

DN - Downtown District

The Downtown District is intended to serve the central core of the general area identified as Downtown on the Future Land Use Plan of the City's Comprehensive Plan. It is envisioned that this area will be developed with a higher intensity urban character, which means high lot coverages, build-to lines and limited setbacks, low to no landscaping, and a focus on on-street parking (when applicable). It is also intended to include a mix of both residential (e.g., apartments, lofts, etc.) and nonresidential uses.

DN District Land Uses			
Permitted Land Uses Uses allowed without restrictions/special approvals.	Restricted Land Uses* Uses allowed subject to certain restrictions.	Conditional Land Uses* Uses allowed with approval of a Conditional Use Permit.	Prohibited Land Uses Uses not allowed within the district.
Business or Trade School College/University Community Assembly/Amenity Food & Drink (neighborhood) General Retail Sales Government Local/Neighborhood Utilities Loft Apartment Medical Clinic Medical Office Office Passive Outdoor Recreation Personal Services Resort Hotel Social Service Institution	Apartment Bar or Night Club Bed and Breakfast Lodging Brewery/Distillery/Winery Commercial Parking Education Food & Drink (general) Live-work unit Religious Assembly Townhouse Vehicle Sales and Rentals	Commercial Rec./Entertain. Day-Care Center Full-Service Hotel/Lodging Limited Service Lodging Office-Showroom Rotary Wing Aviation Uses Special Event Venue Transportation Facilities Wireless Transmission Facilities	Animal Clinic or Services Animal Production/Ranching Aviation Uses Fixed Wing Campground Cemetery Commercial Stables Contractor Services Cottage Crop Production and Sales Duplex, Triplex, Quadplex Family Home Child Care Game Ranch Heavy Equipment Sales/Service Home Enterprise Hospital Housing/Services for the Aging Industrialized Housing Industrial Services Heavy Industrial Services Light Large Scale Retail Sales/Service Major Utilities Manufactured Home Manufactured Home Park Neighborhood Amenity Office Showroom Pawn Shop Provisional Housing Research & Development Residential Childcare Facility Resource Extraction RV Park Scrap and Salvage Yard Self-Storage Shopping Center Single-Family Detached Single-Family Attached Single-Family Zero Lot Line Storage Yard Tiny House Development Vehicle Gas/Fueling Station Vehicle Sales and Rentals Vehicle Services Warehouse Waste Related Services
*Refer to Restrictions and Conditions below.			

Restrictions and Conditions	
Land Use	Restrictions/Conditions
Townhouse	Buildings must be designed to create an urban character with pedestrian interface. Entrances are required to face the street and must include a porch or stoop. Required parking must be accessed via an alley.
Apartment	Limited to max of 44 units per acre. Buildings must be designed to create an urban character, required parking must be accessed via an alley and accommodated in a parking structure or a parking lot which uses the building to screen it from the public right-of-way. The first floor of the building shall be dedicated to nonresidential uses permitted within the district. No apartment units allowed on the 1st floor.
Live-work unit	Live-work units must be designed with a residential external appearance in the form of a townhouse. Customer parking must be provided on street, in a parking structure, or via alley access. The area devoted to work cannot exceed 50 percent of the total floor area.
Child-Care Facility, Day-Care Center	Access must be taken from an arterial or collector street. Access to the site shall be designed in a manner to facilitate safe and expedient pick-up and drop-off circulation. Outdoor activities shall be setback from any residentially used or zoned property by 100 ft and enclosed by a wall or fence. Owner/operator must maintain all certification and licensing requirements by the state.
Education	Parking shall be accommodated on site. Access to the site shall be designed to facilitate safe and expedient pick-up and drop-off circulation. Access to secondary schools shall be located on a collector or arterial level roadway. Outdoor activities shall be set back from any residentially used or zoned property by 25 feet and enclosed by a wall or fence.
Religious Assembly	Facilities must provide an on-site parking garage for parking requirements.
Wireless Transmission Facility	Wireless Transmission Facility subject to Section 4.6.6 of these regulations. Height is limited to 160'.
Brewery/ Distillery/ Winery	Outdoor seating, live music, and/or entertainment areas shall be set back at least 100' from residentially used or zoned properties and screened by a wall or fence. Facility must provide a customer component which may include a retail storefront, a tasting room, or a food or beverage servicing area.
Food or Drink Establishment (general)	Restaurant shall not include drive-through or drive-up or similar services. No outdoor/live music/entertainment allowed.
Parking, Commercial	Limited to no more than 2 acres in size and consist of a surface, structured, or combination parking lot. Surface parking facility shall have a maximum of 95% impervious surface coverage. The use may be used as part of shared parking requirements.
Special Event Venue	Outdoor seating, live music, and/or entertainment areas shall be set back at least 100' from residentially used or zoned property and screened by a wall or fence. For large event venues, the City Engineer may approve an alternative parking material for overflow parking in addition to the minimum required by these regulations if the parking area is screened from view from the street and adjacent properties.
Bar or Nightclub	Outdoor seating areas, if present, and parking shall be set back at least 100' and physically separated from any residentially used or zoned property and screened by a wall or fence.
Bed and Breakfast Lodging	No more than 6 guestrooms per property shall be allowed. On-site parking shall not be located in the front yard and shall be screened by a wall or fence at least 6' in height and a 5' landscape buffer. No food preparation, except beverages, is allowed within individual guestrooms and preparation and service of food shall conform to all applicable regulations of the State of Texas and Burnet County. Guestroom rentals shall not be allowed for more than 21 consecutive days.
Aviation Uses, Rotary Wing	Development of heli-facility or heliport uses shall be designed according to the applicable design standards set out in the U.S. Department of Transportation Advisory Circular NO. 150/5390-2C, dated April 24, 2012, as may be amended. Application for construction of a heli-facility, heliport, or helistop shall demonstrate compliance with 14 CFR § 157.7, <i>FAA Determination</i> .

DN District Development Standards	
Requirement	
Minimum Area of New Development	n/a
Minimum Lot Size	n/a
Minimum Lot Width	25 ft.
Front Setback	0 ft.
Required Front Build-to Line	0 ft.
Interior Side Setback	0 ft.
Street Side Setback	0 ft.
Rear Setback	0 ft.
Maximum Height	60 ft.
Maximum Lot Coverage	n/a
Minimum Overall Masonry	95%

DN District Design Standards

Setbacks in the Downtown (DN) District.

1. A minimum of 80% of any façade facing a public street shall be built to that property line abutting the street, except as provided in Subsection 4.3.4.B.3.
2. *Setback Exceptions:*
 - a. Where the public sidewalk is less than 6’ wide, the building must be set back to expand the sidewalk onto the private lot to achieve a minimum of 6’. In such an instance, the build-to line will be located at the edge of the expanded sidewalk.
 - b. Buildings may be set back up to a distance of 20’ from the build-to line in order to provide a designated public plaza or similar outdoor area provided the public plaza or outdoor area is designated as such at time of development approval and maintained as a publicly accessible space; that any uses that take place in the setback area directly relate to the activity of the primary ground floor use (e.g., outdoor seating for a restaurant, outdoor display area for a retail store, etc.); and when the area is not being used, it remains generally accessible to the public and functions as an extension of the public sidewalk.
 - c. The front build-to requirement shall not be applicable to properties directly adjacent to Lake Marble Falls.

Roofs in the Downtown (DN) District. Rooflines shall be individually distinguishable with variations of height. Roofs shall relate to the building façade articulations. Pitched-roof building forms facing the street are not permitted, except that the Director may make an exception for buildings less than 1,000 square feet when they are not located on a property line shared with another building.

Drive-through or Drive-up Facilities in the Downtown (DN) District. No drive-through or drive-up facilities shall be permitted in the Downtown district.

Balconies in the Downtown (DN) District. Cantilevered balconies may encroach into the public right-of-way up to 5’ but not over street pavement. Minimum 10’ clearance required between balcony and public sidewalk. Glass railing or enclosure shall not be permitted.

Awnings in the Downtown (DN) District. Awnings and canopies may encroach into the public right-of-way, but not further than 6’ and shall not extend over street pavement. A minimum clearance of 8’ under awning or canopy is required. If signage will be placed under the awning or canopy, a minimum clearance of 10’ is required. Awnings and canopies shall not be closer to the edge of the building than 1’. Maximum height of the upper attachment of an awning shall not exceed 16’ above finished grade. Awnings and canopies shall not be constructed of corrugated metal or R-Panel. Awnings and canopies in the public right-of-way shall be supported by the building and not utilize poles or other ground mounted support features unless the Director determines the right-of-way width and streetscape is such that a minimum 6’ unimpeded pedestrian walkway can be maintained between the support feature and the street or parking edge. Backlighting or internal illumination prohibited.

Construction of Public Improvements. At the time of construction of new buildings along public streets, or major remodel or addition to the street facing façade of an existing building where the cost of the remodel equals or exceeds 30% of the value of the structure, or upon redevelopment of a property, site improvements in the adjacent public right-of-way shall be constructed consistent with the Downtown Master Plan, including sidewalks, curbing, lighting, and street trees. Construction of on-street parking in the right-of-way adjacent to the site shall count towards the parking requirements of this code at a rate of two (2) spaces for each space constructed.

DN District Parking Standards

Required Parking	
Land Use	Required Parking Spaces
Loft Apartment	No parking required (up to four dwelling units). 1 space per dwelling unit starting with the fifth dwelling unit and all additional dwelling units.
Hotel	0.5 space per guest room, plus parking at a rate of 1 space per 2,000 GFA for uses such as bars, restaurants, retail, and services open to the general public
All Other Non-Residential Uses	No new/additional parking required for existing square footage. 1 space per 1,000 sf GFA for new or additional square footage.

Parking Options.

Off-street. Off-street parking spaces may not be located between the building and right-of-way. Driveways shall take access from a side street or alley. Parking spaces may take direct access from an alley. Off-street parking shall be screened from adjacent streets by either the building or an alternative screening method presented to the Director.

On-Street. Construction of on-street parking spaces is allowed provided the spaces are fronting the parcel and are improved to the City’s downtown parking specifications. The Director shall consider adequacy of parking on the existing street and whether improvements will be required to fulfill this option.

Fee-in-Lieu. For non-residential uses, a fee-in-lieu of the required parking may be paid to the City for contribution towards a downtown parking fund. Residential and hotel uses shall generally not be eligible unless the Director determines that all other options have been exhausted and circumstances warrant paying the fee.