

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL CORRESPONDENCE
PLANNING DEPARTMENT**

TO: Mayor and City Council

FROM: Emil R. Moncivais, AICP, AIA, Planning Director

THROUGH: Terry M. Brechtel, City Manager

COPY: Jelynn LeBlanc Burley, Assistant City Manager; Florencio Pena; Roderick Sanchez; Nina Nixon-Méndez, Andrew Spurgin, File

SUBJECT: High Priority Corridor District enabling ordinance and designation of Northeast Gateway Corridor District

DATE: June 10, 2004

SUMMARY AND RECOMMENDATION

This ordinance amends the Unified Development Code (UDC) with a new section to provide for a National Highway System High Priority Corridor Districts Enabling Ordinance and an overlay district rezoning to designate the Northeast Gateway Corridor District ("IH-1"). The proposed enabling ordinance addresses design standards for structures and standards for on and off premises signage. These are elements that cannot be addressed by the existing Corridor Overlay Districts adopted by the City Council in December 2002. Developed by property owners, commercial property stakeholders and neighborhood associations within the proposed boundaries, the site development standards will govern new construction and substantial rehabilitation projects within the corridor district.

The Zoning Commission has recommended approval of both items with amendments. Staff recommends approval without the amendments.

BACKGROUND INFORMATION

The City Council issued a resolution in March 2003 directing staff to develop a Corridor Overlay District for Interstate 35 North in City Council District 10. Section 35-339.01 of the Unified Development Code provides a process for designating corridor districts along roadways in the City's Major Thoroughfare Plan. In September 2003, the Planning Department received a Council Consideration Request to develop a new zoning overlay district enabling ordinance to facilitate the implementation of design standards for structures and signage along IH-35 North.

A new enabling ordinance was prepared pursuant to the Council Consideration Request to add a new section 35-339.03 "National Highway System High Priority Corridor Districts" to the Unified Development Code. This new enabling ordinance can only be applied to High Priority Corridors

designated by the Federal Highway Administration. In San Antonio, the only designated High Priority Corridor is IH-35. The proposed enabling ordinance could only be applied to IH-35 from the Southern City Limits to the Northern City Limits unless an act of Congress designated additional High Priority Corridors in San Antonio. With the enabling ordinance in place, specific sections of IH-35 can be designated through individual zoning cases.

At the direction of the City Council Urban Affairs Committee, staff initiated the designation process for the first Corridor District, which will be along a 4.5 mile section of IH-35 North from Walzem Road north to the City Limits at Toepperwein Road. The district extends up to 1,000 feet on both sides of the Interstate within the corporate city limits. The district includes primarily commercial and industrial uses; it does not include any existing, platted single-family residential neighborhoods.

A consensus-based process was used to recommend site development standards to promote attractive and cohesive developments. Property owners in the proposed district were afforded opportunities to create the site development standards through three (3) public meetings held in October and November 2003 and in February 2004. In addition, a Planning Team met seven (7) times between August 2003 and February 2004 to provide oversight of the designation process and finalize recommendations for site development standards. For this particular corridor, the Planning Team included representatives from the Northeast Coalition, the General Krueger Neighborhood, the Royal Ridge Neighborhood, the Valley Forge Neighborhood, the Randolph Hills Civic Association, Jordan Ford, Bitterblue Inc. and Wayland Baptist University. At the November 17 meeting, participants were asked to vote for a name of this Corridor District. The name selected was the "Northeast Gateway Corridor."

The proposed overlay district for the Northeast Gateway Corridor will address:

- Elements governing the physical characteristics and layout of the property,
- Building materials,
- Design standards for building facades, and
- Sign standards.

The community expressed a desire to provide a climate in which individual actions complement each other and enhance the character of the area through design review of new projects. This will include commercial and industrial design standards and sign standards that will facilitate this desire. It should be noted that several provisions apply only to those properties along IH-35 or those visible from a public right-of-way. The following table provides a summary of the standards that are addressed in the Enabling Ordinance.

Standard:	Applicability:
Setbacks	Entire district.
Lighting	Entire district.
Sidewalks	Along IH-35 only.
Landscaping	Only commercial or multifamily projects subject to landscaping requirements by the UDC.
Parking lot screening	Parking areas visible from IH-35 only.
Front natural buffers	Properties fronting IH-35 only.
Rear buffers	Only applies when property zoned for commercial or industrial use abuts a single-family district.
Front fencing	Entire district.
Outside Activities	Screening required where visible from public view.
Elevation Features	Only applies to buildings within the district that are visible from a public right-of-way.
Building Materials	Only applies to buildings within the district that are visible from a public right-of-way.
Lighting	Entire district.
Signage	Entire district.

At the request of the Zoning Commission, two (2) additional meetings were held to solicit input from the San Antonio Electrical Sign Association, the Restaurant Association, the Real Estate Council and independent outdoor advertisers. Specific changes to the ordinance included:

- Revising the building design standards to clarify that the minimum area of the façade to be transparent with windows and openings only applies to the ground floor.
- Removal of the prohibition on solid walls exceeding 20 feet in length.
- Increasing the nonconforming rights of sign operators to 60% of the replacement value - an increase from the current sign ordinance provision for 50%.
- Elimination of the materials standards for front yard fencing.
- Increasing the allowable wall sign message area by 33% for channel letter signage.

The Zoning Commission heard the ordinances on April 20, 2004 and again on June 1, 2004. At the June 1, 2004 Zoning Commission Meeting, the Commission recommended approval with certain amendments to both the enabling ordinance and the Northeast Gateway Corridor District. The amendment is to delete streetwall façade standards from the list of development standards in the enabling ordinance. The amendments to the Northeast Gateway Corridor District are to delete the design standards for the building elevation and amend the sign standards to those adopted with the Hill Country Gateway Corridor. The differences in staff's recommendation and the Zoning Commission's recommendation are detailed in the following table.

	Staff Recommendation	Zoning Commission Recommendation
Enabling Ordinance Section: (f) (15)	Include street wall façade of permanent structures as one of the elements that a Corridor District may address.	Delete street wall façade of permanent structures as one of the elements that a Corridor District may address.
Northeast Gateway Corridor District Section: Elevation Features – windows and openings	Window and clearly marked public entries that allow for visibility into the commercial building and have accessibility from the street shall be provided along at least 50% (20% for properties zoned L, I-1 or I-2) of the length of the first floor street frontage as calculated as the area between the first floor and ceiling. Buildings shall be articulated so facades that face public streets and exceed 40 feet in horizontal length shall include design elements such as: texture, canopies, projection or indentations, vertical expression of structural bays, or roof design.	Delete standards for elevation features.
Northeast Gateway Corridor District Section: On-premises signs	Expressway or Arterial: 15' height/100 square feet single tenant 15' height/130 square feet dual tenant 15' height/130 square feet multiple tenant <i>Up to an additional 5 feet of overall sign height may be added if the adjacent street grade is elevated.</i>	Expressway: 35' height/200 square feet single tenant 40' height/250 square feet dual tenant 40' height/300 square feet multiple tenant Arterial A: 25' height/65 square feet single tenant 30' height/150 square feet dual tenant 40' height/200 square feet multiple tenant <i>Up to an additional 10 feet of height may be added if the adjacent grade is elevated.</i>

Once adopted, the Corridor District standards will be triggered during the building permitting process. The site development standards are incorporated into the development process at the time construction plans are submitted for review. The ordinance will not affect the underlying zoning or land use of a property, nor will it require a property owner to rehabilitate existing structures or signs to conform to the new standards. Existing businesses may remain in the area and conduct ordinary repair and maintenance of their properties indefinitely without triggering the new ordinance.

Nonconformities will be controlled through existing procedures outlined in Chapters 28, Signs, and 35, UDC, of the Municipal Code. The proposed ordinance will be triggered when replacement or repair costs for structures or signs exceed fifty (50) percent of the replacement cost of the structure and when there are enlargements or extensions to exceeding structures or signs. When a nonconforming sign cabinet is removed, it shall, at that time, lose its non-conforming status; however, the sign cabinet, if of exceptional height, size or unusual shape, may be lowered to the ground to facilitate for maintenance or safety considerations, if approved by the Development Services Department Director.

When an application for a permit for a property within a Corridor District is received, Planning Department staff is charged with the conformance review, within a period of ten (10) working days, to accommodate an efficient permit process. So that there is no delay on the approval process, the ten-day review by Planning Department staff may be conducted concurrently with the

thirty-five (35) day building permitting process by the Development Services Department. After the Planning Department has reviewed the applicant's plans, a Certificate of Compliance is either issued or denied. If denied, the applicant may resubmit with the appropriate changes or appeal to the Board of Adjustment.

Applicants only seeking a sign permit are not subject to review by the Planning Department and may request the permits from the Development Services Department in accordance with existing procedures.

One option available to applicants that seek conformity to the standards before construction plans are finalized is to request preliminary plan review from the Development Services Department at which point Corridor District compliance could be addressed. A Certificate of Compliance can be issued at any point in the development process provided that all submittal materials required by subsection (g) of the enabling ordinance are included.

POLICY ANALYSIS

The purpose of the High Priority Corridor Districts ordinance is to promote attractive and cohesive developments along IH-35 that add value to the community. IH-35 has been designated as a Congressional High Priority Corridor under the Transportation Equity Act for the 21st Century ("TEA-21"). This designation will steer additional federal funds to improving overland transportation between and among the United States, Mexico and Canada pursuant to the North American Free Trade Agreement ("NAFTA"). High Priority Corridor Districts are both consistent with and encouraged through the mandates and policy statements of the 1997 *Master Plan Policies*. The following *Master Plan Policies* support this ordinance:

- Develop strategies and initiatives to increase opportunities for international transportation of people and goods to strengthen San Antonio's position in global economic and cultural markets.
- Create and adopt urban design guidelines and standards that will enhance the quality of life in San Antonio and which specifically encourage...creation of City gateways and entry points.

FISCAL IMPACT

This ordinance has no impact upon the financial resources of the City other than normally associated with zoning enforcement. Also, there are no additional fees charged to applicants for review of building plans for corridor district compliance.

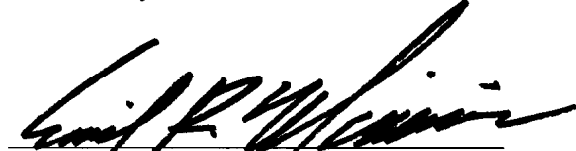
Since adoption of the Hill Country Gateway Corridor on May 19, 2003, Planning Department staff has reviewed plans for 5 projects along the 7.2 mile long Corridor District. All projects reviewed were approved by the Planning Department.

COORDINATION

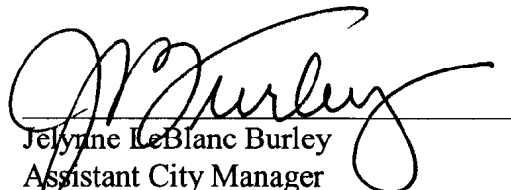
The Planning Department coordinated the ordinance development process with the following departments: City Manager's Office, City Attorney's Office, Development Services, as well as City Council Districts 2 and 10, the City Council's Urban Affairs Committee, the Texas Department of Transportation, the San Antonio Zoning Commission and the City of Live Oak. Their recommendations were incorporated, as applicable.

SUPPLEMENTARY COMMENTS

The participation of officials from the City of Live Oak has also spurred interest in that community to create a Corridor District concept within their city limits.




Emil R. Moncivais, AICP, AIA
Director, Planning Department



Jelynn LeBlanc Burley
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

AN ORDINANCE

AMENDING CHAPTER THIRTY-FIVE OF THE CITY CODE, ARTICLE III: ZONING, AND APPENDIX A BY ADDING A NEW SECTION 35-339.03, NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR DISTRICTS.

* * * * *

WHEREAS, the City's Master Plan Policies, adopted May 29, 1997 recommended that the City develop strategies and initiatives to increase opportunities for international transportation of people and goods to strengthen San Antonio's position in global economic and cultural markets; and

WHEREAS, since passage of the North American Free Trade Agreement (NAFTA) traffic has increased on the major highways in South Texas;

WHEREAS, the Transportation Equity Act for the 21st Century designates High Priority Corridors;

WHEREAS, Interstate 35 has been designated a High Priority Corridor;

WHEREAS, between 1990 and 2000 certain locations of Interstate 35 within the San Antonio City Limits have experienced average daily traffic increases by as much as 127%;

WHEREAS, additional High Priority Corridors in San Antonio could be designated through an act of Congress;

WHEREAS, the City Council aims to preserve, enhance, and perpetuate the value of designated High Priority Corridors; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Unified Development Code, of the City Code of San Antonio, Texas, Article III, is hereby amended by adding a new Section 35-339.03 as follows:

35-339.03 NATIONAL HIGHWAY SYSTEM HIGH PRIORITY CORRIDOR DISTRICTS

Within the city there are Interstate Highways that contribute to domestic and international trade between the United States, Canada and Mexico. Significant infrastructure improvements have been or will be completed to further facilitate trade and commerce and contribute to the economic development initiatives of the City of San Antonio. To preserve, enhance, and perpetuate the value of these Interstate Highways the City Council hereby authorizes the establishment of a National Highway System (NHS) High Priority Corridor overlay zoning district.

The purposes of this overlay district is as follows:

- To create a more attractive, cohesive, and safe environment for visitors, freight traffic and area residents.
- To create favorable impressions of San Antonio to further promote targeted economic development initiatives of the city.
- To enhance San Antonio's image as a family friendly City.
- To preserve, protect, and enhance areas of high tourist and visitor visibility.
- To enhance the appearance and economic viability of areas along Interstate Highways.
- To reduce visual chaos and limit driver distractions along public roadways.
- To protect publicly funded capital investments in the national transportation infrastructure.

(a) NHS High Priority Corridor District Established.

This section authorizes the establishment of a NHS High Priority Corridor overlay district. However, separate ordinances are required to establish each district. This division also specifies the general purposes of the NHS High Priority Corridor district and the scope of the standards that the separate ordinances may address. Ordinances establishing each district shall identify the street corridor(s) and specify the individual purposes and standards for that district. In event of a conflict between the provisions of a specific corridor ordinance and other provisions of the Municipal Code, the provisions of this section shall apply.

(b) Designation Criteria.

To be designated an NHS High Priority Corridor District an area must be designated as a High Priority Corridor in the National Highway System in accordance with Section 1118 of the Transportation Efficiency Act of the 21st Century enacted in 1998 amending Title 23 of the United States Code (23 U.S.C).

(c) Initiation Procedures and Zoning Classification.

- (1) City Council Resolution shall initiate zoning changes to establish a specific NHS High Priority Corridor district.
- (2) The Planning Department shall undertake land use and other background studies necessary to establish a NHS High Priority Corridor district. All property owners within the proposed district and adjacent areas shall be afforded an opportunity to

participate in drafting the proposed regulations through public hearings and meetings.

- (3) A NHS High Priority Corridor district is established as an overlay district to the regular base zoning districts established by the Unified Development Code.
- (4) The zoning designation for the NHS High Priority Corridor district shall consist of a base zone symbol and the overlay district symbol IH as a suffix. High Priority Corridor districts shall be numbered sequentially to distinguish among different districts, i.e., IH-1, IH-2, etc.

(d) Boundaries.

A NHS High Priority Corridor district shall be designated on both sides of a street except when one side is not located within the City of San Antonio. The maximum width of a district along either side of the street right-of-way shall not exceed 1,000 feet. The minimum length of a district shall be 2,640 feet.

(e) Zoning/Rezoning Plan.

An NHS High Priority Corridor district may be adopted as an overlay zone on top of the existing base zoning to incorporate additional urban design standards, and to ensure safe traffic movement within the corridor. The zoning ordinance creating a NHS High Priority Corridor District shall include a development plan. Uses allowed in the corridor shall be in accordance with the design and development standards found in Table 35-339.02-1 of this section. The City Council may elect to rezone all or portions of the district to reflect compatible land use relationships.

- (1) The development plan approved as part of the zoning ordinance creating a Corridor District shall include Development and Design Standards for new construction of any building or structure, or the relocation or rehabilitation to the street facade of an existing building or structure as set forth in subsection (f) below.
- (2) The Development Plan and requisite Development and Design Standards shall not apply to those activities that constitute ordinary maintenance and repair of the building or site using the same or similar material and design.
- (3) Nonconforming structures shall be governed by Article VII of this Chapter.

(f) Development and Design Standards.

Development and Design Standards for the Corridor District may only include the following elements and no others governing the physical characteristics and features of all property (public or private) within the proposed corridor district:

- (1) siting, grading;
- (2) building size;
- (3) lot coverage; floor area ratio;
- (4) front and side yard setbacks;
- (5) lot frontage;
- (6) driveway size and sidewalks;
- (7) parking, off-street parking and loading requirements;
- (8) screening of lighting for entrances, parking lots, walkways and building exteriors;
- (9) screening; fences, walls and berms;
- (10) landscaping to encourage the use of native trees and plants;
- (11) tree preservation;
- (12) natural areas to encourage the use of native trees and plants;
- (13) noise levels;
- (14) building materials;
- (15) street wall façade of permanent structures;
- (16) trash receptacles, utility boxes;
- (17) satellite dishes and components;
- (18) solar systems and components.

(g) Corridor Ordinance Administration.

- (1) A site plan and building elevations for all properties within a corridor district shall be submitted in conjunction with an application for a building permit as required by the City's Building Code. The plan shall be on a standard drawing sheet of a size not to exceed twenty-four by thirty-six (24 x 36) square inches and shall be submitted in four (4) copies, including one reproducible copy, together with a reproducible eight and one-half by eleven (8.5 x 11) inches reduction of the plan.
- (2) The site plan shall include the following, as applicable, for a particular corridor district:
 - A. Street address, legal description, vicinity diagram, scale, north arrow, and perimeter boundaries;
 - B. Location and dimensions of existing and/or proposed structures, easements, driveways, and parking areas;
 - C. Location and height of required screening;
 - D. Locations and dimensions of all signs and appurtenances; and
 - E. Location of lighting.
- (3) Building elevations shall include:
 - A. Building materials; and
 - B. Building dimensions and details.
- (4) No building permit shall be issued by the Development Services Department for new construction or an alteration or addition to the street facade of an existing

building or structure within a designated NHS High Priority Corridor District without the submission and approval of design plans submitted in conformance with the Development and Design Standards established pursuant to subsection (f) above and the issuance of a Certificate of Compliance by the Planning Director, provided however, a sign permit may be issued upon review of the applicable corridor ordinance by the Development Services Department without issuance of a Certificate of Compliance by the Planning Director.

- (5) The Development Services Director shall forward a copy of a building permit application to the Planning Director for review and comment. Upon receipt of all submittal materials required in subsection (1), the Planning Director shall issue or deny a Certificate of Compliance to the applicant within ten (10) working days. If approved or disapproved, the plan shall be so annotated and the plan shall be returned to the Development Services Department.
- (6) If the plan is not approved, the applicant may appeal the staff decision to the Board of Adjustment.

(h) Sign Standards.

- (1) General. The provisions of Section 28-220 of the Municipal Code shall apply to corridor districts established pursuant to this section, provided that in the event of a conflict between the provisions of a specific corridor ordinance and Section 28-220, the most restrictive provisions shall apply.
- (2) Prohibited signs. In addition to the signs prohibited by Section 28-220, no signs shall be permitted in public rights-of-way except for licensed residential monument signs and other signs expressly authorized by permit or license before the effective date of this section.
- (3) Nonconforming signs. Abatement of nonconforming signs shall be governed by Section 28-245, Nonconforming Sign Abatement, of this Code; provided however that the right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the device is damaged or destroyed from any cause whatsoever and the cost of repairing such damage or destruction exceeds sixty percent (60%) of the replacement cost of the sign on the date of such damage or destruction.
- (4) On Premises Signs. The maximum sign height and message area shall be as indicated in Table 35-339.02-1. Sign consolidation incentives may be considered for individual corridors not to exceed the maximum sign areas in Table 35-339.02-1.
- (5) Off Premises Advertising Signs and Billboards. This ordinance does not prohibit signs advertising goods or services off-premises. However, such a prohibition may be adopted as a requirement of a designated corridor.

- (6) Sign Master Plan Development Agreements. No provision in this section may be construed to prohibit a Sign Master Plan Development Agreement as defined by Section 28-244 of the Municipal Code.
- (7) Automobile Sales. Where the primary use of a lot is automobile sales, one (1) freestanding sign shall be permitted for each two-hundred (200) linear feet of street frontage in accordance with Table 35-339.02-1. The maximum height and size for all allowed signs on lots where the primary use is automobile sales shall be in accordance with Table 35-339.02-1. On lots with frontage on more than one street, the same shall apply for each street.
- (8) Definitions. For the purposes of this section the following definitions apply:

Dual Tenant Sign. Dual tenant signs are signs that advertise no more than two (2) businesses, each with a separate Certificate of Occupancy on the same platted lot. Provisions pertaining to dual tenant signs may only be used when no more than two businesses occupy a single platted lot. An individual tenant shall not exceed the maximum allowable message area of a single tenant sign as designated in Table 35-339.02-1. Commentary: The provision of dual tenant signs in corridor districts is to encourage the reduction in the number of freestanding signs.

Monument Sign. Monument signs are signs that are directly supported by the earth for the full width of the sign face area.

Freestanding Sign. Freestanding signs means any type of sign supported by structures or supports that are placed on, or anchored in, the ground and is independent of any structure and of a permanent nature. This type of sign shall include any form of monument sign as defined in Chapter 28 of the Municipal Code.

(j) Public Facilities and Utilities

Public agencies shall take into account a corridor designation and be sensitive to the intent and provisions of a corridor ordinance in the siting and design of projects and facilities that are located within or adjacent to a corridor district. On-site utilities may be required to be located underground unless required by the utility to be otherwise located. Public agencies that own property within a corridor district shall be encouraged to provide landscaping along public rights-of-way.

TABLE 35-339.02-1

1. MAXIMUM SIGN HEIGHT

The maximum sign height for freestanding signs shall be established in accordance with the table below as measured feet. The maximum sign heights below shall apply to Arterial Type A, Arterial Type B and Expressways in the District.

<u>A. Single Tenant</u>	<u>10 – 45 ft.</u>
<u>B. Dual Tenant</u>	<u>10 – 45 ft.</u>
<u>C. Multiple Tenant</u>	<u>10 - 50 ft</u>

Up to an additional 5 feet of overall sign height may be added if the adjacent street grade is elevated. The difference in elevation between the property and the street grade shall be the determining factor in the height allowed.

2. MAXIMUM FREESTANDING SIGN MESSAGE AREA (single/dual/multiple tenant)

The maximum sign face area for freestanding signs shall be established in accordance with the table below as measured in square feet. The maximum sign face areas shall apply to Arterial Type A, Arterial Type B and Expressways in the District.

<u>A. Single Tenant</u>	<u>100 – 300 sq ft</u>
<u>B. Dual Tenant</u>	<u>100 - 375 sq ft</u>
<u>C. Multiple Tenant</u>	<u>130 - 500 sq ft</u>

3. NUMBER OF FREESTANDING SIGNS

To be determined for each designated NHS High Priority Corridor District, provided that, one freestanding sign per platted lot is permitted. Additional freestanding signs may be permitted if a minimum spacing between signs of two hundred (200) feet exists along one side of the street and no sign is within the clear vision area defined by Section 35-506. Except in those instances provided in section (h) (7) above, additional freestanding signs shall not exceed seventy-five (75%) percent of the allowable height and size set out in Table 35-339.02-1.

4. MAXIMUM ATTACHED SIGN MESSAGE AREA

The maximum allowable sign area, as a percentage of the area of each building elevation, for attached signs along all street frontage shall be as follows, provided that each occupancy that has a separate and distinct public entrance located on an Arterial Type B street shall be allowed a minimum of fifty (50) square feet of sign message area, each occupancy that has a separate and distinct public entrance located on an Arterial Type A street shall be allowed a minimum of seventy five (75) square feet of sign message area, and each occupancy that has a separate and distinct public entrance located on an Expressway shall be allowed a minimum of one hundred (100) square feet of sign message area.

- A. Cabinet Sign; Painted or Flat Sign 15%
- B. Channel Letters Raised or Incised 20%

SECTION 2. Chapter 35, Unified Development Code, Appendix A, Definitions and Rules of Interpretation, of the City Code of San Antonio, Texas, is hereby amended by adding a new definition as follows:

Street Wall Façade

That portion or portions of any permanent structure that is visible from any dedicated public right of way.

SECTION 3. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall remain in full force and effect unless expressly amended by this ordinance.

SECTION 4. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this ordinance, or any appendix thereof, for any reason be held illegal, inoperative, or invalid, or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 5. Notice of these changes to the Unified Development Code shall not require the publication in an official newspaper of general circulation in accordance with Chapter 35, Article IV, Division 1, Table 403-1.

SECTION 6. The publishers of the City Code of San Antonio, Texas are authorized to amend said Codes to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing code.

SECTION 7. This ordinance shall become effective on ____, 2004.

PASSED AND APPROVED this the ____ day of _____, 2004.

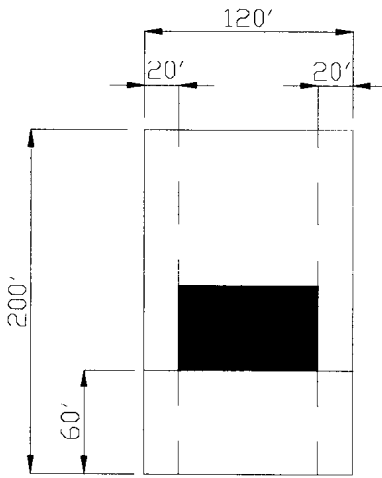
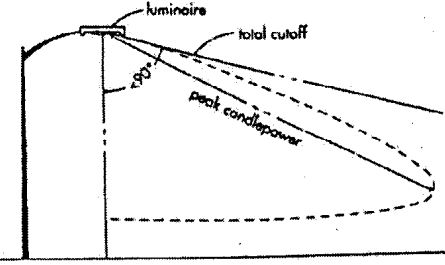
M A Y O R

ATTEST:



City Clerk

APPROVED AS TO FORM: _____
City Attorney

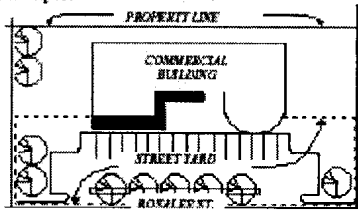

Northeast Gateway Corridor District Site Development Standards

<p>Setbacks</p>	<p>Front building setbacks along IH-35 shall be a minimum of 60 feet. For lots fronting another street but with a side yard along IH-35, the side building setback along IH-35 shall be a minimum of 60 feet. All other front, side and rear building setbacks within the Corridor District shall be a minimum of 20 feet.</p>	 <p>The diagram shows a rectangular lot with a width of 120 feet and a depth of 200 feet. A building is represented by a black rectangle in the center. The setbacks are indicated: 20 feet from the side boundaries and 60 feet from the front boundary.</p>
<p>Lighting</p>	<p>Exterior lighting fixtures for entrances, parking lots or walkways shall not emit a significant amount of the fixture's total output above a vertical cut-off angle of 90 degrees. Any structural part of the fixture providing this cut-off angle shall be permanently affixed.</p> <p>Lighting of building exteriors (uplighting or downlighting) that is positioned to highlight a building or outdoor artwork shall be aimed at the object to be illuminated, not pointed into the sky. Flood lamps should be shielded so that the light sources are not visible from a public right-of-way.</p>	 <p>The diagram shows a luminaire mounted on a pole. It illustrates the light distribution with a vertical line representing the 90-degree cutoff. The light beam is shown as a dashed line, and the peak candlepower is indicated. The total cutoff is also shown.</p> <p style="text-align: center;">LUMINAIRE WITH LESS THAN 90° CUTOFF</p>


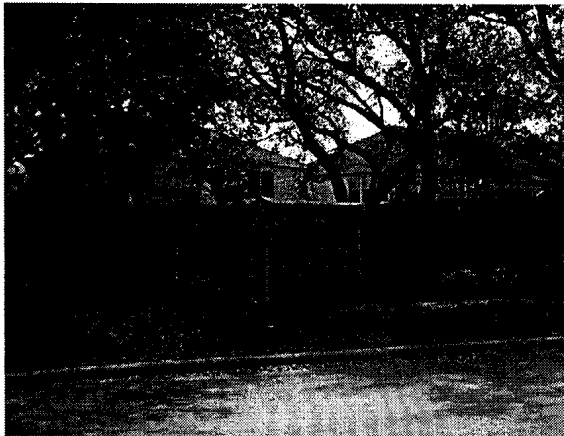
Northeast Gateway Corridor District Site Development Standards

<p>Sidewalks – along property frontage</p>	<p>Sidewalks along IH-35 shall be at least 5 feet in width. Along IH-35 a minimum planting strip of 5 feet shall be maintained between the curb and sidewalk. Sidewalks shall be aligned with any existing adjacent sidewalks.</p>	
<p>Pedestrian circulation – internal to property</p>	<p>At least one direct pedestrian route shall be provided within the parking lot of commercial uses shall be provided from the building to the edge of the front parking lot to provide linkage with the public sidewalk along the property frontage. The pedestrian route should be separated from the parking stalls with a combination of landscaping and edging. Where the pedestrian route crosses drive lanes, the pedestrian route shall be clearly striped to warn vehicle drivers of the pedestrian crossing. The minimum width of the pedestrian walkway, including landscaping, should be 10 feet.</p>	



Northeast Gateway Corridor District Site Development Standards

Landscaping	<p>In addition to the mandatory landscaping requirements established by §35-511, landscape plans shall be required to earn a minimum of 85 points as awards for elective requirements. Existing trees and understory plants may be preserved to meet this requirement. The awarding of points is specified in §35-511, which at the effective date of this ordinance provides for the following:</p> <p>Tree preservation = 2 to 40 points Parking lot screening = 25 points Parking lot shading = 20 to 35 points Street trees = 25 points Understory preservation & installation = 15 to 30 points</p>	<p>Example:</p>  <p>Example: Tabulation of Points</p> <table><tr><th>Electives</th><th>Points</th></tr><tr><td>Street trees</td><td>25 pts.</td></tr><tr><td>Screening of surface parking</td><td>25 pts.</td></tr><tr><td>Parking lot shading</td><td>20 pts.</td></tr></table>	Electives	Points	Street trees	25 pts.	Screening of surface parking	25 pts.	Parking lot shading	20 pts.
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Parking Lot Screening	<p>All parking areas visible from the IH-35 right of way shall be screened to a minimum height of 3 feet with earthen berms and/or dense landscaping. If plants are used, they must achieve the minimum height and form an opaque visual barrier at maturity. If berms are used to satisfy this requirement, plants must be provided along a minimum of 25% of the screen's frontage. This screening shall count toward the minimum landscaping requirements.</p>									

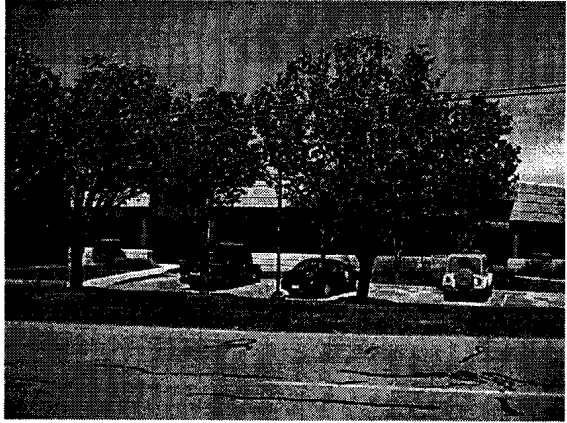
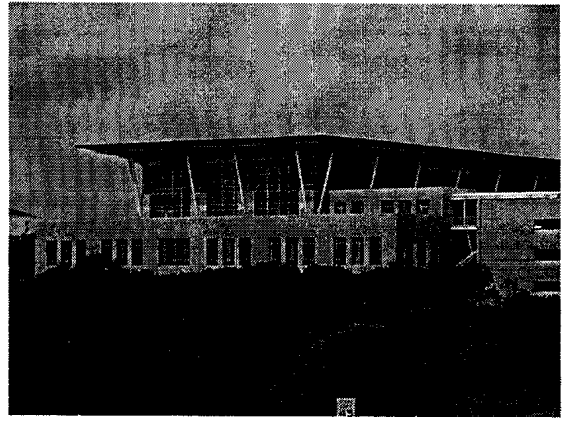
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<p>Natural Areas – property frontage</p>	<p>A type B buffer shall be provided along IH-35. This shall include landscaping of the first 15 feet of property outside of the right way with native plant material and trees with at least two canopy trees per 100 feet of linear frontage (coordination with Texas Department of Transportation required for tree plantings). Understory trees may be used if there are overhead power lines. A ten percent (20%) reduction in width may be provided if existing trees and/or native understory is preserved. Detention and filtration areas may be located within this area however they must be used as a landscape feature or shall be fully screened from public view with dense landscaping. Tree preservation and understory preservation within the front natural area shall count toward the required minimum landscaping points.</p>	
<p>Rear Buffer Yards</p>	<p>Rear buffer yards shall be required in accordance with §35-510, however, a minimum ten (10) foot buffer yard shall be provided at the rear property line of adjoining uses for which a Type A, B or C Buffer is required. The rear buffer yard requirement is in addition with any other requirement to fence the property.</p>	

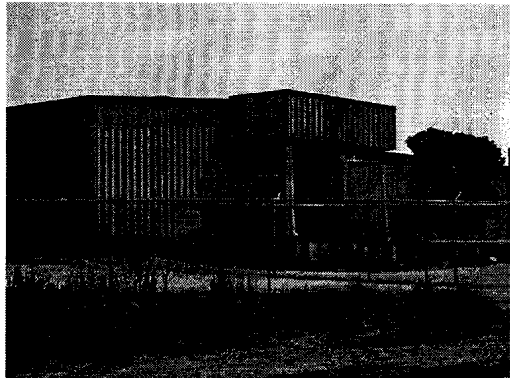
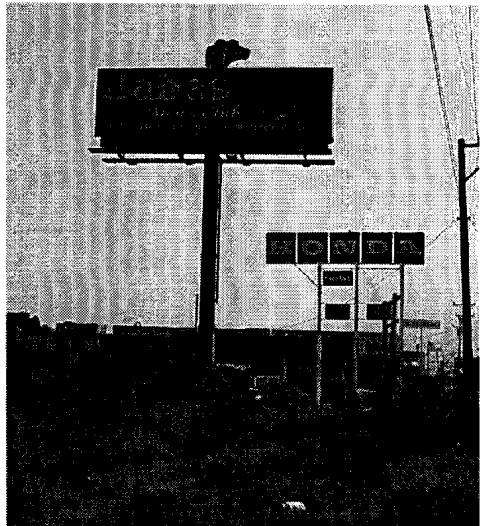
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Front Street Yard Fencing	<p>Except where required to screen outside activities (see below), fencing or walls are not recommended within the front street yard. If constructed, the front yard wall or fence shall be aligned with any existing adjacent fence. No barbed wire, vinyl fencing, razor wire and chainlink fencing is allowed within the front street yard. <u>For properties that require the front natural buffer, fences and walls shall be located behind the front natural buffer.</u></p>	
Outside Activities	<p>Outside storage, industrial activities, loading areas, refuse areas, HVAC, utility boxes, solar systems, and antennas shall be kept to the rear of the property where possible and shall be screened from public view at ground level at a minimum height of six (6) feet. Screening may be achieved by solid screen fence or wall, evergreen plant materials or landscaped earthen berm.</p>	


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<p>Elevation Features – windows and openings</p>	<p>The ground floors of all non-residential buildings visible from public rights-of-way should include windows and doors arranged so that the uses are visible to the street on not less than fifty percent (50%) of the length of the first floor frontage. Ground floor windows shall be transparent. Not less than fifty percent (50%) or more than ninety percent (90%) of the total surface area of the front elevation (façade) shall be in public entrances and windows. Solid walls without fenestration that are visible from public rights-of-way shall not exceed 20 feet in length. <u>Window and clearly marked public entries that allow for visibility into the commercial building and have accessibility from the street shall be provided along at least 50% (20% for properties zoned L, I-1 or I-2) of the length of the first floor street frontage as calculated as the area between the first floor and ceiling. Buildings shall be articulated so facades that face public streets and exceed 40 feet in horizontal length shall include design elements such as: texture, canopies, projection or indentations, vertical expression of structural bays, or roof design.</u></p>	
<p>Building Materials - Permitted</p>	<p>The following material lists may be chosen to apply to at least 75% or more of the exterior surfaces of primary buildings and accessory buildings located within the corridor district that are visible from public rights-of-way.</p> <ul style="list-style-type: none"> a. Masonry consisting of stone, brick, glass block, or decorative concrete panel (e.g. concrete tilt wall). b. Glass curtain wall consisting of seventy-five percent (75%) or less greater or combination of glass, metal, or other material in a metal framework. c. Brick or brick veneer. d. Stucco or concrete masonry unit. e. Hardiplank or cement fiberboard siding f. Other similar materials approved by the Planning Director as part of Certificate of Compliance review. <p>Concrete finish must be profiled, sculptured, fluted, exposed aggregate or other architectural concrete finish.</p>	

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<p>Building Materials - prohibited</p>	<p>The following material lists are prohibited for use on 25% or more of the exterior surfaces of primary buildings and accessory buildings located within the corridor district that are visible from public rights-of-way.</p> <ul style="list-style-type: none"> a. Siding made of vinyl, wood fiber hardboard, oriented strand board, plastic or fiberglass panels. b. Corrugated, ribbed, galvanized, aluminum coated, zinc-aluminum coated or unpainted exterior metal finished. This prohibition does not include metals used on roofs, awnings or canopies. c. Unfired or underfired clay, sand, or shale brick. d. Unfinished concrete masonry units (i.e. cinderblock). e. Smooth or untextured concrete finishes. f. Mirrored glass with a reflectance of greater than twenty percent (20%). 	
<p>Off-premises signage</p>	<p>Off premises advertising signs and billboards are prohibited. No provision in this section may be construed to prohibit a Sign Master Plan Development Agreement as defined by Chapter 28, §244 of the Municipal Code.</p> <p><u>The right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the device is damaged or destroyed from any cause whatsoever and the cost of repairing such damage or destruction exceeds sixty percent (60%) of the replacement cost of the sign on the date of such damage or destruction.</u></p>	

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<p>On-premises signage</p>	<p>Free-standing signs shall be no more than 15 feet in height and 100 square feet in message area for single tenant signs and 15 feet in height and 130 square feet in message area for dual or multiple tenant signs. Up to an additional five feet of overall sign height may be added if the adjacent street grade is elevated; the difference in elevation between the property and the street grade shall be the determining factor in the height allowed. No provision in this section may be construed to prohibit a Sign Master Plan Development Agreement as defined by Chapter 28, §244 of the Municipal Code. Signs prohibited by Chapter 28, §220 of the Municipal Code shall be prohibited within this Corridor.</p> <p><u>The right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the device is damaged or destroyed from any cause whatsoever and the cost of repairing such damage or destruction exceeds sixty percent (60%) of the replacement cost of the sign on the date of such damage or destruction.</u></p>	
<p>Wall Signs</p>	<p>The maximum allowable sign area, as a percentage of the area of each building elevation shall be fifteen percent (15%) <u>for a cabinet sign; painted or flat sign or twenty percent (20%) for channel letters raised or incised.</u></p>	