



Report of Annual Written Interpretations of UDC and Proposed UDC Text Amendments

City Council Presentation
September 11, 2018



Annual Written Interpretation Report

- UDC Section 3.23.3.B: annual report of written interpretations of the UDC, to the Planning Commission, BOA, and City Council
- Based on the report, City Council authorizes UDC text amendments as appropriate



Exception from Platting

3.8.2. Exceptions From Platting Requirements

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J. Land, including submerged lands, owned by the State of Texas and administered by the Texas General Land Office.



Minor Plats

Before: Existing Platted Lots (with lot numbers):

1	2	3	4	5	6	7	8
16	15	14	13	12	11	10	9



After: Replatted, Combined Lots (with revised lot numbers):

1R	3R	5R	7R
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Minor Plats

3.10.1. Applicability

Minor, amending or vacating plats may be approved by the Assistant City Manager of Development Services in accordance with this Section.

A. Minor Plat

1. A minor plat is any plat a replat for the combining or consolidating of any number of existing, platted lots, if the replat results in four or fewer lots fronting on an existing street, does not increase the number of lots, and does not requiring the creation of any new street or the creation or extension of municipal facilities or improvements. (Ordinance 030832, 05/02/2016) (Ordinance XXXXXX __/__/201__)
2. Any plat that requires a waiver from subdivision design and improvement standards of this UDC shall not be processed as a minor plat. (Ordinance 030832, 05/02/2016)



Distance to Bar, Tavern or Pub

5.2.7 Bar, Tavern or Pub

A bar, tavern or pub shall be permitted in accordance with the use tables in Article 4 provided that the bar, tavern or pub shall not be located any closer than ~~1,000~~ 300 feet from a place of worship, or ~~elementary, middle or high~~ public or private school, ~~and 300 feet from a Day Care use~~ daycare center, or public hospital."

[remainder of Section 5.2.7 to remain]



Distance to Bar, Tavern or Pub

Differences in Text and Buffer Distances for Alcoholic Beverage Establishments, Comparing UDC and Municode,			
UDC §5.2.7		Municipal Code §4-5	
"bar, tavern or pub" <i>"shall not be located</i> any closer than"		<i>"No person</i> may maintain a place of business that dispenses alcoholic beverages ... within 300 feet of any: ..."	
"place of worship":	1,000 ft.	"church"	300 ft.
"elementary, middle, or high school"	1,000 ft.	"public or private school"	300 ft.
"Day Care use"	300 ft.	"daycare center"	300 ft.
<i>public hospital</i>	<i>not listed, no restriction</i>	"public hospital"	300 ft.



Eliminate 5.5% Interest Paid with Water & Wastewater Lot/Acreage Fee Refunds

- Recommended by Audit Report of 4/9/2018 on Development Services Funding for Developer Agreements
 - “to review UDC provisions related to refunding lot/acreage fees, paying interest and interest rate.”
- Interest rate from 2013 to 2017 for the trust funds has been less than 1%



Eliminate 5.5% Interest Paid with Lot/Acreage Fee Refunds: Water: UDC 8.5.1.D.2.c

- c. The property is not likely to be served with such water lines within five years.
 - i. Any refunds shall only be made when monies are fully available in, and appropriated from the Water Arterial Transmission and Grid Main Trust Fund. The order of reimbursement will be determined according to the date the application for refund is approved by the City Council. ~~Refunds shall include 5.5% interest per annum from the date of the filing of the final plat....~~
 - ii. Governmental entities, water control districts, or authorities, other than the City, which have provided for the furnishing of an approved water supply to a tract of land for which a lot or acreage fee has been paid to the City may apply to the City for a reimbursement of the lot or acreage fee paid on such tract if such fee has not already been refunded to the lot owners. ~~Such refund shall include 5.5% interest per annum from the date of the filing of the final plat.~~
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Eliminate 5.5% Interest Paid with Lot/Acreage Fee Refunds: Wastewater: UDC 8.5.2.G.1.c

- c. The property is not likely to be served with such wastewater lines within five years.
- i. Any refunds shall only be made when monies are fully available in, and appropriated from the Wastewater Trunk Line Trust Fund. The order of reimbursement will be determined according to the date the application for refund is approved by the City Council. ~~Refunds shall include 5.5% interest per annum from the date of the filing of the final plat.~~
 - ii. Governmental entities, wastewater control districts, or authorities, other than the City which have provided for the collection or treatment of sanitary sewage to a tract of land for which a lot or acreage fee has been paid to the City may apply to the City for a reimbursement of the lot or acreage fee paid on such tract if such fee has not already been refunded to the lot owners. ~~Such refund shall include 5.5% interest per annum from the date of the filing of the final plat.~~
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Smoking Lounges

Smoking Lounge: a business establishment that is dedicated, in whole or in part, to the smoking of tobacco products, electronic cigarettes, or other substances, including but not limited to establishments known variously as cigar lounges, hookah lounges, tobacco clubs, tobacco bars, etc.



Smoking Lounges

5.1.4. Commercial Use Categories

5.1.4.B. Indoor Recreation

Characteristics: General commercial uses, varying in size, providing daily or regularly scheduled recreation-oriented activities in an indoor setting.

Principal Uses	Accessory Uses	Uses Not Included
Auditorium Bar, tavern or club Exposition building Indoor entertainment activities such as billiard halls, bowling alleys, pool halls, dance halls, indoor firing ranges, movie or other theaters, and skating rinks Membership club or lodge Natatorium <u>Smoking Lounge</u> Sexually oriented business	Associated offices Concessions Food preparation and dining areas Off-street parking Satellite dish antenna under 3.2 feet*	Aquarium (see Community Service) Art gallery (see Community Service) Athletic or health club (see Retail Sales and Service) Library (see Community Service) Museum (see Community Service) Senior centers (see Community Service) Youth club facilities (see Community Service)



Smoking Lounges

Table 4.5.2 Permitted Uses (Commercial Zoning Districts)

P = Permitted Use L = Subject to Limitations SUE = Special Use Exception SP = Special Permit [blank cell] = Not Permitted	CN-1	CN-2	ON	CR-1	CR-2	CR-3	CG-1	CG-2	CI	CBD	BP	Standards
Commercial Uses												
Commercial Parking Uses [5.1.4.A]	P	P	P	P	P	P	P	P	P	P	P	
Indoor Recreation Uses [5.1.4.B]	P	P	S	P	P	P	P	P	P	P	P	
Bar, tavern or pub				L	L	L	L	L	L	L	L	5.2.7
<u>Smoking Lounge</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	



Staff Recommendation

Staff recommends approval of the text amendments to the Unified Development Code.