630 E. Hopkins - Code SMTX Work Session

I. Call To Order

II. Roll Call

PRESENTATIONS

1. Receive a staff presentation and discuss the proposed San Marcos Development Code (Code SMTX) and provide direction to staff

III. Adjournment.

POSTED ON FRIDAY, JANUARY 12, 2018 @ 3:00PM

JAMIE LEE CASE, CITY CLERK

Notice of Assistance at the Public Meetings

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AGENDA CAPTION:
Receive a staff presentation and discuss the proposed San Marcos Development Code (Code SMTX) and provide direction to staff
Meeting date: 1/19/2018

Department: Planning and Development Services

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: N/A

City Council Goal: [Please select goal from dropdown menu below]
Goal #2 Beautify & Enhance the Quality of Place
Goal #9 Protect & Preserve San Marcos River and Edwards Aquifer Recharge Zone
Goal #5 Maintain & Improve City's Infrastructure

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☒ Economic Development - Diverse Local Economic Environment
☒ Environment & Resource Protection - Natural Resources necessary for community's health, well-being, and prosperity secured for future development
☒ Land Use - Direct Growth, Compatible with Surrounding Uses
☒ Neighborhoods & Housing - Protected Neighborhoods in order to maintain high quality of life and stable property values
☒ Parks, Public Spaces & Facilities - Collection of connected and easily navigated parks and public spaces
☒ Transportation - Safe, Well coordinated transportation system implemented in an environmentally sensitive manner
☐ Not Applicable
Vision San Marcos - A River Runs Through Us

Background Information:
The Code SMTX process to re-write the City’s Land Development Code began in July 2014 after the adoption of the Comprehensive Plan. The purpose of the new San Marcos Development Code is to implement standards and tools for regulating development that are in line with the Vision established in the City’s Comprehensive Plan.

The purpose of this work session is to focus on outstanding items and topics and proposed alternatives. The work session will provide options and recommendations to Council presenting an opportunity to move forward expeditiously. Staff will be providing a clear recommendation to bring the required Public Hearing and first reading soon. The following items will be included in the discussion:
• The regulation of flag signs
• The addition of existing neighborhood regulating plans
• The addition of two new zoning districts ND2 and ND2.5
• A single family preservation buffer
• Affordable housing
• Neighborhood Character Studies

Council Committee, Board/Commission Action:
On November 14, 2017 the Planning and Zoning Commission recommended that the San Marcos Development Code be approved, removing the Neighborhood Districts until the Neighborhood Character Studies have been conducted, with the following amendments: 1) Personal Notice is increased to 17 days for all requests; 2) Posted Notice is increased to 17 days; 3) Applications expire if they have not progressed within one year, unless otherwise specified in the code; 4) The Character District - 4 (CD-4) Zoning district requires parking at a rate of 1.05 per bedroom; and that 5) Legacy Districts be added back into the code until the Neighborhood Character Studies have been completed. The motion carried 6 - 2 - 1 with Commissioners Dupont and Porterfield opposing and Commissioner McCarty absent.

Alternatives:
Click or tap here to enter text.

Recommendation:
Click or tap here to enter text.
Code Alternatives

City Council Work Session
January 19, 2017
Presentation Outline

01 Introduction
02 Diverse Housing
03 Affordable Housing
04 Next Steps/Oustanding
Introduction

The purpose of this work session is to analyze the alternatives proposed to address outstanding issues.

Outstanding Issues

- Diverse housing types in Existing Neighborhoods
- Affordable Housing

Alternatives

1) Regulating Plans
2) New Zoning Districts
3) SF buffer “Pac-Man”
4) Neighborhood character studies

1) Housing Subsidies
2) Code Incentives
3) Housing Options
Diverse Housing Types

City Council members have expressed concern with the application of neighborhood districts in Existing Neighborhoods.

Comprehensive Plan Goals

NH#1, 4: Protect from encroachment of incompatible development

NH#2: Direct student housing to Growth Areas

NH#3: Diversified housing

Neighborhood Workshop Results

Maintain Predominantly Single Family areas

Encourage multi-family that is small in scale and located appropriately
# Summary of Alternatives

**Diverse Housing Types**

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Complexity</th>
<th>Effectiveness</th>
<th>Staff Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulating Plans</td>
<td>Low</td>
<td>High</td>
<td>Recommended</td>
</tr>
<tr>
<td>New Zoning Districts</td>
<td>High</td>
<td>Low</td>
<td>Not Recommended</td>
</tr>
<tr>
<td>SF Buffer &quot;Pac-Man&quot;</td>
<td>Low</td>
<td>High</td>
<td>Recommended</td>
</tr>
<tr>
<td>NCS Neighborhood character studies</td>
<td>High</td>
<td>High</td>
<td>Recommended to follow code adoption</td>
</tr>
</tbody>
</table>
What is an Existing Neighborhood Regulating Plan?

A Regulating Plan is an Overlay District that accompanies a zoning request and includes a series of maps identifying the specific plan of development including:

- Zoning districts
- Building types
- Protective Yards
- Infill compatibility Standards
- Street Improvements
- Streetscape Improvements
- Parking Location
- Parkland/Opens Space
Minimum Mix of Uses

- **Commercial Program**
  - Ground Floor: 12,000 sf
  - Upper Floor: 18,000 sf
  - Live/Work: 37,000 sf
  - Total: 67,000 sf

- **Residential Program**
  - Townhome: 20 units
  - Triplex/Fourplex: 12 units
  - Live/Work: 24 units
  - Total: 57 units

- **Parking**
  - On-street: Public/Comm. 98 spaces, Residential 38 spaces, Total 136 spaces
  - Off-street Lot: 36 spaces
  - Commercial Parking Ratio: 2 spaces/1,000sf

Maximum Mix of Uses

- **Commercial Program**
  - Ground Floor: 26,000 sf
  - Upper Floor: 52,000 sf
  - Live/Work: 10,000 sf
  - Total: 88,000 sf

- **Residential Program**
  - Townhome: 21 units
  - Triplex/Fourplex: 16 units
  - Live/Work: 11 units
  - Total: 48 units

- **Parking**
  - Total: 176 spaces
  - Commercial Parking Ratio: 2 spaces/1,000sf
An Existing Neighborhood Regulating Plan

Does......

• Provide greater predictability and certainty about what will be built under a zoning approval.
• Define which elements of a development are controlled by the regulating plan.

Does Not.....

• Provide any opportunity to waive or modify requirements of the zoning district.
• Regulate elements of a development not controlled by a regulating plan such as building materials, number of rooms, square footage, and other details of a development that are not included as elements of a regulating plan.
Existing Neighborhood Regulating Plan

Best Practices……

• Regulating Plans are used to apply zoning standards that are more reflective of the surrounding area and context where they are applied.
• Regulating Plans are used to deliberate and solve zoning related questions.
• If a higher standard is desired consideration should be given to changing the zoning code for all future developments.

Pit Falls…..

• A system of complex and detailed patchwork regulations and standards that become difficult to administer and enforce.
• Lack of consistency in zoning process.
Single Family Preservation Buffer

Preservation of Single Family Zoning – Staff Analysis

Neighborhood District 3 (ND-3) represents one increment of development intensity and provides opportunities for smaller housing types on irregularly shaped or deep lots within existing neighborhoods.
Preservation of Single Family Zoning

Preservation Area Buffer is an area where rezoning requests are limited to:
- Conventional single family districts
- Neighborhood District 3 (ND-3)
Step 1: Hold Neighborhood Workshops to develop goals for implementing the Comprehensive Plan through Code SMTX in Existing Neighborhoods

Step 2: Conduct Neighborhood Character Studies to provide specific neighborhood level guidance on where, how and when these new development types should be applied.
Broad Themes across all Neighborhoods

- Maintain Predominantly Single Family Areas
- Improve the connectivity of Sidewalks
- Improve the public transportation service
- Protect and improve parks
- Encourage multi-family that is small in scale and located in appropriate places

Take Away

The desires expressed by neighborhoods can not be met with our current Land Development Code.

These goals and themes are the basis of the new tools developed in Code SMTX such as Neighborhood Districts.
SYNOPTIC SURVEY

LOCATION: Dartmouth Avenue

CHARACTER DISTRICT: WESTERN

1. NEIGHBORHOOD PATTERNS

2. PUBLIC FRONTAGE

3. PRIVATE FRONTAGE

<table>
<thead>
<tr>
<th>Street</th>
<th>100 ft.</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-21 ft.</td>
<td>Ribbon</td>
</tr>
<tr>
<td>12.25 ft.</td>
<td>Median</td>
</tr>
<tr>
<td>36-42 ft.</td>
<td>None</td>
</tr>
<tr>
<td>2</td>
<td>None</td>
</tr>
<tr>
<td>1</td>
<td>None</td>
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</table>

<table>
<thead>
<tr>
<th>Average Block Dimension</th>
<th>300 x 290</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average Units per Acre</td>
<td>3.7</td>
</tr>
<tr>
<td>Average Lot Size</td>
<td>Varies (7500 - 19000 sf)</td>
</tr>
<tr>
<td>Average Lot Coverage</td>
<td>30-75%</td>
</tr>
<tr>
<td>Average Parking Cars per Acre</td>
<td>1-2 per house</td>
</tr>
<tr>
<td>Average Trees per Acre</td>
<td>Medium - Dense</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Private Frontage Type</th>
<th>Common Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Building Height</td>
<td>1 story</td>
</tr>
<tr>
<td>Outbuilding Height</td>
<td>1 story</td>
</tr>
<tr>
<td>First Floor Above Grade</td>
<td>0-2 feet</td>
</tr>
<tr>
<td>Building Disposition</td>
<td>Edgeway</td>
</tr>
<tr>
<td>Lot Width</td>
<td>50-100 ft.</td>
</tr>
<tr>
<td>Lot Depth</td>
<td>100-150 ft.</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>~ 50% (depending on depth)</td>
</tr>
<tr>
<td>Buildout Percentage at Setback</td>
<td>~ 50-75%</td>
</tr>
<tr>
<td>Front Setback</td>
<td>33-35 ft.</td>
</tr>
<tr>
<td>Side Setback</td>
<td>5-15 ft.</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>20-80 ft. (depending on depth)</td>
</tr>
<tr>
<td>Outbuilding Setback</td>
<td>~ 5 feet</td>
</tr>
<tr>
<td>Front Encroachment</td>
<td>N/A</td>
</tr>
<tr>
<td>Side Encroachment</td>
<td>N/A</td>
</tr>
<tr>
<td>Ground Level Function</td>
<td>Residential</td>
</tr>
<tr>
<td>Upper Level Function</td>
<td>None</td>
</tr>
<tr>
<td>Bike Way Type</td>
<td>None</td>
</tr>
<tr>
<td>Bike Way Width</td>
<td>None</td>
</tr>
</tbody>
</table>
Neighborhood Districts

- No one-size-fits-all approach to zoning
- Zoning Districts correspond to the Comprehensive Plan
- Don't apply new zoning districts until neighborhood studies are complete
Short Term Convert Underutilized Commercial
Mid Term Convert Auto-Oriented Neighborhood Commercial
Affordable Housing

Development Codes offer tools to aid a City in meeting its housing goals but they are only one element of an affordable housing program and not necessarily the most important.

Code SMTX Role in Affordable Housing

Code SMTX is removing barriers and actively encouraging in Growth Areas.

Neighborhood Districts provide an opportunity to enable some missing middle housing in select areas while ensuring compatibility.

Affordable Housing Program/Policy

True implementation and development of affordable housing requires a robust policy and program that is supported by a multi-disciplinary collaboration of public, private and non-profit agencies.
# Addressing Affordable Housing

Ensure that the Code is taking the correct approach to accommodating Affordable Housing

<table>
<thead>
<tr>
<th>Element</th>
<th>Included in Code SMTX</th>
<th>Where</th>
<th>Staff Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Subsidies</td>
<td>No</td>
<td>N/A</td>
<td>Separate program</td>
</tr>
<tr>
<td>Code Incentives</td>
<td>Yes</td>
<td>Growth Areas</td>
<td>Recommended</td>
</tr>
<tr>
<td>Managing Rentals</td>
<td>Limited</td>
<td>Everywhere</td>
<td>Rental Ordinance</td>
</tr>
<tr>
<td>Options for smaller missing middle housing types</td>
<td>Yes</td>
<td>Growth Areas</td>
<td>Encouraged</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Existing Neighborhoods</td>
<td>Allowed with oversight</td>
</tr>
</tbody>
</table>
Current Policy

The City’s current affordable housing policy focuses primarily on supporting the market in creating more opportunities for housing that is affordable. The policy does not address subsidized affordable housing.

- **Permanently Affordable Housing Supply**: 0%
  - Utilizing incentives to supply an inventory of permanently affordable homes

- **Increase Market Rate Supply**: 65%
  - Utilizing Development Codes to increase the supply of market rate affordable housing

- **Homebuyer**: 10%
  - Utilize City subsidies to support local home ownership for residents of major employers.

- **Maintain Existing Housing**: 25%
  - Utilize development codes and support non-profit organizations in maintaining and re-habilitating existing housing.
Panel on Affordable Housing

Take Away #1:
Affordable Housing doesn’t happen without some form of subsidy to bring the cost of housing down; including the government, other residents in a master planned community, or greater density.

Take Away #2:
There is no single model that can achieve true and lasting affordability. Most programs tap into a multitude of sources and support a multitude of needs.

Brian Kelsey
Civic Analytics

Sean Garretson
Pegasus Planning and Development

Terry Mitchell
Momark Development

Jim Adams
McCann Adams Studio

Adriana Cruz
Greater San Marcos Partnership

Options for smaller missing middle
Development Incentives included in Code SMTX

Requirements:

- Affordability Periods
- Deed Restrictions
- Household Eligibility
- Location Efficiencies
- Dispersal of Units
- Housing Tenure

Planning Area Development

Density Bonus/ Additional Stories

Fourplex

Original Lot: $200,000
Fourplex Unit Land Cost: $50,000
05 Next Steps and Outstanding Items

Adoption of Code SMTX is a big step forward but it is not the last. Code SMTX is a living document that is intended to be built upon and revised. We are taking deliberate steps towards creating a future San Marcos that looks like our Vision from the Comprehensive Plan.

There will be unintended failures and successes that are realized as a result of this code. In order to ensure timely and comprehensive updates and modifications staff recommends an initial 6 month review followed by an annual Development Code review process.
Staff Recommendation:

Flag Signs
Recommendation: Amend the sign ordinance to allow a predetermined number of flag signs per lot on a temporary basis.

Neighborhood Districts
Recommendation: Adopt Neighborhood Districts with the following amendments:
- Require a regulating plan
- Implement a single family preservation buffer
- Conduct Neighborhood Studies immediately after adoption

Affordable Housing
Recommendation: Adopt Code SMTX as is and initiate two additional projects including:
- Completion of a robust housing study and plan
- Analysis of a rental ordinance to better manage existing rental properties
Next Steps

Schedule:

February 6, 2018 → Public Hearing and First Reading
- PSA Map Updates
- Comprehensive Plan Text
- San Marcos Development Code
- Design Manual
- City Code

February 20, 2018 → 2nd Reading
Prohibited Signs

Current Land Development Code: “Signs having any visible part that moves, swings or rotates, except for banners and flags, and swinging signs up to ten square feet in area constructed of rigid material hanging by hinges or other flexible connection.”

Code SMTX: “Signs having any visible part that moves, swings or rotates.”

Both Codes: “Permanent portable signs (Non-permanent portable signs are regulated as temporary signs by Section 6.3.3.5).”
## Neighborhood Districts

Make the following Changes to the Building Types Allowed by District Table (Sec. 4.2.1.2)

<table>
<thead>
<tr>
<th></th>
<th>SF-6</th>
<th>ND2</th>
<th>ND2.5</th>
<th>ND3</th>
<th>ND3.5</th>
<th>ND4</th>
<th>ND4M</th>
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<tbody>
<tr>
<td>Accessory Dwelling Unit</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>House</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cottage</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cottage Court</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Duplex</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Attached House</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Townhouse</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Small Multi-Family</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Courtyard Housing</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

ND2 would vary from single family districts by allowing smaller lots with smaller setbacks and up to 10 units per acre
# Neighborhood Districts

Amend the Comprehensive Plan / District Translation Table & Text as follows:

<table>
<thead>
<tr>
<th>District Classification</th>
<th>Open Space / Agricultural</th>
<th>Low Intensity</th>
<th>Existing Neighborhood</th>
<th>Medium or High Intensity Zone</th>
<th>Employment Center</th>
<th>Corridor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conventional Residential</td>
<td>▼ NP</td>
<td>▼ NP</td>
<td>□ P</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Neighborhood Districts (2 &amp; 2.5)</td>
<td>▼ NP</td>
<td>▼ NP</td>
<td>□ *</td>
<td>▼</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Neighborhood Districts (3 &amp; 3.5)</td>
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<td>□ NP</td>
<td>□ *P</td>
<td>▼ NP</td>
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<td>▼ P</td>
</tr>
<tr>
<td>Neighborhood Districts (4 &amp; 4M)</td>
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<td>□ NP</td>
<td>□ *P</td>
<td>▼ NP</td>
<td>▼ NP</td>
<td>▼ P</td>
</tr>
<tr>
<td>Character Districts</td>
<td>▼ NP</td>
<td>□ P</td>
<td>--</td>
<td>▼ P</td>
<td>▼ NP</td>
<td>▼ P</td>
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<tr>
<td>Special Districts</td>
<td>--</td>
<td>▼ NP</td>
<td>□ NP</td>
<td>▼ NP</td>
<td>▼ NP</td>
<td>▼ P</td>
</tr>
</tbody>
</table>

Legend:
- ▼ = Not Considered without Preferred Scenario Amendment Allowed
- NP = Not Preferred
- * = Not Considered before NCS
- P = Preferred

*Initial Authorization by City Council is required when request is 1 acre or greater.

**SUMMARY OF AMENDMENT ABOVE:**

- **Considered (□).** An application may be reviewed by staff and considered by P&Z / City Council
- **Not Preferred (▼).** An application may be reviewed by staff, with additional scrutiny, and considered by P&Z / City Council
- **Not Considered before NCS (★).** An application may not be submitted before a Neighborhood Character Study has been adopted
- **Not Considered without a PSA (--)**. An application may not be submitted without a request to amend the Preferred Scenario Map
Neighborhood Districts

Rezoning requests are limited to Conventional Residential Districts. (may also include ND2 and ND2.5)

When more than 50% of the area surrounding a subject property is zoned single family.

Until after Neighborhood Studies are completed.
Neighborhood Character Study

1. Phase I: Project Plan
   - Establish Criteria
   - Prioritize Neighborhood Areas
   - Establish Boundaries
   - Develop a Project Plan
     - City Wide Goals
     - Outcomes and deliverables
     - Expectations

Anticipated Timeline: 6 Months
Anticipated Budget: $50,000
Phase I

Steps:

- Staff analysis
- Neighborhood Planning Kick-off/open house for public
- First draft - Project Plan
- Council Workshop
- Final draft
- Approval Meetings

Neighborhood Planning Project Plan:

Establish City Goals for the project:

- Zoning changes or guidance?
- How can neighborhood studies meet city wide housing needs?
- How should neighborhood studies address city goals for parkland?
- City goals for sidewalks? Bike lanes?
- Should Neighborhood Plans address environmental goals and how?
- What is the goal for proximity to jobs and services

Establish City Goals for process:

- Boundaries and number of studies
- Duration and number of workshops
- Outreach and participation
Neighborhood Character Study

Phase II: Neighborhood Studies

- Complete Neighborhood Studies
  - Proposed land use map
  - May provide direction for zoning changes and/or
  - Guidance for property owner requested zoning changes
  - Transportation and parks,
  - Open space, and environmental elements
  - Goals and objectives
  - Implementation steps

Anticipated Timeline: 6-12 Months per study

Anticipated Budget: $200,000 per Study

The anticipated timeline is subject to change based on the project scope and criteria developed during Phase I.
Conducting Neighborhood Studies:

**Staff analysis and data collection:**
- Susceptibility to change
- Housing trends and needs
- Proximity to parks and open space
- Connectivity and infrastructure analysis
- Drainage and floodplain
- Access to jobs and services

**Community Mapping:**
Step 1: Areas of Change identified
Step 2: Appropriate development types applied

**Goals and Objectives:**
Applying infrastructure plans like sidewalks, parks, trails, drainage.
Code SMTX provides San Marcos with the tools that we need in order to manage the tremendous amount of growth that we have already experienced and are anticipating into the future.

The preservation, construction and dedication of streets, parks, water lines, sewer lines, open space, and drainage areas are dictated by this development code. The intensity and type of land use patterns are controlled by this code.

These are the enduring elements that will shape San Marcos for future generations.
Chapter 1: General

What's Changing?

- Expand the ability to request incremental improvements to non-conforming properties.
- Strengthen the ability to bring non-conforming structures up to code.

Why?

- Supports an incremental approach in areas where redevelopment and improvements are occurring.
- Allows the City to pursue more enhanced enforcement in priority areas.
Chapter 2: Development Procedures

What's Changing?

- New processes including, alternative compliance, existing neighborhood regulating plans, and Planning Area zoning.
- Increased notification and transparency for all requests.

Why?

- Provides increased predictability for residents, property owners, and the development community.
Chapter 3: Subdivisions

What's Changing?

- Requirements for greenways, streetscape types, and block perimeters ensure a walkable, connected, street network that can support current development impacts and can be expanded to accommodate future development.

- Increased parkland dedication city wide, a new parkland development fee, a parkland requirement downtown, enhanced standards for parkland development.

- Requirements for cross access between commercial developments, requirements for a pedestrian path from the sidewalk to the building, enhanced driveway spacing standards.

Why?

- Land subdivision is a critical step in the process of building an infrastructure, open space, and transportation system that will sustain itself as the City grows.

- The link between the design of streets and adjacent land uses is critical to a walkable City.

- Good access standards reduce congestion and provide better access for emergency response.
Chapter 4: Zoning

What's Changing?

- New Zoning Districts have been created to correspond to the Comprehensive Plan areas including Character Districts and Neighborhood Districts.

- Conventional single family and heavy commercial and industrial districts remain largely unchanged.

- Select Medium and High density residential districts are being retired and become Legacy Districts.

- A new Planning Area zoning district replaces PDDs.

- Corridor Overlay Districts have been created to ensure appropriate development along major highway corridors and gateways.
Chapter 4: Zoning (Continued)

What's Changing?

- Requests for Preferred Scenario Map amendments (PSAs) to Employment Centers are not required to follow the twice per year requirements in order to recognize the time sensitivity of employment generating requests.

- Design and building elements such as glazing, articulation and durable building materials are included for new zoning districts.

- Requirements for building height, parking location and the scale of development are more closely related to the location of the development in addition to the use.

Why?

- In order to support the Comprehensive Plan zoning districts must respond more effectively to the intensity and type of development in different Comprehensive Plan Areas.

- In order to increase predictability Code SMTX creates better avenues for deviations that don't change the underlying intent of the zoning district.
Chapter 5: Use Regulations

What's Changing?

- The Land Use Matrix has been consolidated and updated with new uses like community gardens and urban farms.
- Definitions and standards for uses have been added to this chapter.
- New Standards for ADU's, and Home Shares have been added.

Why?

- This new Chapter provides the City the ability to establish standards for particular uses and better tools to mitigate adverse impacts related to use.
Chapter 6: Environmental Standards

What's Changing?

- Water Quality and Buffer Zones along waterways are expanded to smaller waterways.

- New water quality standards for all areas in the City that drain to the San Marcos River.

- Existing water quality standards in the San Marcos River buffer zone and the Edwards Aquifer are strengthened.

- San Marcos River buffer zone is expanded.

- Barriers to LID are removed.

- An urban stormwater management district is established Downtown.

- Tree mitigation requirements are increased.
Chapter 7: Supplemental Standards

What's Changing?

- Parking standards are reflective of the Comprehensive Plan and of different development types.
- Landscaping and screening between uses and zoning districts.
- Parking lots are screened and better landscaped.
- Downtown signage standards expanded to neighborhood districts.

Why?

- Better parking, landscaping, screening, and signage standards create vibrant and walkable places that match the development type and character of the area.
Chapter 8 and 9: Definitions and Legacy Districts

Legacy Districts

- The zoning map stays the same after the adoption of Code SMTX.

- Standards from previous zoning such as uses, setbacks, impervious cover, and dwelling units per acre still apply.

- Subdivision, infrastructure, environmental, parking, landscaping and signage standards from Ch 3, Ch 6, and Ch 7 follow the new Code SMTX standards.

Why?

- This zoning strategy allows us to focus on ensuring that requests for new development are consistent with the Comprehensive Plan.

- Minimizes unnecessary disruption for current property owners.
ARTICLE 5: ZONING PROCEDURES

DIVISION 1: APPLICATION FOR ZONING MAP AMENDMENT

The property owner or the owner’s authorized agent, the Planning and Development Services Director, the Planning and Zoning Commission, or the City Council on its own motion, may initiate an application for a zoning map amendment.

Section 2.5.1.1 Purpose, Applicability and Effect

A. Purpose. The purpose of an application for a zoning map amendment is to establish the initial zoning district classification of land, or to authorize a use of land, or to change the zoning district classification of land.

B. Applicability. The requirements of this division do not apply to land outside of the city limits. The requirements of this division do apply to land annexed to the City upon the effective date of the annexation.

C. Effect. Enactment of an ordinance approving an application for a zoning map amendment results in a change in zoning district classification for the property, and the use of the land thereafter is subject to all requirements of the new zoning district. Approval of an application for a zoning map amendment authorizes the property owner to establish any use authorized in the new zoning district, subject to the standards and requirements applicable within the zoning district, upon obtaining approval of all development applications required by this Development Code.

Section 2.5.1.2 Application Requirements

A. An application for a zoning map amendment shall be submitted in accordance with the universal application procedures in Section 2.3.1.1 except as otherwise provided in this Article 5.

B. An application for zoning map amendment to any Neighborhood District described in Section 4.1.2.5 requires the approval of an existing neighborhood regulating plan overlay district described under Section 2.5.3.1.

C. A landowner or agent seeking approval of an application for a zoning map amendment shall pay or otherwise satisfy all delinquent taxes, paving assessments, impact fees, or any other delinquent debts or obligations for the property to be rezoned at the time the application is submitted.

D. An application for a zoning map amendment shall include without limitation a statement of the preferred scenario map area of the property proposed to be re-zoned and that the requested zoning map amendment is consistent with the comprehensive plan as contemplated in Section 4.1.1.6.

E. An application for a zoning map amendment shall not be approved unless the following petitions, where applicable to the application, have been approved and remain in effect:
   1. Any petition for a comprehensive plan amendment,
   2. Any petition for a text amendment to this Development Code.

F. Waiting Periods for Certain Amendments
   1. A request to change the zoning district designation for a tract of land shall not be considered by the Planning and Zoning Commission or the City Council within one year of any of the following:
      a. A City Council vote to deny the same requested change for all or any portion of the parcel;
      b. Withdrawal of the same requested change by the applicant after the City Council meeting at which the change is to be considered has been called to order; or
      c. A modification to the boundary of the same requested change by the applicant after the Planning and Zoning Commission has voted on the matter.
   2. The one-year waiting period may be waived if the Planning and Zoning Commission and City Council each determine that there has been a substantial change in conditions surrounding the parcel since the initial request, and agree to reconsider the change by a three-fourths vote of the members present and voting.

Section 2.5.1.3 Approval Process

A. Responsible Official Action
   1. Upon acceptance or authorization of an application for a zoning map amendment, the Responsible Official
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<th>Number</th>
<th>Author</th>
<th>Subject</th>
<th>Date</th>
</tr>
</thead>
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</table>

Old Text: Petition
shall schedule a neighborhood presentation meeting in accordance with Section 2.3.1.1.

2. Upon acceptance or authorization of an application for a zoning map amendment the Responsible Official shall provide a notice of application in accordance with Section 2.3.2.1.

3. The Responsible Official shall provide posted notice and personal notice of all required public hearings least 17 days before the hearing in accordance with Section 2.3.2.1 except for City Initiated changes where notice shall be provided in accordance with Section 2.1.1.2.

4. The Responsible Official shall review an application for zoning map amendment in accordance with the criteria in Section 2.5.1.4 and provide a report and recommendation to the Planning and Zoning Commission.

5. The Responsible Official shall also provide a report and any recommendations from the Planning and Zoning Commission to the City Council when the City Council considers the proposed zoning map amendment.

B. Planning and Zoning Commission Action.

1. The Planning and Zoning Commission shall hold a public hearing on the application in accordance with Section 2.3.3.1.

2. The Planning and Zoning Commission shall make a recommendation regarding the application for a zoning map amendment to the City Council.

3. The Planning and Zoning Commission may recommend approval or denial of the application for a zoning map amendment.

4. The Planning and Zoning Commission may, on its own motion, or at the applicant’s request, defer its recommendation or decision and table the request for not more than ninety (90) calendar days from the date of the public hearing, to consider other information or proposed modifications to the request which may have a direct bearing on the recommendation or decision.

5. If the Planning and Zoning Commission elects to table the request, the tabling shall specifically state the meeting date at which the request shall reappear on the Planning and Zoning Commission agenda, and further notice in the newspaper, to the property owner, and to surrounding property owners shall not be required.

C. City Council Action

1. The City Council shall consider an application for a zoning map amendment at its public hearing no sooner than seven days after the date of the Planning and Zoning Commission’s recommendation.

2. The City Council should consider the criteria in Section 2.5.1.4 and may vote to approve or deny the specific proposed zoning map amendment.

3. A decision of the Council reclassifying land to a different zoning district shall be in the form of an ordinance that amends the City’s official zoning map.

4. A zoning map amendment is subject to a super majority vote of the City Council when applicable in accordance with Section 2.2.4.2.

5. The City Council may, on its own motion, or at the applicant’s request, defer its recommendation or decision and table the request for not more than ninety (90) calendar days from the date of the public hearing, to consider other information or proposed modifications to the request which may have a direct bearing on the recommendation or decision.

6. If the City Council elects to table the request, the tabling shall specifically state the meeting date at which the request shall reappear on the City Council agenda, and further notice in the newspaper, to the property owner, and to surrounding property owners shall not be required.

Section 2.5.1.4 Criteria for Approval

A. In making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

1. Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map;
2. Whether the proposed zoning map amendment is consistent with any adopted neighborhood character study for the area;

3. Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect;

4. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses shall be appropriate in the immediate area of the land to be reclassified;

5. Whether the proposed zoning will reinforce the existing or planned character of the area;

6. Whether the site is appropriate for the development allowed in the proposed district;

7. Whether there are substantial reasons why the property cannot be used according to the existing zoning;

8. Whether there is a need for the proposed use at the proposed location;

9. Whether the City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, public safety, and emergency services, while maintaining sufficient levels of service to existing development;

10. Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property;

11. The impact the proposed amendment has with regard to the natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management; and

12. Any other factors which shall substantially affect the public health, safety, morals, or general welfare.

DIVISION 2: APPLICATION FOR OVERLAY DISTRICT

Section 2.5.2.1 Purposes and Effect

A. Purpose. An overlay district is a district for which there are established regulations that combine with the regulations of an underlying base district. The purposes of an overlay district shall be to prohibit uses otherwise allowed in the base district, to establish additional or different conditions for uses, or to authorize special uses, together with standards for such uses, not otherwise allowed in the base district.

B. Effect. Adoption of an overlay district does not repeal the base district, and all regulations in the base district shall remain applicable to the uses allowed in the overlay district, except as expressly modified by the regulations for the overlay district. In addition, any special standards set forth in the adopting ordinance shall apply to all development within the overlay district.

Section 2.5.2.2 Establishment of Overlay Districts

A. Creation. An overlay district other than an existing neighborhood regulating plan, shall be established as an amendment to the text of the zoning regulations in Chapter 4 and Chapter 5 of this Land Development Code in accordance with procedures in Section 2.4.1.1. Overlay zoning districts shall also be established on the Zoning Map in accordance with the procedures governing petitions for zoning map amendments in Section 2.5.1.1.

B. Enacting Ordinance. In creating an overlay district other than an existing neighborhood regulating plan, the City Council shall specify the following standards:

1. The intent and purpose of the district;

2. The types of base districts with which the overlay district may be combined;

3. Uses allowed by the overlay district which are not allowed in the base district and standards and conditions applicable to such uses;

4. Uses otherwise permitted within the base district, which are prohibited, limited or restricted within the overlay district, and the standards and conditions constituting such limitations or restriction;
5. Standards to be applied in the overlay which are intended to supersede conflicting standards in the base district; and

6. Special standards to be applied in the overlay district.

DIVISION 3: APPLICATION FOR AN EXISTING NEIGHBORHOOD REGULATING PLAN

Section 2.5.3.1 Purpose, Applicability and Effect

A. Purpose. The purpose of an existing neighborhood regulating plan shall be to authorize a special overlay zoning district to ensure compatibility of the development with the surrounding neighborhood.

B. Applicability. An approved existing neighborhood regulating plan shall be required for any property owner requested zoning map amendment to any of the Neighborhood Districts described under Section 4.1.2.5

C. Effect. Approval of an existing neighborhood regulating plan authorizes the approval or issuance of subsequent requests and permits for the property subject to the regulating plan.

Section 2.5.3.2 Application Requirements

A. An application for approval of an existing neighborhood regulating plan shall be submitted in accordance with the universal application procedures in Section 2.3.1.1 except as otherwise provided in this Division 5.

B. Existing neighborhood regulating plans shall consist of one or more maps showing the following:

1. The location of proposed base zoning districts;
2. The location of existing zoning districts surrounding the subject property;
3. The type, number, and location of all proposed building types under Section 4.4.6.1;
4. The type, number, and location of all existing building types surrounding the subject property;
5. The location of any required and proposed transitional protective yards under Section 7.2.2.1;
6. The location of any required or proposed residential infill compatibility standard under Section 4.4.2.5;
7. The location and type of all required and proposed street types under Section 3.7.1.1;
8. The location of all proposed parking in accordance with Section 7.1.1.1;
9. The location and type of all proposed and existing streetscape types under Section 3.8.1.1; and
10. The location and type of all proposed and existing parkland under Section 3.10.1.1.

Section 2.5.3.3 Approval Process

A. The approval process for an existing neighborhood regulating plan follows the procedures established for approval of a zoning map amendment under Section 2.5.1.3.

Section 2.5.3.4 Criteria for Approval

A. The following criteria shall be used to determine whether the application for an existing neighborhood regulating plan shall be approved, conditionally approved or denied:

1. The proposed regulating plan conforms with the compatibility of uses and density standards in Section 4.1.2.2.
2. The existing neighborhood regulating plan is consistent with all applicable standards and requirements of the base zoning district and this development code;
3. The existing neighborhood regulating plan is consistent with any adopted neighborhood character study for the area.
4. The proposed provision and configuration of roads, electric, water, wastewater, drainage and park facilities conform to the Comprehensive Plan and any approved City Master Plans or Capital Improvement Plans;

Section 2.5.3.5 Amendments

A. The Responsible Official may permit the applicant to make minor amendments to the existing neighborhood regulating plan without the necessity of amending the ordinance that established the existing neighborhood regulating plan.

B. If the Director determines that proposed amendments substantially impact the nature of the approval, whether
Applicability. An approved existing neighborhood regulating plan shall be required when directed by the City Council during initial authorization of a zoning map amendment under Section 2.5.1.3.

Existing neighborhood regulating plans shall consist of one or more maps showing the following, in compliance with the standards described in Section 4.1.2.2:

1. Base zoning districts;
2. Building types;
3. Protective Yards;
4. Street Network;
5. Streetscape; and
6. Parkland.
individual or cumulatively, the Director will deny the request for approval of the modifications and provide the applicant with the opportunity to revise the proposed amendments to bring them into compliance with the existing neighborhood regulating plan.

C. If an applicant wishes to make any amendments other than minor amendments approved by the Responsible Official, the amendments will be submitted for review and approval as a revised existing neighborhood regulating plan.

D. Minor amendments shall be as follows:
   1. Corrections in spelling, distances and other labeling that do not affect the overall development concept;
   2. Changes in building position or layout that are less than ten feet or ten percent of the total building project or area; and
   3. Changes in proposed property lines as long as the original total project acreage is not exceeded, and the area of any base zoning district is not changed by more than five percent.
   4. Changes in parking layouts as long as the number of required spaces and general original design are maintained.

DIVISION 4: APPLICATION FOR HISTORIC DISTRICT OR HISTORIC LANDMARK

Section 2.5.4.1 Establishment and Expansion of Local Historic Districts or Historic Landmarks

A. General Procedures for Local Historic District. Except as provided in this Section, an application to establish or expand a Historic District (HD) shall be processed and decided in accordance with the procedures governing an application for an overlay district under Section 2.5.2.2.

B. General Procedures for Historic Landmarks. Except as provided in this Section, an application to establish a Historic Landmark shall be processed and decided in accordance with the procedures governing an application for a Zoning Map amendment under Section 2.5.1.1.

Section 2.5.4.2 Historic Preservation Commission Action.

Before considering a request for the establishment of a Historic District or Landmark, the Historic Preservation Commission shall carry out the following activities:

A. The Historic Preservation Commission shall cause a report to be prepared for the commission’s final review and approval that:
   1. Identifies the historic significance of the exteriors of buildings, structures, features, sites, objects and surroundings in the area of the proposed district or landmark;
   2. Reflects the current characteristics of the area of the proposed new Historic District or Landmark.

B. After final approval of the report concerning the area subject to the request, the Historic Preservation Commission shall hold a public hearing on the request for the establishment of the proposed Historic District or Landmark. The report shall be presented at the public hearing.

C. Personal notice and published notice of the public hearing shall be given in accordance with Section 2.3.2.1.

D. After the public hearing the Historic Preservation Commission shall:
   1. Formulate a recommendation regarding the establishment of a historic district or landmark for the area subject to the request; and
   2. Forward the recommendation and report to the Planning and Zoning Commission for consideration.

Section 2.5.4.3 Planning and Zoning Commission Action

A. The Planning and Zoning Commission shall schedule a public hearing on the establishment of a Historic District or Landmark upon receiving the final report and recommendations of the Historic Preservation Commission.

B. The Planning and Zoning Commission shall take into consideration the report and recommendations of the Historic Preservation Commission at a public hearing.
This page contains no comments
ARTICLE 1: GENERAL PROVISIONS AND ESTABLISHMENT OF DISTRICTS

DIVISION 1: PURPOSE AND INTENT

Section 4.1.1.1 Purpose and Intent

The zoning regulations and districts contained in this Chapter are established in accordance with the City’s adopted Comprehensive Plan, as authorized by Chapter 211 of the Texas Local Government Code.

Section 4.1.1.2 Compliance

Except for non-conformances allowed pursuant to Section 1.5.1.1, all land, development, improvements, construction, structures, buildings, lots and appurtenances located within the City shall be made, constructed, occupied, used, erected, altered, removed, placed, demolished and/or converted in conformance with the regulations prescribed for the zoning district in which the same is located and the applicable standards, requirements and other provisions of this Development Code.

Violations of these regulations shall be subject to penalties as per Section 2.3.7.1 of this Development Code.

Section 4.1.1.3 Consistency with Comprehensive Plan

All requests for rezoning and development applications shall be consistent with the City’s adopted Comprehensive Plan, as amended from time to time.

Section 4.1.1.4 Rules for Determining Consistency

A. A legislative development application is consistent with the City’s adopted Comprehensive Plan if the application is consistent with applicable policies in the Comprehensive Plan and applicable Comprehensive Plan maps.

1. In determining whether a legislative development application is consistent with a Comprehensive Plan map, the City shall take into consideration the policies that govern interpretation of the map, as well as location or property specific designations on the map.

2. The Preferred Scenario Map incorporated in the Comprehensive Plan is not a zoning or district map and shall not be construed as defining zoning or district boundaries, but shall be used in making decisions regarding zoning.

B. A quasi-judicial or administrative development application is consistent with the City’s adopted Comprehensive Plan if the application conforms with regulations in this Development Code that implement the applicable policies of the Comprehensive Plan.

Section 4.1.1.5 Applicable Plans, Maps and Policies

The following Comprehensive Plan elements and approved master plans and maps apply to the analysis of legislative development applications:

A. Comprehensive Plan and all addenda, as amended;

B. Water, Wastewater and Drainage Master Plans;

C. Preferred Scenario Map;

D. Transportation Master Plan and Thoroughfare Map;

E. Parks and Open Space Master Plan.

Section 4.1.1.6 Comprehensive Plan Preferred Scenario

A. Comprehensive Plan Preferred Scenario Designations. To direct the intensity of, and development within, the various areas of the City, the Comprehensive Plan Preferred Scenario Map establishes the following Preferred Scenario areas:

1. Open Space/Agricultural Zone. An area which is not developed and which is generally suitable for very limited residential or agricultural uses.

2. Land Preservation Area. Land Preservation Areas are varied and diverse with respect to environmental sensitivity and development suitability of the land. They are generally made up of larger undeveloped tracts of land where the preservation of sensitive environmental areas, flood hazard areas and agricultural lands should be considered as part of any development proposal. Development in these areas should be guided by the Land Use Suitability Map of the Comprehensive Plan.

3. Existing Neighborhood Area. Established, primarily residential areas intended to maintain their existing character and to follow development and redevelopment patterns that are compatible with the existing character.
Old Text: Low Intensity Areas
4. Medium or High Intensity Zone. An area of change intended to accommodate the City’s future growth and expansion where people can meet their daily needs within a short walk, bike, transit trip or drive.

5. Employment Center. An area intended to accommodate economic growth and the recruitment of major employers.

6. Corridors. An area along a major transportation corridor where development should be consistent with and complement the preferred scenario designation and the corridor type from the Transportation Master Plan.

B. Comprehensive Plan / District Translation Table. Zoning map amendments shall be consistent with the intent and character of the preferred scenario designations on the Preferred Scenario Map.

2. Considered*(C*). Where a property owner requested zoning map amendment to an Existing Neighborhood District is requested:
   a. Further scrutiny may be required to determine consistency with the compatibility requirements in Section 4.1.2.2.
   b. An existing neighborhood regulating plan under Section 2.5.3.1 is required.

3. Not Preferred (NP). Where a zoning map amendment is Not Preferred (NP) on the table below, further scrutiny is required to determine consistency with the Comprehensive Plan based on the criteria in Section 2.5.1.4 and the district intent under Division 4 of this Chapter 4 Article 1.

4. Not Allowed (--). Where a zoning map amendment is not allowed on the table below, no zoning map amendment may be requested without an accompanying request for an amendment to the Preferred Scenario Map under Section 2.4.2.1.

<table>
<thead>
<tr>
<th>District Classification</th>
<th>Open Space/ Agricultural</th>
<th>Employment Center</th>
<th>Existing Neighborhood</th>
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<th>Corridor</th>
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<td>NP</td>
<td>NP</td>
<td>C</td>
</tr>
</tbody>
</table>

Legend:
-- = Not Allowed
NP = Not Preferred
12 = Considered

* An Existing Neighborhood Regulating Plan is required for property owner requested zoning changes to a Neighborhood District.
Preferred* (P*). Where a zoning map amendment that is 1 acre or greater is requested in an existing neighborhood:

Initial Authorization by City Council under Section 2.5.1.1 is required.

Preferred (P). Where a zoning map amendment is preferred on the table below, the amendment is a preferred type of development based on the Comprehensive Plan and should be considered based on the criteria in Section 2.5.1.4 and the district intent under Division 4 of this Chapter 4 Article 1.

Low Intensity

Comments from page 4:8 continued on next page
4. **Medium or High Intensity Zone.** An area of change intended to accommodate the City’s future growth and expansion where people can meet their daily needs within a short walk, bike, transit trip or drive.

5. **Employment Center.** An area intended to accommodate economic growth and the recruitment of major employers.

6. **Corridors.** An area along a major transportation corridor where development should be consistent with and complement the preferred scenario designation and the corridor type from the Transportation Master Plan.

B. **Comprehensive Plan / District Translation Table.** Zoning map amendments shall be consistent with the intent and character of the preferred scenario designations on the Preferred Scenario Map.

1. **Considered (C).** Where a zoning map amendment is Considered on the table below, the amendment will be considered based on the Comprehensive Plan and the criteria in Section 2.5.1.4 and the district intent under Division 4 of this Chapter 4 Article 1.

2. **Considered* (C*).** Where a property owner requested zoning map amendment to an Existing Neighborhood District is requested:
   a. Further scrutiny may be required to determine consistency with the compatibility requirements in Section 4.1.2.2.
   b. An existing neighborhood regulating plan under Section 2.5.3.1 is required.

3. **Not Preferred (NP).** Where a zoning map amendment is Not Preferred (NP) on the table below, further scrutiny is required to determine consistency with the Comprehensive Plan based on the criteria in Section 2.5.1.4 and the district intent under Division 4 of this Chapter 4 Article 1.

4. **Not Allowed (--).** Where a zoning map amendment is not allowed on the table below, no zoning map amendment may be requested without an accompanying request for an amendment to the Preferred Scenario Map under Section 2.4.2.1.

<table>
<thead>
<tr>
<th>District Classification</th>
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<th>Medium or High Intensity Zone</th>
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<td>C</td>
<td>C</td>
</tr>
</tbody>
</table>

**Legend:**
- **NP** = Not Preferred
- **C** = Considered
- **--** = Not Allowed
- An Existing Neighborhood Regulating Plan is required for property owner requested zoning changes to a Neighborhood District.
Old text: P = Preferred

Old Text: Initial Authorization required when a request is 1 acre or greater.
Code SMTX provides San Marcos with the tools that we need in order to manage the tremendous amount of growth that we have already experienced and are anticipating into the future.

The preservation, construction and dedication of streets, parks, water lines, sewer lines, open space, and drainage areas are dictated by this development code. The intensity and type of land use patterns are controlled by this code.

These are the enduring elements that will shape San Marcos for future generations.
Chapter 1: General

What's Changing?

- Expand the ability to request incremental improvements to non-conforming properties.
- Strengthen the ability to bring non-conforming structures up to code.

Why?

- Supports an incremental approach in areas where redevelopment and improvements are occurring.
- Allows the City to pursue more enhanced enforcement in priority areas.
Chapter 2: Development Procedures

What's Changing?

- New processes including, alternative compliance, existing neighborhood regulating plans, and Planning Area zoning.
- Increased notification and transparency for all requests.

Why?

- Provides increased predictability for residents, property owners, and the development community.
Chapter 3: Subdivisions

What's Changing?

- Requirements for greenways, streetscape types, and block perimeters ensure a walkable, connected, street network that can support current development impacts and can be expanded to accommodate future development.

- Increased parkland dedication city wide, a new parkland development fee, a parkland requirement downtown, enhanced standards for parkland development.

- Requirements for cross access between commercial developments, requirements for a pedestrian path from the sidewalk to the building, enhanced driveway spacing standards.

Why?

- Land subdivision is a critical step in the process of building an infrastructure, open space, and transportation system that will sustain itself as the City grows.

- The link between the design of streets and adjacent land uses is critical to a walkable City.

- Good access standards reduce congestion and provide better access for emergency response.
Chapter 4: Zoning

What's Changing?

- New Zoning Districts have been created to correspond to the Comprehensive Plan areas including Character Districts and Neighborhood Districts.

- Conventional single family and heavy commercial and industrial districts remain largely unchanged.

- Select Medium and High density residential districts are being retired and become Legacy Districts.

- A new Planning Area zoning district replaces PDDs.

- Corridor Overlay Districts have been created to ensure appropriate development along major highway corridors and gateways.
Chapter 4: Zoning (Continued)

What's Changing?

- Requests for Preferred Scenario Map amendments (PSAs) to Employment Centers are not required to follow the twice per year requirements in order to recognize the time sensitivity of employment generating requests.

- Design and building elements such as glazing, articulation and durable building materials are included for new zoning districts.

- Requirements for building height, parking location and the scale of development are more closely related to the location of the development in addition to the use.

Why?

- In order to support the Comprehensive Plan zoning districts must respond more effectively to the intensity and type of development in different Comprehensive Plan Areas.

- In order to increase predictability Code SMTX creates better avenues for deviations that don't change the underlying intent of the zoning district.
Chapter 5: Use Regulations

What's Changing?

- The Land Use Matrix has been consolidated and updated with new uses like community gardens and urban farms.
- Definitions and standards for uses have been added to this chapter.
- New Standards for ADU's, and Home Shares have been added.

Why?

- This new Chapter provides the City the ability to establish standards for particular uses and better tools to mitigate adverse impacts related to use.
Chapter 6: Environmental Standards

What's Changing?

- Water Quality and Buffer Zones along waterways are expanded to smaller waterways.

- New water quality standards for all areas in the City that drain to the San Marcos River.

- Existing water quality standards in the San Marcos River buffer zone and the Edwards Aquifer are strengthened.

- San Marcos River buffer zone is expanded.

- Barriers to LID are removed.

- An urban stormwater management district is established Downtown.

- Tree mitigation requirements are increased.
Chapter 7: Supplemental Standards

What's Changing?

- Parking standards are reflective of the Comprehensive Plan and of different development types.
- Landscaping and screening between uses and zoning districts.
- Parking lots are screened and better landscaped.
- Downtown signage standards expanded to neighborhood districts.

Why?

- Better parking, landscaping, screening, and signage standards create vibrant and walkable places that match the development type and character of the area.
Chapter 8 and 9: Definitions and Legacy Districts

Legacy Districts

- The zoning map stays the same after the adoption of Code SMTX.
- Standards from previous zoning such as uses, setbacks, impervious cover, and dwelling units per acre still apply.
- Subdivision, infrastructure, environmental, parking, landscaping and signage standards from Ch 3, Ch6, and Ch7 follow the new Code SMTX standards.

Why?

- This zoning strategy allows us to focus on ensuring that requests for new development are consistent with the Comprehensive Plan.
- Minimizes unnecessary disruption for current property owners.
TO: Bert Lumberras, City Manager  
FROM: Shannon Mattingly, Director of Planning and Development Services  
DATE: January 13, 2018  
RE: Analysis of Salt Lake City Housing Plan

Staff has conducted an analysis of the draft Salt Lake City Housing Plan to identify elements of the Plan that are related to the affordable housing efforts in San Marcos.

The attached spreadsheet lists each of the goals and objectives in Salt Lake City’s Housing plan and identifies how they are addressed in Code SMTX and/or our current Affordable Housing Policy.

Finally, the spreadsheet includes some recommendations about how the elements of Salt Lake City’s Housing Plan could be explored in San Marcos through an update to our current affordable housing policy or the creation of a more detailed affordable housing action plan and program.

To learn more about the Salt Lake City Housing Plan and read the complete document you can visit the project website here: http://www.slcgov.com/hand
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<tbody>
<tr>
<td><strong>Goal 1: Increase Housing Options: Reform City Practices to Promote a Responsive, Affordable, High Opportunity Housing Market</strong></td>
<td>Encourage the market to increase housing supply focusing on diversity of housing types and flexibility in zoning and a predictable and efficient development process focused on growth</td>
<td>Limited</td>
<td>New Character Districts in Intensity Zones are achieving this but re-zoning is still a significant step for property owners.</td>
<td>Yes</td>
<td>Removing barriers to diverse housing</td>
<td>City Initiated Re-zoning in Intensity zones</td>
</tr>
<tr>
<td><strong>Objective 1: Modernize land-use and zoning regulations to reflect the affordability needs of a growing, pioneering City</strong></td>
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<tr>
<td>1.1: Develop Flexible zoning tools and regulations, with a focus along significant transportation routes</td>
<td>Improve or expand the form based zoning districts to encourage more development and create infill ordinances that allow greater density in existing neighborhoods</td>
<td>Limited</td>
<td>New Character Districts are achieving this but re-zoning is still a significant step. Need neighborhood character studies to identify locations in Existing Neighborhood areas where diverse housing should be implemented</td>
<td>Yes</td>
<td>Removing barriers to diverse housing</td>
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<tr>
<td>1.1.1: Develop infill ordinances that promote a diverse housing stock, increase housing options, create redevelopment opportunities, and allow additional units within existing structures, while minimizing neighborhood impacts.</td>
<td>Infill ordinances allow increasing the number of units on particular properties. For example, subdividing large properties for single family development where there are oddly shaped lots.</td>
<td>Yes</td>
<td>Plating exemptions for infill lots, Cottage Courts and Density Bonus system</td>
<td>Yes</td>
<td>Cottage Courts and removing barriers</td>
<td>Build on the density bonus program included in Codes SMTX focusing on creating permanently affordable and owner occupied housing in infill areas.</td>
</tr>
<tr>
<td>1.1.2: Develop infill ordinances that promote a diverse housing stock, increase housing options, create redevelopment opportunities, and allow additional units within existing structures, while minimizing neighborhood impacts.</td>
<td>Owner not required to live on property, design standards/sureness integration, city approved building plans and financing options, allowed in all areas and all zones</td>
<td>Yes</td>
<td>Require owner occupancy of one building, allowed in all residential zoning districts</td>
<td>Yes</td>
<td>Same way that the Code is implementing</td>
<td>Rental Registration should be used as the enforcement mechanism to ensure owner occupancy.</td>
</tr>
<tr>
<td>1.1.3: Revise the accessory dwelling unit ordinance to expand its application throughout the city and develop measures to promote its use</td>
<td>Parking requirements should be based on the area and are directly linked to housing affordability</td>
<td>Yes</td>
<td>Parking minimums are lower in intensity zones and a reduction is available for affordable housing</td>
<td>No</td>
<td></td>
<td>Should continue to monitor results from parking requirements</td>
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<tr>
<td><strong>Objective 2: Remove impediments in City processes to encourage housing development</strong></td>
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<tr>
<td>1.2: Create an expedited processing system to increase City access for developers constructing new affordable units.</td>
<td>Administer has the authority to waive fees and expedite permits for long term affordable housing</td>
<td>Limited</td>
<td>We have some fee waivers for CDBG and Habitat projects</td>
<td>No</td>
<td></td>
<td>Analyze incorporating more fee waivers.</td>
</tr>
<tr>
<td><strong>Objective 3: Lead in the construction of innovative housing solutions</strong></td>
<td>Pioneer new and innovative construction technology that emphasizes quality materials and design.</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>1.3: Lead in the development of new affordable housing types, as well as construction methods that incorporate innovative solutions to issues of form, function, and maintenance.</td>
<td>Utilize the City's housing innovation lab to incorporate green technologies; support the development of new or underutilized housing types that meet unique needs of diverse communities</td>
<td>No</td>
<td>Limited</td>
<td>Utilize the Green Energy audits</td>
<td>Should be included in an affordable housing plan/ program</td>
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<tr>
<td><strong>Establish partnerships with housing industry leaders to construct innovative and affordable developments.</strong></td>
<td>No</td>
<td>Limited</td>
<td>Partnerships with other taxing jurisdictions are discussed</td>
<td>Should be included in an affordable housing plan/program</td>
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<tr>
<td><strong>Objective 4: Provide residents, community advocates, business leaders, and elected officials with high quality data to drive decision-making</strong></td>
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<tr>
<td><strong>1.4.1 Maintain a public-facing set of housing metrics to provide insight into market characteristics and the performance of regulatory changes that will drive decision making.</strong></td>
<td>The current rate of housing unit production The impact zoning changes are having on housing unit production. The full cost of housing development for every housing type.</td>
<td>No</td>
<td>No</td>
<td>Data and accountability are very important elements of an affordable housing program</td>
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<tr>
<td><strong>GOAL 2: AFFORDABLE HOUSING: INCREASE HOUSING OPPORTUNITIES AND STABILIZATION FOR COST-BURDENED HOUSEHOLDS</strong></td>
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<tr>
<td><strong>Objective 1: Prioritize the development of new affordable housing with an emphasis on households earning 40% AMI and below</strong></td>
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<td>The City needs a housing study and analysis of our gaps and where to focus efforts.</td>
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<tr>
<td><strong>2.1.1 Convene a Blue Ribbon Commission for affordable housing comprised of industry experts, advocates, partners, and government entities.</strong></td>
<td>Under the Mayor’s leadership a Blue Ribbon Commission, comprised of policy and industry leaders, will evaluate the best ways in which to leverage a variety of resources, while focusing on some of the city’s most challenging housing issues. This group will also be able to look at the issue without geographical constraints, cultivating partnerships across jurisdictions and with a variety of public and private organizations.</td>
<td>No</td>
<td>NO</td>
<td>The City needs to assemble a multi-disciplinary and collaborative team to implement affordable housing goals and program.</td>
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<tr>
<td><strong>2.1.2 Consider an ordinance that would require and incentivize the inclusion of affordable units in new developments.</strong></td>
<td>Such practices fit into a larger theme surrounding a comprehensive strategy to increase affordable housing and increase the available housing stock across the “affordable” spectrum. Inclusionary zoning programs refer to local land use ordinances that require or encourage developers to include affordable units in new residential developments. Affordability is often achieved through an indirect subsidy to residential developers—including through increased development capacity or other accommodations during the development review process—and therefore the public cost of generating affordable homes can be relatively low.</td>
<td>Yes</td>
<td>Planning Area Developments; Bonus Densities; and Additional Stories are included in Code SMTX and designed as incentives that require affordable housing affordable housing</td>
<td>Should be included in an affordable housing plan/program and the effectiveness and focus of the incentives should be analyzed based on a housing study so that they can be targeted to our needs as a community</td>
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<td>Objective 2: Pursue funding sources for affordable housing opportunities</td>
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<td>2.1.3 Offer incentives to developers of affordable housing such as land discounts and primary financing options.</td>
<td>As the strategies in this plan are deployed, funding sources will need to increase their capacity and their flexibility in order to incentivize new development. In addition to financing, the use of land “write-offs” and other non-traditional methods of incentive will be incorporated when developing available City-owned land.</td>
<td>No</td>
<td>Limited</td>
<td></td>
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<td></td>
<td>Discussion about utilizing city property and tax forfeiture property for affordable housing</td>
<td>Should be included and expanded on in an affordable housing plan/ Program</td>
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<tr>
<th>Objective 3: Stabilize very low-income renters</th>
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<tr>
<td>2.2.1 Propose a significant, long-term, and sustainable funding source for the development, preservation, and stability of affordable housing.</td>
<td>A local funding source needs to be designed in a way that could subsidize new units under an inclusionary program, infuse the Housing Trust Fund’s loan program with capital, purchase and preserve vacant land for future affordable development, offer program assistance, or purchase dilapidated properties for housing redevelopment projects. Most importantly this funding source would target the difficult task of stabilizing current cost burdened households through an incentivized rent assistance program</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>Local funding sources for affordable housing allow the City to have more control over how when and where affordable housing is implemented in San Marcos</td>
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<th>Objective 4: Secure and preserve long-term affordability</th>
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<tr>
<td>2.3.1 Work with housing partners and government entities to create an incentivized rent assistance program.</td>
<td>As a result of low vacancy rates, rising housing costs, and flattening wages it is not only necessary to create new affordable housing units, but also preserve them in the long term.</td>
<td>No</td>
<td>No</td>
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<th>Objective 4: Secure and preserve long-term affordability</th>
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<tr>
<td>2.4.1 Create an Affordable Housing Community Land Trust.</td>
<td>In order to preserve the ability to develop affordable housing in the future, the City will create a Community Land Trust and work with its institutional partners to purchase land and entrust it for future development.</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>2.4.2 Work with community partners to acquire hotels and multi-family properties to preserve or redevelop them as affordable housing.</td>
<td>The most cost-effective means of adding new affordable units may be to purchase existing multi-family structures, either hotels and motels or apartment complexes, renovate or redevelop those units, and partner with a local housing operator to manage the properties.</td>
<td>No</td>
<td>No</td>
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</table>
### 2.4.3 Structure renovation programs to reduce utility, energy, and maintenance costs while promoting healthy living.

As the housing stock continues to age, especially for homeowners, rehabilitation and energy efficiency upgrades will be central to long term community preservation. Limited Code Addresses non-conforming structure policies to make it easier for older buildings to upgrade Limited Affordable Housing Program discusses preserving and making it easier for existing complexes to upgrade. Policy also discusses energy audits and energy efficiency Needs more implementation strategies in housing program/ policy

### Objective 5: Work with landlords to both improve their housing stock and rent to very low-income households

Throughout Salt Lake City, the age and condition of the housing stock is varied with some rental properties being maintained and improved, while others slowly deteriorate causing blight, vacancy and increased crime. In addition, such properties are often rented at lower costs serving a low-income population while the conditions of the units are not suited for habitability. This issue is complex as renovation can increase rents and therefore displace current tenants however, the current condition merits significant improvement to be habitable.

### 2.5.1 Support and potentially expand incentives for landlords to rent low-income households, including landlord insurance programs.

The need for affordable options, outside of new development, but within existing neighborhoods is a key piece of equitable distributions of housing and access to opportunity. This may be most propelled by the creation of a landlord insurance program that covers possible damages and other related costs to ease concerns as they relate to individuals who may traditionally be considered hard to house. No No

### 2.5.2 Enhance neighborhood development programs to entice landlords of substandard properties to improve their rental units.

Home repair programs like the one the City operates can be marketed specifically towards landlords whose properties are in need of improvement. In addition, the program will be geared toward landlords who own properties in specific neighborhoods, streets, or nodes where additional City investment is already planned specifically in accordance with Master Plans thereby magnifying the overall impact of efforts in the target area. No No

### Objective 6: Increase home ownership opportunities
## GOAL 3: EQUITABLE & FAIR HOUSING: BUILD A MORE EQUITABLE CITY

### Objective 1: Eliminate incidences of housing discrimination in Salt Lake City

As noted in the Salt Lake Live Work Survey the primary reason for leaving the Capitol City was related to housing and homeownership options and affordability. Therefore, the increase in funding should be leveraged through an increase in down payment assistance and through increased access to permanent mortgages.

| 2.6.1 Increase funding and marketing for affordable homeownership programs. | No | Yes | Policy discusses increased marketing of the down payment assistance program. | Look at additional funding sources and better marketing of the program. |

### Objective 2: Align resources to create Areas of Opportunity

The City is in the unique position of having acquired a depth of knowledge about neighborhoods and possess the ability to direct funds to produce the greatest impact in those neighborhoods. A key priority in alignment of resources is ensuring that they create opportunity in underserved neighborhoods or conversely create access to neighborhoods considered areas of opportunity, where residents have access to jobs, healthcare, education, transportation, and other amenities.

| 3.1.1 Utilize data and evaluation efforts developed by partner organizations about housing discrimination to meet the City’s requirements under the Affirmatively Furthering Fair Housing ruling. | **Local zoning policies do not create segregation**  
**Creating affordable opportunities in high-opportunity neighborhoods**  
**Directing resources to invest in the lifting up of traditionally low-income neighborhoods**  
**Utilizing local data about instances of discrimination to steer policymaking** | No | No | Our policy needs to address equitable and fair housing |

| 3.1.2 Work with partners to enhance awareness and resources around tenant rights and responsibilities. | The City will coordinate across local service providers to help inform and guide tenants about their rights and responsibilities. | Limited | Rental Registration is one step in shifting responsibility to the Landlord | No | Rental Registration and rental property ordinance |
3.2.1 Align financial resources to increase access to housing in high opportunity areas.

Access to jobs, quality education, healthcare, fresh food, transportation, and other amenities is key to unlocking the potential of the city’s residents to succeed economically. Unfortunately, these opportunities are not available in every neighborhood in Salt Lake City. To address this geographic inequity, Salt Lake City will align its resources to achieve significant and impactful change within specifically targeted areas of concentrated poverty. In addition to this long-term strategy, Salt Lake City will also seek to encourage and fund the development of new affordable housing units in neighborhoods that are already considered areas of opportunity.

| Objective 3: Implement Lifecycle Housing principles in neighborhoods throughout the city |
| Salt Lake City should be a place where residents are not stifled in their housing choice, because certain neighborhoods are not conducive to their stage of life. |

| 3.3.1 Support diverse and vibrant neighborhoods by aligning land use policies that promote a housing market capable of accommodating residents throughout all stages of life. |
| In order to truly encourage new types of housing that considers cost, energy efficiency, and accessibility a strong land use and zoning foundation must be laid that supports new types of building. |

| Yes | Our new zoning tools and zoning framework support diverse housing types |

| Yes | Emphasizes the importance of diverse housing |

| Implement these new districts through zoning in Intensity Zones and through neighborhood studies in Existing Neighborhoods |
GROWING SLC:
A FIVE YEAR HOUSING PLAN
2017-2021

Salt Lake City
Housing and Neighborhood Development
1. EXECUTIVE SUMMARY

Universally, the home is the bedrock upon which every person builds the foundation of their lives. The home is fundamental to establishing roots in a community and achieving a basic sense of safety, security, and stability for those that live within its walls. It is when these basic needs are met that people have the ability to take a risk and improve their situations, to contribute socially, culturally, and economically, and build a better community.

In recognition of the role that housing plays in the success of the individual and the community, this plan is intended to establish that Salt Lake City is a place for a growing diverse population to find housing opportunities that are safe, secure, and enrich lives and communities. This plan outlines the housing solutions through which Salt Lake City will advance this vision. This plan imagines a city where all residents, current and prospective, regardless of race, age, economic status, or physical ability can find a place to call home. To achieve this goal, the City’s housing policy must address issues of affordability at the root cause, creating long-term solutions for increasing the housing supply, expanding housing opportunities throughout the city, addressing systemic failures in the rental market, and preserving our existing units.

Salt Lake City is growing. From 2010-2014, the city gained 4,400 new residents, doubling the pace of growth that was recorded between 2000 and 2010. Estimates anticipate that this growth will continue, adding an additional 30,000 residents by 2030. Salt Lake City’s current population of 190,873 people occupy 75,923 households. The average household in Salt Lake City includes 2.45 people, resulting from 52% of the households being comprised of families.

Salt Lake City’s population includes unique characteristics, notably a high proportion of millennials and minority groups and a low proportion of seniors. Post-college aged millennials (age 25-34) account for 21% of the population,
Growing Salt Lake: 2017-2021

which is higher than peer cities such as Boise (14%) and Portland (19%) and on par with cities like Denver and Austin (both 22%). Additionally, minority groups make up approximately 35% of the city’s population, of which one-fifth identify as Latino. The majority of these groups live west of Interstate 15. Conversely, Salt Lake City has an unusually low population of seniors, with those age 65 and older only accounting for 10% of the population. These demographic characteristics are important to understanding the unique housing wants and needs of the population as a whole. Each generation has different ideas and behaviors that influence their decisions at each stage of life, and in the aggregate create the demand for housing that the city is currently experiencing.

Salt Lake City is in the beginning stages of a systemic housing crisis that highlights the shortcomings of the multi-year economic rally. While many factors have contributed to the housing crisis, at its root is the demand for housing in Salt Lake City driving up home prices and rental rates at a faster pace than wage increases. Between 2011 and 2014, rental rates increased two times faster than the wage increase for renters. Additionally, home sale prices increased four times faster than the wages of homeowners. Unabated, this trend will impact greater numbers of low- and middle-income residents of the city every year pushing out those that make it diverse and dynamic.

The growing disparity between wages and rental rates will create greater instability in the lives of low-income households as they are forced into homelessness or become more cost-burdened. There is currently a 7,467 unit deficit for the 12,624 residents living in poverty and making $20,000 per year or less. In the absence of these units, people are forced to live in unclean, crowded, and unsafe conditions, or forced into homelessness. These residents require a rental rate of $500 per month or less or the burden of housing becomes overwhelming. Today, 49% of renters and 22% percent of homeowners in Salt Lake City spend more than 30% of their income on housing. Additionally, 24% of renters are
severely cost-burdened, spending more than 50% of their income on housing. For those already living in poverty, being cost burdened by their housing can result in having as little as $500 remaining each month to cover all other costs, including food and healthcare. These groups are also likely to miss rental and mortgage payments, placing the stability of their home in jeopardy. Such a burden has significant impact on children and their lifetime potential for success. Children that are hungry, move frequently, and experience high stress environments at home are less likely to perform well in school, which in turn can contribute to the intergenerational impacts of cost-burdened households and poverty.

**The housing crisis also impacts middle-income households.** The historically low vacancy rate of 2% in Salt Lake City has driven prices up in every neighborhood. In many cases, middle-income households are forced to make the decision to locate in neighborhoods that they would not otherwise choose, take on greater amounts of debt, or move to another community. In August 2016, Salt Lake City conducted the Salt Lake Live Work Survey, which included people that commuted into the city for work. Among these commuters, 52% indicated that they would consider living in Salt Lake City if housing were more affordable. Salt Lake City’s population grows by 60% every day from in-commuters, which creates significant stress on our transportation network and the environment. Providing more affordable options could greatly reduce these impacts, which are shared by all residents.

**Exacerbating the housing crisis are local barriers to housing development.** These barriers, such as density limitations, prohibitions on different types of housing, and other development regulations, have contributed in part to a general supply deficit and economic segregation. Many of these regulations were created at a time of population contraction. For example, much of the east side of the city is zoned for single-family scale development, which significantly reduces the number of residential units that can be built and drives up prices for the limited supply that is available. While the current building boom is in part supported by improvements in land use regulations that were made throughout the last decade, the expanded application of these improvements, as well as further modernization, is required to reduce local barriers and create more housing opportunities throughout the city for low-income households. The removal of these barriers will not solve the housing crisis on its own. Without well-crafted policies and additional incentives, creating greater flexibility could result in the displacement of affordable housing. However, if done correctly, the removal of local barriers is fundamental to opening up neighborhoods with quality infrastructure, as well as strong educational, social, economic, and culture networks and institutions, to low- and moderate-income households. Raj Chetty, a professor of Economics at Stanford

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### WHAT IS “AFFORDABLE” HOUSING IN SLC?

Housing and utilities for a renter and monthly mortgage payment and housing expenses for a homeowner should be less than 30% of a household’s gross monthly income.

A single person household in Salt Lake County has an Area Median Income (AMI) of $51,690; the AMI for a family of four is $73,800.

Affordable housing for a single person in Salt Lake City currently earning 60% AMI, or $41,350, would be a rental costing approximately $1,034/month, or a home priced around $175,000 (est. mortgage $824/mo + taxes and insurance).

Affordable housing for a Salt Lake City family of four earning 80% AMI, or $59,050, would be a rental costing about $1,476/month or a home priced around $265,000 (est. mortgage $1,193/month + taxes and insurance).

Source: Salt Lake County Community Resources and Development (2016 Area Median Income).
University and co-author of “The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Project,” found that children that move to neighborhoods with less poverty will have a higher earning potential than their peers. While earning potential, is not the only measurement of success, it is an indicator that policies that effectuate economic segregation also contribute to intergenerational poverty. It’s critical that these barriers be removed to create greater opportunity for the residents of Salt Lake City and contribute to further breaking down the systems that perpetuate poverty in our community.

**In addition to locally created barriers, resolving the housing crisis will also require addressing the economic inequities in the market.** This includes providing financial assistance to renters, programs to support home-ownership, financial incentives for developers, and risk mitigation for landlords, with the end goal of decreasing the cost of renting or owning a home for low- and moderate-income households and increasing the amount of funding they have available for rent and mortgage payments. These fixes are not inexpensive, and will require a long-term and sustainable funding source. The development of such a funding source will require support from the community and a network of committed local partners.

**The systemic affordable housing crisis has implications for every Salt Lake City resident and business.** While the unique needs of our vulnerable population such as those with disabilities, refugees, or people experiencing homeless are not specifically addressed, this plan creates a flexible framework that can address the needs of these groups as they too search for affordable housing options. Resolving the crisis will require a community wide effort to embrace change and develop a willingness to invest a little to change a lot. The following are the housing goals and objectives established in this plan. Through these goals and objectives, Salt Lake City will work to remove local barriers to housing development, address economic conditions that prevent the development and preservation of affordable housing, and support access to affordable housing for all Salt Lake City residents.
Goal 1: Reform City practices to promote a responsive, affordable, high-opportunity housing market.

Objective 1: Modernize land-use and zoning regulations to reflect the affordability needs of a growing, pioneering city.

Objective 2: Remove impediments in City processes to encourage housing development.

Objective 3: Lead in the construction of innovative housing solutions.

Objective 4: Provide residents, community advocates, business leaders, and elected officials with high-quality data to drive decision-making.

Goal 2: Increase housing opportunities for cost-burdened households

Objective 1: Prioritize the development of new affordable housing with an emphasis on households earning 40% AMI and below.

Objective 2: Pursue funding for affordable housing opportunities.

Objective 3: Stabilize very low-income renters.

Objective 4: Secure and preserve long-term affordability.

Objective 5: Work with landlords to improve their housing stock and rent to very low-income households earning 40% AMI and below.

Objective 6: Increase home ownership opportunities.

Goal 3: Build a more equitable city.

Objective 1: Eliminate incidences of housing discrimination in Salt Lake City.

Objective 2: Align resources to create areas of opportunity.

Objective 3: Implement lifecycle housing principles in neighborhoods throughout the city.
Growing Salt Lake: 2017-2021

SNAPSHOT SALT LAKE: SUMMARY

Nearly 4 of every 10 Salt Lake City residents is an adult millennial (between 18 and 34 years old). Demand for housing in walkable neighborhoods and non-single family housing types by this demographic will drive the housing market for the next decade.

In addition, similar housing choice preferences among the Baby Boomer cohort as they retire will put added pressure on urban types of housing development.

Nearly one-half of all renters in Salt Lake City are cost-burdened, and nearly one-quarter are extremely cost-burdened (spend more than 50% of income on rent).

Homeowners in Salt Lake City are increasingly cost-burdened. Wages over the last 5 years have not nearly kept pace with the average home sale price in the city.

With an average annual cost in Utah of more than $18,000 to own and operate two cars per household, the option of transit access can have a major impact on the financial stability of a cost burdened household. It is imperative that new housing be constructed in the right locations of the city.

(Source: Utah Business)

Salt Lake City has a very high in-commuter percentage as a portion of the city’s total workforce relative to comparable cities. Of those surveyed, 52% of in-commuters would consider relocating to Salt Lake City if housing were more affordable. (Salt Lake Live Work Survey, 2016)
RENTAL HOUSING

8.400 Rental Housing – Title. Sections 8.405 through 8.440 of this code constitute the “City Rental Housing Code,” and may be referred to as such.

(Section 8.400 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)

8.405 Rental Housing - Purpose. The purpose of this City Rental Housing Code is to provide minimum habitability criteria to safeguard health, property and public wellbeing of the owners, occupants and users of rental housing and is intended to supplement rather than conflict with the habitability standards of the State of Oregon Residential Landlord and Tenant Act.

(Section 8.405 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)

8.410 Rental Housing – Applicability.

(1) Except as provided in subsection (2) of this section, the standards provided in section 8.425 of this code shall apply to all rental housing.

(2) The following living arrangements are excluded from the application of sections 8.405 through 8.440 of this code:

(a) Occupancy in transient lodging;
(b) Occupancy in hospitals and other medical facilities;
(c) Occupancy in residential care facilities licensed by the State;
(d) Occupancy in institutions providing educational, counseling, religious or similar service, but not including residence in off-campus, non-dormitory housing;
(e) Occupancy in a dwelling occupied for no more than 90 days by a purchaser prior to the scheduled closing of a real estate sale or by a seller following the closing of a sale, as permitted under the terms of an agreement for sale of a dwelling unit or the property of which it is a part;
(f) Occupancy by a member of a fraternal or social organization in a structure operated for the benefit of the organization;
(g) Occupancy in a dwelling by a squatter;
(h) Occupancy in a vacation dwelling;
(i) Occupancy in a dwelling by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises;
(j) Occupancy by an owner of a condominium unit or holder of a proprietary lease in a cooperative; and
(k) Occupancy in premises rented to be used by the occupant primarily for agricultural purposes.

(Section 8.410 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)
8.415 **Rental Housing – Definitions.** For purposes of sections 8.400 through 8.440 of this code, the following words and phrases mean:

**Agent.** A person authorized to act on behalf of another person.

**Building code.** The currently adopted edition of the State of Oregon Structural Specialty Code or Oregon Residential Specialty Code.

**City Manager.** The city manager or the manager’s designee.

**Dwelling unit.** A building or portion of a building that is used as a home, residence or sleeping place by one or more persons who maintain a household. For purposes of this City Rental Housing Code, where portions of a residential building are occupied under separate rental agreements, but tenants share eating, cooking, and/or sanitation facilities, each portion under a separate rental agreement shall be considered a dwelling unit.

**Habitable room.** Any room used for sleeping, living, cooking or dining purposes, but excluding closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.

**Mechanical code.** The current edition of the State of Oregon Mechanical Specialty Code or Oregon Residential Specialty Code.

**Plumbing code.** The current edition of the State of Oregon Plumbing Specialty Code or Oregon Residential Specialty Code.

**Rental agreement.** All written or oral agreements concerning the use and occupancy of a dwelling unit and premises. “Rental agreement” includes a lease.

**Rental housing.** A legal dwelling unit which is the subject of a rental agreement.

**Transient lodging.** A room or suite of rooms which is occupied not as a principal residence by persons for periods of less than 30 consecutive days.

(Section 8.415 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)

8.420 **Rental Housing – Dangerous Buildings.** Conditions which constitute a dangerous building and procedures for abating them are provided in Section 8.005(25) of this code.

(Section 8.420 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)

8.425 **Rental Housing – Standards.**
(1) **Structural Integrity.** Roofs, floors, walls, foundations and all other structural components shall be capable of resisting loads prescribed by the building code in effect at the time of construction.

(2) **Plumbing.**
   
   (a) Plumbing systems shall be maintained in a safe and sanitary condition and shall be free of defects, leaks and obstructions. The presence of significant visible mold may be a symptom of faulty plumbing, however, the presence of mold, by itself, is not a violation for purposes of sections 8.400 through 8.440 of this code.
   
   (b) Repairs must be permanent rather than temporary and shall be through generally accepted plumbing methods. If significant visible mold results from faulty plumbing, repairs must include removing the mold, which may include mold on or in interior walls, sheetrock, insulation, floors, carpets or carpet backing.

(3) **Heating.**
   
   (a) A permanently installed heat source able to provide a room temperature of 68 degrees Fahrenheit three feet above the floor, measured in the approximate center of the room, in all habitable rooms. Portable space heaters shall not be used to achieve compliance with this section.
   
   (b) All heating devices or appliances shall conform to applicable law at the time of installation.
   
   (c) Ventilation for fuel-burning heating appliances shall be as required by the Mechanical Code at the time of installation.

(4) **Weatherproofing.**
   
   (a) Roof, exterior walls, windows and doors shall be maintained to prevent water intrusion into the building envelope which may cause damage to the structure or its contents or may adversely affect the health of an occupant. The presence of significant visible mold may be a symptom of faulty weatherproofing, however, the presence of mold, by itself, is not a violation for purposes of sections 8.400 through 8.440 of this code.
   
   (b) Repairs must be permanent rather than temporary and shall be through generally accepted construction methods. If significant visible mold results from faulty weatherproofing, repairs must include removing the mold, which may include mold on or in interior walls, sheetrock, insulation, floors, carpets or carpet backing.

(5) **Security.** Doors and windows leading into a dwelling unit must be equipped with locks and shall be maintained in a condition so as to restrict access into the dwelling unit.

(6) **Smoke detectors.** Every dwelling unit shall be equipped with an approved and properly functioning smoke alarm or smoke detector
installed and maintained in accordance with the state building code, ORS 479.270, 479.275, and 479.285, and applicable rules of the State Fire Marshal.

(7) **Interpretations.**
(a) The city manager is empowered to render interpretations of sections 8.400 through 8.440 of this code.
(b) Such interpretations shall be consistent with the purpose of this code.

(Section 8.425 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2008; amended by Ordinance No. 20408, enacted May 27, 2008, effective June 30, 2008; to sunset December 31, 2011; and amended by Ordinance No. 20431, enacted April 27, 2009, effective May 29, 2009; and to sunset December 31, 2011.)

8.430 **Rental Housing – Enforcement.**

(1) **Authority.** The city manager may enforce all the provisions of sections 8.400 through 8.440 of this code.

(2) **Complaint.**
(a) A complaint must be in writing and may be filed in person or by mail or fax.
(b) A person who files a complaint must be a party to the current rental agreement covering the property in question or an agent of the party.
(c) A complaint must include the following:
   1. Name of person filing the complaint and, if different, the name of the affected tenant. Complaints may not be submitted anonymously;
   2. Name of the owner or the owner’s agent;
   3. Address of the dwelling unit with the alleged violation;
   4. A complete description of the alleged violation; and
   5. A copy of the written notice of the alleged code violation that has been sent by the tenant to the owner or the owner’s agent
(d) Complaints shall be processed by the city manager. The city manager shall adopt rules pursuant to section 2.019 of this code that specify the procedure to be followed in processing complaints. Before initiating an investigation under subsection (3) of this section, the city manager shall:
   1. Confirm that the complainant has standing to file a complaint;
   2. Confirm that the subject of the complaint could be a violation of this code;
   3. Confirm that the owner or the owner’s agent has had ten days since mailing of the written notice by the tenant to respond to the complaint; and
   4. Provide notice to the owner or the owner’s agent of the complaint per written procedures.
(3) **Investigations.**
(a) The city manager shall initiate investigations only after completion of the process in subsection (2) of this section.
(b) The city manager shall conduct an investigation to confirm the validity of the complaint.
(c) If the city manager determines that the complaint is not valid, the case shall be closed and all parties notified.
(d) If the city manager determines that the complaint is valid, the city manager shall issue a notice and order pursuant to subsection (5) of this section.

(4) **Inspection and Right of Entry.** When it may be necessary to inspect to enforce the provisions of sections 8.400 through 8.440 of this code, the city manager may enter the building or premises at reasonable times to inspect or to perform the duties imposed therein, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the city manager shall first make a reasonable effort to locate the owner, the owner’s agent, or other person having charge or control of the building or premises and request entry. If entry is refused by the owner, the city manager shall have recourse to every remedy provided by law to secure entry, including issuance of administrative search warrants. If entry is refused by the tenant, the complaint may be dismissed and the case closed. The city shall provide notice to the owner or owner’s agent not less than 24 hours prior to a scheduled inspection of the premises in order to afford the owner or landlord the opportunity to be present during the inspection.

(5) **Notices and Orders.**
(a) For valid complaints, the city manager shall issue an order to the owner or the owner’s agent. The notice and order shall include the following:
1. Address and unit number if applicable;
2. A statement that the city manager has found the premises to be in violation of section 8.425 of this code as alleged in the complaint;
3. A description of the violation;
4. A deadline for completing repairs of ten days, unless the city manager determines that the necessary repairs cannot be completed within the ten day period. If the city manager makes such a determination, the owner or owner’s agent shall submit a compliance schedule acceptable to the city within ten days;
5. A statement advising the owner or the owner’s agent that if the required repairs are not completed by the deadline stated in the notice and order, the city manager may:
   a. Issue an administrative civil penalty, or initiate a prosecution in municipal court, or both; and
b. Initiate action to recover all city costs associated with the processing of the complaint, investigation and the resolution of the issue.

6. A statement that the owner or the owner’s agent may appeal the notice and order as specified in section 8.435 of this code; and;

7. The date after which a reinspection will be scheduled.

(b) The city manager shall mail the order, and any amended or supplemental notice and order, to the tenant and to the owner or the owner’s agent by first class mail.

(6) **Failure to Comply.** Failure to comply with the notice and order issued under subsection (5) of this section by the specified date shall constitute a violation subject to the penalties contained in section 8.995 of this code.

(Section 8.430 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)

8.435 Rental Housing – Appeals. Any owner or owner’s agent upon whom an order is served under section 8.430 of this code shall have the right to appeal within the time and in the manner provided in section 2.021 of this code. The appeal must include the applicable fee.

(Section 8.435 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)

8.440 Rental Housing – Registration and Fees.

(1) All rental housing not excluded under 8.410(2) shall be registered with the city on a form and in a manner to be determined by the city manager.

(2) For the purpose of offsetting the costs to the city associated with the enforcement of this code, the city manager, using the process contained in section 2.020 of this code, shall set an annual fee for each dwelling unit covered by a rental agreement.

(3) The following unit types, while subject to the standards, enforcement procedures, and other requirements established in sections 8.400 through 8.440 of this code, shall be exempt from the fee payment requirements:

   (a) Rentals with a recorded deed restriction requiring the units to be rented affordably to households at or below 60 percent of the Area Median Income; and

   (b) Rentals that have been approved by the city for an exemption from property taxes pursuant to sections 2.910 to 2.922 and 2.937 to 2.940 of this code or that are recognized by the city as exempt from property taxes pursuant to ORS 307.092.

(4) The owner or the owner’s agent shall be responsible for paying the annual fee. The total annual fee shall be paid for any dwelling unit which is covered by this Rental Housing Code for any portion of that calendar year.
(5) For each month in which the annual fee is not paid by the date specified in the written notice of payment, a penalty shall be assessed to the owner or the owner's agent. The amount of the penalty shall be set by administrative rule by using the process contained in section 2.020 of this code.

(6) The city manager may initiate appropriate action to collect the fees due. All costs associated with these actions, including attorney fees, may be assessed to the owner or the owner's agent.

(Section 8.440 added by Ordinance No. 20329, enacted November 30, 2004, effective December 30, 2004; to sunset December 31, 2011.)
The City of Richardson is committed to keeping all residential dwellings, attractive, healthy and safe.

To assist in this effort, the Community Services Department offers interior and exterior inspections for all rental properties. This helps ensure that the property adheres to regulations designed to protect the safety and welfare of the tenants.

How can I ensure the safety of my tenants and maintain my property to minimum property standards?

Community Services staff is available to conduct inspections of your property for minimum fire, building and health standards that could affect the safety of the tenants and property.

What should I check in my rental house prior to occupancy by a tenant?

**Interior**
- Smoke alarms must be in all sleeping rooms, in hallways adjacent to the sleeping rooms and at least one located on each floor
- Make sure the windows and doors open and close easily and latch securely without the use of prohibited locks
- Inspect all plumbing fixtures including hot water heaters, faucets, toilets and sewage systems to ensure they are functional and installed properly
- Inspect all electrical outlets and fixtures for exposed wiring, missing light bulbs and missing light shields
- Inspect circuit breaker boxes for missing blanks
- Make sure the air conditioner and furnace systems are in good working condition
- Make certain dryer vents are not clogged with lint or debris and exit to the exterior of the building

**Exterior**
- All fences around a pool need to be in good repair and the gate needs to be self-closing and self-latching
- Swimming pools should be clearly visible all the way to the bottom
- Accessory structures should be in good repair and have no missing or deteriorated wood, siding or paint
- Roof systems, including gutters, soffits and fascia should be in good repair
- Exterior walls including brick, siding and stucco should be free of breaks or cracks that could admit dampness into the interior of the wall cavity

How do I register a new rental property or update an existing registration for a property?

- Complete the registration process online at http://www.cor.net/rental or fill out a registration form and return it to our office, fax it to 972-744-5802 or email it to russell.bull@cor.gov
- A rental registration fee of $75.00 is assessed for each property. This fee is due in January for the calendar year. A statement for the rental registration fee will be mailed to you on January 2 or within 30 days of receiving an initial registration form if you register a property during the year
- Tenant information should be updated within 30 days of a change in tenants
- Review your registration form every January for updates to phone numbers and email addresses. This will allow us to contact you with any pertinent information or reminders regarding your property or the Rental Registration Program in the future.

For questions regarding the registration or inspection of rental properties, please contact the Community Services Department at 972-744-4180.
The City of Richardson is committed to keeping all residential dwellings, attractive, healthy and safe.

Interior and exterior inspections of each rental property are highly recommended to ensure the property adheres to regulations designed to protect the safety and welfare of the tenants.

To assist in this effort, the Community Services Department will conduct inspections of your property for minimum fire, building and health standards that could affect the safety of the tenants and property. Some of the items we inspect are the electrical panel, smoke detector, bath and kitchen faucets, sheetrock, heating equipment, broken windows, electrical outlets, water heater and fire hazards.

How do I get an inspection of my rental house?

Contact the Community Services Department at 972-744-4180 to schedule an inspection of your property.

What do I need to check upon moving into a rental property?

**Interior**
- Smoke alarms must be provided in all sleeping rooms, in the hallways adjacent to the sleeping rooms and at least one located on each floor
- Make sure the windows and doors open and close easily and latch securely without the use of prohibited locks
- Inspect all plumbing fixtures including hot water heaters, faucets, toilets and sewage systems to ensure they are functional and installed properly
- Inspect all electrical outlets and fixtures for exposed wiring, missing light bulbs and missing light shields
- Inspect circuit breaker boxes for missing blanks
- Make sure the air conditioner and furnace systems are in good working condition
- Make certain dryer vents are not clogged with lint or debris and exit to the exterior of the building

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- All fences around a pool need to be in good repair and the gate needs to be self-closing and self-latching
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- Roof systems, including gutters, soffits and fascia should be in good repair
- Exterior walls including brick, siding and stucco should be free of breaks or cracks that could admit dampness into the interior of the wall cavity

For questions regarding the registration or inspection of rental properties, please contact the Community Services Department at 972-744-4180.
Single Family Rental Inspection

- Single-Family Rental Registration Form and Invoice
- Single-Family Rental Inspection List
- Other City Code Violations Inspected
- Environmental Services E-Links

Single-Family Rental Registration

Annual registration for all single-family homes and duplexes are processed and sent out in December for the following year. Property owners are required to submit the registration and registration payment no later than March 1st.

In 2009, the City Council amended the city ordinance requiring a registration fee for single-family and duplex rentals in the City. The registration fee is $50 for each rental property. The fee is meant to cover the cost of the inspection program.

Registration requires submittal of the registration form along with payment of the registration fee at the same time. The City will not accept registration material without payment of the fee. Failure to properly register a single-family or duplex rental property with the City may result in a citation and fine of $500 per day for each day the property remains unregistered.

If you have a new rental property or have not registered your rental property previously, please call 972-466-5727 to have a registration material mailed to you.

We are sorry but at this time we are not able to offer an online registration and payment procedure for the rental registration.

Single-Family Rental Program

The Single Family Rental Registration and Inspection Ordinance passed by the City Council ensures tenants and landlords of residential rental properties, are involved in maintaining single family homes in a safe and sanitary condition. The Single-Family Rental Inspection Program is an effective way of ensuring a sustainable community and safe housing is available in all of the neighborhoods in Carrollton.

On Tuesday, February 7, 2006 the Carrollton City Council passed the Single-Family Rental Registration Ordinance. This ordinance requires all property owners and companies who rent or lease single-family homes or duplexes in the Carrollton to register those rental properties with the City and to have them inspected by the City.

A review of code enforcement cases found single family rental properties are approximately 15 percent of single family homes in Carrollton but, they account for a disproportionately high percentage of neighborhood code violations. This diverts staff time from other code enforcement duties and has a negative effect on the surrounding homes.

In response to this problem a Single-Family Rental Inspection Program is underway. Its objective is to improve the overall condition of rental properties and to provide decent and affordable housing without being a blight on surrounding homes, thus helping enhance property values within the affected neighborhoods.

The first steps involved with the program involves identifying all the single family rental homes in Carrollton. Next is notifying the owners and tenants of the new program and the requirements to register the properties with the City.
Registration of all single family rental property is scheduled to be completed on an annual basis.

The landlords, tenants and the community will benefit by:

- Documenting and recording the conditions of the rental properties.
- Education about rights and responsibilities of owners and tenants.
- Insure that tenants are provided with safe and sanitary housing.
- Promote healthy homes that can protect children and seniors.
- Help identify dangerous structures and eliminate the hazards.
- Help with identification of illegal activity inside the units.
- Help maintain sustainability in an aging community.

For questions regarding this program contact Environmental Services by email at envservices@cityofcarrollton.com or by phone at 972-466-5727.
In 2009, the College Station City Council sought to maintain neighborhood integrity by adopting a rental registration ordinance that requires single-family and duplex rental properties to be registered with the city.

The registration process helps prevent problems and improves communication among neighborhoods, property owners and the city. The program’s goal is to identify rental property ownership with a local contact in case of health, safety or other code violations that might be detrimental to properties, tenants or surrounding neighborhoods. The program also helps the city keep property owners informed of new ordinances, laws or issues that might affect their properties. The intent is to keep neighborhoods safe, clean and peaceful for everyone. Similar programs have been successfully implemented in university communities across the country.

On June 24, 2014, the City Council revised the rental registration ordinance to include a citation provision and a requirement that the lease be presented upon request to the administrator for review. The revisions took effect on Aug. 11, 2014.

The City of College Station defines a family as one or more persons occupying a single dwelling unit that are related by blood, adoption, guardianship, marriage, or are part of a group home for disabled persons. The city does not allow for more than four unrelated individuals to occupy a dwelling unit.
WHO IS RESPONSIBLE FOR REGISTERING?
The rental property owner is responsible for registering. Out-of-town owners must designate a local contact person responsible for the property. The local contact cannot be someone listed on the lease and must reside within 30 miles of CollegeStation City Hall. Tenants are not required to register.

ARE ALL RENTAL UNITS REQUIRED TO REGISTER?
No. The ordinance only applies to single-family, duplexes and townhome rental properties. Single-family or duplex dwelling units that are not owner occupied - regardless if rent is charged - are considered rental properties. Residential structures providing complete, independent living facilities for two separate families—including permanent provisions for living, sleeping, cooking, eating and sanitation in each unit—are considered duplex dwellings. Residential units that provide complete, independent living facilities for one family including permanent provisions for living, sleeping, cooking, eating and sanitation—are considered single-family dwellings.

HOW DO I REGISTER?
Property owners register by submitting a completed rental registration form with the annual fee of $15 for single-family structures or $7.50 per each side of a duplex. Registration must be renewed each year. The rental registration form can be downloaded from cstx.gov/rentalregistration or picked up from Community Services at 511 University Dr. East.

WHAT IF I HAVE A CHANGE OF TENANTS?
Property owners do not need to provide change of tenant information to the city, but current tenant information should be retained by the local contact person and made available when necessary.

WHO HAS ACCESS TO RENTAL REGISTRATION INFORMATION?
The database is maintained only for city use, but is considered public record if requested.

CAN I APPEAL A CITATION?
Yes, you are entitled to due process, including an administrative hearing and the right to judicial appeal.

HOW IS THE ORDINANCE ENFORCED?
The city issues citations for code violations. The city issues a written citation or summons request to Municipal Court for code violations.

Violations include:
• Failure to register a non-owner occupied property.
• Refusing to allow the review of required documents or information.
• Providing false information.

Each day a violation continues is a separate offense.

If you receive a citation or summons to Municipal Court, you must contact the Court Administrator to pay the fine or arrange for a plea and hearing within 10 days of the citation/summons.

CITATION AMOUNTS
First Offense $180
Second Offense $330
Third Offense $480

For more information or to review the ordinance, 979-764-6363
cstx.gov/rentalregistration
Frequently Asked Questions

- What is the purpose of Chapter 27?
  The purpose of Chapter 27 “Minimum Property Standards” is to protect the health, safety, morals, and welfare of Dallas residents by establishing minimum standards applicable to residential and nonresidential structures.

- What rental properties must be registered?
  All non-owner occupied structures, which include single family homes, duplex units, and individual condominium units.

- What is the fee for a single family rental property?
  The fee for single family rental properties is $43 annually.

- I live in another state, would I need to attend the inspection?
  No, the tenant or the owner’s agent may attend the inspection.

- My job has been relocated outside of Dallas and I am renting the house until it sells. Is registration mandatory?
  There are exemptions for this situation with some limits. If the owner has had a homestead exemption on the property within the last 2 years, it does not need to be registered. For further information, please contact 214-671-RENT.

- How long does registration last?
  For one year from the date of registration.

- Am I eligible for a refund if I sell my single family rental property?
  There are no refunds of registration fees for single family rental properties.
Summer is almost here! Schedule your FREE DWU irrigation system check-up today/ conserve water! [bit.ly/1i7srEU]

Vote for @DallasZoo as the best in U.S. at @USATODAY! #10best

CONTACT INFO

Code Compliance
3112 Canton St
Dallas, Texas 75226
Phone: (214) 670-5708
Fax: (214) 670-3652

- Is a city inspection required for single family rental property?
  Yes. In addition to the required annual inspection by the owner, the City of Dallas will conduct an inspection at least once every five years, but not more frequently than once a year.

- What are the requirements of the single family inspection?
  A printable version of the Rental Housing Inspection Checklist will be available soon.

- Is air conditioned required in all rental properties?
  Yes, the owner must provide refrigerated air equipment capable of maintaining room temperature at least 15 degrees lower than the outside temperature but in no event higher than 85 degrees Fahrenheit in each room of a structure intended for human occupancy. If the outside temperature is over 110 degrees Fahrenheit, then at least one habitable room must meet this criteria.

- How is mold addressed?
  The City of Dallas does not inspect for mold, but will address any violation that is contributing to the excess accumulation of moisture in the area or lack of required ventilation.

- Who is responsible for removing bedbugs?
  Where evidence of an infestation exists, the owner of a building, structure, or property, including a vacant or occupied one- or two-family dwelling, or multifamily dwelling, shall eliminate the infestation using a person licensed under the Texas Structural Pest Control Act, as amended, and repair any condition that contributes to an infestation.

- Are the tenants responsible for bulky trash or high weeds violations?
  Ultimately, the property owner is held responsible for all violations at the property. In addition, attempts will be made to notify the tenant(s) of these types of violations.

- What is the required hot water temperature?
  The required temperature for hot water is 110 degrees Fahrenheit measured at the fixture.

- What languages are required for written leases?
  Upon the occupant’s request, the written lease must be provided in the occupant’s primary language if that is: English, Spanish, or Vietnamese.

- My property is not rented, do I need to register?
  Registration is not required if the property is not rented, but the owner must provide an affidavit stating that fact.

- Must I register a house occupied by a relative?
  No, a house occupied by a blood or marriage relative does not need to be registered.

- What happens if I don’t register my single family rental?
  Failure to register a single family rental may result in a notice of violation by a City of Dallas Code Officer and citations may be issued if the property is not registered as required.

- Can I rent my property with a “Short-Term Rental” program?
  Yes, the property can participate in a “Short-term Rental” program as long as any Hotel Occupancy Taxes
due have been paid by the owner.

- How soon should I submit my application for registration/renewal?

  Your application must be submitted within 60 days of January 1, 2017, or 60 days before the current registration expires.