

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

City Council September 17, 2019





- Purpose: Updating the Unified Development Code (UDC) to streamline development process
  - Uses/Businesses that require rezonings or Zoning Board of Adjustment action
  - Reduces the need for Special Permits



#### **Special Permits**

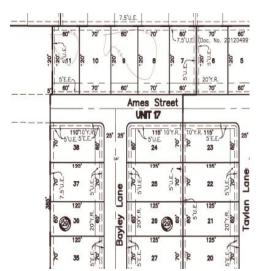
- <u>Automatic Car washes</u>- Allow the "Car Wash, Automated" use by-right within the "CN" Neighborhood Commercial Districts with limitations.
- Currently, any type of car wash is regulated to the Resort Commercial, General Commercial, Intensive Commercial, Central Business, and Light Industrial Districts.
- <u>Paint and Body Shops</u>- Allow the "Vehicle Service, Heavy" use by-right when the use is an accessory use to a vehicle sales establishment with limitations. Currently, a "Vehicle Service, Heavy" use is regulated to the Industrial Districts as a primary use.
- <u>Aggregate Storage</u>- Allow the "Stockpiling of Sand, Gravel, or other aggregate materials" use by-right when the use is an accessory use to a "plants" retail sales establishment with limitations. Currently, a "Stockpiling of Sand, Gravel, or other aggregate materials" use is regulated to the Industrial Districts by-right and via Special Permit in the "CI" Intensive Commercial and "BP" Business Park Districts.



- <u>Crematoriums</u>- Allow the "Crematorium (Human)" use by-right when the use is an accessory use to a "Funeral Home" retail (Personal Service-Oriented) establishment with limitations. Currently, a "Crematorium (Human)" use is regulated to the Industrial Districts.
- <u>Above Ground Fuel Tanks</u>- Eliminate requirement for approval as a Special Use Exception (SUEs) granted by the Zoning Board of Adjustment (ZBA). Will still require fire marshal approval.



## Side Yard Requirements



- Also known as the "Back-to-Back" rule.
- For corner lots backing to an adjacent lot's rear yard, the corner lot street side yard requirement shall be not less than the *adjacent lot's rear yard*, but in no case less than 10 feet and no greater than the required front yard setback of the subject lot.
- For corner lots backing to an adjacent lot's front yard, the corner lot street side yard requirement shall be not less than the *adjacent lot's front yard*, but in no case less than 10 feet and no greater than the required front yard setback of the subject lot.
- If a corner lot backs up to a parcel that is unplatted, zoned Farm Rural or is outside city limits, *and* is at least 10 acres in size, then the corner lot street side yard shall be a minimum of not less than ten (10) feet and no greater than the required front yard setback of the subject lot.



#### Townhomes

- UDC Section 4.4.3.A
- Currently, allowed by-right in multiple districts as a land use.
- To apply the "RS-TH" Townhome District standards, the property must be zoned "RS-TH", "RM-1" and "RM-2". Amendment adds <u>"RM-3".</u>
- Removal of the minimum site area required. The current requirement is a minimum site area of 20,000 square feet.
- Amend the definition of a Townhouse to clarify the difference between fee simple lots and condominiums.
- A townhouse development may be platted on a separately owned lots and lots may be sold fee simple or as condominiums or the development may occupy a single <u>lot</u> parcel with the units being leased or sold as condominiums.



- Amend the definition of an accessory building to clarify that the total square footage of all accessory buildings combined must be at or below 50% of the total square footage of the principal structure.
- Detached accessory buildings shall be located behind the front face of the main principal structure and <u>the total</u> <u>square footage of all accessory buildings</u> shall not exceed 50% of the main principal structure total square footage.



### Administrative Adjustments

• Provide administrative adjustment for side and rear yard setbacks in conjunction with easement vacation/modification.



Planning Commission and Staff Recommendation

- 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.