

Comment No.	Page (1/2017 draft)	Section	City Council Date of Workshop	Comment	Dispensation of Comment
1	2	1.02.01	2/21/2017	There is inconsistency between the SUP processes. The process should be for P&Z to recommend and City Council to approve. P&Z could approve extensions only. I think the phrasing of site plan for a SUP and SUP regulations & procedures is causing some level of confusion.	Completed.
2	2	1.02.01	2/21/2017	Rather than have "decide by application", go ahead a break those out when they occur. For example, tree removal for protected tree, tree removal for signature tree and tree removal for heritage would be listed separately. Also, the tree removal for heritage tree is not listed on City Council.	Completed. Added detailed tree removal approval. Did not split out TIA or subdivision vested rights because approval body depends on the application type (plat, rezoning, etc.), and would be a lot to summarize in the table.
3	2	General	2/21/2017	It is difficult to find the cross referenced tables and figures when using a hard copy. Is it possible to prompt the page number the table appears on? For example, when "Table 30" is referenced, could it instead say "Table 30 (page ###)"?	Completed. Added page number for tables and figures when located on a different page.
4	15	1.03.01.D.	2/21/2017	The refund language is very confusing. Recommend the following: "Unless waived by City Council, the prescribed fee shall not be refundable unless it was submitted in error"	Completed.
5	16	1.04.C.	2/21/2017	Add "Innovative Residential" to the list. Also, Commission commented about the phrase "concept plan" in reference to innovative residential. Is the correct term supposed to be "sketch plan"?	Completed. Added to list, and concept plan corrected to sketch plan.
6	164	2.10.01	2/21/2017	B, D, and E appear to conflict with themselves related to when something is considered accepted, versus complete versus vested. Basically, how would D even occur since we would not accept an incomplete application anyway? How can something expire that was not accepted? Or is this one of those oddly worded provisions to prevent vesting under Ch. 245 (like the old stories of cocktail napkin drawings resulting in vesting)?	Completed. Don't think there's a conflict. B refers to accepting applications. D refers to incomplete applications that have not been accepted. Deleted E.1. to reduce repetition, and moved up items under "E" to next heading level.
7	169	2.10.03.E.3.	2/21/2017	City staff should be responsible for posting the sign. This is how we have done it for years, and it assures sign placement in the best interest of the public (not tucked away in some bushes, etc.)	Completed.
8	170	2.10.03.H.	2/21/2017	From discussions, we think it would be good to include an example of how the 20% protest is calculated. For example, the 200' buffer might equal 10 acres, with six people notified with their respective amounts of acreage within the notice buffer. Basically, demonstrate with a commentary example in the code exactly how the protest is calculated using actual numbers, like a scenario.	Completed. Added: Assume that the 200' buffer surrounding the area subject to rezoning includes 10 acres. If an individual owns 2 acres within the buffer, his/her protest would constitute twenty (20) percent.

9	173	2.10.04.C.5.	2/21/2017	The Commission and City Council would like to go ahead and codify an additional "courtesy notice" beyond 200'. Staff feels 400' would work adequately. Suggestion is to make 2.10.04.C.2.b. "written notice for protest" and then create an additional written notice subsection called "written notice for courtesy interest" that applies to properties 200' to 400'. Include a statement that a property receiving a protest notice is not required to also receive the courtesy notice.	Completed. Added: Written Notice for Courtesy Interest It shall be the City's policy to provide written notification to properties located beyond the required two hundred (200) foot notification area, but within four hundred (400) feet of the property on which the change in classification is proposed. Property owners within the required two hundred (200) foot notification area will not receive a courtesy notice. Property owners within the courtesy area may be heard during the public hearing; however, protests will not count as an toward the twenty (20) percent requirement noted in 2.10.03. H Three-Fourths City Council Vote Required for Protested Amendments. Failure to notify property owners within this courtesy area will not preclude action on the zoning amendment.
10	186	2.10.10.C.3. and 2.10.10.C.4.	2/21/2017	The public hearing process & notification timing for designating historic district overlays and historic district landmarks should be identical to other zoning districts (timing of published & written notices, etc.)	Corrected through complete re-write of Historic Districts sections working with Texas Historical Commission staff.
11	196	2.10.10.E.8.	2/21/2017	The due process for demolition/right to remove seems weak. Sending to Texas Historical Commission/Main Street Program for evaluation.	Corrected through complete re-write of Historic Districts sections working with Texas Historical Commission staff.
12	199	2.10.11.C.3.b.	2/21/2017	Add language to allow discretion to adjust sidewalk placement & dimensions when necessary to protect critical root zones of trees.	Did not make revision. 3.05.07 Sidewalks says "4. Routing to clear poles, trees or other obstacles shall be subject to City Engineer approval", which would allow tree protection. Is revision needed? Applies everywhere, not just in Rural Overlay.
13	200	2.10.11.D.	2/21/2017	Add a provision that fuel pumps must be located to the side or rear of the primary structure in the Rural Overlay	Completed.
14	203	2.10.12.D.	2/21/2017	Recommend creating a use chart showing base zoning, as some of these uses are okay in some parts of the overlay but not in other parts. See attached chart.	Completed.
15	209	2.10.13.F.5.	2/21/2017	There may be some unintended consequences of this provision. Opens opportunity for undesirable structures, such as mobile homes, to get moved around rather than amortized as desired.	Completed. Revised to prohibit relocation.
16	350	4.02.08.Table 37	2/21/2017	O-H covers both residential and commercial uses. Need to differentiate, as generic use of O-H implies that someone could potentially attach a marquee sign to a home. Rather than use O-H, maybe just break out the F3H, F4H and F5H in the table and delete O-H. Also, the rural overlay does not appear in the chart.	Completed.

17	351	4.02.08.all	2/21/2017	On each of the tables for the particular sign type, can we also list the zoning districts allowed? I know it appears on the Table 37 chart, but placing on each sign type as well allows each sign type page to function like a handout with all critical information.	Did not make revision. Recommend against repeating in each district due to potential for future conflicts.
18	352	4.02.08.C.	2/21/2017	Preference is to keep all monument signs a maximum of 12'	Completed.
19	372	4.02.11.C.	2/21/2017	Evaluate violation & removal provisions for efficiency and consistency with other penalty & fine provisions. F&N: Can you please look at this Section to determine how best to streamline sign removal & disposal? Perhaps look at some of the DFW cities with strong sign regulations.	Made modifications to provide for disposal of signs and reference to all legal means being permitted to ensure abatement of violations.
20	19	Table 10.	3/7/2017	The table is missing a reference to 2.03.05. for the R-4 district.	Completed.
21	26	2.03.04.	3/7/2017	The name of this district should be changed to "One & Two Family Residential (R-3) District", and all references throughout the UDC draft updated. The density described in the narrative does not match 2.07.01. on page 59.	Completed.
22	27	2.03.05. and 2.03.06	3/7/2017	R-4 vs. R-5 is not clear. R-4 should be renamed to "Transitional Residential (R-4) District". The type of density shown in R-5 originally should not occur in isolation outside of a mixed use node, which should then be utilizing a form district. Several changes are recommended, as provided in detail in comment 38.	Completed.
23	35	2.05.01.B.	3/7/2017	Add "Development standards in this overlay apply to those parcels abutting the Rural Heritage Right-of-Way, or to those parcels abutting a shallow parcel that does abut the Right-of-Way (for abutting parcels that are within four hundred [400] feet in depth from the Right-of-Way)"	Completed.
24	36	2.05.02.B.	3/7/2017	Update referenced depth from 200' to 400' in order to eliminate potential loophole properties. In addition, the narrative needs to delete FM 2770 and add W. Goforth (from Cedar St. to Interstate 35.	Completed.
25	36	Figure 2.	3/7/2017	Update map to show extension of Gateway Overlay to touch the historic overlay	Completed.
26	41	2.06.04.	3/7/2017	Remove "Dwelling, Multi-Family (3-Plex/4-Plex)" from the R-3 zoning district. See also comment 38 and the referenced substitute table.	Completed.
27	41	2.06.04.	3/7/2017	Remove "Dwelling, Multi-Family (Apartment)" from the R-4 zoning district. See also comment 38 and the referenced substitute table.	Completed.

28	45	2.06.04.	3/7/2017	"Stadium or Play Field, Public" contains insufficiently scaled uses. While a simple ballfield might be fine in any zoning district, a stadium with lighting is cause for concern. Recommend splitting the uses and adding a condition requiring a SUP when lighting is involved.	Changed to SUP based on whether lighting present or not. Split, with stadium or playfield with lighting (S), stadium or playfield without lighting (P).
29	45	2.06.04.	3/7/2017	Prisons and Detention Facilities are not listed as a use. Need to add the use, a specify that it requires a SUP in LI or HI.	Completed.
30	46	2.06.05.	3/7/2017	May want to add a cross-reference regarding appeals to the application or interpretation of conditional uses. May even want to include it with 2.06.02. & 2.06.03.	Completed. Added 2.06.04 as a reminder.
31	48	2.06.05.A.3.	3/7/2017	This language appears twice. Recommend deletion & simply cross-referencing the license contained in 2.06.05.A.1.h.	Completed.
32	49	2.06.05.A.3. and 2.09.07. by reference	3/7/2017	Innovative Residential Development should be defined, and the types of Innovative Residential Development also defined. The definition for Innocative Residential Development should also link to the types. While they are somewhat described, they are terms of art that would benefit from definitions in order to better communicate with layperson users of the UDC document.	Completed.
33	51	2.06.05.A.9.e.	3/7/2017	This condition needs to be clarified that it is intended to apply to open containers, in contrast to package/bottle sales or growler sales in closed/sealed containers.	Completed.
34	51	2.06.05.A.9.f.	3/7/2017	This section can be revised to simply reference the City of Buda Code of Ordinances, as amended, pertaining to Industrial Waste (Chapter 24)	Completed.
35	55	2.06.05.A.18.h.	3/7/2017	Consideration of unintended consequences... Example of an accountant that has an administrative support person come to the home being innocuous. Example also given of a home art studio that might involve some of the listed nuisances (grinding metal of a metal artist)	Completed.
36	56	2.06.05.A.20.	3/7/2017	For clarity, recommend pulling in the locational/zoning restrictions from the separate ordinance in order to make the UDC more useful to businesses as well as the building official. See attached.	Completed.
37	57	2.06.05.A.23.	3/7/2017	Delete "and temporary building material storage areas." That clause seemed ripe for abuse.	Completed.

38	59	2.07.01.	3/7/2017	<p>R-3 thru R-5 need additional consideration in order to differentiate, get desired results and address inconsistencies. Note that the changed lot standards will create a number of existing nonconforming lots--2.10.13.D. (page 206) establishes that undersized existing lots will be considered conforming, though there may be variances requested in the future for reconstructions due to increased side & front setbacks.</p> <p>Explain DUAs are listed for the commercial districts to clarify density when mixed use is involved</p> <p>SEE RECOMMENDED TABLE ATTACHED. Note that in R-3, the only way to actually achieve the listed density is to intermix townhouse and duplex. Goal is a mix of housing types, and if they go entirely single-family detached then the problems seen in Buda with small-lot single-family will be addressed. MAY NEED TO ADD A NOTE/COMMENTARY EXPRESSLY STATING THIS SO FUTURE READERS DO NOT INTERPRET THIS AS AN INCONSISTENCY BETWEEN MINIMUM LOT SIZE AND DUA, AND SO FUTURE READERS UNDERSTAND WHAT THIS PROVISION IS TRYING TO ENCOURAGE.</p>	Completed.
39	59	2.07.	3/7/2017	<p>Recommend adding specific cross-references to regulations. Particularly the water quality restrictions that limit impervious cover. ...Additional area regulations may apply to specific zoning districts and may be found within other sections of this UDC. Likewise, other area standards listed in the tables, such as impervious cover and building coverage, may be altered elsewhere in the UDC depending on a property's particular circumstances.</p>	Completed. Added "Note: Additional area regulations may apply to specific zoning districts and may be found within other sections of this UDC. Likewise, other area standards listed in the tables, such as impervious cover and building coverage, may be altered elsewhere in this UDC depending on a property's particular circumstances. The more stringent regulations shall apply."
40	60	2.07.02.	3/7/2017	<p>Because mixed use is allowed in B-1 thru B-3, there is a need to include a DUA for the residential component. Recommend B-1 at 6 DUA, B-2 at 10 DUA and B-3 at 14 DUA.</p>	Completed.
41	62	2.07.03.	3/7/2017	<p>For patio homes, need to add a design requirement for passive vs. active sides. Recommend adding a provision: "The wall of the dwelling located on the lot line shall have no windows, doors, air conditioning units or any other type of opening."</p>	Completed.
42	60	2.07.02.	3/7/2017	<p>Consider allowance of 0' interior side setback in all, as it is not uncommon for a commercial center that looks like a single building & property to actually be 2-3 buildings on fee-simple ownership land with "party walls" separating them, not unlike a residential townhouse. As an alternative the table could be left as-is, and a section added to Modified Area Regulations to craft language to address commercial buildings on separate lots with a shared "party wall."</p>	Completed. Changed to "0"
43	113	2.09.02.D.	3/21/2017	<p>Retitle simple as "Electric Fences" since there are provisions that apply in districts other than AG</p>	Completed

44	114	2.09.02.E.4&6	3/21/2017	Modify to allow use of chain link for residential for side and rear fences not facing a public street	Completed
45	124	2.09.04.Table 17	3/21/2017	Would be comfortable reducing rear setbacks in circumstances involving detached garages down to 10' provided height does not exceed 20'	Completed.
46	126	2.09.05.A.2.	3/21/2017	<p>Add a "c." that grants an exemption to exterior materials for circumstances in which the percentage of Class 1 or Class 2 is less than the requirement of "a."</p> <p>Also add a "d." that clearly states the Historic Preservation Commission may waive Section 2.09.05.A. for properties within the Historic Overlay District.</p> <p>Also, I think 2.09.05.C.2.a.i.(a) is supposed to say Class 1 rather than Class 2. Class 1 is stone/brick while Class 2 is stucco/cement-fiber. I think our intent is to require Class 1 on the front.</p>	<p>Completed. Added "An exemption is granted to exterior materials when the existing percentage of Class 1: Masonry Construction or Class 2: Masonry Construction materials is less than the requirement of a above"</p> <p>Corrected Class 1 reference</p> <p>Added a new "D" for development in the O-H.</p>
47	127	2.09.05.D.	3/21/2017	This section can be deleted. Definitions of various classes of masonry are sufficient and any product that clearly doesn't fit the definition should be brought as a special exception to P&Z.	Completed.
48	127	2.09.05.	3/21/2017	<p>Define board & batten in definitions</p> <p><i>wall construction that gives the appearance of wide vertical strips with intervening recesses or projections by means of wide boards rabbeted on transverse edges and lapped not to the entire width of the rabbet on one side, or wide boards alternating with narrow and thin battens usually fitting into grooves in the wide boards, or wide boards covered at the seams by narrow usually 2-inch battens</i></p>	Completed.
49	130	2.09.06.D.7.	3/21/2017	Is the separation distance measured structure to structure, or property line to property line? Example: this is in the form-based area... the service side of the properties facing Main Street is located on Austin Street, which means residences face directly at them. Due to site constraints, it may not be possible to locate dumpsters in a way that results in sufficient separation from single family residences.	Complete. Yes, measured to the property line. Added "unless there is no other feasible location and the Director of Planning determines the placement will not have a significant effect on the nearby residential properties"

50	131	2.09.07.	3/21/2017	There is a need to create actual definitions for "terms of art" in this section. I would suggest creating a definition for "Innovative Residential Development" and then have sub-definitions under it for "Cluster," "Pocket Neighborhoods," "Low Impact Design," and "Traditional Neighborhood Design." The section is capturing intent, but the terms themselves are not well-defined. See recommended definitions attached.	Completed.
51	136	2.09.07.H.	3/21/2017	References 3.05.05.B.1., which no longer exists. Please delete the "Pathways" requirement.	Completed.
52	138	2.09.08.B.	3/21/2017	Add a "e." that establishes that a garage door facing the street cannot comprise more than 50% of the front façade	Completed
53	140	2.09.08.C.4.	3/21/2017	See comment for 2.09.04.Table 17 (comment 45). Cross reference or ensure it is clear that rear setback can be reduced to as little as 10' for rear garages since we want to encourage this design.	Completed. Added new 2.09.08.B.1.c. to allow garages <20' in height to be 10' from rear yard. Did not put under C.4. because those are alternatives. Echoed language from accessory structures; 2.09.08 would still apply in the case of an attached garage.
54	115	2.09.03.B.1.b.	3/21/2017	This can be deleted. There seems to be discomfort in establishing a cap, particularly in situations where a building use may change substantially. The current design of City streets does not facilitate on-street parking as an overflow option in many instances.	Completed.
55	41	2.06.04	3/21/2017	For Multifamily Dwelling (Apartment), add a provision for guest parking. Recommend 1 space per 10 units unless you have a better recommendation. This is based on known issues in existing complexes and the lack of on-street parking as an overflow option.	Completed.
56	128	2.09.06.	3/21/2017	Residential adjacency would clearly apply in circumstances where a form district abuts R-1 thru R-3, but how does it apply with residential uses adjacent to commercial uses within the form districts? For a specific example, how does it apply along Austin Street, where site constraints cause more significant issues on items like dumpster placement? What about the masonry screening wall? What about when a building transitions, such as a residential home in F4H becomes a medical office, adjacent to a single-family home in the adjacent F3H district?	Completed. Added a bullet to Site Design Standards for all Form Districts and a link in Residential Adjacency: "Trash and recycling receptacles may be located within fifty (50) feet of properties used for single family residences but shall be visually screened from adjacent residential uses and pedestrian rights-of-way. Screening shall be achieved through the installation of a wall, a semi-opaque fence, solid vegetative surface or a combination. Screening must be six feet in height or a height sufficient to obscure the refuse receptacles."
57	99	2.08.07.E.	3/21/2017	How do irregular lots fit the dimensional requirements, such as an irregular trapezoid? While this is listed on page 99, I think we should add cross references somewhere obvious in the form based code that link back to how setbacks are applied, building coverage vs. impervious cover, height, etc. like is shown on Figure 6 on page 61	Completed. Added a bullet in Site Design Standards for All Form Based Districts to Figure 6.
58	102	2.08.07.H.	3/21/2017	It appears a source of confusion is that terms are not defined within the form-based code like they are for the regular code. For example, transparency is not linked to the definitions to provide clarity.	Completed.

59	109	2.09.01.B.2.a.	3/21/2017	Need to add a provision that states existing trees can be credited toward meeting this requirement on a equivalent caliper inch basis.	Completed. Didn't specify equivalent caliper because we don't require a certain caliper here. Would need to be on the approved plant list for those tree types though.
60	143	2.09.09.B.2.g.	3/21/2017	Should refer to "Director of Planning" to be consistent with remainder of document and authorities established in Section 1.	Completed.
61	109	2.09.01.D.4.	3/21/2017	This section needs to be rewritten. The grammatical inconsistencies make it difficult to understand.	Completed.
62	64	2.08	4/4/2017	Please see the marked-up version of the Form-Based Code sections	Complete. DW reviewed and addressed all markups in Form-Based Code section.
63	229	Section 3	5/2/2017	Retitle as "Subdivision Regulations and Development Standards" since it also addresses some single-parcel issues (TIA, access management, etc.)	Completed.
64	234	3.02.01.	5/2/2017	Add appropriate cross reference to defining completeness (see page 15)	Disregarded upon consultation with staff regarding reference location.
65	237	3.02.03.D.2.a.	5/2/2017	Change personal notice from 10 days to 15 days for administrative consistency	Completed.
66	240	3.03.01.	5/2/2017	Process diagram needs a few additional notes (cases of fiscal surety allowing plat recording prior to full construction of improvements, etc.)	Completed. Added Fig 54.
67	242	3.03.04.	5/2/2017	Types of plats table requires update to reflect P&Z as primary approval authority... City Council only involved for waivers, etc.	Completed.
68	263	3.03.12.	5/2/2017	P&Z would like to be involved earlier in the process given level of discretion involved.	City staff and consultants are further researching, and have not been able to find many cities with formalized processes nor any that have established criteria.
69	264	3.03.12.C.	5/2/2017	Strengthen the criteria for Development Agreements. Generally, the City wants to avoid use of Development Agreements as a means to modify development standards, etc. Maybe look toward adapting the approval criteria for zoning changes, PUDs, waivers, etc.	Partially addressed. Specified that Development Agreements are only for improvements, and removed "modification" (now only for "delay"). City staff and consultants are further researching, and have not been able to find many cities with formalized processes nor any that have established criteria.
70	286	3.05.08.D.1.	5/2/2017	In Table 32, update ratio for 500+ lots to be "1 + 0.7 per 100 lots."	Completed.
71	287	3.05.08.D.4.	5/2/2017	Director of Planning/City Engineer do not have authority to waive; must go through P&Z and City Council like any other subdivision-related waiver.	Completed.
72	287	3.05.08.F.1.	5/2/2017	Alleys can be asphalt.	Completed.
73	304	3.05.12.A.3.	5/2/2017	Need to clarify that city is responsible for maintaining ponds for single-family residential subdivisions only; multifamily, commercial & industrial are responsibility of property owner.	Completed.

74	308	3.05.13.B.1.a.	5/2/2017	Need to clarify that connection is required to the City or an existing public utility with a Certificate of Convenience and Necessity. Other water utilities are within Buda's subdivision jurisdiction, such as Go forth and Monarch	Completed.
75	308	3.05.13.A.4.a.	5/2/2017	Should refer to water capacity rather than wastewater.	Completed.
76	308	3.05.13.B.4.	5/2/2017	Need to add requirement that hydrants provide sufficient pressure for fire protection in accordance with City's adopted fire codes.	Completed.
77	374	4.03.02.A.12.	5/2/2017	Maximum height isn't clear elsewhere in this section (i.e. monopoles, variance types of stealth facilities, etc.); can't be just limited to max height for zoning district (would probably violate FCC)	Completed. Added note that it's subject to FCC.
78	377	4.03.03.D.	5/2/2017	Not necessary to state building permit in Table 38; just put a note that building permits may be required in accordance with the city's adopted building codes.	Completed.
79	378	4.03.04.D.	5/2/2017	Need to include all form-based districts in this category. The land use thresholds for the different categories of wireless facility placement are tied to Residential or nonresidential zoning districts. The form districts don't fit cleanly into one or the other, especially when mixed use is involved. Essentially, it creates a question about how wireless facilities are treated in any of the Form Based Districts. Given the sensitivity of FBC areas, I thought the most restrictive "DR" category was the best choice/fit for FBC districts.	Completed.
80	386	4.04.	5/2/2017	Note: definitions absent for caliper inch, critical root zone, etc.	Completed.
81	386	4.04.01.B.2&3.	5/2/2017	The exemptions in 2 & 3 regarding building footprints and easements can be removed. These exemptions have been manipulated in the past.	Completed.
82	387	4.04.01.D.	5/2/2017	Need to clarify that tree mitigation is IN ADDITION TO required landscaping. Trees preserved can count towards the landscaping as described in 4.04.01.F., but not newly planted trees planted as mitigation. Also, need to clarify that City has authority to limit species & placement to protect above ground and underground infrastructure.	Completed. Added "The Director of Planning is authorized to limit species and placement to protect aboveground and underground infrastructure" in both landscaping and tree preservation sections.

83	387	4.04.01.D.4.	5/2/2017	For trees that die within two years of construction, require mitigation fees be paid at 4X the mitigation fee and also incur a damaged tree fee of \$500? Something to strongly discourage damage during construction. Open to suggestions from F&N.	Completed. Spoke with Austin; added following text: H. Removal of a Protected Tree, Signature Tree, or Heritage Tree without a Tree Removal Permit Any Protected Tree, Signature Tree, or Heritage Tree that is damaged or removed without a Tree Removal Permit, including those damaged during construction or within two (2) years following issuance of a Certificate of Occupancy, shall be subject to the following penalties: 1. Fine equivalent to three (3) times the cost of replacement trees, including installation or planting cost, and 2. Mitigation of the removed tree(s) in accordance with D. Tree Mitigation, and 3. Indefinite conservation of the area in which the tree was located and the tree's Critical Root Zone.
84	411	4.06.	5/2/2017	Flood Damage Prevention standards are being sent to Texas Water Development Board for best practice review. Particularly looking at freeboard provisions in zone X (500-year) and potentially broadening elevation certificate application.	City staff coordinating item; Awaiting final review from Texas Water Development Board.
85	421	4.07.	5/2/2017	Need to update to remove references to oil, gas & mineral wells due to HB 40 from 2015 legislative session. May need to strike this section altogether.	Completed. Section deleted.
86	104	2.09.01	5/2/2017	Need to clarify that tree mitigation is IN ADDITION TO required landscaping. Trees preserved can count towards the landscaping as described in 4.04.01.F., but not newly planted trees planted as mitigation. Also, need to clarify that City has authority to limit species & placement to protect above ground and underground infrastructure.	Completed (repeat comment).
87	231	3.01.04.D.3-5	5/10/2017	D.3. appears to be missing a portion of the sentence or something. It doesn't make sense in isolation.	Completed.
88	233	3.01.06.C.2.a.	5/10/2017	"Director" should be "Director of Planning" for clarity.	Completed.
89	301	3.05.11.A.6.	5/10/2017	See also comment 81. Need to be sure this makes sense with 4.04.01.B.	Evaluation is no conflict present. This is a basic provision for public easements-- that it is ultimately on the property owner if they chose to place improvements in the easement. This is really to put the property owner on notice, rather than to establish what the city's obligations are regarding tree mitigation elsewhere in the Code.
90	396	4.04.02.E.1.c.	5/10/2017	U.S.T.s or "Underground Storage Tanks" needs to be defined. Can probably cross-reference state regulation in the definition.	Completed.
91	404	4.05.04.L.1.	5/10/2017	Rather than "ordinance," should refer to "this code"	Completed.
92	419	4.06.04.C.	5/10/2017	AH and AO are not defined, or at least not completely clear. While these refer to FEMA zones, it would be good to define these better.	Completed. Noted "as defined by FEMA".

93	101	2.08.07.G.	5/10/2017	Want to make the General Building type allowed in F4H when outside of the historic overlay. Maybe update the F4 column to also have F4H with an asterisk. *Building type permitted in F4H where not located within the Historic Overlay.	Completed. DW revised 4H column to F4/F4H* and added note at bottom of table that *Building type permitted in F4H where not located within the Historic Overlay.
94	103	2.08.07.I.	5/10/2017	Want to make the Mixed-Use Building type allowed in F4H when outside of the historic overlay. Maybe update the F4 column to also have F4H with an asterisk. *Building type permitted in F4H where not located within the Historic Overlay.	Completed. DW revised 4H column to F4/F4H* and added note at bottom of table that *Building type permitted in F4H where not located within the Historic Overlay.
95	76	2.08.03.F.4.	5/10/2017	Add General Building and Mixed-Use Building as allowed in F4H when located outside of the Historic Overlay	Completed. DW revised Table 4 to include General and Mixed-Use buildings and added a note at the bottom of table that *Building type permitted in F4H where not located within the Historic Overlay.
96	102	2.08.07.H.	5/10/2017	We are still concerned about opening to door to apartment too much initially in the form-based. We would like to make this building type a SUP in F4 & F5 for now as a means of ensuring that, if proposed, they are thoughtfully integrated into a mixed use setting with strong commerce presence. Mixed Use Buildings are fine though. Do we need to adjust the use table at all, or just address it in 2.08.07.H.	Completed. DW revised column F4 and F5 with an * and added note at bottom of table *Apartments require Specific Use Permit (SUP) when located in F4 and F5. Refer to Section 2.10.09.
97	74	2.08.03.E.4.	5/10/2017	We are still concerned about opening to door to apartment too much initially in the form-based. We would like to make this building type a SUP in F4 & F5 for now as a means of ensuring that, if proposed, they are thoughtfully integrated into a mixed use setting with strong commerce presence. Mixed Use Buildings are fine though. Do we need to adjust the use table at all, or just address it in 2.08.07.H.	Completed. DW revised Table 4 so Apartment buildings have an * and a note at the bottom that says * Apartments require Specific Use Permit (SUP) when located in F4 and F5. Refer to Section 2.10.09.
98	76	2.08.03.G.4.	5/10/2017	We are still concerned about opening to door to apartment too much initially in the form-based. We would like to make this building type a SUP in F4 & F5 for now as a means of ensuring that, if proposed, they are thoughtfully integrated into a mixed use setting with strong commerce presence. Mixed Use Buildings are fine though. Do we need to adjust the use table at all, or just address it in 2.08.07.H.	Completed. DW revised Table 4 so Apartment buildings have an * and a note at the bottom that says * Apartments require Specific Use Permit (SUP) when located in F4 and F5. Refer to Section 2.10.09.
99	64	2.08	5/10/2017	See mark-ups for form-based code.	Completed.
100	404	4.05.04.J.	5/10/2017	Duplicate Maintenance provisions found on 4.05.05.A.5. into this section. Might help resolve part of our problem with pond maintenance costs. Need to discuss with finance creating restricted revenue fund.	Completed. Moved text to 4.05.04 J, and updated reference in 4.05.05A.5. to say the maintenance provisions apply without modification.

101	26	2.03.04.C.1		Delete	Completed.
102	27	2.03.05.C		Delete	Completed.
103	28	2.03.06.C.1		Delete	Completed.

Comment 14

	B-1	B-2	B-3	LI	HI
Automobile or Other Motorized Vehicle Sales				s	p
Automobile Service Garage (Major)				s	p
Automobile Service Garage (Minor)				s	p
Car Wash, Self Service				p	p
Equipment Sales				s	p
Equipment Storage Building or Structure (Pertaining to Wireless Facilities)			s	s	p
Feed Store			s	s	s
Restaurant or Cafeteria, with Curb or Drive-Thru Service		s	s	p	x
Storage Units, Mini				s	p
Warehouse				s	p
Woodworking and Planing Mill					s
Adult Entertainment					
Heavy Industrial or Manufacturing Operations					
Heliport or Helistop					
Laundry, Commercial					
Manufactured Home Sales					
Pawn Shop					
Portable Building Sales					
Taxi Garage or Dispatch					
Wrecking or Auto Salvage					
Credit Access Businesses					

* all conditions listed in 2.06.05. remain applicable

Comment 36

Add the following to 2.06.05.A.20.

Location of nondepository financial institutions

No more than one nondepository financial institution establishment shall be located on a single lot.

Any lot containing a nondepository financial institution establishment shall be located at least one thousand feet (1,000') from any lot containing another nondepository financial institution establishment, as measured in a straight line between the nearest points of one lot to the other lot.

Any lot containing a nondepository financial institution establishment shall be located at least seven hundred fifty feet (750') from a residential district or residential use, school, church, or public or private park as measured in a straight line between the nearest points of the boundary of the applicable zoning district or property line of the aforementioned uses to the property line of the nondepository financial institution.

Any lot containing a nondepository financial institution establishment shall be located at least five hundred feet (500') from the right-of-way of any roadway identified as a highway, parkway or arterial in the city's transportation master plan, as amended, as measured in a straight line between the nearest points of the right-of-way line to the property line of the nondepository financial institution.

	Agricultural (AG) District	Estate Residential (R-1) District	Suburban Residential (R-2) District	1 & 2 Family Residential (R-3) District	Transitional Residential (R-4) District	Multifamily Residential (R-5) District	Manufactured Housing (R-MH) District
Changes appear in highlighted boxes							
2.07.01. Residential Dimensional Regulations Changes							
Minimum Front Yard Setback	35	30	20	20	20	25	20
Minimum Side Yard Setback (Interior/Corner)	20/25	15/20	10/15	7.5/10	5/10	15/20	5/10
Minimum Rear Yard Setback	30	25	25	20	10	20	10
Minimum Lot Area or Maximum Dwelling Units per Acre	120,000	30,000	9,000	6,000/8 DUA*	5,000/12 DUA*	20 DUA	7,500
Minimum Lot Frontage	100	75	50	35	30	60	40
Minimum Lot Width (Interior/Corner)	200/205	100/105	70/75	55/60	35/40	75/80	55/60
Minimum Lot Depth	300	200	100	100	90	N/A	N/A
Maximum Height	35	35	30	30	30	40	30
Maximum Building Coverage	25	25	40	50	50	65	40
Maximum Impervious Cover	30	30	50	60	60	75	45

* DUA for R-3 and R-4 recognizes the potential for multi-unit. Unless otherwise modified by 2.07.03., the minimum lot size shall continue to apply.

2.06.04. Use Chart Changes						
Dwelling, Accessory	P-2	P-2	S-2	S-2	S-2	S-2
Dwelling, Multifamily (Apartment)					X	P
Dwelling, Multifamily (3-Plex/4-Plex)				X	P	P
Dwelling, Single Family (Attached - Duplex)				P	P	P
Dwelling, Single Family (Attached - Townhouse)				P	P	P
Dwelling, Single Family (Detached)	P	P	P	P		
Dwelling, Single Family (Patio Home)			X	P		

R-3 thru R-5 needed additional consideration in order to differentiate, get desired results and address inconsistencies. Note that the changed lot standards will create a number of existing nonconforming lots--2.10.13.D. (page 206) establishes that undersized existing lots will be considered conforming, though there may be variances requested in the future for reconstructions due to increased side & front setbacks.

Note that in R-3, the only way to actually achieve the listed density is to intermix townhouse and duplex. Otherwise, the effective density is approximately 5-6 DUA (R-2 lot area change is effectively 4 DUA, for comparison) once necessary rights-of-way and infrastructure spaces are accounted for. Goal is a mix of housing types, and if they go entirely single-family detached then the problems seen in Buda with small-lot single-family will be addressed (too narrow, too close, poor design, etc.). MAY NEED TO ADD A NOTE/COMMENTARY EXPRESSLY STATING THIS SO FUTURE READERS DO NOT INTERPRET THIS AS AN INCONSISTENCY BETWEEN MINIMUM LOT SIZE AND DUA, AND SO FUTURE READERS UNDERSTAND WHAT THIS PROVISION IS TRYING TO ENCOURAGE.

Comment 50

Innovative Residential Development

Innovative Residential Development is a classification of residential development types that embody the objectives of the Comprehensive Plan, but require some level of unique discretionary review and code adjustments to meet those objectives.

Cluster Development

Often called an open space development or conservation development, Cluster Development is the grouping of residential properties on a development site in order to use the extra land as open space, recreation or agriculture. The purpose of cluster development is to promote integrated site design that is considerate to the natural features and topography; protect environmentally sensitive areas of the development site, as well as permanently preserve important natural features, prime agricultural land, and open space; minimize non-point source pollution through reducing the area of impervious surfaces on the site and creating contiguous green spaces for natural filtration; encourage saving costs on infrastructure and infrastructure maintenance through practices such as decreasing the area that needs to be paved and the decreasing distance that utilities need to be run; and to create more area for open space, recreation and more social interaction.

Pocket Neighborhood

A pocket neighborhood is a type of planned community that consists of grouping of smaller residences, often around a courtyard or common garden, designed to promote a close knit sense of community and neighborliness with an increased level of contact. Considerations involved in planning and zoning pocket neighborhoods include reducing or segregating parking and roadways, the use of shared communal areas that promote social activities, and homes with smaller square footage built in close proximity to one another (high density). Features in the smaller homes are designed to maximize space and can use built in shelves and porch areas, encouraging time spent outside with a focal point around a greenspace (instead of parking areas).

Low Impact Design

Low Impact Design is an approach to land planning and engineering to promote green infrastructure. It emphasizes conservation and use of on-site natural features to protect storm water quality, alternative energy systems, water conservation, use of recycled materials, and other similar attributes in order to minimize the ecological footprint of a development.

Traditional Neighborhood Development

A Traditional Neighborhood Development, or TND, also known as a village-style development, includes a variety of housing types, a mixture of land uses, an active center, a walkable design and often a transit option within a compact neighborhood scale area. TNDs can be developed either as infill in an existing developed area or as a new large scale project. A TND includes a range of housing types, a network of well-connected streets and blocks, a variety of public spaces, and amenities such as stores, schools and places of worship within walking distance of residences. TND reflects an approach to development common prior to World War II.