



UDC Text Amendments

Unified Development Code (UDC)

State Mandated

Planning Commission
August 7, 2019



Overview

- 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 1st
- 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- Consent of the designation can be withdrawn at anytime during the designation process.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 1st hearing that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property.



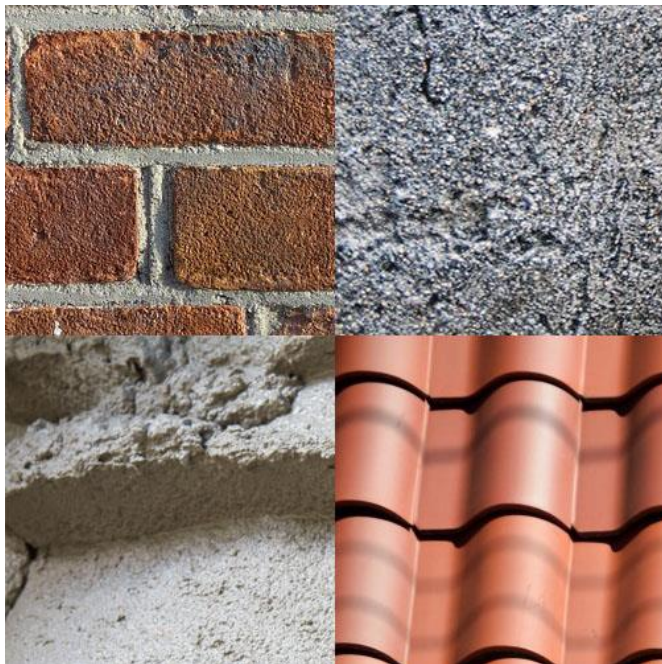
Zoning Board of Adjustment (ZBA)



- House Bill 2497; Ch. 211 of the Local Government Code (Signed by the Governor and is effective September 1st)
- 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 1st)
- 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.