



PLANNING AND ZONING COMMISSION AGENDA

Regular Meeting
Tuesday, September 9, 2014
7:00 p.m.
City Hall - Council Chamber
Daniel P. Moore Community Center Complex
1900 Billy G. Webb Drive
Portland, Texas

1. **CALL TO ORDER:** Chairperson Forsythe
2. **MINUTES:** The Planning and Zoning Commission will consider approval of the minutes of its August 12, 2014 Regular Meeting – Chairperson Forsythe
3. **PUBLIC HEARING:** The Planning and Zoning Commission will conduct a Public Hearing to solicit comments from citizens and other interested parties concerning possible Unified Development Ordinance Text Amendments. A general description of possible Unified Development Ordinance Text Amendments follows:
 - Revisions to Section 401. Establishment of Districts.
 - Revisions to Section 404. Newly Annexed Areas.
 - Revisions to Section 405. Zoning District Intent Statements.
 - Revisions to Section 406. Permitted Use Table.
 - Revisions to Section 409. District Dimensional Standards.
 - Revisions to Section 410. Supplementary Yard Regulations.
 - Revisions to Section 502. Bars, Saloons, Lounges and Dance Halls, Private Clubs.
 - Revisions to Section 508. Storage, Self-Service.
 - Revisions to Section 606. Lot Standards.
 - Revisions to Section 705. Nonresidential Design Requirements.
 - Revisions to Section 707. Fences.
 - Revisions to Section 712. Signs.

- Revisions to Section 1003. Defined Terms.
4. **UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS:** The Planning and Zoning Commission will consider recommending Unified Development Ordinance Text Amendments to the City Council—Assistant City Manager
 5. **ADJOURNMENT:** Chairperson Forsythe

RULES OF PARTICIPATION FOR ATTENDEES

- a. Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Chairperson will notify you when it's your turn speak and direct you to the podium).
- b. Persons who wish to speak must identify themselves and their places of residence.
- c. All comments, requests and proposals must be presented to or through the Chairperson.
- d. Persons who wish to speak will be given 4 minutes to do so. The Chairperson may permit persons to speak more than once if he/she believes doing so will improve the planning process and facilitate deliberation.

NOTICE OF ASSISTANCE

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall at 361-777-4513 or annette.hall@portlandtx.com in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chambers during the meeting.

BRAILLE IS NOT AVAILABLE

Posted: September 5, 2014 by 5 p.m.
City Hall

By: 
Annette Hall
City Secretary

MINUTES

PLANNING AND ZONING COMMISSION

AUGUST 12, 2014 REGULAR MEETING

The Planning and Zoning Commission conducted its August 12, 2014 Regular Meeting in the Council Chambers of City Hall (1900 Billy G. Webb) that began at 7:00 p.m. It did so in compliance with requirements of the Texas Open Meetings Act, City of Portland City Charter and Unified Development Ordinance. The following persons were in attendance:

MEMBERS PRESENT

Craig Forsythe (Vice Chairperson)
Pete Stricker
Jerry Browning
Mark Wendland
John Rooney
Mark Roach

MEMBERS ABSENT

Theresa Nix

STAFF PRESENT

Randy Wright, City Manager
Brian DeLatte, Assistant City Manager

1. **CALL TO ORDER:** Vice Chairperson Forsythe called the meeting to order at 7:00 p.m.
2. **ELECTION OF OFFICERS:** The Planning and Zoning Commission will consider the election of a Chairperson and Vice Chairperson

Mr. Stricker made a motion to elect Mr. Forsythe as Chairperson. The motion passed 6-0.

Mr. Stricker made a motion to elect Mr. Rooney Vice Chairperson. The motion passed 6-0.

3. **MINUTES:** The Planning and Zoning Commission will consider approval of the minutes of its July 8, 2014, Regular Meeting

Mr. Browning made a motion to accept the minutes of the July 8, 2014, Regular Meeting. Mr. Wendland seconded the motion.

The motion passed (4-0) with Mr. Roach and Mr. Forsythe abstaining.

4. **SUBDIVISION FINAL PLAT:** The Planning and Zoning Commission will consider the final plat of Cajun Country, Block 1, Lot 1 – Assistant City Manager

Mr. DeLatte presented the following plat application:

EXECUTIVE SUMMARY

A final plat has been submitted for a 2.0 acre lot located on Copperfield Lane. The lot is located outside of the city limits, but within the extraterritorial jurisdiction (ETJ). The lot is currently undeveloped and is being platted for the delivery of water service to a proposed single-family residence. While the property is not zoned, it would meet single-family residential lot standards. Staff analysis shows that the final plat meets Unified Development Ordinance requirements and approval is recommended.

PRIOR ACTIONS OR REVIEWS

None

DETAILS / STAFF ANALYSIS

The property is being platted for the delivery of water service to the lot. Water is available to the lot upon the applicant's compliance with all City regulations, including Resolution #548 (*Policy Governing the Provision of Utility Service Beyond City Limits*). The delivery of water service is contingent upon the recordation of the final plat, and as such the property must not be occupied prior to the plat's recordation. This subdivision plat was reviewed and found to be in conformance with City of Portland regulations.

Mr. Stricker made a motion to approve the final plat of Cajun Country, Block 1, Lot 1 subject to the following conditions:

- (1) Compliance with all City of Portland ordinances, rules, and regulations
- (2) Payment of all platting fees and review fees
- (3) Recordation of the plat before occupying the property

Mr. Rooney seconded the motion. The motion passed (6-0).

5. **SUBDIVISION FINAL PLAT:** The Planning and Zoning Commission will consider the final plat of S&S Acres, Block 1, Lot 1 – Assistant City Manager

Mr. DeLatte presented the following plat application:

EXECUTIVE SUMMARY

A final plat has been submitted for a 2.02 acre lot located on CR 3713 (Hewitt Drive). The lot is located outside of the city limits, but within the extraterritorial jurisdiction (ETJ). The lot is currently undeveloped and is being platted for the delivery of water service to a proposed single-family residence. While the property is not zoned, it would meet single-family residential lot standards. Staff analysis shows that the final plat meets Unified Development Ordinance requirements and approval is recommended.

PRIOR ACTIONS OR REVIEWS

None

DETAILS / STAFF ANALYSIS

The property is being platted for the delivery of water service to the lot. Water is available to the lot upon the applicant's compliance with all City regulations, including Resolution #548 (*Policy Governing the Provision of Utility Service Beyond City Limits*). The delivery of water service is contingent upon the recordation of the final plat, and as such the property must not be occupied prior to the plat's recordation. This subdivision plat was reviewed and found to be in conformance with City of Portland regulations.

Mr. Browning made a motion to approve the final plat of S&S Acres, Block 1, Lot 1 subject to the following conditions:

- (1) Compliance with all City of Portland ordinances, rules, and regulations
- (2) Payment of all platting fees and review fees
- (3) Recordation of the plat before occupying the property

Mr. Stricker seconded the motion. The motion passed (6-0).

6. **SUBDIVISION FINAL PLAT:** The Planning and Zoning Commission will consider the final plat of Lots 42R, Block 8, North Shore OVD Subdivision Unit 1 being a replat of Lots 42 and 43, Block 8, North Shore OVD Subdivision Unit 1 – Assistant City Manager

Mr. DeLatte presented the following plat application:

EXECUTIVE SUMMARY

A final plat has been submitted for a final plat of Lot 42R, Block 8, North Shore OVD Subdivision Unit 1, being a replat of Lots 42 and 43, Block 8, North Shore OVD Subdivision Unit 1, located at 323 Inverness. The replat is being prepared to combine the two lots into one for the purposes of accessory use construction and the removal of the interior lot line.

PRIOR ACTIONS OR REVIEWS

None

DETAILS / STAFF ANALYSIS

The property is being platted to eliminate the interior side lot line to allow for

construction of accessory uses and structures. The plat conforms with the R-6 Zoning District dimensional standards. There is no abandonment of easements or other rights-of-way.

Mr. Stricker made a motion to approve the final plat of Lots 42R, Block 8, North Shore OVD Subdivision Unit 1 being a replat of Lots 42 and 43, Block 8, North Shore OVD Subdivision Unit 1 subject to the following conditions:

- (1) Compliance with all City of Portland ordinances, rules, and regulations
- (2) Payment of all platting fees and review fees

Mr. Browning seconded the motion. The motion passed (6-0).

7. **ADJOURNMENT:**

Chairperson Forsythe adjourned the meeting at 7:10 p.m.

APPROVED:

Chairperson Craig Forsythe

ATTEST:

Brian DeLatte, P.E.
Assistant City Manager

AGENDA TITLE **PUBLIC HEARING:** The Planning and Zoning Commission will conduct a Public Hearing to solicit comments from citizens and other interested parties concerning possible Unified Development Ordinance Text Amendments. A general description of possible Unified Development Ordinance Text Amendments follows:

- Revisions to Section 401. Establishment of Districts.
- Revisions to Section 404. Newly Annexed Areas.
- Revisions to Section 405. Zoning District Intent Statements.
- Revisions to Section 406. Permitted Use Table.
- Revisions to Section 409. District Dimensional Standards.
- Revisions to Section 410. Supplementary Yard Regulations.
- Revisions to Section 502. Bars, Saloons, Lounges and Dance Halls, Private Clubs.
- Revisions to Section 508. Storage, Self-Service.
- Revisions to Section 606. Lot Standards.
- Revisions to Section 705. Nonresidential Design Requirements.
- Revisions to Section 707. Fences.
- Revisions to Section 712. Signs.
- Revisions to Section 1003. Defined Terms.

UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENTS: The Planning and Zoning Commission will consider recommending Unified Development Ordinance Text Amendments to the City Council—Assistant City Manager

MEETING DATE 9/9/2014

DEPARTMENT Building and Development

SUBMITTED BY Brian DeLatte, P.E.

EXECUTIVE SUMMARY

Ordinance No. 2094 proposes several text revisions to the Unified Development Ordinance (UDO). The revisions are necessary for the UDO to address current development trends and to add clarity to conflicting ordinances. A Public Hearing and recommendation by the Planning and Zoning Commission is required prior to the City Council deliberation of the ordinance.

PRIOR ACTIONS OR REVIEWS

- None.

PUBLIC HEARING

It is imperative that a fair, impartial, and legally compliant public hearing be conducted, regardless of the outcome. The Public Hearing Notice was published in *The Coastal Bend Herald* on August 21, 2014. When the Chairperson is satisfied that every person or party in attendance has been given an opportunity to comment, the public hearing should be formally closed.

STAFF ANALYSIS

The revisions to the UDO are required to be address current development trends and clarify conflicting ordinances:

- An R-2, Single-Family Zoning District is being created to match the Comprehensive Plan's vision for lower-density development to the west and northwest of the current city limits.
- The Nonresidential Design Requirements are being updated to encourage creativity in building materials and facade articulation design while preserving and enhancing overall community appearance.
- A change in the Permitted Use Table is proposed to allow vocational schools in residential zoning districts by Special Use Permit.

ATTACHMENTS

- Proposed Ordinance No. 2086

RECOMMENDED ACTION

Adopt a motion that recommends to the City Council one of the following:

1. Adoption of the proposed amendments
2. Adoption of the proposed amendments with modifications
3. Denial of the proposed amendments

1 **ORDINANCE NO. 2094**

2
3 **AN ORDINANCE ADOPTING TEXT REVISIONS TO THE UNIFIED**
4 **DEVELOPMENT ORDINANCE CONCERNING THE CREATION OF AN R-2**
5 **SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, THE REVISION OF**
6 **COMMERCIAL FAÇADE ARTICULATION REQUIREMENTS, AND THE**
7 **MODIFICATION OF “SCHOOL, COLLEGE OR VOCATIONAL” IN THE**
8 **PERMITTED USE TABLE; PROVIDING FOR THE REPEAL OF**
9 **ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY**
10 **CLAUSE; ESTABLISHING A PENALTY FOR VIOLATIONS; PROVIDING**
11 **AND ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR**
12 **PUBLICATION**

13
14 **WHEREAS** zoning and subdivision regulations in the Unified Development Ordinance
15 implement the Comprehensive Plan according to Section 211.004 of the Local Government
16 Code; and,

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18 **WHEREAS** the City of Portland updated the Unified Development Ordinance on February
19 5, 2013 (Ordinance No. 2065); and,

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21 **WHEREAS** the Planning and Zoning Commission conducted a public hearing on
22 September 9, 2014, to solicit comments concerning revisions to the Unified Development
23 Ordinance; and,

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25 **WHEREAS** the Planning and Zoning Commission, after considering and evaluating
26 comments presented at the public hearing, recommended approval of Unified Development
27 Ordinance revisions to the City Council on September 9, 2014; and,

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29 **WHEREAS** the City Council conducted public hearing on September 16, 2014, to solicit
30 comments concerning revisions to the Unified Development Ordinance; and,

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32 **WHEREAS** the City Council on September 16, 2014, received a recommendation from
33 the Planning and Zoning Commission comments concerning revisions to the Unified
34 Development Ordinance; and,

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36 **WHEREAS** the City Council deliberated approval of Unified Development Ordinance
37 revisions on September 16, 2014; and,

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39 **WHEREAS** the City Council has found that the approval of Unified Development
40 Ordinance revisions will promote the health, safety, and welfare of Portland residents,

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42 **NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,**
43 **TEXAS:**
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45 **SECTION 1:** Section 401. Establishment of Districts., Chapter 4, Appendix A of the Code
46 of Ordinances is hereby amended to read as follows:

47
48 A. For the purpose of this Ordinance, the City of Portland is hereby divided into the
49 following districts:

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Base Zoning Districts
<u>R-2, Single-Family Residential</u>
R-6, Single-Family Residential
R-7, Single-Family Residential
R-8, Single-Family Residential
R-8D, Two-Family Residential
R-15, Townhouse Residential
RMH, Manufactured Housing
R-20, Multifamily Residential
RST, Multifamily Resort
P, Professional Office
C-R, Retail Commercial
C-G, General Commercial
OT-1, Olde Town Residential
OT-2, Olde Town Mixed Use
I, Industrial
Special Purpose Districts
PUD, Planned Unit Development

51
52 B. The location and boundaries of the districts established here are shown on the
53 Official Zoning Map, which is hereby incorporated into this Ordinance. The Map,
54 together with all its notations, references and other information and any
55 amendments, shall be as much a part of this Ordinance as if fully set forth and
56 described here. The Official Zoning Map is on file in the Office of the City Secretary,
57 and copies are available from the Building Department.

58
59 **SECTION 2:** Section 404. Newly Annexed Areas., Chapter 4, Appendix A of the Code of
60 Ordinances is hereby amended to read as follows:

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62 A. All territory annexed to the City of Portland after the effective date of this Ordinance
63 shall be temporarily initially classified in accordance with the City of Portland
64 Comprehensive Plan until permanently zoned by the City Council. Property that is
65 designated "BB" on the Comprehensive Plan's "Figure 25. Recommended Single
66 Family Densities" shall be temporarily classified as R-2, Single-Family Residential.
67 Property that is designated as "A" or "B" on the "Figure 25. Recommended Single
68 Family Densities" shall be initially classified as R-6, Single-Family Residential. Any
69 property not identified on the "Figure 25. Recommended Single Family Densities"

Use	Residential								Special			Nonresidential			
	R-2	R-6	R-7	R-8	R-8D	R-15	RMH	R-20	RST	OT-1	OT-2	P	C-R	C-G	I
Personal Services									SP		P	P	P	P	
Quick Printer, Copy Shop, Quick Signs									SP		P	P	P	P	
Repair-- Shoe, Appliance, Electronic									SP		P	P	P	P	P
Restaurant									SP	SP	P	SP	P	P	
Retail, General									SP		P	P	P	P	
Smoker Shop															P
Storage, Self-Service or Mini-Storage											SP				P
Studio, Professional									SP		P	P	P	P	
Tattoo Parlor															P
Vehicle Parts Sales											P	SP	P	P	P
Vehicle Service, Limited: when located less than 60' from a residential property line												SP	P	P	P
Vehicle Service, Limited: when located at least 60' from a residential property line											P	SP	P	P	P
Vehicle Service, General: when located less than 60' from a residential property line														P	P
Vehicle Service, General: when located at least 60' from a residential property line											P		P	P	P
Vehicle Sales											P		SP	P	P
Veterinarian/Animal Hospital (with indoor kennels only)									SP		P	P	SP	P	P
Veterinarian/Animal Hospital or Kennel with outdoor kennels									SP		SP	SP	SP	SP	P
INDUSTRIAL															
Manufacturing, Light														SP	P
Manufacturing, Heavy															P
Mining, Excavation															SP
Storage Yard											SP				P
Warehouse, Freight Movement															SP
Wholesale Trade														SP	P

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SECTION 5: Subsection A, Section 409. District Dimensional Standards., Chapter 4, Appendix A of the Code of Ordinances is hereby amended to read as follows:

A. The area, width, required yards and maximum height regulations for each district are shown in the following table.

District	Min. Lot Area and Area Per Unit (SF)		Minimum Average Lot Width and Required Yards (Feet)				Max. Bldg. Height
	Lot Area	Area/Unit	Width	Front	Side	Rear	Feet
R-2, Single-Family Residential	20,000	20,000	100	35	15	25	35
R-6, Single-Family	7,000	7,000	65	25	6	20	35

Residential							
R-7, Single-Family Residential	6,000	6,000	60	25	5	15	35
R-8, Single-Family Residential	5,000	5,000	50	20	5	15	35
R-8D, Two-Family Residential	10,000	5,000	75	20	7.5	15	35
R-15, Townhouse Residential	12,000	2,900	100	25	10	5	35
RMH, Manufactured Housing	6,600	6,600	60	20	10	10	15
R-20, Multifamily Residential	15,000	2,180	100	25	7.5	20	35
RST, Multifamily Resort	20,000	--	--	20	15	20	--
OT-1, Olde Town Residential	5,000	--	--	20	5	15	35
OT-2, Olde Town Mixed Use	5,000	--	--	10	5	5	--
P, Professional Office	5,000	--	50	20	5	15	35
C-R, Retail Commercial	7,500	--	50	20	0 ¹	0 ¹	--
C-G, General Commercial	7,500	--	50	20	0 ¹	0 ¹	--
I, Industrial	7,500	--	50	20	0 ¹	0 ¹	--

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NOTES:

-- = no applicable regulations.

¹ See Section 410 and Section 709.

SECTION 6: Section 410. Supplementary Yard Regulations., Chapter 4, Appendix A of the Code of Ordinances is hereby amended to read as follows:

The following regulations supplement or modify the regulations in Section 409.

- A. Structures in Required Yards. Every part of a required yard shall be open to the sky and unobstructed, except as expressly set forth below.
 - 1. Ordinary projection of sills, belt courses, cornices, eaves and ornamental features may encroach a maximum of twenty-four (24) inches into required yards.
 - 2. Accessory buildings may encroach into required yards as regulated by H below.
- B. Measurement of Yard Line. Where the road is curved, the setback (yard) line shall be parallel to the curve of the road and not a straight line.
- C. Platted Building Lines. Where a building line has been established by a properly recorded subdivision plat and such building line is different than the required yard established in the table above, the front, side and rear yards shall comply with the building line established by the plat.
- D. Front Yards and Corner Lots.

- 123 1. No structure shall be permitted in a required front yard except for the following.
124 a. Driveways and walks connecting the building with the public right-of-way;
125 b. Other required incidental structures such as mailboxes, lighting fixtures, and
126 similar structures; and
127 c. In the R-2, Single-Family Residential, R-6, Single-Family Residential, R-7,
128 Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family
129 Residential and RST, Multifamily Resort (Single and Two Family dwellings
130 only) districts, structures (driveways and walks) permitted in the front yard
131 shall not cover more than sixty-five (65) percent of the front yard.
- 132 2. Setback Averaging. When thirty (30) percent or more of the lots within a single
133 block and on the same side of the street are improved with buildings that observed
134 a smaller front yard than specified for the district, then any new building may be
135 located between the point closest to the street line of the building on either side of
136 the proposed building and the established front yard line for the district. This
137 standard shall not apply where platted building lines exist.
- 138 3. Double Frontage Lots. Double frontage lots, as defined in Chapter 10. Definitions,
139 must have the required front yard on both streets. This requirement shall not apply
140 to existing lots of record or lots, which are in a subdivision described in Section
141 109.A.
- 142 4. Corner Lots.
143 a. A corner lot shall have one front yard as required by the table above, and a
144 side yard adjacent to the street of not less than fifteen (15) feet, except in
145 the R-8, Single-Family Residential, OT-1, Olde Town Residential, and OT-2,
146 Olde Town Mixed Use districts, where only a ten (10) foot side yard shall be
147 required. A side yard adjacent to a street may be reduced as necessary to
148 maintain a forty (40) foot width between side yards, however in no case shall
149 the side yard be reduced to less than five (5) feet. No accessory building shall
150 project beyond the required yard line along any street. No structure shall be
151 built within the "vision triangle" as defined in Chapter 10.
- 152 5. Garage Access for Corner Lots. Where a garage entrance accesses directly (straight
153 in) upon a side street, the building line for the garage structure shall be a minimum
154 of twenty (20) feet from the side street property line. When a corner lot abuts a
155 major thoroughfare or arterial street, there shall be no driveway or garage entrance
156 on such street.
- 157 E. Side Yards.
158 1. A side yard shall be provided on each side of a building in accordance with Section
159 409, except on a lot of record where the requirement in the table above would
160 reduce the width between setbacks to less than forty (40) feet. In such case, the
161 side yards may be reduced as necessary to maintain the minimum forty (40) foot
162 width between side yards, but in no case shall the side yard be reduced to less than
163 five (5) feet.
164 2. For the purpose of side yard regulations, a two-family or multifamily dwelling shall
165 be considered as one building occupying one lot.
166 3. No structure shall be permitted in a required side yard except for the following:

- 167 a. Driveways and walks;
168 b. Fences in accordance with Section 707; and
169 c. Accessory buildings in accordance with subsection H.7. below.
- 170 F. Rear Yards.
- 171 1. When a lot of record at the time of passage of this Ordinance is smaller than herein
172 required, the rear yard shall either be in accord with Section 409, or not less than
173 twenty (20) percent of the depth of the lot, whichever amount is smaller.
- 174 2. Accessory buildings may be placed in the required rear yard in accordance with H
175 below.
- 176 3. In the R-2, Single-Family Residential, R-6, Single-Family Residential, R-7, Single-
177 Family Residential, R-8, Single-Family Residential, R-8D, Two-Family Residential, and
178 RST, Multifamily Resort (Single and Two Family dwellings only) districts, structures
179 (porches, patios, walks, driveways, accessory buildings and swimming pools)
180 permitted in the rear yard shall not cover more than forty (40) percent of the rear
181 yard without a drainage plan approved by the Administrative Official.
- 182 G. Swimming Pools. No swimming pool shall be constructed until a permit for the principal
183 use or structure has been obtained. The outside walls of a swimming pool or hot tub
184 shall not project beyond the required yard line along any street. The outside walls of a
185 swimming pool or hot tub must be at least three (3) feet from side and rear property
186 lines. The outside walls of an in-ground swimming pool or hot tub shall also keep at least
187 one (1) foot of horizontal distance to each one (1) foot of depth from any structure,
188 easement, or property line (unless plans and a report are prepared by a Professional
189 Engineer).
- 190 H. Accessory Buildings.
- 191 1. Accessory buildings shall not be constructed until a permit for the principal use or
192 structure has been obtained.
- 193 2. Accessory buildings shall not be used for dwelling purposes.
- 194 3. Detached accessory buildings shall not exceed twelve (12) feet in height unless the
195 properties upon which they are being constructed are one (1) acre in area or larger.
196 Detached accessory buildings being constructed upon such acreage lots shall not
197 exceed twenty (20) feet in height.
- 198 4. Accessory buildings (attached or detached) may occupy up to twenty-five (25)
199 percent of the required rear yard.
- 200 5. Accessory buildings shall not project beyond the required front or side yard line
201 along any street.
- 202 6. Attached accessory buildings shall maintain the same side yard setback as required
203 for the main structure.
- 204 7. A detached accessory building located in the rear yard of a property shall not be
205 located closer than three (3) feet from the side or rear property line. When there is
206 not a required side or rear yard, the building may be placed up to the property line
207 (see Section 409.B).

209 **SECTION 7:** Section 502. Bars, Saloons, Lounges and Dance Halls, Private Clubs., Chapter
210 5, Appendix A of the Code of Ordinances is hereby amended to read as follows:

211
212 These uses are permitted in accordance with the use table, provided such uses are a
213 minimum of three hundred (300) feet from any church, school or hospital, or any R-2,
214 Single-Family Residential. R-6, Single-Family Residential, R-7, Single-Family Residential,
215 R-8, Single-Family Residential, or R-8D, Two-Family Residential district boundary. All
216 such uses shall meet the licensing requirements of the Texas Alcoholic Beverage
217 Commission (TABC).

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219 **SECTION 8:** Subsection G, Section 508. Storage, Self-Service., Chapter 5, Appendix A of
220 the Code of Ordinances is hereby amended to read as follows:

221
222 G. Storage facilities may not be placed on a lot within two hundred (200) feet of an R-2,
223 Single-Family Residential. R-6, Single-Family Residential, R-7, Single-Family Residential,
224 R-8, Single-Family Residential, R-8D, Two-Family Residential, R-15, Townhouse
225 Residential, RMH, Manufactured Housing, R-20, Multifamily Residential, RST,
226 Multifamily Resort, OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use or P,
227 Professional Office district boundary.

228
229 **SECTION 9:** Subsection A, Section 606. Lot Standards., Chapter 6, Appendix A of the
230 Code of Ordinances is hereby amended to read as follows:

231
232 A. Lot Dimensions. Lot dimensions shall comply with the minimum standards of this
233 Ordinance for the district being platted. In general, side lot lines shall be at right angles
234 to street lines or radii to curving street lines. Flag lots shall be prohibited in the R-2, R-6,
235 R-7, R-8, R-8D, R-15, RMH, R-20 and RST districts. Dimensions of corner lots shall be
236 large enough to allow for erection of buildings, observing the minimum setback from
237 both streets, i.e. wider by the footage differential between side yard setbacks for corner
238 lots versus interior lots. Depth and width of non-residential lots shall be adequate to
239 provide for the off-street parking facilities and other site plan requirements.

240
241 **SECTION 10:** Section 705. Nonresidential Design Requirements., Chapter 7, Appendix A
242 of the Code of Ordinances is hereby amended to read as follows:

243
244 A. Building Materials.
245 1. Any façade of a professional or commercial building that can be seen from an
246 adjacent street or parking area shall be constructed of one of the following
247 building materials:
248 a. Fired brick.
249 b. Natural or polished stone.
250 c. Masonry block.
251 d. Tilt wall concrete panels with architectural detail.
252 e. Stucco.
253 f. Tile.
254 g. Fiber cement siding.

- 255 h. Glass.
- 256 i. Smooth finish baked-on enamel factory-painted metal (does not include
- 257 corrugated ridge-type metal).
- 258 2. Wood, dimensioned or siding, shall not cover more than ten (10) percent of any
- 259 façade that can be seen from an adjacent street or parking area. Exterior
- 260 insulation and finish systems (EIFS), stainless steel, chrome, standing seam metal
- 261 and premium grade architectural metal may be used as an architectural accent,
- 262 but shall not cover more than ten (10) percent of any façade. Doors of any kind
- 263 may be constructed of galvanized steel and painted steel.
- 264 3. Any side or rear wall facing a public or private street or residential zoning district
- 265 shall consist of the same facing materials as the building front.
- 266 4. The roof side of any parapet wall shall consist of the comparable facing materials
- 267 as the front of the parapet if viewable from a public or private street.
- 268 B. *Façade Articulation.*
- 269 1. The front façade of a building shall be defined as any façade that includes front
- 270 entry doors or that faces a public or private street.
- 271 2. Façade depth and height articulation shall be required on the front façade of a
- 272 building, per the following:
- 273 a. ~~Depth articulation of at least three (3) feet shall be required for every thirty-~~
- 274 ~~(30) feet of building façade length.~~ Depth articulation of at least 10% shall
- 275 be required on any front façade exceeding thirty (30) horizontal feet. In no
- 276 event shall a front façade segment exceed forty-five (45) feet without depth
- 277 articulation. Depth articulation applies only below the roofline.
- 278 b. ~~Height articulation for flat roofs of at least five (5) feet shall be required for~~
- 279 ~~every fifty (50) feet of building façade length.~~ Height articulation of at least
- 280 10% shall be required on any front façade exceeding fifty (50) horizontal
- 281 feet. In no event shall a front façade segment exceed seventy-five (75) feet
- 282 without height articulation. Pitched roofs do not require height articulation.
- 283 3. Façade offsets shall be shown, along with calculations verifying that the building
- 284 elevations meet the above requirements, on a building façade (elevation) plan,
- 285 and shall be submitted for review along with the building elevations at the time of
- 286 building permit issuance.
- 287 C. Metal buildings without a masonry façade will be allowed anywhere in the I, Industrial
- 288 district or in the OT-2, Olde Town Mixed Use district if they are located at least two
- 289 hundred (200) feet from Hwy. 181 ~~and~~ or Moore Avenue.
- 290 D. New buildings on previously developed lots or in existing developments. New buildings
- 291 on previously developed lots or in existing developments must have foundations,
- 292 exterior siding, fenestration, fascia and roofing that are compatible with existing
- 293 buildings on the same lot or within the same development.
- 294 E. Nonresidential buildings. All nonresidential buildings must be affixed to a permanent
- 295 foundation.
- 296 F. Rooftop mechanical equipment shall be screened from the view of any parking lot and
- 297 public or private street at a height of six (6) feet above natural grade at a horizontal
- 298 distance of five hundred (500) feet.

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SECTION 11: Subsections A through C, Section 707. Fences., Chapter 7, Appendix A of the Code of Ordinances is hereby amended to read as follows:

- A. In OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use, R-2, Single-Family Residential, R-6, Single-Family Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family Residential and R-15, Townhouse Residential districts, fences shall not be constructed in front yard areas, nor project beyond an adjoining lot's front building setback line. Residential dwellings in the Olde Town districts (OT-1 and OT-2) may erect a thirty-six (36) inch high picket fence in the front yard area.
- B. Fences shall not be erected of chain link in OT-1, Olde Town Residential, on residential lots in OT-2, Olde Town Mixed Use, R-2, Single-Family Residential, R-6, Single-Family Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family Residential, and R-15, Townhouse Residential districts.
- C. Fences shall not be erected in side yard areas where there is double frontage in the OT-1, Olde Town Residential, OT-2, Olde Town Mixed Use, R-2, Single-Family Residential, R-6, Single-Family Residential, R-7, Single-Family Residential, R-8, Single-Family Residential, R-8D, Two-Family Residential and R-15, Townhouse Residential districts. Exceptions may be made for fences in side yard areas where there is double frontage, but only if all of the following conditions are met:
 - 1. No fence shall be erected or maintained closer than five (5) feet to any side yard property line;
 - 2. No fence shall exceed a height of four (4) feet; and
 - 3. A ten (10) foot vision triangle created by an area using rear and side yard property lines shall be maintained.
 - 4. The fence shall be eighty (80) percent transparent and be constructed of decorative wrought iron, aluminum, or vinyl (chain link, wire, or other similar materials shall be prohibited).

SECTION 12: Subsection C.2, Section 712. Signs., Chapter 7, Appendix A of the Code of Ordinances is hereby amended to read as follows:

- 2. *Building Sign Type A.* A sign placed flat against the building, not projecting above the roof line, and referring to a business located within the building to which the sign is attached. The total area of all signs shall not exceed a size larger than an area equal to one square foot for each lineal foot of frontage of the building to which the sign is attached or fifty (50) square feet, whichever is smaller. In an R-2, Single-Family Residential, R-6, Single-Family Residential, R-7, Single-Family Residential or R-8, Single-Family Residential district, such signs are limited to use by churches, country clubs, public buildings and philanthropic institutions.

342 **SECTION 13:** Subsection D, Section 712. Signs., Chapter 7, Appendix A of the Code of
 343 Ordinances is hereby amended to read as follows:

344 D. Signs Types Allowed by District

- 346 1. Permitted sign types are allowed in districts in accordance with the
 347 following chart and the standards above.
- 348 2. Notwithstanding the district restrictions below, sites with frontage on an
 349 arterial street shall be allowed to have a Freestanding Sign Type B and a
 350 Building Sign Type B. Sites with frontage on a collector street shall be
 351 allowed to have a Freestanding Sign Type A.
 352

Sign Type	District									
	R-2, R-6, R-7, R-8, R-8D, R-15	RMH	R-20	RST	OT-1	OT-2	P	C-R	C-G	I
Awning Sign				●	●	●	●	●	●	●
Building Sign Type A	●	●	●		●					
Building Sign Type B				●		●	●	●	●	●
Corridor Sign				●		●	●	●	●	●
Electronic Message Boards				●		●	●	●	●	●
Freestanding Sign Type A			●	●	●	●	●	●	●	●
Freestanding Sign Type B						●	●	●	●	●
Temporary Banner Sign and Streamers			●	●	●	●	●	●	●	●
Temporary Portable Sign						●		●	●	●
Projecting Sign				●	●	●	●		●	
Inflatable Signs or Objects			●			●	●	●	●	●
Searchlights								●	●	●

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 354 **SECTION 14:** Section 1003. Defined Terms., Chapter 10, Appendix A of the Code of
 355 Ordinances is hereby amended to read as follows:

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 357 Vocational school: A school or training facility that offers instruction and practical
 358 introductory experience in skilled trades such as mechanics, carpentry, plumbing, and
 359 construction.

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 361 **SECTION 15:** If any provision, section, clause or phrase of this Ordinance, or the
 362 application of same to any person or set of circumstances is, for any reason held to be
 363 unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall
 364 not be affected thereby, it being the intent of the City Council in adopting this Ordinance that
 365 no portion hereof, or provisions or regulations contained herein, shall become inoperative or
 366 fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this
 367 Ordinance are declared severable for that purpose.
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