



# **UDC Text Amendments**

## **Unified Development Code (UDC)**

### **State Mandated**

City Council  
September 17, 2019



# Overview

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- Purpose: Updating the Unified Development Code (UDC) to comply with recent state legislation:
  - Industrialized Housing
  - Landmark Designations
  - Zoning Board of Adjustment Appeals
  - Building Materials



# Industrialized Housing



- The new state law was introduced by House Bill 1385 and will become effective September 1<sup>st</sup>
- Amendment will remove height limitation in the definition of industrialized housing (i.e. Modular, Shipping Container Homes, etc.).
- Height limitations are based on the zoning district of the property rather than the building type.



# Landmark Designations



- The new state law was introduced by House Bill 2496 and was effective immediately.
- The owner of the property consents to the designation. Religious structures must have the consent of the organization.
- Consent of the designation can be withdrawn at anytime during the designation process.
- The designation must be approved by  $\frac{3}{4}$  of all bodies (Landmark Commission, Planning Commission, and City Council) if owner does not consent to designation.
- City must provide the property owner a letter 15 days in advance of the 1<sup>st</sup> hearing that describes the impact that a historic designation of the owner 's property may have on the owner and the owner's property.



# Zoning Board of Adjustment (ZBA)

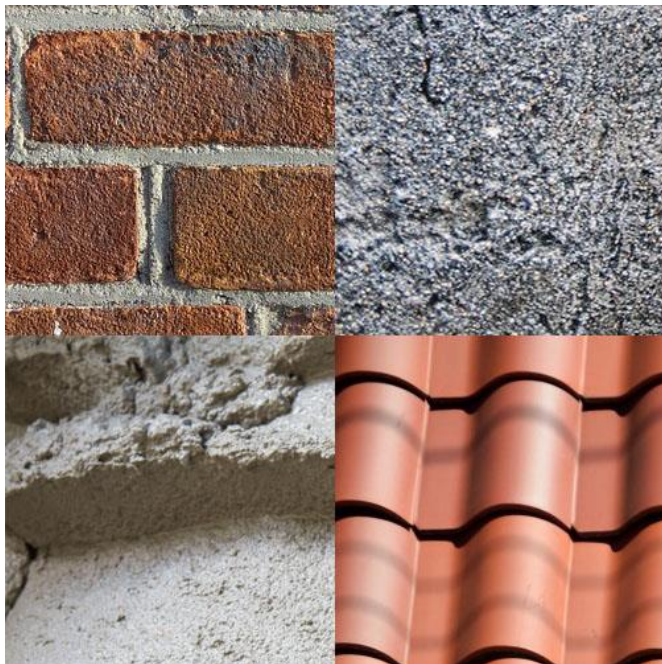
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- House Bill 2497; Ch. 211 of the Local Government Code (Signed by the Governor and is effective September 1<sup>st</sup>)
- ZBA rules adopted by City Council.
- File an appeal of an administrative decision
  - Person filing an application
  - Owner/Representative
  - Person aggrieved within 200 feet
  - Other Officer/Department/Board
- Appeal must be filed within 20 days of the administrative decision.
- Appeals must be heard within 60 days of the filing.



# Building Materials



- House Bill 2439; Title 10 of the Government Code (Effective September 1<sup>st</sup>)
- A governmental entity may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code.
- Amendment will remove any requirement relating to the UDC requiring the use of a specific a building material for residential or commercial buildings. Currently, the use of specific building materials occurs within the (-IO) Island Overlay District and Cottage Housing District. Additionally, Section 7.7 of the UDC specifies the design and use of specific materials for commercial buildings over 60,000 square feet in size.



# Planning Commission and Staff Recommendation

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- Zoning Board of Adjustment – July 24, 2019
- Landmark Commission – July 25, 2019
- UDC stakeholder meeting – July 31, 2019
- Padre Island Property Owners – July 31, 2019
- ISAC presentation – August 6, 2019
  
- Planning Commission – recommended approval – August 7, 2019
  
- Staff recommends **approval**.