

Development Code Advisory Committee

June 18, 2014 Meeting Minutes

DRAFT

1. Call to Order

The meeting was called to order at 3:04 p.m. in the Planning & Development Services (PDS) Conference Room.

2. Roll Call

Members present: Brent Baker, Brian Cave, Chuck Glace, Keith Hickman, Jeff Seiler, and David Sour

Members absent: Bo Spencer

Staff present: PDS Director Brad Wiseman, Planning Manager Susan Brennan, Senior Planner Ashley Lumpkin, Assistant Transportation Director John Dean, and Planning Technician Kerstin Harding

3. Approval of the June 4, 2014 meeting minutes

Motion by David Sour and Second by Brent Baker to approve the minutes of the June 4, 2014 Development Code Advisory Committee meeting as presented.

Vote: Aye: Brent Baker, Brian Cave, Chuck Glace, Keith Hickman, Jeff Seiler, and David Sour. Nay: None. The vote was 6-0.

4. Policy Discussion

Planning Manager Susan Brennan gave a short summary of the Committee's recommendations regarding the topics discussed at the previous meeting, and asked the members if they had any additional comments:

- Non-residential building design standards: update the exterior materials standards and consider updating the building articulation requirement. Do some additional research on standards in other cities. Do not change the Chisholm Trail (CT) zoning overlay.
- Allow setback encroachments in the rear, and allow encroachment for only minor features (eaves, bay windows) in the front. Consider balancing encroachments on the front with increased setbacks in the rear, and vice-versa. Consider a sliding scale for front encroachments.
- Update parking ratios.
- The Commission felt that it could not make a recommendation on new mixed-use zoning districts (non-downtown) without having some conceptual language to evaluate. Staff is directed to create some samples/options and present them at a future meeting for further discussion.

Platting procedures

Senior Planner Ashley Lumpkin gave a brief description of platting, the process by which land is subdivided to create legal lots. Plats are reviewed by the Planning & Zoning Commission (P&Z), and

must meet requirements in the subdivision and zoning ordinances in order to ensure that roads, storm water systems, utilities and other services can be extended to them. As prescribed by the Texas Local Government Code the process is ministerial, meaning that if the plat meets the City's requirements, it must be approved. The City has platting authority within the city limits and also within most areas of the ETJ.

In Round Rock platting is usually a three-part process: a concept plan, preliminary plat, and final plat. The concept plan illustrates the overall proposal and includes a public hearing to notify neighboring property owners to the proposed changes. The Texas Local Government Code does not require a concept plan. Many benchmark cities do not require a concept plan. If the proposal involves zoning, it is often presented to the P&Z at the same meeting as the concept plan, and a PUD agreement may serve as a concept plan. The preliminary plat allows the P&Z to review a more detailed proposal of the plat. The final plat, often a phased section of the approved preliminary, is recorded with the County after the infrastructure is constructed or funding secured for its construction.

There are other types of final plats. Projects of less than 10 acres, involving no more than 2 lots, and having access to a public road and infrastructure services may use a minor plat, which does not require a concept plan, preliminary plat or public hearing. A replat is a similarly abbreviated process to make substantial changes to a property within an already recorded final plat. The replat includes a public hearing because it may increase the density of a tract of land. An amending plat may be used to correct minor errors or make minor adjustments (usually clerical issues) to a recorded final plat.

Staff has some concerns about areas where the platting process may be outdated or inefficient.

- Concept Plans: Currently Round Rock requires very detailed information on the concept plan, almost the same as what is required of a preliminary plat. This requires a level of investment on the applicant's part that may not be warranted for such an early stage in the development process. Staff proposes reducing the required detail to a level more consistent with a conceptual proposal, and/or requiring a concept plan only when a project is over a certain size or has conditions that significantly affect development potential. The P&Z concurs.
- Minor Plats: Round Rock allows a minor plat to be used for projects involving no more than 2 lots, although state law allows up to 4 lots. State law also allows for administrative approval instead of requiring P&Z approval for a minor plat, which most comparable cities allow. Ms. Lumpkin noted that approved final plats expire in 2 years in order to allow time to make significant progress on constructing or paying for subdivision improvements, and asked if minor plats should require immediate recordation, since the infrastructure is already in place. Staff recommends changing minor plat qualifications to mirror state law, and allowing administrative approval for minor plats, with appeals directed to P&Z. The P&Z concurs.
- Amending Plats: Round Rock's standards for an amending plat mirror the State's, but the State allows administrative approval and allows a surveyor to prepare the plat. Administrative approval of amending plats would be useful in areas like downtown, where parts of lots have been sold over time without replatting, and ownership doesn't necessarily follow lot lines. All the benchmark cities staff investigated allow for administrative approval. Staff recommends allowing administrative approval of amending plats, with appeals directed to P&Z. The P&Z concurs.

Staff asked the Committee for their comments:

- Mr. Sour thought the proposals were a great idea for improving the process and he was glad that P&Z was amenable to them. Mr. Cave concurred. Ms. Lumpkin noted that P&Z would rather focus its efforts on areas where they have more discretion, like zoning.
- Mr. Baker thought it made more sense for minor plat qualification criteria to be based on the complexity of the project rather than on acreage. Mr. Cave agreed, particularly if the property

already has utility service. Mr. Hickman asked about increasing the maximum acreage, and Mr. Wiseman said they would consider it, and would look at several recent cases to see if they indicated a more appropriate number.

- Mr. Cave asked when and why the concept plan was added, since it wasn't required by statute. Ms. Brennan answered that it was first put in place in the 1970s, when the zoning and subdivision ordinances were adopted. However, it was much more conceptual and less specific until 2005, when P&Z decided that they needed to see more details, so that the public would see something more specific at the hearing.
- Mr. Hickman asked if all phases of a regular plat could be reviewed administratively. Ms. Brennan and Ms. Lumpkin said that by law, the preliminary and final plats must be reviewed by P&Z.
- Mr. Hickman asked whether deed restrictions were considered as part of plat approval. Mr. Wiseman said they were not, and Ms. Lumpkin added that they would alert the applicant if they noticed restrictions filed with the deed, but that it's the responsibility of the owner.
- Mr. Hickman asked if the City had considered charging a rush fee to expedite administrative plat approval, like rush building permits. Mr. Wiseman said that the idea behind administrative approval is to have it reviewed by the appropriate staff within a short period of time and doubted that it could be responsibly done any faster.

Flag lots and driveway separation

Ms. Lumpkin explained that a flag lot is one which has only a narrow connection to a public street, usually only wide enough for a driveway, and the bulk of the lot is set far back without street frontage. There are a number of reasons to create flag lots, but usually it's to sell lots in the back of a large property without the expense of building a public road to access them. In addition to being an inefficient use of land, flag lots can create serious safety problems.

Ms. Lumpkin explained that the City requires non-single-family lots to have a minimum of 50 ft. of frontage on a public street, and that the "flagpole" length does not exceed 500 ft. or the depth of the abutting lot, whichever is less. Also, flag lots must be separated by at least 400 ft. However, the ordinance doesn't specifically prohibit them, so if a proposed flag lot meets these requirements, P&Z must approve it. Other cities have different requirements for frontage width or "flagpole" depth, and some of our benchmark cities don't allow them at all. Pflugerville allows them only with a variance, and the developer must justify the flag lot to the Board of Adjustment.

Assistant Transportation Director John Dean noted several transportation problems created or exacerbated by flag lots. A flag lot fixes the access location in the platting stage, before the end use is identified and more specific driveway location and separation standards come into play during site planning. Because state law does not allow the City to cut off access to a property, and access easements with neighboring properties can be difficult, this forces driveways to be located in less than ideal places, and sometimes it affects where neighboring properties can put their driveways. He suggested adding more specific standards in the platting process to avoid future conflicts with site plan requirements.

He also had concerns about the driveway separation requirement. One of the most dangerous problems are "conflicting left turns," where there is a center 2-way turn lane and driveways or intersections on opposite sides of the road are a minimum distance apart (the separation requirement on arterials is 200 ft.), so left-turners coming in opposite directions attempt to use the same center lane and meet head-on. He asked the Committee if they thought the separation requirement was adequate, and noting that stopping distance at arterial speeds is 400 ft.

Ms. Lumpkin also noted a few cases in which Round Rock's requirement that all lots front on a *public* street inadvertently forced the creation of flag lots. In a PUD, the City has allowed lots to front on a private street instead (state law only requires that all lots have *access* to a public street). However, without a PUD, all lots must have frontage on a public road, forcing developers to plat lots with "flagpoles" to public streets that will never be used simply to satisfy frontage requirements.

Ms. Lumpkin asked the Committee for their comments. Do we want to continue allowing flag lots? Do we want to allow lots without access to a public street if they have access to a private one?

- Mr. Cave and Mr. Sour expressed support for allowing lots to front on a private road instead of a public road, but only in master-planned developments where there is a clear maintenance responsibility and legal right to use the road in the future.
- Several committee members noted particular areas with conflicting left turns. Mr. Hickman asked whether divided roads are safer. Mr. Dean replied that medians do help, but that many older roads can't be retrofitted.
- The Committee was unclear on how the flag lot issue could be addressed. Ms. Brennan explained that the City needs a better tool to control access points in the platting phase. Mr. Wiseman thought Pflugerville's policy was interesting, because it forced the developer to justify the need for the flag lot to the board of adjustment. Ms. Brennan suggested staff review Pflugerville's flag lot criteria more closely and bring it back to the committee for discussion at a future meeting.

Local streets and connectors

Ms. Brennan described a specific conflict that had been noted between the City's transportation policy and subdivision ordinance. The ordinance does not allow a local street to connect to more than one collector street, in order to discourage cut-through traffic on the local street. This means that residents have only one collector to take them out of the neighborhood, and that this conflicts with the policy goal of increasing street connectivity. She asked the Committee for their opinions.

- Mr. Dean expressed the opinion that connectivity was more important, and that other means of traffic calming should be considered. Ms. Lumpkin asked if single-family homes are allowed to front on collector roads, and he said houses could, but not driveways.
- Mr. Hickman asked whether the City allowed speed bumps. Mr. Dean answered that they are allowed, but the police, fire and EMS are not in favor of their use, and some existing road pillows will be removed. Mr. Hickman agreed that they were not the best means of controlling speed, and observed that cut-through traffic through downtown to US 79 was a problem.
- Overall, the committee expressed its distaste for cut through traffic and suggested that connectivity be encouraged in a thoughtful manner that addresses traffic calming should a local street connect to two collectors.

General subdivision design principles

Ms. Brennan called the Committee's attention to the lack of general design principles in the subdivision ordinance, and asked what ideas and principles they would like to add. Currently there is one sentence outlining general subdivision design principles: "The arrangement of lots and blocks and the street system shall be designed to make the most advantageous use of topography and natural, environmental, and physical features."

- Mr. Hickman suggested looking at cities with good subdivision design ordinances.

- Mr. Hickman asked about including something about locating service businesses within neighborhoods. Ms. Brennan said that they are currently allowed at the intersection of collectors and arterials, but that allowing them deeper into the neighborhoods would be a conceptual shift in policy. Mr. Cave expressed support for the idea. Mr. Baker noted that the town center development in Cedar Park failed to attract businesses.
- Mr. Cave suggested considering allowing gravel driveways in areas like downtown, which he felt is more appropriate in the context of older homes. He described a particular example where the driveway was grandfathered. Mr. Baker asked about split “Hollywood” driveways.
- Ms. Brennan stated that staff will research subdivision design principals particularly in our benchmark cities and bring some suggestions back to the Committee.

5. **Discussion regarding any development issues in Round Rock**

None of the Committee members offered additional development issues for discussion.

6. **Adjournment**

The meeting adjourned at 4:58 p.m.

Respectfully Submitted,

**Kerstin Harding
Planning Technician**