Ordinance and other related codes.

Along this same line, the city should ensure that it

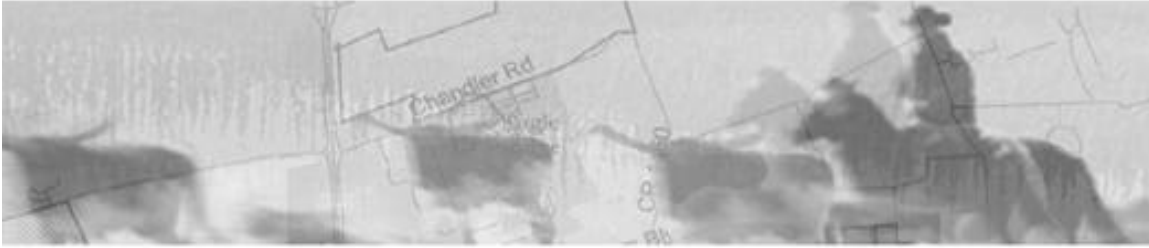
takes advantage of Round Rock's technologically "wired" environment to present the ordinance on-line in an easy-to-use format after adoption.

TABLES AND ILLUSTRATIONS

Whenever possible, the new ordinance will use tables and graphics to present regulations, standards and procedures. There are a variety of lists of standards and requirements in the city's existing ordinance that will be shown in tables. Existing tables and matrices will be reformatted more clearly. Summaries of use regulations and density/dimensional standards will be presented in matrix format.

The new ordinance will also allow pictures to truly be worth a thousand words. Graphics will be used throughout to supplement, explain and clarify the text. Many people interviewed for this project - staff and public alike - mentioned the need for additional illustrations and graphics in the city's regulations. In particular, flowcharts will be used to graphically show the review and approval procedures. The existing off-street parking requirements section will also benefit significantly from the use of tables and graphics.

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REVIEW PROCEDURES

The new ordinance will provide clear and well-defined review and approval procedures and criteria. The current zoning and development process suffers from overly vague or restrictive procedures (and vague or restrictive use standards, which will be addressed later in this guide) that can lead to their inconsistent application. Development review and approval procedures must be clear and consistently applied in order for Round Rock to effectively continue guiding its growth.

CONSOLIDATION

To improve the organization and ease-of-use of the new ordinance, all existing and new review and approval procedures will be consolidated into a single section of the document. This new section, located early in the new ordinance, will include appointment, procedures and powers of bodies such as the Planning and Zoning Commission, Development Review Board and Historic Preservation Commission. It will address all aspects of administration, review and approval processes, permits, appeals and violations that occur within the zoning system.

Making this simple organizational change will eliminate any duplicate procedural descriptions and further streamline the ordinance. Users will find it easier to refer to the new procedures section to find the descriptions of what steps they need to follow, what documents they need to file and who they need to notify in order to accomplish their zoning-related task.

“Use Regulations” – what is or isn’t permitted for a property – are discussed further in the “Zoning” section

In addition, these consolidated procedures will include a new introductory section containing general provisions and legal issues such as purpose, interpretation, effect, jurisdiction, conflicting and transitional provisions and severability. Such provisions are standard fare and need to be included in the new ordinance.

CONSISTENCY OF APPROVAL PROCESS

In preparing the revised ordinance, Duncan Associates will carefully scrutinize the existing development standards and review criteria, and develop clear, easy-to-use standards and criteria. Concerns about consistent application of procedures and

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standards in the existing ordinance were raised during public meetings and focus group interviews. The revised ordinance will alleviate these concerns in two key ways.

First, by consolidating and streamlining the procedures as described above, the new ordinance will make development review as efficient as possible. The factors to be considered in making decisions (by all review and decision-making bodies) will be made very clear. Where standards for compliance/review are clearly and objectively stated,

SUMMARY OF CURRENT REVIEW AUTHORITY

Procedure	Building Official	Zoning Administrator	Historic Preservation Commission	Development Review Board	Planning and Zoning Commission	City Council
Alternative Parking Standard		DM		A		
Site Plan		DM		A		
Site Plan and Building Permit in C-3		DM		A		
Ordinance Interpretation		DM		A		
Zoning Boundary and Use Interpretation		DM		A		
Historic Preservation Commission						
Historic Preservation Site Plan	R		<DM>			<A>
Conditional Use (C-3)			<DM>			
Development Review Board						
Site Plan - Special Permit				<DM>		
Conditional Use				<DM>		
Variance				<DM>		
Nonconforming Use Continuation	R			DM		A
Planning and Zoning Commission						
Conditional Use - "lot averaging"					<DM>	
City Council						
PUD		R			<R>	<DM>
General Plan Modification					<R>	<DM>
Rezoning					<R>	<DM>
Zoning Amendment					<R>	<DM>
Annexation Zoning					<R>	<DM>
Designation of Historic District/Landmark			R*		<R>	<DM>

Note: Landscape Review will be added to the new ordinance. Landscaping is currently addressed in Chapter 3 of the City Ordinance.

Key: R = Review Body DM = Decision-Making Body A = Appellate Body < > = Public Hearing * = Current Practice

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the new ordinance will authorize greater use of administrative approval, while reserving policy decisions and interpretations to decision-making bodies. The revision will provide standardized site plan approval requirements and procedures, and distinguish between minor and major projects, with minor projects able to proceed with administrative review. Approval of major projects will still follow a more deliberative process.

The second critical way in which the new ordinance will ensure consistency is through the revision and clarification of zoning districts and use regulations and standards that will be described later in this guide.

USE OF INCENTIVES

Whenever appropriate, the revised ordinance will offer “carrots” instead of “sticks” that set the tone for new development. Many of these ‘incentives’ may be adapted from the current practices of the Planning Department. A successful ordinance stimulates creativity, rather than regulating with a heavy hand. Such incentives might include:

- Reduced permitting time
- Increased certainty of approval; and
- Incentives for infill development

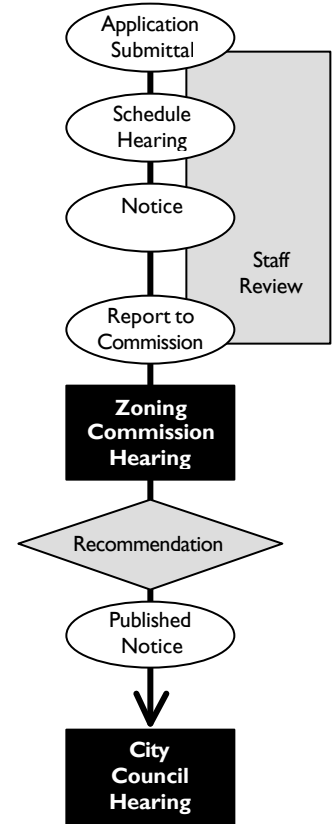
In many cases, alternative compliance options will be offered in order to allow new technologies and other innovative and site appropriate solutions. These alternatives will be allowed when they meet clearly stated underlying goals that will be included in provisions of the revised ordinance. To ensure that this concept works smoothly and consistently, the Zoning Administrator (or City Engineer, when appropriate) should have authority to determine how effectively a proposed alternative compliance approach meets these goals. Areas of potential alternative approaches include parking compliance, tree protection, landscaping, paving materials, building materials, etc.

REVIEW CRITERIA

The revised ordinance will set forth clear review criteria for Conditional Uses, Planned Unit Developments and Rezoning. These review criteria will require consistency with the General Plan 2000 and/or Future Land Use Map. For example, multifamily housing issues were comprehensively explored and addressed by the General Plan 2000, so any uses requiring review during their development would be subject to this consistency requirement. Review criteria will also require consistency with any current or future adopted neighborhood plans.

The General Plan 2000 also discusses the importance of understanding the link between land use and transportation. To help accomplish this, the new review criteria will

Sample Flowchart



The new zoning ordinance will often include statements that clarify the purpose of a provision or describe how it meets a goal of the General Plan or follows Best Practices in Planning and Zoning.

require a consideration of the carrying capacity of existing and proposed infrastructure systems to meet the demand that a new development project will bring.

GENERAL PLAN 2000 GUIDANCE

The following objectives or recommendations were made in Round Rock’s General Plan 2000:

Future Land Use Map and Interpretation Policies (General Plan 2000, Section 5.8)

Comment: This section of the General Plan calls for a gradual but sustained effort to rezone areas not in compliance with the Future Land Use Map. The new ordinance will add language within the rezoning criteria that reflects this recommendation.

Plan/Map Amendment Policies (General Plan 2000, Section 5.8)

This section of the General Plan calls for the policy... ***“Rezoning or other development approvals for land uses not consistent with the Future Land Use Plan should not be approved until the General Plan 2000 has been amended as necessary to provide for such land uses.”***

Consistency with the General Plan is an important aspect of any zoning system. Duncan Associates will include strong and clear consistency requirements within the new ordinance to reflect this recommendation.

“**Goal I:** Round Rock will ensure a safe and efficient transportation system that provides increased access and mobility for all residents. Transportation and land use policies will maximize traffic flow at both the local and regional levels.”

Protect the function of the City’s arterial roadway system by adopting land use and access policies that concentrate high intensity land uses, minimize strip development, and limit direct driveway access and curb cuts along major roadways. (Objective 1.4)

This objective can be met through a combination of rezoning criteria, development standards and careful attention to zoning district use regulations.

Require traffic impact analyses for new developments that will generate high volumes of traffic. (Objective 1.6)

The Institute of Transportation Engineers has developed two basic approaches for requiring traffic impact analyses (TIA). One approach sets a standard threshold of 150 new trips generated during peak hour traffic that is applied to all new development. The other applies a calculation process to each new development to determine need for a TIA. With guidance from the Zoning Advisory Committee and city staff, the ordinance revision will determine the appropriate solution for Round Rock.

Engage citizens in an ongoing dialogue about City policies and programs to instill an attitude of trust and believability in local decision making. (Objective 2.1)

“Goal 2: Round Rock will develop clear avenues of communication with citizens.”

Ensuring that residents have a complete understanding of the land use and zoning process is a key goal of this ordinance revision project. The significantly reorganized Review Procedures section will clearly explain the procedures that every development must follow. The Zoning Districts section will clearly explain which uses are permitted in a district, and the Development Standards section will clearly show how uses must occur. Decision-making criteria for review bodies and staff will be clearly stated. Use of plain English and avoiding “legalese” will make the new ordinance easy for all citizens to understand and use.

Use new types of media, including local access television and the City’s internet website, to keep citizens apprised of public hearings and other forums for citizen involvement. (Objective 2.2)

In addition to recommending that the new zoning ordinance be posted and maintained on the Round Rock website, the entire revision process will involve citizen participation and many documents from the project, including this Zoning Solutions Guide, will be posted by the Planning Department.

“Goal 5: Round Rock will strengthen policies and programs that preserve neighborhood integrity. Round Rock will establish and adhere to strong development standards to reduce future maintenance costs.”

Ensure strong, consistent code enforcement to maintain neighborhood integrity. (Objective 5.2)

The zoning revision will strive for consistent application of the zoning ordinance. The ordinance will clarify what constitutes a zoning violation so that citizens, as well as the City, know when violations are occurring. Also, no development application from a current violator will be reviewed until the violation has been corrected. This should help ensure that habitual offenders are not given new opportunities for violations.

Investigate methods and incentives to bring existing developed property into conformity with new ordinances. (Objective 5.3)

Nonconforming uses are typically allowed to continue, although changes to structures or uses trigger compliance requirements. Some non-conforming uses may be required to conform over a pre-set time period. With guidance from the Zoning Advisory Committee and city staff, zoning-related incentives that encourage compliance with new standards could be developed and included in the revised ordinance. Also, in preparation of the new ordinance, every effort will be made to keep properties currently in compliance from becoming non-compliant.

Avoid the creation of large concentrations of apartments in any one area of the City. (Objective 5.5)

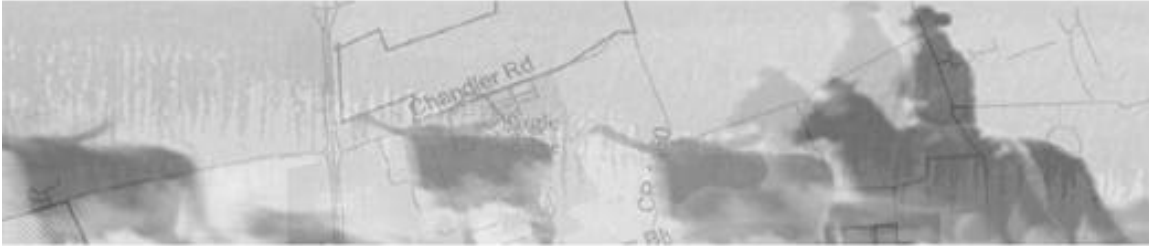
This objective is best accomplished by careful attention to rezoning requests and approvals. The revised ordinance will support this with rezoning criteria and a General Plan amendment process that ensures careful consideration of all rezoning requests and consistency with General Plan goals and objectives, including the “Location Criteria for Multi-Family Development” described in Section 5.7.

General Plan 2000 Assumptions (from Section 5.2)

The General Plan 2000 is based on the following assumptions:

- Planned industrial parks will be the preferred industrial development configuration.
- The City will continue to facilitate Planned Unit Developments (PUD) to integrate a variety of residential, commercial, and light industrial uses within a physically compact area.
- The existing character of the community will be maintained or improved. The established land use pattern and natural amenities within the community provide the foundation for the Future Land Use Plan.
- Multi-family developments will be dispersed along major transportation corridors in the City to minimize the traffic impacts on existing residential neighborhoods. Multi-family developments will locate in areas having proper facilities and locational characteristics.
- Conflicts between land use activities will be minimized.
- The Future Land Use Map is not parcel specific and provides an opportunity for the City to remain flexible in dealing with matters of community design. With this flexibility, creativity and diversity in land use planning will be encouraged.

The revised ordinance will be written to allow these assumptions to continue as the basis for plan revision and implementation in Round Rock.



ZONING DISTRICTS



The new ordinance will provide clear and well-defined zoning districts that meet the needs of Round Rock. Existing districts and their standards will be reviewed and adjusted to ensure compliance with the General Plan 2000. New districts will be proposed as necessary. As with the Review and Approval

Procedures, the current zoning system suffers from overly vague or restrictive use standards that might lead to their inconsistent application. Zoning districts and their use regulations must support Round Rock's vision of itself...now and in the future.

USE REGULATIONS

One of the virtues of Round Rock's existing zoning ordinance is that it avoids the long lists of uses that are or are not permitted within a zoning district. The new ordinance will replace the use descriptions to modernize and clarify them, but will also keep them simple and clear. Whenever possible, the new ordinance will rely on standard measures of impact, such as noise, light, height, scale, bulk, etc., to determine where uses will be allowed, rather than relying on the traditional lists of all uses that are allowed within a district.

One problem with many zoning ordinances is that descriptions of permitted uses are too vague, making it easy for staff interpretation to outweigh the intent of the ordinance. The new use regulations will present straightforward definitions and examples that will allow users, including city staff, to easily

Sample Use Category

Office

Characteristics. Activities conducted in an office setting and generally focusing on business, government, professional, medical, or financial services.

Examples. Professional services such as lawyers, accountants, bookkeepers, engineers, or architects; financial businesses such as lenders, investment or brokerage houses, collection agencies, or real estate and insurance agents; data processing; mail order or direct-mail offices; sales offices; government offices and public utility offices; TV and radio studios; educational and scientific research offices; medical and dental clinics or labs; nursing services; and blood-collection facilities.

Accessory Uses. Cafeterias, technical libraries, pharmacies, meeting rooms, day care, off-street parking, or other amenities primarily for the use of on-site employees.

Uses Not Included.

- City offices (Public Projects).
- Offices that are part of and located with a principal use in another category (Accessory Use).
- Contractors and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site (Light Industrial Service).
- Urgent care or emergency medical clinics.

and consistently make determinations about which uses are permitted.

In addition to having carefully-developed use descriptions, the new ordinance will reflect a detailed examination of use standards, such as dimension, bulk, height, setbacks, etc. and include any improvements or revisions that help meet Round Rock’s future needs. Some new or potentially sensitive uses, such as bed and breakfasts or adult oriented businesses will be specifically addressed or cross-referenced to other provisions of Round Rock’s existing municipal ordinances.

Focus group members also requested that the ordinance revision give careful attention to size, bulk and height issues such as “big box” retail, cellular towers and the growth of large church complexes with ancillary uses, such as schools and community centers. The revised code will address these and related issues using the most legally-sound and community-acceptable methods available.

The descriptions of which uses are permitted in each district, and the details of how they are permitted are the heart of a zoning ordinance. The new Round Rock zoning ordinance will have an easy-to-use section containing these descriptions and details that will allow the city to move forward with consistency to meet the broader goals it developed as part of the General Plan 2000.

USE TABLE

Under the new organizational structure, the Permitted Use section of the zoning ordinance will begin with a master use table that shows which uses are allowed in which zoning districts. The table will depict the various districts, list all uses, indicate how or if a given use is permitted

Sample Permitted Use Table

4.603 Residential District Use Table

USE		RESIDENTIAL DISTRICTS								
		A	AR	B	R1	R2	CR	C	D	MH
RESIDENTIAL USES										
Household Living	One-family detached dwelling	P	P	P	P	P	P	P	P	
	One-family zero lot line detached		P	P	P	P	P	P	P	
	One-family zero lot line attached (twin home)			P	P	P	P	P	P	
	Two one-family detached			P	P	P	P	P	P	
	Duplex/two-family attached dwelling			P	P	P	P	P	P	
	One-family attached (townhouse, rowhouse)					P	P	P	P	
	Cluster housing					P	P	P	P	
	HUD-code manufactured housing									P
	Manufactured home park									p*
	Manufactured home subdivision									P
	Mobile home									P
	Multifamily dwelling (apartment)						p*	p*	p*	
	Group Living	Boarding or lodging house							P	P
Community home		p*	p*	p*	p*	p*	p*	p*	p*	
Fraternity or sorority house								P	P	
Group home I							p*	p*	p*	
Group home II								p*	p*	
Halfway house										
PUBLIC AND CIVIC USES										
Education	Day care center (child or adult)	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	
	Kindergarten	SE*	SE*	SE*	SE*	SE*	SE*	SE*	SE*	
	School, elementary or secondary (public or private)	P	P	P	P	P	P	P	P	P
Gov't.	Government office facility	P	P	P	P	P	P	P	P	
	Museum, library, or fine art center, government operated or controlled	P	P	P	P	P	P	P	P	
Institutions	Place of worship	P	P	P	P	P	P	P	P	
Recreation	Center, community recreation or welfare, government operated or controlled	P	P	P	P	P	P	P	P	

Zoning Use Permissions:

- Permitted by right
- Allowed only in accordance with pre-determined limitations
- Allowed only if special conditions are met
- Not Permitted

and give any specific cross-references to supplemental standards if necessary. Presenting this information in a table will also help ensure that adjacent incompatible uses are not allowed.

By referring to this comprehensive table located early in the zoning districts section, users of the ordinance will be able

to immediately examine what uses they may or may not establish within a given zoning district. They will also be able to quickly determine either how their use would be categorized, or where to look for exact descriptions of each use.

FLEXIBILITY IN PERMITTED USES

By clarifying uses and districts, the new ordinance will also address mixed-uses, flex uses, and building conversions. Mixed uses can be addressed by careful attention to definitions of specific uses and by specifying that certain additional uses are only allowed on second or higher floors.

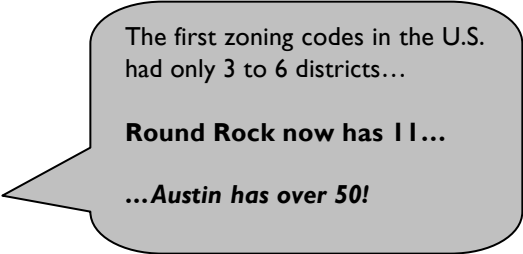
The revised code will include opportunities to provide mixed uses and other flexible and innovative solutions for regulating uses within districts. These may include building conversions (described below), upper floor residential and any other appropriate and compatible uses. These uses can often be allowed by describing them as accessory uses and then specifying when and where they are permitted. More detailed discussion of this issue will occur during preparation of the new Use Table. Development of a potential overlay district for Round Rock’s Municipal Office Center (MOC) will allow further exploration of these issues.

Building conversions and adaptive reuse will be encouraged in order to accommodate the gradual and natural evolution of the city, while still balancing the value of historic structures and the importance of protecting single-family housing. One way to allow building conversions might be to create a new level of permitted use that would allow a certain use only within existing buildings. Some type of transitional overlay district might also be established to permit and guide the gradual evolution of parts of Round Rock.

NEW DISTRICTS

The new zoning ordinance will likely add at least one new zoning district: a Business Park district. A Business Park district would allow new commercial development with suburban standards and high open space requirements.

A number of other potential new districts will be carefully considered, including the transitional commercial and MOC overlay districts previously mentioned; a revamped Planned Unit Development district; a limited use Planned Unit Development district; an institutional uses district; a mixed residential district; a commercial corridor overlay district and a design overlay for Palm Valley. A residential district between the existing two-family and multi-family districts, allowing low-intensity multifamily uses such as townhouses, will also be considered.



The first zoning codes in the U.S. had only 3 to 6 districts...
Round Rock now has 11...
...Austin has over 50!

In all cases of considering a new zoning district, Duncan Associates will attempt to incorporate the desired use into the existing framework of districts based on the General Plan 2000. More districts make a zoning ordinance significantly more difficult to use, and Round Rock’s current system has only 11 districts...something worth preserving!

PALM VALLEY PLAN

Duncan Associates has reviewed the Palm Valley Area Planning and Design Study for zoning requirements and recommends creating a design overlay district to implement the design standards for the Palm Valley area. The overlay will specifically address design issues, such as landscaping, street design, architecture and site planning. It will not directly address use restrictions. The Palm Valley Overlay will place the recommended planning and design guidelines from the Study into the proper format for the zoning ordinance.

GENERAL PLAN 2000 GUIDANCE

The following objectives or recommendations were made in Round Rock’s General Plan 2000:

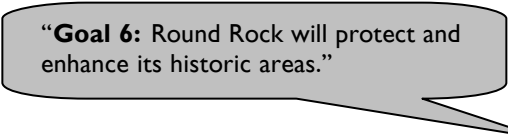
Future Land Use Map and Interpretation Policies (Section 5.8)

This section of the General Plan calls for an effort to revise the existing zoning ordinance district categories to coincide with the land use categories portrayed on the Future Land Use Map. **“The Future Land Use Map provides the general description of land use categories while the text in this chapter provides explanation of essential components of the Future Land Use Plan. The City should consider revising the existing zoning ordinance district categories to coincide with the land use categories portrayed on the Future Land Use Map.”**

While revising the existing ordinance and districts, Duncan Associates will attempt to satisfy this recommendation. Our initial review of the districts, current zoning map and Future Land Use Map indicate that there are few areas where this will present difficulties.

Encourage a blending of land uses to promote easy access to work and shopping from residential areas. (Objective 1.5)

The revised ordinance will address this with a combination of district use regulations that allow neighborhood-level commercial development in appropriate areas, residential uses adjacent to low-impact commercial, second-floor residential uses in commercial districts, etc. Compatibility standards that allow appropriate land uses in close proximity will be developed. Also, rezoning criteria that support this objective will be applied whenever possible.



“Goal 6: Round Rock will protect and enhance its historic areas.”

Explore the development of new historic districts, including one along the Palm Valley corridor. (Objective 6.1)

In addition to considering a design overlay district for the Palm Valley area, the new ordinance will revise the procedures that allow designation of new historic districts. No significant changes to the process are envisioned, it will only be reorganized and clarified as part of the overall ordinance reorganization.

Enhance Round Rock’s current historic districts. (Objective 6.2)

The new ordinance will set forth revised submittal and review procedures and include references to Round Rock’s newly adopted historic design guidelines. These revised standards for historic districts will concentrate on clarifying design requirements and will clearly state how new structures or uses must fit within the standards of the historic district.

PUBLIC DRAFT

Consider the development of new special districts along major transportation corridors with increased landscape, architectural, and signage standards. (Objective 7.3)

“Goal 7: Round Rock will emphasize its role as a strong residential community and a major employer in the Central Texas region by strengthening and enhancing the City’s identity and visual appearance.”

There are two potential approaches to this issue. First, zoning standards that require compliance with increased design standards for existing districts could be added to the ordinance. This would apply the high landscaping and architecture standards throughout the community and not just to the major transportation corridors. Another approach would be to include these design standards in some type of corridor overlay district that city officials could then apply to specific areas.

Increase landscaping standards and provide for increased street trees throughout the City. (Objective 7.5)

Strengthened requirements will be included in landscaping standards.

“Goal 11: Round Rock will accommodate the social and community services needed by our expanding population.”

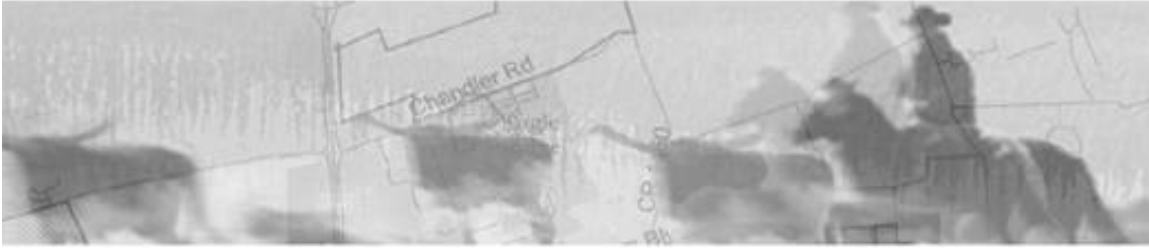
Encourage support for the needs of citizens by allowing for the availability of housing with close proximity to day care, senior centers, libraries, schools, and health care. (Objective 11.1)

This objective will be addressed as part of the overall approach to residential standards, but also as a rezoning criterion and as part of the compatibility standards. An institutional district that would allow the City to specify where these types of uses are appropriate will also be considered.

ZONING DISTRICT CHANGES OVER TIME

Classification	Pre - 1981	1981	1984	1986 - Present
Residential	R-1 (single-family) R-1A (two-family) R-2 (multi-family)	R-1 (single-family) R-2 (two-family)	R-6 (single-family) R-12 (two-family) R-20 (multi-family)	SF-1 (single-family large lot) SF-2 (single-family standard lot) TF (two-family) MF (multi-family)
Commercial	B-1 (general business) B-2 (local business)	C-1 (general commercial; multi-family)	C-1 (general commercial)	C-1 (general commercial) C-2 (local commercial) C-3 (historic commercial)
Industrial	I-1 (light industrial) I-2 (heavy industrial)	C-2 (light industrial)	I-1 (light industrial)	I-1 (general industrial) I-2 (industrial park)
Other				PUD (planned unit development) OS (open space)

Source: City of Round Rock Planning and Community Development Department staff



RESIDENTIAL DEVELOPMENT

The new zoning ordinance will address residential standards such as appearance, scale, height, bulk and quality in order to ensure that Round Rock is able to maintain a healthy supply of housing for all. The City faces concerns about manufactured housing, density, rapid growth and traffic that can be alleviated, in part, by careful attention to residential standards. The zoning ordinance must accommodate regulatory restrictions while finding a balance between maintaining and revitalizing Round Rock's sense of community and ensuring housing availability that meets the demands of a growing city.

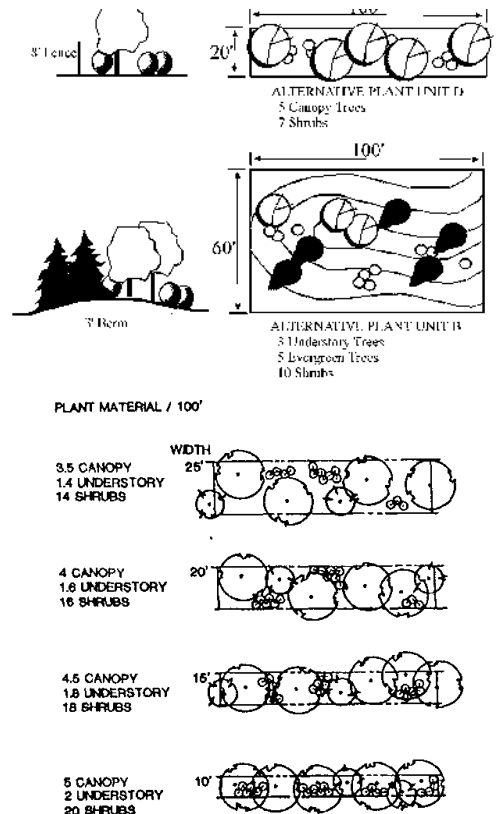
COMPATIBILITY STANDARDS

The new zoning ordinance will include compatibility standards from the General Plan 2000 to protect residential areas from excessive noise, illumination, odors, visual clutter, traffic and other objectionable influences to residential living that may come from nonresidential development or other residential uses. These compatibility standards will be primarily intended to protect single-family neighborhoods, but will also ensure that multi-family housing is equally protected.

The compatibility standards will generally include provisions adapted from the Round Rock General Plan that address the following:

- Buffering
- Recreational Facilities
- Setbacks and Height
- Lighting
- Refuse and Mechanical Equipment
- Access and Driveways

Sample Buffering Images



HOME OCCUPATIONS

The revised zoning ordinance will describe the characteristics of permitted home occupations. The current ordinance broadly addresses this issue, with a definition of “Customary Home Occupations” and regulation of home occupations as accessory uses. The new approach will continue the main idea of Round Rock’s existing regulation of home occupations...to allow them as long as they do not have any negative impacts on the residential character of the surrounding area. The current practice in Round Rock allows home occupations when there is no customer traffic. The revision will also seek to incorporate new ideas about home occupations, such as telecommuting and home offices.

MANUFACTURED HOUSING

The existing definition of “mobile homes” is inadequate to address modern manufactured homes and their regulation, as well as no longer matching the Texas definitions relating to manufactured housing. Exactly where manufactured homes are allowed in the city is unclear, because the existing definition of “dwelling” excludes manufactured homes, but “dwelling units” does not...and “dwelling units” are usually listed as the permitted use in residential districts. These terms, and exactly how manufactured houses are to be allowed in Round Rock need clarification.

Duncan Associates will work closely with the City Attorney and Planning Department staff to accomplish this portion of the revision. The final zoning ordinance will comply with existing Federal and State law and ensure that all housing in Round Rock meets acceptable building codes, provides high-quality housing, and is compatible in appearance with surrounding structures.

MIXTURE OF HOUSING TYPES

The new ordinance will support the concept of building compact neighborhoods containing a mix of housing types. This “life-cycle” housing is one of the most effective ways to allow young homeowners, families with large homes, and retirees to live in close proximity and share the benefits of diversity. Mixed housing also helps ensure affordable housing, without dividing the community by income. Mixed housing requires variable lot sizes and variable housing standards within the same residential zoning district.

From the
General
Plan
2000...

HOUSING OPPORTUNITIES

Goal 10 Round Rock will reaffirm its commitment to diverse housing opportunities.

OBJECTIVES:

- 10.1. Ensure the availability and affordability of a variety of housing for all Round Rock citizens, including the young, elderly, singles, families, and citizens with special needs.
- 10.2. Encourage a mix of affordability throughout the City.
- 10.3. Distribute housing types throughout the City, without concentrating any particular type of housing within one area of the City.

In order to avoid the types of “cookie-cutter” subdivisions that frustrated focus groups, the revised ordinance may offer a variety of innovations in housing patterns that include:

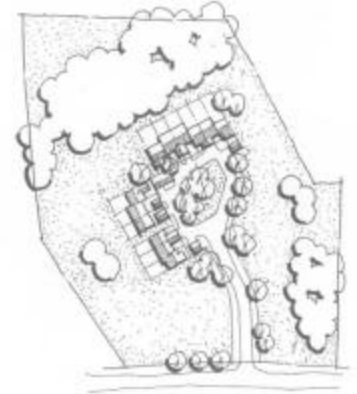
- “No Look-Alike” design standards that prevent adjacent houses from having duplicated facades.
- Lot Averaging that allows houses and lots of varying sizes within the same neighborhood or subdivision.
- Clustering of houses that provides a strong sense of community while also preserving community open spaces.



Duncan Associates believes that supporting mixed residential neighborhoods is an appropriate and efficient way to meet the “Housing Opportunities” goal of the Round Rock General Plan 2000.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT

Round Rock’s revised zoning ordinance will allow many of the standards of “Traditional Neighborhood Development” (TND) within residential districts, but will not require their use. Many developers in Texas and the U.S. are starting to acknowledge the customer desire and profitability that TNDs generate, but investors are still hesitant.



During public presentations and focus group meetings, we heard that TNDs are desirable, but that they shouldn’t be the only choice for new development. We agree.

Traditional neighborhood developments are intended to provide a greater sense of community, safer areas for children to play and enhanced pedestrian activity. They are characterized by short blocks, sidewalks, smaller lots, consistent architecture, more road connectivity and slightly narrower streets. There are important considerations for TNDs, such as ensuring access for emergency vehicles, slowing traffic, proximity to other pedestrian-accessible development (building a TND in the middle of nowhere won’t give pedestrians any external destinations!) and building standards.

MULTIFAMILY HOUSING

The new zoning ordinance will address multifamily housing in a number of ways. First, Section 5.7 of the General Plan offers a range of development standards for multi-family developments. The new ordinance will include these standards – addressing landscaping, access points, recreational facilities, parking, setbacks, materials and design of multi-family housing. Also, the rezoning criteria will reflect the “Location Criteria for Multi-Family Development” from the same section of the General Plan. Round Rock’s General Plan 2000 reflects substantial consideration on the part of the City and residents of multifamily housing issues, and the revised zoning ordinance will incorporate these suggestions.

General Plan – Section 5.7:
“Many of the recent concerns regarding multi-family development have been related to design issues and development impacts on single-family homes...(this section) sets forth measures to protect existing single-family neighborhoods...”

GENERAL PLAN 2000 GUIDANCE

The following objectives are from Round Rock's General Plan 2000:

Strengthen roadway and parking standards to include design features that enhance safety and circulation and provide buffering for residential neighborhoods. (Objective 1.2)

The new ordinance will include parking standards that are designed to enhance safety while still ensuring adequate parking. Circulation standards, such as limits on the number of curb cuts for large developments and other potential approaches, will also be considered. Landscaping standards that will help provide buffering for residential neighborhoods are being completed by Planning Department staff as part of this revision. The Subdivision Ordinance, under revision by Planning Department staff, may also include streetscape standards.

Ensure that non-residential uses, higher density residential development, and roadways are compatible with adjacent single-family neighborhoods by requiring new or increased design and buffering standards. (Objective 5.4)

The General Plan 2000 described an overall use compatibility goal and a series of specific compatibility standards that will be appropriately incorporated into the revised ordinance.

Continue the Neighborhood Improvement Process to facilitate neighborhood-based initiatives to define problems, establish priorities, and develop solutions for specific neighborhood concerns. (Objective 5.6)

With guidance from the Zoning Advisory Committee and city staff, the revised ordinance will include a process that allows specific development and design standards that are developed as part of the neighborhood planning process to be applied as an approval criteria for site plans and development in the planning area.

Encourage the use of durable and resource efficient building materials. (Objective 5.7)

These requirements will be included as part of proposed development standards.

Ensure that landscape materials required by ordinance are native and drought tolerant to provide for better long-term maintenance. (Objective 5.8)

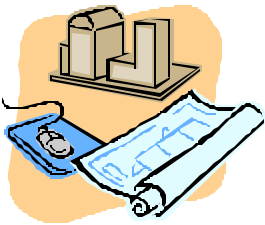
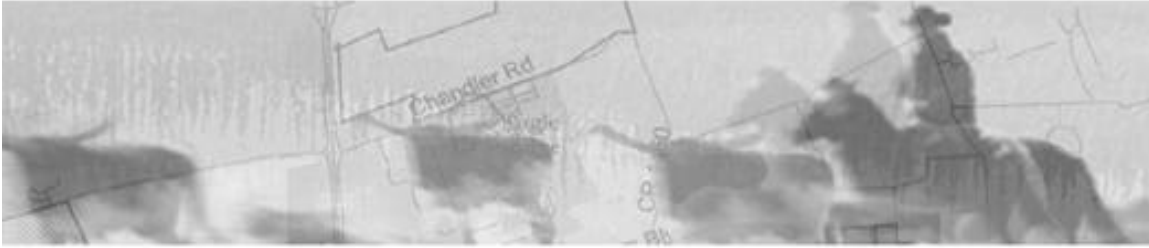
The landscaping standards for the Round Rock Zoning Ordinance are being revised by Planning Department staff and will be incorporated into the revised ordinance.

Strengthen building and fencing maintenance requirements. (Objective 5.9)

Strengthened requirements will be included in landscaping and buffering standards.

Develop architectural, building articulation, site-plan, and streetscaping standards to enhance overall City appearance, particularly for developments along key corridors. (Objective 7.4)

These types of standards will be included in the revised ordinance. Guidance on specific standards will come from planning studies, the Zoning Advisory Committee and city staff.



NONRESIDENTIAL DEVELOPMENT

The revised zoning ordinance will support Round Rock's goal of increasing and managing nonresidential development as the town gradually shifts into a more self-sufficient community.

This support includes the zoning district revisions described earlier, changes to rezoning criteria, as well as critical revisions to nonresidential design and development standards. The new zoning ordinance must be supportive of the development the City wants and needs while still protecting the community from unwanted or ugly nonresidential development.

ENCOURAGE DIVERSE NONRESIDENTIAL DEVELOPMENT

The new plan will contain use standards and development procedures that encourage diverse nonresidential development in Round Rock. The General Plan 2000 indicates that Round Rock wants to diversify its economic base to provide wider employment opportunities, access to a broader range of goods and services, and an increased non-residential tax base to lessen the tax burden on homeowners. This goal is one of the underlying concerns guiding the ordinance revision project, and Duncan Associates will consider the impact that changes in Round Rock's zoning system might have on nonresidential development before including any changes.

PARKING STANDARDS

In an effort to avoid wasted parking spaces, while still ensuring adequate capacity, the revised ordinance will reflect a significant examination and modernization of the current parking standards in both the number of required spaces and the design of parking facilities. During the public presentations and focus group meetings, concerns were raised about parking in both commercial and residential settings.

Where parking is located can have a major impact on the overall appearance of a development, and, therefore, also on its success. The new ordinance will pay careful attention to meeting the needs of potential uses in each district and will match uses in parking requirement tables with uses in the zoning use tables. In addition, shared parking and new standards may be offered that allow more flexibility in ensuring that adequate and appropriate parking is certain with all new development. On-site parking

will remain the standard requirement and alternatives to this will need to meet strict consideration guidelines and approval of the Zoning Administrator.

GENERAL PLAN 2000 GUIDANCE

The following objectives or recommendations were made in Round Rock’s General Plan 2000:

Protect the function of the City’s arterial roadway system by adopting land use and access policies that concentrate high intensity land uses, minimize strip development, and limit direct driveway access and curb cuts along major roadways. (Objective 1.4)

This objective can be met through a combination of rezoning criteria, development standards and careful attention to zoning district use regulations.

“Goal 4: Round Rock will expand and diversify its economic base to provide greater employment opportunities, access to a broader range of goods and services, and an increased non-residential tax base to lessen the tax burden on homeowners.”

Explore the potential for attracting additional retail, business services, and hotel/motel establishments. (Objective 4.2)

Develop economic development policies that ensure high quality development. (Objective 4.3)

These two economic development objectives are the underlying concern of the ordinance revision process for nonresidential development. As previously stated, the new ordinance will include review procedures, use standards and development standards that encourage new development in Round Rock.

Develop architectural, building articulation, site-plan, and streetscaping standards to enhance overall City appearance, particularly for developments along key corridors. (Objective 7.4)

These types of standards will be included in the revised ordinance. Guidance on specific standards will come from the Zoning Advisory Committee and city staff.

(From Section 5.4 Plan Features, p. 5-10)

In an effort to provide adequate commercial sites with the best locational characteristics while simultaneously protecting the primary transportation function of arterial roadways, commercial development will be directed toward the intersections of major roadways. Nodes of commercial development, (i.e. areas of commercial activity), may occur at the intersection of two arterial roadways or along the following: Interstate 35, Mays Street, Ranch-to-Market (RM) 620, Highway 79, and future State Highway 45. Arterial roadways carry both local traffic traveling from small areas to highways as well as regional traffic.

The underlying concern of this statement is that adequate land be available for eventual commercial development and that future commercial development be concentrated in nodes rather than resembling strip-type development. These concerns can be met through appropriate rezoning approval criteria. The development of corridor overlay districts may also help address locational aspects of commercial activity.

PUBLIC DRAFT

EXISTING ORDINANCE STRUCTURE

The structure of Round Rock’s existing zoning ordinance is summarized below.

SECTION	11.100	PLANNING AND ZONING COMMISSION
	11.101	PLANNING AND ZONING COMMISSION CREATED
	11.102	TERMS OF APPOINTMENT
	11.103	VACANCIES
	11.104	COMMISSION MAY ESTABLISH ITS OWN RULES
	11.105	PARLIAMENTARY PROCEDURE; MEETINGS OPEN TO PUBLIC
	11.106	POWERS AND SUTIES OF COMMISSION
	11.107	COMMISSION DECLARED TO BE ADJUNCT TO CITY COUNCIL
SECTION	11.200	GENERAL PLAN
	11.201	GENERAL PLAN
	11.202	CHANGES AND AMENDMENTS TO THE GENERAL PLAN
	11.203	LAND USE ASSUMPTIONS FOR IMPACT FEES
	11.204	GENERAL ANNEXATION PLAN
SECTION	11.300	COMPREHENSIVE ZONING REGULATIONS
	11.301	TITLE
	11.302	PURPOSE
	11.303	DEFINITIONS
	11.304	GENERAL COMPLIANCE
	11.305	ESTABLISHMENT OF ZONING DISTRICTS AND BOUNDARIES
	11.306	ZONING ANNEXED AREAS
	11.307	DISTRICT SF-1 (SINGLE FAMILY – LARGE LOT)
	11.308	DISTRICT SF-2 (SINGLE FAMILY – STANDARD LOT)
	11.309	DISTRICT TF (TWO FAMILY RESIDENTIAL)
	11.310	DISTRICT MF (MULTIFMILY RESIDENTIAL)
	11.311	DISTRICT C-1 (GENERAL COMMERCIAL)
	11.312	DISTRICT C-2 (LOCAL COMMERCIAL)
	11.313	DISTRICT C-3 (HISTORIC COMMERCIAL)
	11.314	DISTRICT I-1 (GENERAL INDUSTRIAL)
	11.315	DISTRICT I-2 (INDUSTRIAL PARK)
	11.316	PLANNED UNIT DEVELOPMENT (PUD) DISTRICT
	11.316.1	DISTRICT OS (OPEN SPACE)
	11.317	HEIGHT AND PLACEMENT REQUIREMENTS
	11.318	SCREENING REQUIREMENTS
	11.319	LAND DENSITY AND INTENSITY REQUIREMENTS
	11.320	SITE PLAN APPROVAL
	11.321	OFF-STREET PARKING AND LOADING SPACE REQUIREMENTS
	11.322	NONCONFORMING BUILDINGS AND USES
	11.323	ADMINISTRATION
	11.324	DEVELOPMENT REVIEW BOARD
	11.325	VIOLATION AND PENALTIES
	11.326	CHANGES AND AMENDMENTS

PUBLIC DRAFT

SECTION	11.400	HISTORIC PRESERVATION
	11.401	DEFINITIONS
	11.402	CREATING HISTORIC DISTRICTS
	11.403	DESIGNATING HISTORIC LANDMARKS
	11.404	USES NOT AFFECTED BY HISTORIC DESIGNATION
	11.405	HISTORIC PRESERVATION COMMISSION CREATED
	11.406	SECRETARY OF THE HISTORIC PRESERVATION COMMISSION
	11.407	MEETINGS OF HISTORIC PRESERVATION COMMISSION
	11.408	ROLE OF BUILDING OFFICIAL IN APPLICATION PROCESS
	11.409	RECOMMENDATION OF THE COMMISSION
	11.410	CRITERIA TO BE USED BY COMMISSION IN DETERMINING ITS RECOMMENDATION
	11.411	FINDINGS OF THE COMMISSION CONCERNING APPLICATIONS FOR PERMIT
	11.412	ACTION BY THE BUILDING OFFICIAL AFTER ACTION BY COMMISSION
	11.413	APPEAL FROM ACTION OF COMMISSION CONCERNING APPLICATIONS FOR PERMITS
	11.414	DUTIES OF THE BUILDING OFFICIAL AFTER CITY COUNCIL ACTION
	11.415	REAPPLICATION FOR BUILDING PERMIT
	11.416	ADDITIONAL DUTIES OF COMMISSION
	11.417	NOTIFICATION TO OWNERS OF HISTORIC DESIGNATION BY CITY SECRETARY
	11.418	VIOLATIONS, PENALTIES
	11.419	PARTIAL TAX EXEMPTION FOR HISTORICALLY SIGNIFICANT SITES
	11.420	EXEMPTIONS FROM PROVISIONS OF THIS SECTION