

AGENDA ITEM NO. 55

CITY OF SAN ANTONIO
CITY COUNCIL AGENDA MEMORANDUM
DEVELOPMENT SERVICES DEPARTMENT

TO: Mayor and City Council

FROM: Florencio Peña III, Director, Development Services

SUBJECT: Revision to the Unified Development Code

DATE: December 9, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance contains the 2004 UDC Annual Update amending the UDC with approximately 120 substantive and editing changes including amendments to revise the requirements for Planned Unit Developments; creating a new "R-3" Single Family Residential District ("Small Lot District"); allowing enclave subdivisions ("Gated Subdivisions"); and revising Parks/Open Space standards. Consideration of the 2004 UDC Update amendments were advertised per UDC provisions as a public hearing and action on Dec. 9, 2004 in the Commercial Recorder.

BACKGROUND INFORMATION

This ordinance contains the following:

Approximately 58 individual items of which nine are in the class of providing moderate to significant changes to the UDC including a provision for the establishment of a Building Setback Replat fee of \$100 and conversion of the Historic Design Review Commission Application fee from a square footage based fee to a flat fee of \$100.

In addition the ordinance contains approximately 57 items that are generally grammatical, spelling formatting and minor word changes for clarity and are judged to be relatively minor changes.

The ordinance also contains four items at the request of the City Council Urban Affairs Committee which include revisions to the Planned Unit Development (PUD) provisions; creating a new "R-3" Single Family Residential District ("Small Lot District"); allowing enclave subdivisions ("Gated Subdivisions"); and revising Parks/Open Space standards.

Article I of the UDC provides that an Annual Update of the UDC shall occur as follows:

- Any person may submit an amendment to the Director of Development Services prior to July 1st.
- Amendments must be submitted to the Land Development Service Committee, Planning Commission and Zoning Commission prior to October 30th.
- The amendments must be submitted to the City Council prior to December 1st.
- Amendments approved by the City Council shall become effective January 1st of the following year.

POLICY ANALYSIS

These amendments are made in accordance with the established guidelines of the Unified Development Code, which provides for Annual Update of the UDC.

FISCAL IMPACT

Implementation of the amendments shall not require an increase in fiscal or staff resources. The amendments do provide for the establishment of a Building Setback Replat fee of \$100 and conversion of the Historic Design Review Commission Application fee from a square footage based fee to a flat fee of \$100. It is estimated that 20 BSL plats will be processed this fiscal year generating additional revenue of \$2000.00. The change in the way Historic Design Review Commission Applications are calculated should not effect the present amount budgeted for revenue this budget year.

COORDINATION

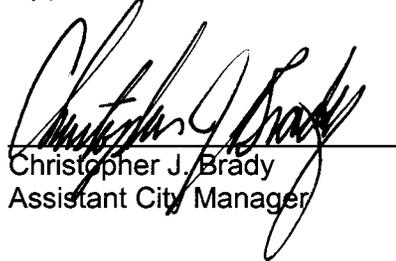
This ordinance was coordinated with the Land Development Service Committee, Planning Commission, Zoning Commission, City Attorney's Office, Planning Department, Public Works Department and Parks Department.

SIGNATURES



Florencio Peña, III
Director, Development Services

Approved:



Christopher J. Brady
Assistant City Manager



J. Rolando Bono
Interim City Manager

2004 Unified Development Code Annual Update Program

Amendment Packet "AC", "B", PUD, R-3, Enclave Sub. and 503 Parks as approved by the Land Development Services Committee, Planning Commission and Zoning Commission combined into one document.

Exhibit 1

Amend text by deleting strike through text and adding underlined text as follows:

Amend the UDC text by deleting strike through text and adding underlined text as follows:

35-111 Annual Updates for Amendments

The purpose of this section is to provide for annual updates to this Chapter in order to modify procedures and standards for workability and administrative efficiency, eliminate unnecessary development costs, and to update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design.

- (a) At least sixty (60) days prior to September 1st of each year, any person may provide a request for amendment to this Chapter to the Planning Director of Development Services. The request for amendment shall be labeled an "Annual Update Request" and shall include a summary of the proposed changes, the reason for the proposed changes, and suggested text amendments.
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35-202 Conventional and Enclave Subdivisions

The purpose of this section is to establish criteria and procedures for the processing of single-family residential subdivisions consisting of "Conventional Subdivisions" with public streets and "Enclave Subdivisions" with private streets constructed to public street standards. This Conventional Use Pattern has been the dominant pattern of development in many areas in Texas and the United States during the past fifty years while the Enclave subdivision is a predecessor to older municipal and county codes in Texas which allow for the subdivision of property with private streets. Conventional and Enclave subdivisions often may feature curvilinear streets and cul-de-sacs, few points of access into the subdivision, and large yards.

(a) Applicability

The provisions of this Section apply to any application for Subdivision Plat approval for a "Conventional Subdivision" with public streets or an "Enclave Subdivision" with private streets within a Base Zoning District or within the ETJ, except as otherwise provided in this Chapter.

(b) Processing Procedures

(1) Generally

A-Conventional and Enclave Subdivisions shall be processed pursuant to the review procedures for subdivision plats as set forth in Article 4 of this Chapter. Variances shall be processed as set forth in subsections (2) and (3), below, except for Applications within the Edwards Recharge Zone District (ERZD) or Utility Conversion Districts.

(2) Variances – Incorporated Areas

Within the incorporated areas of the City:

A variance to the requirements of subsection (c) shall be processed in accordance with § 35-482 of this Chapter.

A variance to the requirements of subsections (b) and (d) through (n) shall be processed in accordance with § 35-483 of this Chapter.

(3) Variances – Extraterritorial Jurisdiction

Within the ETJ, variances shall be processed in accordance with § 35-483 of this Chapter.

(c) Size And Location Of Site

There is no minimum size for Conventional or Enclave Subdivisions. There is a maximum subdivision size of 30 acres for an Enclave Subdivision.

(d) Uses & Density

A-Conventional and Enclave Subdivisions shall comply with the standards of the zoning district in which they are located. Conventional and Enclave subdivisions are subject to the minimum lot size requirements of the Dimensional Matrix (35-310, Table 310-1). The provisions of this subsection do not apply to the City's extraterritorial jurisdiction.

(e) Traffic Impact Analysis

A-Conventional and Enclave Subdivisions shall comply with the Traffic Impact Analysis Standards of this Chapter.

(f) Lot Layout

A-Conventional and Enclave Subdivisions shall comply with the Lot Layout Standards of this Chapter.

(g) Transportation

A-Conventional and Enclave Subdivisions shall comply with the Transportation Standards of this Chapter. See Table 202-1, below, for illustration of street design guidelines of Table 506-3.

(h) Stormwater Management

A-Conventional and Enclave Subdivisions shall comply with the Stormwater Management Standards, § 35-504 of this Chapter.

(i) Utilities

See Utilities Standards, § 35-507 of this Chapter.

(j) Parks & Open Space

A-Conventional and Enclave Subdivisions shall comply with the Parks and Open Space Standards of this Chapter.

(k) Natural Resource Protection

A-Conventional and Enclave Subdivisions shall comply with the Natural Resource Protection Standards of this Chapter.

(l) Buffers, Landscaping, Streetscape Planting & Tree Preservation

A-Conventional and Enclave Subdivisions within the incorporated areas of the City shall comply with the Landscaping, Screening and Buffering Standards of this Chapter to the extent required by Article 5, Division 3 of this Chapter. A-Conventional and Enclave Subdivisions within the City and the ETJ shall be subject to the Tree Preservation Standards of this Chapter to the extent required by § 35-513 of this Chapter.

(m) Parking

A-Conventional and Enclave Subdivisions shall comply with the Parking Standards of this Chapter.

(n) Outdoor Storage

A-Conventional and Enclave Subdivisions shall comply with the Outdoor Storage Standards of this Chapter.

(o) Urban Design

A conventional or Enclave Subdivision shall not be subject to the Urban Design Standards of this Chapter.

(p) Common Areas and Facilities

Provisions shall be made for a property owners' association that is designated as the representative of the owners of property in a residential subdivision. The property owners' association shall have the direct responsibility to provide for the operation and maintenance of all common areas and facilities, including private streets and sidewalks, which are a part of the Enclave Subdivision. The applicant shall submit the dedicatory instrument(s) covering the establishment, maintenance, and operation of a residential subdivision. The dedicatory instrument(s) shall establish a plan for the use and permanent maintenance of the common areas/facilities and demonstrate that the property owners' association is self-perpetuating and adequately funded by regular assessment and/or special assessment to accomplish its purposes. The dedicatory instrument(s) shall include provisions that provide the city with permission for

access at any time without liability when on official business, and further, to permit the city to remove obstructions if necessary for emergency vehicle access and assess the cost of removal to the owner of the obstruction. The dedicatory instrument(s) must be approved by the City Attorney as to legal form prior to any plat recordation and shall be recorded at the same time as the plat.

"Property owners' association" means an incorporated or unincorporated association that:

- a. is designated as the representative of the owners of property in a residential subdivision;
- b. that has a membership primarily consisting of the owners of property covered by the dedicatory instrument for the residential subdivision; and
- c. that manages or regulates the residential subdivision for the benefit of the owners of property in the subdivision.

"Dedicatory instrument" means each governing instrument covering the establishment, maintenance, and operation of a residential subdivision. The term includes restrictions or other similar instruments subjecting property to restrictive covenants, bylaws, or similar instruments governing the administration or operation of a property owners' association, to properly adopted rules and regulations of the property owners' association, and to all lawful amendments to the covenants, bylaws, rules, or regulations.

"Property owners' association" means the designated representative of the owners of property in a subdivision and may be referred to as a "homeowners association," "community association," "civic association," "civic club," "association," "committee," or similar term contained in the dedicatory instrument.

"Regular assessment" means an assessment, a charge, a fee, or dues that each owner of property within a residential subdivision is required to pay to the property owners' association on a regular basis and that is designated for use by the property owners' association for the benefit of the residential subdivision as provided by the dedicatory instrument.

"Special assessment" means an assessment, a charge, a fee, or dues, other than a regular assessment, that each owner of property within a residential subdivision is required to pay to the property owners' association, according to the procedures required by the dedicatory instrument, for:

- A. defraying, in whole or part, the cost whether incurred before or after the assessment, of any construction or reconstruction, unexpected repair, or replacement of a capital improvement in common areas owned by the property owners' association, including the necessary fixtures and personal property related to the common areas;
- B. maintenance and improvement of common areas owned by the property owners' association; or
- C. other purposes of the property owners' association as stated in its articles of incorporation or the dedicatory instrument for the residential subdivision.

(q) Streets and Access to Adjoining Properties

- (1) Enclave subdivisions must be constructed with all streets designed to the standards for a "Local Type A or B" public street including full rights-of-way, sidewalks on both sides and curbs. (35-506)

- (2) Collector and Arterial Streets shall not be gated and shall be public within an Enclave subdivision.
- (3) The Planning Commission may require a public street through or stub out within an Enclave subdivision for the purpose of connectivity, avoidance of land locking adjacent properties, and provision of public services.

(r) Converting Private Streets to Public Streets

Private streets may be considered at the discretion of the City Council for conversion to public streets under the procedures and specifications found in Section 35-506, Transportation and Street Design, (j) Private Streets, (5) Converting Private Streets into Public Streets.

35-208 Transit-Oriented Development

(n) Parking

The minimum parking requirements shall within the TOD-C and TOD-P districts are as follows:

Table 208-2
Transit-Oriented Development Parking

Area	Minimum Parking Requirement
TOD-C, within 500 feet of a Transit Station or Major Bus Loading/Boarding Location	None
TOD-C, balance of area	Fifty percent (50%) of the parking spaces required by the Parking Standards of this Chapter.
TOD-C, balance of area	75 percent of the parking spaces required by the Parking Standards of this Ordinance

35-303 Establishment of districts

(a) Base Zoning Districts

In accordance with the requirement of VTCA Local Government Code § 211.005 that zoning regulation be by districts, the City, as shown on the Official Zoning Map accompanying this Chapter and incorporated herein by this reference, is hereby divided into the following zoning districts, the Overlay and Special Zoning Districts established in subsections (b) and (c) hereto,

and the Conditional Zoning Districts established pursuant to § 35-321 of this Article, which shall be governed by all of the uniform use and area requirements of this Ordinance, the respective symbol for each type of district being set forth opposite its title:

- "RP" Resource Protection
- "RE" Residential Estate
- "R-20" Residential Single-Family
- "R-6" Residential Single-Family
- "RM-6" Residential Mixed
- "R-5" Residential Single-Family
- "RM-5" Residential Mixed
- "R-4" Residential Single-Family
- "RM-4" Residential Mixed
- "R=3" Residential Single-Family
- "MF-25" Multi-Family
- "MF-33" Multi-Family
- "MF-40" Multi-Family
- "MF-50" Multi-Family
- "O-1" Office
- "O-2" Office
- "NC" Neighborhood Commercial
- "C-1" Light Commercial
- "C-2" & "C-2P" Commercial
- "C-2P" Commercial Pedestrian
- C-2NA Commercial, Nonalcoholic Sales
- "C-3" General Commercial
- C-3R Restrictive Commercial
- C-3NA General Commercial, Nonalcoholic Sales
- "D" Downtown
- "L" Light Industrial
- "I-1" General Industrial
- "I-2" Heavy Industrial
- "UD" Urban Development
- "RD" Rural Development
- "FR" Farm and Ranch
- "MI-1" Mixed Light Industrial

35-310.01 Generally

**Table 310-1
Lot and Building Dimensions Table**

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(HJ)	(IK)	(JL)	(KM)	(LN)	(MO)	(NP)
	LOT DIMENSIONS								BLDG ON LOT			BUILDING			

Zoning District	Lot Size (min)	Lot Size (max)	Density (max) (units/acre)	Street Frontage (min)	Width (min)	Width (max)	Depth (min)	Depth (max)	Front Setback (min) * * * *	Front Setback (max)	Side Setback (min)	Rear Setback (min)	Height (max)	Size - Individual Building Size (max)	Size - Aggregate Building Size (max)
RP	10 acres		0.1	—	—	—			15	—	5	—	35 / 2-½	—	—
RE	43,560		1	100	120	—			15	—	5	30	35 / 2-½	—	—
R-20	20,000		2	65	90	—			10	—	5	30	35 / 2-½	—	—
R-6 ⁽¹⁾	6,000		7	30	50	150			10	—	5	20	35 / 2-½	—	—
R-5 ⁽¹⁾	5,000		9	30	45	150			10	—	5	20	35 / 2-½	—	—
R-4 ⁽¹⁾	4,000		11	20	35	150			10	—	5	20	35 / 2-½	—	—
RM-6 ⁽¹⁾	6,000		7	15	15	150			10	—	0	20	35 / 2-½	—	—
RM-5 ⁽¹⁾	5,000		9	15	15	100			10	—	0	10	35 / 2-½	—	—
RM-4 ⁽¹⁾	4,000		11	15	15	80			10	—	0	10	35 / 2-½	—	—
MF-25 ⁽¹⁾	—		25	50	50	—			—	20 ⁽³⁾ / 44 ⁽⁶⁾	5	10	35	—	—
MF-33 ⁽¹⁾	—		33	50	50	—			—	20 ⁽³⁾ / 44 ⁽⁶⁾	5	10	45	—	—
MF-40 ⁽¹⁾	—		40	50	50	—			—	20 ⁽³⁾ / 44 ⁽⁶⁾	5	10	60	—	—
MF-50 ⁽¹⁾	—		50	50	50	—			—	20 ⁽³⁾ / 44 ⁽⁶⁾	5	10	—	—	—
O-1	—		—	50	50	—			—	35	20 ⁽²⁾	30 ⁽²⁾	25	10,000	90,000
O-2	—		—	50	—	—			25	80	20 ⁽²⁾	30 ⁽²⁾	—	—	—
NC	—		—	20	—	—			—	15	10 ⁽²⁾	30 ⁽²⁾	25	3,000	—
C-1	—		—	50	50	—			—	20	10 ⁽²⁾	30 ⁽²⁾	25	5,000	15,000
C-2	—		—	20	—	—			—	—	10 ⁽²⁾	30 ⁽²⁾	25	—	—
C-2P	—		—	20	—	—			—	35	10 ⁽²⁾	30 ⁽²⁾	25	—	—
C-3	—		—	20	—	—			—	—	30 ⁽²⁾	30 ⁽²⁾	35	—	—
D	—		—	—	—	—			—	20	—	—	—	—	—
L	—		—	80	—	—			25	—	30 ⁽²⁾	30 ⁽²⁾	35	—	—
I-1	—		—	80	80	—			30	—	30 ⁽²⁾	30 ⁽²⁾	60	—	—
I-2	—		—	100	100	—			30	—	50 ⁽²⁾	50 ⁽²⁾	60	—	—
URBAN DEV															
<i>UD-Single Family</i>	—	10,000	—	15	15	150	150		15	20	0	10	35 / 2-½		
<i>UD-Multifamily-15</i>	—	—	15	50	50	—	150		15	20	5	10	35		15 units
<i>UD-Multifamily-33</i>	—	—	33	50	50	—	300		15	20	5	10			150 units
Commercial															
<i>bldg > 90,000**</i>		250,000				500	500		0	3515 ^b	30 ⁽²⁾	30 ⁽²⁾			
<i>bldg < 90,000**</i>				20			300		0	3515 ^b	10 ⁽²⁾	30 ⁽²⁾			< 90,000
<i>bldg < 6,000**</i>				20			150		0	3515 ^b	10 ⁽²⁾	30 ⁽²⁾	25		< 6,000
RURAL DEV															
<i>RD-Single Family</i>	43,560		1	100	120				15		5	30	35 / 2-½		
<i>RD-Commercial</i>															
<i>bldg > 90,000 sf**</i>		250,000				500	500		0	35	30 ⁽²⁾	30 ⁽²⁾			

<i>bldg < 90,000 sf**</i>			20			300	0	35	10 ⁽²⁾	30 ⁽²⁾	25		< 90,000
<i>bldg < 6,000 sf**</i>			20			150	0	35	10 ⁽²⁾	30 ⁽²⁾	25		< 6,000
FARM & RANCH													
FR-Single Family	25 acres*	0.04					15		5		35 / 2-½		
FR-AgCommerical	25 acres*						15		5		35 / 2-½		
MIXED INDUSTRIAL													
MI-1			80	80			***		30 ⁽²⁾	50 ⁽²⁾	60		
MI-1 < 3,000 sf			50				***		10 ⁽²⁾	30 ⁽²⁾			3,000
MI-1 Village Center	2 acres		300				***		10 ⁽²⁾	30 ⁽²⁾			

- * Exception allowed for pre-existing lots of record
- ** See regulations for location standards
- *** See Table 310.15-3 for minimum setback standards on specific street classifications
- **** Subdivision Recreation Facilities provided for the primary use of the subdivision's residents and located on property with a single-family zoning category shall be exempt from the front yard setbacks of Table 310-1.

Rules for Interpretation of Table 310-1:

Generally, The requirements for the parameters set forth in Columns (B) through (P), above, relate to the zoning district specified in the row under Column (A), above. A dash (-) indicates that the requirement does not apply within the particular zoning district. Except for Column (D) & (LN) or otherwise notated the dimensions specified in Columns (B) through (P) are expressed in linear feet. The dimensions specified in Columns (B), (MG) and (NP) are expressed in square feet unless otherwise provided. Rules of interpretation and additional standards for setback and height requirements are set forth in the Lot Layout, Height and Density/Intensity Standards (§ 35-515 to 35-517 of this Code).

Column (B): Minimum lot size (Column (B) applies only to Conventional Option, single-family detached developments (see § 35-201 of this Chapter). The minimum lot size figures are expressed in square feet, unless otherwise indicated. Additional rules of interpretation are set forth in subsection (d) of this Section for minimum lot area.

Column (D): The maximum density requirements (Column (D)) are expressed in dwelling units per gross acre. Additional rules of interpretation are set forth in §§ 35-515 of this Chapter.

Column (E): Frontage is defined as the distance where a property line is common with a street right-of-way line. For irregular shaped lots, see § 35-515(c)(4).

Column (F): Lot width is defined as the width of the lot at the front setback line. For irregular shaped lots, lot width shall be measured at the front building line rather than the front setback line.

Column (G): Maximum lot widths apply only to detached single family residential development.

Column (HJ) & (IK) The front setback shall be measured from the front lot line. The Principal Building or Principal Structure shall not be located closer to the front lot line than the distance established in column (H). The front façade of the Principal Building or Principal Structure shall not be located further from the front lot line than the distance established in Column (I). For Townhouse and Attached Single-Family, the minimum front setback shall be twenty (20) feet unless all off-street parking is located in the rear of the Principal Building and the lot abuts an alley or driveway with a minimum width of 24 feet. Additional setbacks are required for height increases as set forth in § 35-517(d).

Column (JL): The side setback requirements in the RM-6, RM-5, and RM-4 districts may be reduced to 0 on one side lot line and 10 on the other side lot line where needed to accommodate Zero Lot-Line development (see section 35-373 of this Article). Additional setbacks are required for height increases as set forth in § 35-517(d).

Column (KM): Rear setback requirements shall not apply to any use in the NC, O-1, O-2, C-1, C-2, or C-3 zoning districts which abuts an alley or another structure within any of these districts. Notwithstanding the requirements of Table 310-1, an "MF-25," "MF-33," "MF-40" or "MF-50" zoning district adjoining a platted subdivision zoned "RE" or "R-20" as of the effective date of this Chapter shall have a minimum rear setback of forty (40) feet, and parking areas shall be located

at least five (5) feet from any fence along the rear property line.

Column (LN): Height

The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of ceiling of the top story in the case of a flat roof; to the decline of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof is defined as the distance from finished floor elevation to the highest peak of the structure. All dimensions are in feet provided, however, that for zoning districts "RP" through "RM-4," the first number refers to feet and the second number refers to stories. A "story" is that part of a building between the surface of a floor and the ceiling immediately above. Additional height may be provided with increases in the minimum front and side setbacks shall increase as provided in § 35-517(d). Notwithstanding the requirements of Table 310-1, the maximum height (prior to applying any increase provided in § 35-517(d)) for an "O-2," "MF-25" or "MF-33" zoning district adjoining a platted subdivision zoned "RE" or "R-20" as of the effective date of this Chapter shall be thirty-five (35) feet or 2-½ stories.

Columns (NO & OP): Dimensions are in square footage. See §§ 35-310.17(a)(2) and 35-310.18(a)(2) for specific rules of interpretation. Additional square footage may be available if a Specific Use Permit is approved, in accordance with these provisions.

Column (QP): The aggregate square footage refers only to non-residential square footage. Where residential uses are permitted, (1) the square footage of non-residential uses within the contiguous boundaries of the district may not exceed the aggregate square footage, and (2) the aggregate square footage may be exceeded where the square footage exceeding the maximum aggregate square footage is devoted to residential uses.

Note (1) - Column (A): See §§ 35-372, 35-373, 35-515, & 35-516 of this Code for standards applicable to uses other than detached single-family dwellings.

Note (2) - Columns (L) & (M): Applies only to the setback area measured from a lot line which abuts a residential use or residential zoning district. The side or rear setback shall be eliminated where the use does not abut a residential use or residential zoning district.

zoning district. The side or rear setback shall be eliminated where the use does not abut a residential use or residential zoning district.

Note (3) - Public & parochial school facilities and religious institutions whose primary activity is worship shall be exempt from the mandatory maximum front setback provision.

Note (4) - Single family lot development within a "MF" multi-family zoning district shall meet the minimum lot requirements for a "R-4" zoning district.

Note (5) Maximum front setback for UD commercial uses shall not applicable for properties with primary frontage on expressways and parkways.

Note (6) - For a lot with one hundred (100) feet or more of frontage along a public or private street the maximum front setback of 20 feet in "MF-25", "MF-33", "MF-40", & "MF-50" may be extended to 90 feet provided that no parking or drives other than egress/ingress drives shall be located within 20 feet of the front property line. For a lot with less than fifty (50) feet of frontage on a public street the front setback shall be at least 20 feet and shall be measured from the point at which the lot first becomes wider than fifty (50) feet in width.

35-310.05a R-3 (Single Family Residential District)

(a) Purpose

The "R-3" (Residential Single Family) zoning district is designed to provide options for developing dwelling units for specialized housing markets such as the affordable housing market, starter homes, and empty nester homes on small lots. This district will provide areas for high-density.

single-family residential uses where adequate public facilities and services exist, prevent the overcrowding of land, and facilitate the adequate provision of transportation. The "R-3" (Residential Single Family) zoning district is designed to be in close proximity to schools, public parks, and open space serving the site. R3 zoning districts are inappropriate for "enclave subdivisions" and are not permitted.

(b) General - Lot and Building Specifications

(1) The following housing types maybe developed in "R-3" zoning districts.

The following housing types maybe developed in "R-3" zoning districts. Single-Family Attached Dwellings, Single-Family Detached Dwellings, Townhouses, and Zero-Lot Line Houses (Cottages and Garden Homes) are allowed.

(2) Connectivity and Permitted Locations

A "R-3" subdivision will have connectivity ratio of 1.4. In all "RM-4", RM-5" & "RM-6" zoning districts, a limited number of lots may be developed as "R-3" lots by right without additional zoning provided the total number of "R-3" sized lots do not exceed fifteen percent (15%) of the gross number of "RM-4", RM-5" & "RM-6" lots within the development.

(3) "R-3" Lot Sizes and Specifications

The following requirements for lot design shall be applicable regardless of which housing use is planned for the lot (Single-Family Attached Dwellings, Single-Family Detached Dwellings, Townhouses, and Zero-Lot Line Houses.)

- A. Minimum lot - 3,000 square feet.
- B. Mixed lot sizes - A subdivision plat may have varied lot sizes under the following criteria. Not more than 20% of the lots may be not less than 2,000 square feet if an equivalent number of single-family lots are not less than 3,500 square feet such that the average lot size of entire subdivision is not less than 3,000 square feet. Not more than 5 % of the lots may be developed as two family units. Not more than 5 % of the lots may be not less than 4,000 square feet and developed as four family units. Not more than 5% of the lots may be not less than 6,000 square feet and developed as eight family).
- C. Minimum Street frontage - 20 feet
- D. Minimum lot width - 20 feet
- E. Maximum Build. Height - 35 feet/ 3 Stories
- F. Minimum lot depth - 75 feet
- G. Minimum front setback - 10 feet
- H. Maximum front setback- 35 feet
- I. Minimum side setback -none
- J. Minimum rear setback - 10 feet (Garages and accessory dwellings - none)
- K. Maximum building size per individual unit - Building cover shall not exceed 70% of the lot area.
- L. Maximum building size (average of total development of "R-3" homes) - none.
- M. Required open space - Each lot must have a minimum of 500 contiguous square feet within the boundaries of the rear yard behind the rear of the building.

N. Front Porch: At least 50% of the units shall have covered front porches of not less than 15 square feet. Porches may protrude beyond the front building line.

(4) Tree Preservation

Tree Preservation: Solely for purposes of calculating requirements pursuant to § 35-523 (Tree Preservation) and § 35-B123 (Tree Preservation Plan) of this Code, the front setbacks shall be 10 feet and the rear setbacks shall be 20 feet.

(5) Park/ Open Space

Park / Open Space requirement - 1 acre / 80 units and all units must be within 1 mile of the park/open space. Payment of a fee in lieu of park/open space dedication is not permitted in R3 subdivisions.

(6) Mixed Use

Mixed Use - ½ acre/ 100 units may be dedicated to a NC or C-1 land use. NC or C-1 uses may have upper levels developed as two, four or eight family units provided that the lot sizes are in accordance with those prescribed for two, four and eight family units.

(7) NC or C-1 Land Use Within Mixed Use Development

- A. Maximum Building front setback: 10 feet
- B. Minimum building front setback: 0 feet
- C. Minimum side setback: none

(8) Off-street Parking required

- A. 2 spaces per dwelling unit including garage or carport area (cluster parking allowed)
- B. Driveway width for "R-3" dwelling units shall not exceed 12 feet within the street's right of way.
- C. Off street parking will be located to the rear of buildings in areas dedicated to NC or C-1 land uses.
- D. Minimum parking for NC or C-1 land uses: none
- E. Maximum parking for NC or C-1 land uses: 1 per 1000 square ft
- F. Minimum sidewalk width adjacent to NC or C-1 land uses: 6'

35-310.06 RM-6, RM-5, & RM-4 (Mixed Residential)

(b) Lot and Building Specifications

In all "RM-4", "RM-5" and "RM-6" districts fifteen percent (15 %) of the lots may be developed as "R-3" lots so long as they meet or exceed the minimum lot criteria for "R-3" lots contained in 35-310.05a of this code. Lots provided under this criteria shall only be used for the development and

construction of Single-Family Attached Dwellings, Single-Family Detached Dwellings, Townhouses, and Zero-Lot Line Houses (Cottages and Garden Homes).

35-310.15 Urban Development District (UD)

(b) "UD" Uses & Conditions

(1) Single Family Project Over 5 Acres Residential Uses

- A. Residential development projects in excess of 5 acres shall be required to include a diversity of housing types.
1. Single-family dwellings shall compose 30% to 80% of the total number of dwelling units with at least 10% from each of the following three categories:
 - a. Single family detached dwellings on 6,000 to 10,000 sq ft lots
 - b. Single family dwellings on 5,000 to 5,999 sq ft lots
 - c. Single family detached dwellings on 4,000 to 4,999 sq f lots
 2. Other housing types shall compose 20% to 70% of the total number of dwelling units with a minimum of 5% each of at least three of the following seven categories:
 - a. Duplexes
 - b. Triplexes or quadruplexes
 - c. Cottages
 - d. Zero-Lot Line or Garden Home
 - e. Townhouses or rowhouses
 - f. Dwellings above non-residential space
 - g. Multifamily (more than 4, less than 15 dwelling units per building)
 3. No block face shall have more than 55% duplexes, triplexes, quadruplexes, and/or multifamily units.
- B. Parking for all residential units, including garages, accessed by driveways from the front of the house shall meet the following setback requirements:
1. Garages less than 15 feet wide shall be set back at least 15 feet behind the adjacent front façade.
 2. Garages 15 feet or wider shall be set back at least 20 feet behind the adjacent front facade.
- C. All dwelling units shall have a front entrance articulated by a covered front entry at the front of the house.
- D. At least 70% of the single family housing units along a single block shall

front the street and have front porches of at least eight feet in depth along at least 50% of the entire front façade of the house, excluding garage width.

- E. ⁽¹⁾ The front building set back for single family residential uses shall be located in a "build-to zone" located with a minimum front setback of fifteen (15) feet from the right-of-way and a maximum of twenty (20) feet from the right-of-way

(1) Exceptions to E. above may be allowed on up to 5 % of the lots if site physical constraints cannot be overcome.

(2) Multi-Family Residential Uses

Multi-family (apartment) units may be built on any "UD" district zoned property with the following limits:

- A. Multi-family units may be constructed along any major arterial on the City's Major Thoroughfare Plan, or main street or boulevard, as defined by this Code at a density of 33 units per acre, not to exceed 150 total units per block, and of an average lot depth no greater than 300 400 feet. Section 35-514(e) pertaining to fences for uses adjoining certain residential districts shall not apply.
- B. Multi-family units may be constructed along a collector or avenue not to exceed a density of 15 units per acre, not to exceed 15 total units per block, or an average lot depth greater than 150 feet. Section 35-514(e) pertaining to fences for uses adjoining certain residential districts shall not apply.
- C. The front entries of all ground floor multi-family units adjacent to a the collector or arterial street shall must be oriented toward the street.

(3) Commercial Uses

- A. Individual Ccommercial structures with uses permitted uses as indicated in Table 311-2a, Non-Residential Use Matrix, with a an aggregate building footprint of 90,000 square feet or greater shall be permitted on any property located fronting on and within 550 feet of the intersection of the centerlines of two major thoroughfares (including boulevards, main streets and avenues) as defined by the City's Major Thoroughfare Plan, Table 506-1 and Table 506-2.

**Reference: Sec. 35-506 Transportation and Street Design:
Table 506-1, Conventional, and Table 506-2, Traditional, street classifications.**

- B. Individual Ccommercial structures with uses permitted uses as indicated in Table 311-2a, Non-Residential Use Matrix, with a an aggregate building footprint of less than 90,000 square feet shall be located are allowed on any property fronting on and within 850 feet of the intersection of the center lines of any two major thoroughfares (including boulevards, main streets and avenues) as defined by the City's Major Thoroughfare Plan, Table 506-1 and Table 506-2.
- C. Commercial structures with uses permitted uses as indicated in Table 311-2a with an aggregate building footprint of 6,000 square feet or less are

allowed on any property located fronting on along and within 200 feet of the intersection of the center lines of any two collector streets or avenues as defined in Table 506-1 and Table 506-2. ~~The depth shall be a maximum of 150 feet.~~ No drive-through uses/windows are allowed.

- D. For non-residential property adjacent to a main street, avenue, or local street, the maximum allowable setback shall be fifteen (15) feet. Property adjacent to an expressway or parkway shall be exempt from the maximum setback.

(e) "UD" Non-Residential Building/Site Design

(1) Facades

Windows and clearly marked public entries that allow for visibility into the commercial building ~~and have accessibility from the street~~ from the street shall be provided along at least 50% of the length of the first floor street frontage and calculated as the area between the first floor and the first floor ceiling or to a height of 15 feet, whichever is less.

(f) Signs

- (5) One monument sign not to exceed six (6) feet in height and 32 square feet of sign area per side for single tenant sign, or eight (8) feet in height and 50 square feet of area per side for a multi-tenant sign shall be permitted per parcel or platted lot. ~~Pole mounted signs shall not be allowed, except that directional signs not exceeding three (3) feet in height and four (4) square feet in sign area per side are permitted.~~
- (6) Externally illuminated signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign without causing glare. Light bulbs or lighting tubes used for illuminating a sign shall not be visible from the public right-of-way.
- (7) Prohibited signs:
- A. Animated, moving, flashing, or rotating signs
 - B. Signs which utilize intermittent or flashing illumination devices, change light intensity, brightness or color, or are constructed and operated to create an appearance of motion.
 - C. Off-premise signs
 - D. Roof signs
 - E. Signs in public rights-of-way

F. Pole mounted signs shall not be allowed, except that directional signs not exceeding three (3) feet in height and four (4) square feet in sign area per side are permitted.

(h) UD Natural Resource Protection

(1) Riparian

F. A density bonus of 120% of the base zoning density, as prescribed per Section 35-360, shall be granted for parcels which contain one or more riparian protection buffers. Water bodies are eligible for a density bonus as follows:

1. Greater than ¼ acre surface area but less than 1 acre in size @ 110%
2. 1 acre or more surface area or more @ 120%

To receive the density bonus, the riparian protection buffer must be placed in a dedicated Conservation Easement in accordance with Section 35-203 or dedicated as Parks and Open Space in accordance with Section 35-503(f). The density bonus shall be calculated on the acreage of the entire parcel in which the riparian buffer resides. The parcel acreage shall be based on an existing legal lot of record at the time this Section is effective. Should the parcel be replatted the bonus density shall be calculated on the original parcel acreage, prior to replatting, and recorded on the new plat. Should the lot be subdivided, the bonus density may be distributed among the newly created lots and recorded on the new plats. Under no circumstance may the density bonus exceed 100% of the original calculation.

(i) "UD" Master Plan Consistency

1. The TND pattern requires compliance with the provisions of Section 35-207 and the additional flex standards in the table below.
2. The MXD pattern requires a mix of retail, office, service, and residential uses within a maximum radius of one quarter (1/4) mile and in accordance with section 35-341(b) and the standards set forth in the table below. The standards are based on certain provisions taken from the UD and MI-1 Flex Districts. These standards are to ensure compatibility between uses that are not otherwise allowed and may have more density or intensity than the underlying base zoning.

**Table 310.15-5
Flex Development Plan Option**

	Applicable UD Standards	TND Pattern:	Mixed Use Pattern:
--	--------------------------------	---------------------	---------------------------

	Uses	All Flex Districts	UD	RD	FR	MI-1
(a)	Residential	Permitted, except no residential in MI-1 and no multi-family in FR TND standards apply <u>No residential uses allowed in "FR", "MI-1" or "MI-2".</u>	Residential uses are permitted UD Flex standards apply if residential uses are built	Both single family and multi family uses are permitted Single family maximum at 2 dwelling units per acre Multifamily uses shall not exceed 25% of the total acreage at 25 dwelling units per acre	Residential density shall not exceed one (1) dwelling unit per five (5) acres Multi-family uses are not permitted	No residential uses are permitted

	Applicable UD Standards	TND Pattern:	Mixed Use Pattern:			
			UD	RD	FR	MI-1
	Uses	All Flex Districts				
(i)	Blocks, Streets, and Parking					
	(c)(1) Blocks	TND standards apply	UD Flex standards apply	UD Flex standards apply for multifamily	Not applicable.	
	(c (2) Lots	<u>Lot dimensions are</u> Not applicable (developer not choosing to utilize pre-existing lot standards)				

35-310.16 Rural Development District (RD)

(e) "RD" Non-Residential Building/Site Design

35-310.17 Farm & Ranch District (FR)

(e) "FR" Non-Residential Building/Site Design

35-310.18 Mixed Light Industrial "MI-1"

(b) "MI-1" Uses & Conditions

(3) Commercial Uses

A Village Center is Required. Table 311-2a indicates uses that may be permitted, provided such sites are designed as a Village Center in accordance with the following standards:

B. The ground floor to area ratio (FAR) shall not exceed 35%. The ~~G~~
ground FAR shall include the plaza, square or public open space.

J. ~~for~~ Parking shall be located at the sides and rear of buildings. Parking requirement shall be a minimum of one (1) space per 500 GFA.

(c) "MI-1" Blocks, Lots, Streets, Sidewalks, Parking & Loading Design. (same as "RD" district), Section 35-310.16(c) with the following exceptions:

(5) Off-Street Loading

- A. Principal vehicle access to and from the site shall be from a primary driveway.
- B. All loading ~~berths~~ docks shall be located on the same lot as the building or use to be served, shall be located either behind the building or at the sides of a building if fully screened from public rights-of-way, and shall not occupy the required front yard setback area.
 - C. ~~Loading docks shall be screened from the public right of way.~~

(j) "MI-1" Performance Standards

(13) Petroleum and Natural Gas Extraction and Production

- A. General. The operator is responsible for compliance with this section during all operations at the well. Any violation of any valid law or of any valid rule, regulation or requirement of any city, state or federal regulatory body having jurisdiction with reference to drilling, completing, equipping, operating, producing, maintaining, or abandoning oil or gas wells or related appurtenances, equipment or facilities or with reference to firewall, fire protection, blow out protection or safety ~~of~~ of persons or property shall be in violation of this section.

35-311 Use Regulations

TABLE 311-1 RESIDENTIAL USE MATRIX																			
PERMITTED USE	RP	RE	R-20	NP-15	NP-10	NP-8	R-6	RM-6	R-5	RM-5	R-4	RM-4	MF-25	MF-33	MF-40	MF-50	ERZD	LBCS FUNCTION	LBCS STRUCTURE
Day Care Center (Commercial Or Nonprofit)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	6562	
Day Care, Home (no more than 6 children)	P	P	P	P	P	P	P	P	P	P							P	6562	
Day Care, Group Home	S	S	S	S	S	S	S	S	S	S	S	S					P	6562	
Group Day Care Home	S	S	S	S	S	S	S	S	S	S	S	S					P	6562	
Dwelling - Hud-Code Manufactured Homes (Residential) (Requires "MH" Special District zoning)	S	S	S	S	S	S	S	S	S	S	S	S					P	1000	1150

**Table 311-1a
Residential Use Matrix**

	Urban	Rural	Farm & Ranch	Mixed Industrial
PERMITTED USE				
Accessory Uses (Supplemental To The Residential Use)	P	P	P	
Assisted Living Or Elderly Home	P	S		
Athletic Fields (Non-Commercial & Supplemental To The Residential Use)	See Non-Residential Matrix			
Automobile Noncommercial Parking (Board Of Adjustment)	See Non-Residential Matrix			
Bed And Breakfast	P	P	P	
Cemetery Or Mausoleum	See Non-Residential Matrix			
Child - Care Institution (Basic)	S	S		
Church, Temple, Mosque	See Non-Residential Matrix			
Daycare Center (Commercial Or Nonprofit)	S	S		
Dwelling - 1 Family (Attached Or Townhouse)	P			
Dwelling - 1 Family (Detached)	P	P	P	
Dwelling - 2 Family	P			
Dwelling - 3 Family	P			
Dwelling - 4 Family	P			
Dwelling - Accessory (Carriage Houses, Granny Flats, Echo Homes)	P	P	P	
Dwelling - College Fraternity (Off Campus)	P	S	S	

Dwelling - School Dormitories Or Housing (Off Campus)	P	S	S	
Dwelling = ONE FAMILY HUD-Code Manufactured Homes (Residential)		P	P	

Table 311-2 Non-Residential Use Matrix

TABLE 311-2 NON-RESIDENTIAL USE MATRIX		O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
	PERMITTED USE												
Auto	Auto - Rental (Pickup & Drop Off Only in "C-2")					P	P	P	P	P		P	
Auto	Carwash - (Automatic, and Attendant Operated)					S	P		P	P		S	2110
Auto	Carwash - (Automatic, Self-Service Drive Thru)					S	P		P	P		S	2110
Retail	Convenience Store (-)					P							2152
Service	Gasoline Filling Station - (With Repair Service And/Or Car Wash)						P	S	P	P		NA	2116
Service	Gasoline Filling Station - without repair service (car wash allowed)					S	P	S	P	P		NA	2116
Warehouse	Office Warehouse (Flex Space) - Outside Storage Not Permitted						P		P	P	P	S	3600
Warehousing	Warehousing							S	P	P	P	P	3600

TABLE 311-2 NON-RESIDENTIAL USE MATRIX		O-1	O-2	NC	C-1	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
	PERMITTED USE												
Auto	Auto - Rental						P		P	P	P	NA	
Auto	Auto - Rental (pick up and drop off only)					P	P	P	P	P		P	
Auto	Carwash					S	P		P	P		S	
Processing	Recycling Facility without outside storage and/or processing									P	P	S	
Processing	Recycling Facility with outside storage and/or processing										P	NA	
Retail	Convenience Ice House Convenience Store			P	P	P	P	P	P			P	2152
Retail	Convenience Store (with gasoline)					P	P	S	P	P	P	NA	2152
Retail	Convenience Store (with carwash)					S	P		P	P	P	S	2152
Retail	Convenience Store (with gasoline and carwash)					S	P		P	P	P	NA	2152
Service	Gasoline Filling Station (without repair or carwash)					P	P	S	P	P	P	NA	2116
Service	Gasoline Filling Station (with repair)						P		P	P	P	NA	
Service	Gasoline Filling Station (with repair and/or carwash)					S	P	S	P	P	P	NA	
Service	Gasoline Filling Station - Fleet						S		P	P	P	NA	
Service	Truck Wash (laundry) - (without attendant on site)									P	P	NA	2116
Service	Truck Wash (laundry) - (with attendant on site)								P	P	P	NA	2116
Warehouse	Office Warehouse (Flex Space) - Outside Storage Not Permitted						P		P	P	P	S	3600
Warehousing	Warehousing							S	P	P	P	SP	3600

**Table 311-2a
Non-Residential Use Matrix**

		Urban			Rural			Farm		Mixed Light Industrial		
		> 90,000 sf	< 90,000 sf	< 6,000 sf	bldg footprint > 90,000 sf	< 90,000 sf	< 6,000 sf	FR	VILLAGE CENTER - FR	MI - 1	MI-1 < 3,000 sf	VILLAGE CENTER - M1
Auto	Carwash	P	P		P	P				P		
Auto	Carwash - Automatic And Attendant Operated	P	P		P	P				P		
Auto	Carwash - Automatic Self Service Drive-Thru	P	P		P	P				P		
Auto	Carwash - Self Service	P	P		P	P				P		
Auto	Carwash - (Attendant on site (car wash & vacuum to be located no less than 100 foot from closest residential property line.)	P	P		P	P				P		
Auto	Carwash - (self service or automatic drive-thru facility)(car wash & vacuum to be located no less than 100 foot from closest residential property line.)	P	P		P	P				P		
Auto	Auto - rental	P	P		P	P						P
Auto	Auto - rental (pickup and drop off only)	P	P		P	P						P
Retail	Convenience Store (with gasoline)	P	P		P	P					P	P
Retail	Convenience Store (with carwash)	P	P		P	P					P	P
Retail	Convenience Store (with gasoline and carwash)	P	P		P	P					P	P
Retail	Convenience Store (with gasoline sales and/or single bay car wash) (car wash & vacuum to be located no less than 100 foot from closest residential property line.)	P	P		P	P					P	P
Retail	Convenience Store - (without gasoline sales and/or car wash)	P	P	P	P	P	P				P	P
Service	Gasoline Filling Station (without repair or carwash allowed)	P	P		P	P		P	P		P	P
Service	Gasoline Filling Station (with repair)	S			S						P	P
Service	Gasoline Filling Station (with repair and/or carwash)	S/P	P		S/P	P		P	P		P	P
Service	Gasoline Filling Station - Fleet									P		
Service	Gasoline Filling Station - W/O Repair Service (Car Wash Allowed)	P	P		P	P		P	P		P	P
Service	Gasoline Filling Station - With Repair Service And/Or Car Wash	P	P		P	P		P	P		P	P
Service	Gasoline Filling Station - (with or without attendant on site with repair service and/or single bay car wash) (car wash & vacuum to be located no less than 100 foot from closest residential property line.)	P	P		P	P		P	P		P	P
Service	Gasoline Filling Station - (with or without attendant on site, vending machines, and single bay car wash allowed) (car wash & vacuum to be located no less than 100 foot from closest residential property line.)	P	P		P	P		P	P		P	P
Service	Truck Wash (laundry) - (without attendant on site)									P		
Service	Truck Wash (laundry) - (with attendant on site)									P		

35-3343131. Military Airport Overlay Zones

(a) Guide, control, and regulate future growth and development.

- ~~(b)~~—Promote orderly and appropriate use of land.
- ~~(c)~~—Protect the character and stability of existing land uses.
- ~~(d)~~—Enhance the quality of living in the areas affected.
- ~~(e)~~—Protect the general economic welfare by restricting incompatible land uses.
- ~~(f)~~—Prevent the establishment of any land use which would endanger aircraft operations and the continued use of military airports.

~~Sec. 35-3132.~~ (a) Definitions and Boundaries

- (1a) For the purpose of this subdivision, the following terms shall have the meaning given in this section:

Clear Zones:

Military Airport Overlay Zone 1 (MAOZ-1):

Military Airport Overlay Zone 2 (MAOZ-2):

Official map: The specific boundaries of the Military Airport Overlay Zones are shown on the official zoning map maintained in the Department of Development Servicesplanning.

~~(b)~~ Sec. 35-3133. Zoning classification:

- (1a) Overlay district.
- (2b) Zoning designation.

~~Sec. 35-3134.~~ (c) Uses

~~(a)~~ (1) Permitted uses

The following uses are permitted within the Military Airport Overlay Zones, subject to the limitations indicated in the Military Airport Overlay Zone Permitted Use Table and the conditions set forth for Visual and Electrical Interference and Storage of Flammables [sections~~sections~~ 35-334~~(e)~~(e)436 through 35-334~~(f)~~(f)437]:

~~(b)~~ (2) Prohibited Uses

- (1)A. Residential uses, except as provided for in Exceptions for Residential Uses [section 35-334~~(d)~~(d)435].
- (2)B. All other uses not permitted under subsection (a) of this section

(3) Military Airport Overlay Zone 1 size limitation

~~(d)~~ (4) Military Airport Overlay Zone 2 size limitation

~~(e)~~ (5) Plat notice

~~Sec. 35-3135.~~ (d) Exceptions for residential uses

(a)(1) Existing residences

(b)(2) Vacant lots

(c)(3) Unplatted property

Sec. 35-3136.(e) Visual and electrical interference

(a)(1)

(b)(2)

(c)(3)

(d)(4)

Sec. 35-3137.(f) Storage of flammables

(a)(1) Solid materials

(1)A.

(2)B.

(b)(2) Liquid materials

(1)A.

(2)B.

(3)C.

Sec. 35-3138.(g) Height regulations

Sec. 35-3139.(h) Procedure

(a)(1) Site plan

Except for single-family residences, a site plan shall be submitted to the dDirector of planning for approval by the Planning Commission prior to the issuance of building permits. All building plans must be in compliance with an approved site plan. The applicant shall submit eight (8) blue- or black-line copies and one reproducible 8 1/2 x 11-inch reduced copy of the site plan accompanied by the plan review fee specified in Exhibit C. The plan review fee shall be in addition to any other required fees.

(b)(2) Purpose

(1)A.

(2)B.

(c)(3) Plan requirements

(1)A.

(2)B.

(3)C.

(4)D.

(5)E.

(6)E.
(7)G.

(d)(4) Staff review

The dDirector of pPlanning shall, upon receipt of the site plan, distribute copies to other departments/agencies as the dDirector deems necessary. Departments/agencies receiving copies of the site plan shall, within twenty (20) days of receipt of the plan, submit to the dDirector of pPlanning their written recommendation and comments about the plan. No later than thirty (30) days after submission of the site plan, the dDirector of pPlanning shall submit the plan with a recommendation to the Planning Commission for consideration.

(e)(5) Planning Commission consideration

The City Planning Commission may approve the plan submitted, amend and approve the plan as amended, or disapprove the plan. If approved, the plan with amendments, if any, shall be stamped "Approved" and be dated and signed by the Chairman of the Planning Commission and by the Secretary of the Commission.

(f)(6) Distribution of the approved plan

One copy of the approved plan shall be submitted to the Director of Development Services director of building inspections for use in issuing building permits. In addition, other copies of the approved plan may be requested as necessary by other departments and agencies.

(g)(7) Changes in the plan

(1)A. Minor changes. After favorable action by the Planning Commission, minor alterations which do not substantially change the concept of the site plan may be approved by the dDirector of pPlanning, if required by engineering or other circumstances not foreseen at the time the plan was approved. Minor changes may not cause a change in location or an increase in size of any storage containers for flammable or combustible materials.

(2)B. Major changes. Major alterations to the site plan shall be resubmitted for consideration by the Planning Commission following the same procedures required in the original adoption of the plan. Major changes to a site plan include any alterations which would cause any of the above conditions as well as those which are determined as such by the dDirector of pPlanning.

(h)(8) Time limit

The construction of the proposed development shall be started within two (2) years of the effective date of approval of the site plan by the commission. The planning commission may, no sooner than sixty (60) days prior to the end of the time period, upon request of the developer, extend the time one additional year if, in the judgment of the commission, additional time is warranted. In any event, construction must be started within three (3) years of the effective date of approval. Failure to begin the development within the required time period or the period as extended shall automatically void the site plan, and no building permit shall be issued until the plan or an amended plan has been resubmitted and properly approved by the Commission.

Sec. 35-3140.(i) Supplemental information

-Whenever any application for a change in zoning in a Military Airport Overlay Zone is filed, the Director of Planning shall make formal request to the United States Air Force at least thirty (30) days prior to the Zoning Commission hearing for any relevant statistics, operational activities information, technical data, or other studies with bearing on the request.

35-335 Neighborhood Conservation District (NCD)

(a) Purpose

- (2) The purposes of a Neighborhood Conservation District in residential neighborhoods or commercial districts are as follows:
- A. to protect and strengthen desirable and unique physical features, design characteristics, and recognized identity and charm;

(c) Zoning Authority

- (1) Separate ordinances are required to designate each Neighborhood Conservation District. Ordinances designating each district shall identify the designated boundaries, applicable Designation Criteria and design standards for that district, and be consistent with any existing Neighborhood and/or Community Plans. Adopted Neighborhood Conservation District Plans referenced herein by their title and date of adoption are:

- A. South Presa/South St. Mary's Sts. (NCD-1), November 14, 2002
- B. Alta Vista (NCD-2) May 8, 2003
- C. Ingram Hills (NCD-3) September 9, 2004

- (3) Zoning designation. The zoning designation for property located within a Neighborhood Conservation District shall consist of the base zone symbol and the overlay district symbol (NCD) as a suffix. Neighborhood Conservation Districts shall be numbered sequentially to distinguish among different districts, i.e., R-6 (NCD-1), C-1 (NCD-2), etc.

- C. Except as modified by this section, the procedures for zoning changes set forth in § 35-3024 this chapter shall otherwise apply to the designation of an area as a Neighborhood Conservation District.

(d) Initiation Procedures

- (2) Following initiation for designation of a Neighborhood Conservation District, the Planning Department shall develop a Neighborhood Conservation Plan for the proposed district that follows 35-335(b)(3) and includes:
- B. maps and other graphic and written materials identifying and describing the distinctive neighborhood and building characteristics of the proposed district;

35-337 Viewshed Protection Districts

(c) Boundaries

- (1) To be designated as a viewshed protection district, an area must be located in front of or behind a building or site as described in subsection (a) of this Section (Designation Criteria).

35-337 Viewshed Protection Districts

(f) Boundaries (1) VP-1 Alamo Viewshed Protection District

- B. Boundaries.** The area above a plane described by the following boundary is designated as the Alamo Viewshed Protection District (VP-1): Beginning at a point at elevation 663.22 feet (5.50 feet observation height above monument) above disk VP-1, Alamo Viewshed and extending through a point of the plane of the façade that is level with and six inches northwest from the topmost northern corner of the Alamo façade at a vertical angle of $9^{\circ}34'38''$ and at a distance of 109.23 feet to the east right of way line of Interstate Highway 37 for the northern boundary of the viewshed; Thence, south along the east right of way line of Interstate Highway 37 through an arc of $35^{\circ}40'22''$ to a point which is the extension of a line extending from the point of beginning through a point on the plane of the façade that is level with and six inches southwest from the topmost southern corner of the Alamo facade, at a vertical angle of $11^{\circ}12'43''$ at a distance of 93.28 feet for the eastern boundary of the viewshed; Thence, to point of beginning.

35 – 338 River Improvement Overlay

(a) Boundaries

The specific boundaries of the River Improvement Overlay is/are shown on the City of San Antonio's Official Zoning Map.

(b) Zoning Classification

(3) Development Nodes

It is the intent of this Section that a River Improvement Overlay District Development Node shall be restricted to areas lying fully within a River Improvement Overlay District that are located at 1) the intersection of a major thoroughfare and the San Antonio River or 2) the intersection of two major thoroughfares or 3) if not located at an above mentioned intersection, abut the San Antonio River and be a minimum of 12 acres. Development nodes must range in size from three to twenty acres and shall be located a minimum of one half mile apart. A development node must include property located on both sides of the street and/or river. A development node must provide at least two of the following uses: office, retail and multi-family residential.

Designation of a development node provides for a minimum setback of 0 feet from all property lines including riverside and the ability to increase the building height by 50 percent from the requirements set out in Article 6.

(4) Neighborhood Conservation Districts

Notwithstanding any other provision of this Ordinance, design standards for an established and adopted Neighborhood Conservation District within or overlapping a River Improvement Overlay District shall take precedent over the design standards of this ordinance if a conflict exists between the two.

35-339.01 Corridor Districts

(c) Initiation Procedures and Zoning Classification

- (4) The zoning designation for the corridor district shall consist of a base zone symbol and the overlay district symbol GC (Gateway Corridor), MC (Metropolitan Corridor) and PC (Preservation Corridor) as a suffix. Corridor districts shall be numbered sequentially to distinguish among different districts, i.e., GC-1, GC-2, etc. Adopted Corridor districts referenced herein by their title and date of adoption are:

A. Hill Country Gateway Corridor (GC-1); May 19, 2003.

35-343 Infill Development Zone ("IDZ")

(j) Buffers, Landscaping, Streetside Planting and Tree Preservation

The Buffering Standards (§ 35-510) shall not apply to Infill Development. The Landscaping Standards (§ 35-511) and Streetscape Planting Standards (§ 35-512) shall apply. ~~An additional~~ Only twenty-five (25) points shall be required awarded under § 35-511 (d) (Elective Criteria), for landscaping on lots within the IDZ.

35-344 Planned Unit Development District

The planned unit development (PUD) district is established for the following purposes:

- *To provide flexibility in the planning and construction of development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties.*
- *To provide an environment within the layout of a site that contributes to a sense of community and a coherent living style.*
- *To encourage the preservation and enhancement of natural amenities and cultural resources; to protect the natural features of a site that relate to its topography, shape and size; and to provide for a minimum amount of open space.*
- *To provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure.*
- *To encourage infill projects and the development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility or topography.*
- *To allow for private streets and gated entrances for new subdivisions.*

(a) Evaluation Criteria

In order to foster the attractiveness of a planned unit development and its surrounding neighborhoods and thereby preserve property values, and in order to provide an efficient road and utility network, ensure the movement of traffic, implement comprehensive planning, and better serve the public health, safety, and general welfare, the following criteria shall be utilized by the Planning Commission in reviewing PUD plans. These criteria shall neither be regarded as inflexible requirements nor are they intended to discourage creativity or innovation.

- (1) Insofar as practicable, the landscape shall be preserved in its natural state by minimizing tree and soil removal.
- (2) Proposed buildings shall be sited harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings.
- (3) With respect to vehicular and pedestrian circulation and parking, special attention shall be given to the location and number of access points to public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and the arrangement of parking areas that are safe and convenient and,

insofar as practicable, do not detract from the design of proposed structures and neighboring properties.

- (4) Private streets and gates shall conform to Article 5 of this Chapter.

(b) Minimum size

There is no minimum size for a planned unit development.

(c) Permitted uses and density

(1) Uses:

A planned unit development may include residential, commercial and industrial uses; cluster housing; common areas; unusual arrangements of structures on site; or other combinations of structures and uses that depart from standard development. The uses permitted in a PUD are those designated in the approved PUD Plan. Density limits are used to determine the maximum number of permitted dwelling units.

Planned Unit Developments containing one single zoning district shall be annotated with the zoning district (PUD "RE", PUD "R-20", etc.) and may be developed to the density indicated in the Maximum Density table in subsection (2) below.

Planned Unit Developments which contain more than one zoning district shall have each zoning district annotated as (PUD "RE", PUD "R-20", etc.) and each individual district may be developed to the density indicated in the Maximum Density table in subsection (2) below.

(2) Density table.

The PUD Plan shall divide the PUD into land use categories and shall indicate the uses permitted in each category. For residential land use categories, the maximum number of dwelling units permitted per acre for each land use category is as follows:

Land Use Category	Maximum Density
RE	<u>1.1</u>
R-20	2
R-6	<u>6.5</u>
RM-6	<u>7.5</u>
R-5	<u>8.6</u>
RM-5	<u>9.6</u>
R-4	<u>10.7</u>
RM-4	<u>11.7</u>
MF-25	25
MF-33	33
MF-40	40
MF-50	50

Total allowable density is calculated by multiplying the amount of net usable acres times the appropriate number above. Flood plains (100 Year), steep

slopes, non-buildable areas and existing easements are not used to determine net acreage.

Example: On a 12 acre tract with 1.5 acres of unusable space, with an "R-6" zoning district. Usable acreage (10.5) times table number (5) allows 52.5 units. The maximum number of units that may be built may not be further increased by using the provisions of Division 6 Flexible Zoning of this article.

(3) Attached dwelling units.

Dwelling units may be attached in all PUD districts except for land use categories designated RE and R-20.

(4) Lots.

There is no minimum area requirement for lots and lots need not front onto a street. Lot boundaries may coincide with structure boundaries except where perimeter lot setbacks are required.

(d) Height and yard requirements

(1) Height limitation

The maximum height of structures shall be as prescribed below; however, any portion of a structure may exceed this limit provided such portion is set back from the side and rear lot lines, or setbacks if required, one (1) foot for each two (2) feet of height in excess of the maximum building height. Distance credit shall be permitted for space occupied by structures of conforming height extending from the lot lines or setbacks as applicable.

Structures devoted to the following uses:	Shall be restricted to the following height:
Dwelling, one family; Dwelling, single-family; Duplex; Dwelling, one-family attached; Dwelling, Single-Family Detached; Dwelling, two-family (duplex); Dwelling, two-family attached; Dwelling, three-family (triplex); Dwelling, four-family (quadruplexes)	35ft/2.5 stories
Multi-Family not exceeding 25 units/acre	35 45
Multi-Family not exceeding 33 units/acre	45 60
Multi-Family not exceeding 40 units/acre	60 84
Multi-Family not exceeding 50 units/acre	--
Commercial Buildings (LBCS Structure Classification 2100 – 2593, 3000, 4000), except as otherwise listed below	35
Malls, shopping centers, or collection of shops - regional center (enclosed mall with two or more anchors) or super regional center (similar to regional, but with three or more anchors)	45
Light Industrial Uses (LBCS Structure Classification 2610, 2700)	35
General Industrial Uses (LBCS Structure Classifications 2620, 5000, 6000)	60

(2) Fences-

- A. Along collector and arterial streets, fences or walls within a PUD may extend to a height of eight (8) feet subject to the clear vision area requirements.
- B. No such fence or wall, or portion thereof, shall exceed one-hundred (100) horizontal feet in length unless one of the following architectural features visible from the paved surface of the street is provided as part of the fence:
 1. A column or pillar; or
 2. Articulation of the surface plane wall by incorporating plane projections or recesses having a depth of at least one (1) foot and extending a horizontal distance not less than three (3) or more than twenty (20) feet.
- C. The provisions of subsection B, above, shall not apply to a fence or wall constructed of brick, masonry, or wrought iron fences consisting of at least fifty percent (50%) open voids. The square footage of the fence shall be measured by taking the total square footage of an area defined by the length of the fence and its average height. The percent of open voids shall then be derived by dividing the total square footage of the open voids by the total square footage of the area calculated above, and multiplying this figure by one-hundred (100). The fence's framing (the vertical posts supporting the fence from the ground and no more than three (3) horizontal cross bars between the posts, or brick or stone pillars) shall not be included in the calculation of the total square footage,

provided the framing posts and cross bars do not exceed a four (4) inch width and the posts are spaced at least eight (8) feet apart.

(e) Required Setbacks

- (1) Setbacks shall be governed by the PUD Plan. Lots located on the perimeter of a PUD shall adhere to the minimum and maximum ~~S~~setback requirements of the adjacent base district unless a lesser zoning district unless a lesser Ssetback is approved in the PUD plan. There are no ~~S~~setbacks for interior lots provided the requirements of the Uniform Building Code are met.
- (2) If access to a garage or carport is provided from the front or side of a lot, then the garage/carport shall maintain a twenty-foot ~~S~~setback from the back of the sidewalk, or curb if there is no sidewalk, as measured along the centerline of the driveway.

(f) Infrastructure requirements

(1) Streets and sidewalks.

Streets within a PUD may be public or private. However, the Planning Commission may require dedication and construction of public streets through or into a PUD. Public or Private streets shall conform to the Transportation Standards of this Chapter (see § 35-505(j) of this Chapter).

(2) Utilities.

All utility systems shall comply with the Utilities Standards of this Chapter. Water and sanitary sewer systems within a PUD may be publicly or privately owned; however, the maintenance of private systems shall be the responsibility of the PUD community association. Public utility systems shall be approved by the applicable agency or city department.

(3) Easements.

Publicly owned and/or maintained utilities shall be placed in public streets or easements which are a minimum of sixteen (16) feet in width unless a narrower width is approved by the applicable utility. Dead-end easements shall not be permitted unless a City approved vehicular turnaround is provided at the end of each such easement.

(4) Garbage collection.

If in the opinion of the Director of Environmental Services, private streets in a PUD are arranged so that garbage may be collected without creating a safety hazard, the City will collect the garbage provided proper indemnification is received from the community association or individual property owners. Garbage collection locations shall be subject to the approval of the Director of Environmental Services. In the event the City does not collect garbage within a PUD, all units within the PUD may be exempted from payment of garbage fees upon furnishing of evidence ensuring acceptable removal of all garbage and refuse by private means. To receive such exemption, written application must be submitted to and approved by the Director of Finance.

(g) Parks/Open space

Each PUD plan shall provide for a minimum amount of parks/open space as required by subsection (1) below. Parks/Open Space shall include yards, as well as any Parks/Open Space areas which conform to the Parks/Open Space Standards (§ 35-503) of the Chapter. Up to twenty (20) percent of the total open space requirement may be met by including one-half of any accessible and contiguous parkland, unimproved floodplain, cemetery, or other beneficial open area which has a reasonable expectancy of perpetuity;

Each residential PUD plan shall provide for a minimum amount of parks/open space as required by the Parks/Open Space Standards (35-503) of this Chapter. Residential PUDs may not use a fee in lieu for meeting Parks/Open Space requirements.

All commercial and industrial PUDs will contain a minimum of 20% of Parks/Open Space.

Mixed-use developments shall be divided into separate residential and commercial areas which must separately meet the requirements of this paragraph and 35-344(c)(2)

(1) Reduction in parks/open space:

At its discretion, the Planning Commission may approve a decrease in the amount of required parks/open space when the PUD plan includes unique design features or amenities which achieve an especially attractive and desirable development such as, but not limited to, terraces, sculpture, water features, preservation and enhancement of unusual natural features, or landscape sculpture (areas which are intensely landscaped).

(1) Parks/Open space percentages:

The minimum open space percentage requirements are as indicated in the table below. They are calculated by dividing the total open space within a PUD by the gross site area. The land use category shall be determined by the base zoning district. For PUDs which include both residential and nonresidential uses, the required open space shall be calculated by multiplying the open space percentage times the area of each use and adding the products thus obtained.

Land Use Category	Required Parks/Open Space (in percent)
Residential	35%
Non Residential	20%

(2) Reduction in parks/open space:

At its discretion, the Planning Commission may approve a decrease in the amount of required parks/open space when the PUD plan includes unique design features or amenities which achieve an especially attractive and desirable development such as, but not limited to, terraces, sculpture, water features, preservation and enhancement of unusual natural features, or landscape sculpture (areas which are intensely landscaped).

(Ord. No. 95326 § 1; Ord. No. 98697 § 6)

(h) Parking requirements

Off-street parking and truck loading facilities shall be provided in accordance with Parking Standards of this Chapter. Parking shall be prohibited on any private street less than twenty-eight (28) feet in width and if utilized on streets twenty-eight (28) feet or wider, the parking must be clearly distinguishable from the movement lanes.

(k) Time limit

An approved PUD Plan shall remain valid for a period of three (3) years from the date of the last recorded plat or the date of Planning Commission approval if no plats are recorded. Time extensions for up to two (2) years may be granted by the Planning Commission if it finds that additional time is warranted. Failure to initiate development within the approved time period shall void the PUD Plan and no building permits or utility connections shall be issued until a new or revised plan has been resubmitted and approved by the Commission.

35-371 Accessory Dwellings

(a) Generally

- (1) The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the Accessory Dwelling as their permanent residence, and shall at no time receive rent for the owner-occupied unit. 'Owner occupancy' means a property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means. The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the main building or the Accessory Dwelling. The applicant shall provide a covenant suitable for recording with the County Recorder, providing notice to future owners or long term leasees of the subject lot that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling or the principal dwelling by the owner of the property. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this Section and to provide for the removal of improvements added to convert the premises to an accessory dwelling and the restoration of the site to a single family dwelling in the event that any condition of approval is violated.
- (2) No Accessory Dwelling shall be constructed, used or occupied unless and until an Accessory Dwelling Permit is issued.
- (3) The Accessory Dwelling shall be connected to the central electrical, water and sewer system of the Principal Structure. This provision does not apply to the electrical service if the distance between the primary structure and the Accessory Dwelling is greater than 100 lineal feet.
- (4) The total number of occupants in the accessory dwelling unit combined shall not exceed three persons.

The Accessory Dwelling shall not exceed eight-hundred (800) square feet of gross floor area in any single family residential home zoning district other than the "FR" the R-4, RM-4, R-5, RM-5, R-6, RM-6 and R-20 zoning districts, or 1,200 square feet in the RE zoning district. This restriction applies only to that portion of a structure that constitutes living area for an Accessory Dwelling.

35-376 Day-care facilities

(d) Required residency

The provision of daycare in a single family home which may be permitted by a specific use permit shall require that the owner of the property in question occupy as their primary residence the home providing said daycare services.

35-385 Oversized vehicles

(c) Parking in residential districts

The parking of an oversized vehicle within the restricted parking area or the parking so that any portion of the vehicle extends into the restricted parking area is prohibited in any of the following zoning districts "R-4, "RM-4, "R-5, "RM-5, "R-6, "RM-6, "R-20, RE, RP, "NP-8, "NP-10, "NP-15, "MH, "MF-25, "MF-33, "MF-40, "MF-50, "RD and "UD" except as permitted in subsection (d) below:

35-403 Notice Provisions

(b) Contents of Notice

Table 403-1 Notice Requirements

(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(J)	(K)	(L)
Type of notice	Amendments to Master Plan or this Chapter	Rezoning	Master Development Plan	Appeals to Board of Adjustment	Variances from and/or granting of special exceptions by the Board of Adjustment	Subdivision Plat, Major	Subdivision Plat, Minor	Certificate of Appropriateness	Permits, Orders or Approvals not Mentioned Requiring Public Hearing	Request for Demolition of a Historic Landmark or Potential Historic
Publication: Publication in an official newspaper of general circulation before the 15th day before the date of the hearing.	*	*	--	*		*	--	--	*	--
Mail: Before the 10th day before the hearing date, written notice of the public hearing shall be sent	--	*(2)(3) (6)(7)	*(2)	*(2)(3)	*(2)(3)	*(2)	--	--	*(3)	*(2)(3)
Internet: post a copy of the notice on the City's Internet website until the proceeding has been completed.	*	*(1)	*	*	*	*	*	*	*	*
Signage: post a sign on the property subject to the Application Signs to be installed and provided by the City ⁽²⁾	--	*(4) (6)	--	--	--	--	--	*	--	*

35-423 Specific Use Authorization

(b) Initiation

An owner of real property within the City, or that owner's authorized representative, may, upon proof of ownership or agency, apply for a Specific Use Authorization for that landowner's property by filing an application for a Specific Use Authorization with the Development Services Director of Planning. The application shall include the material required in Appendix B of this Chapter for a Specific Use Authorization (§ 35-B111). An application shall not be deemed to have been filed until it is complete including all signatures, attachments, and the requisite filing fee.

35-431 Letters of Certification Amend text by deleting strike through text and adding

(a) Applicability

Prior to filing an application for plat approval, the applicant shall secure letters of certification as required by this Section.

(b) Initiation

(1) Certifying Departments

A request for Letters of Certification and required items shall be filed by the applicant with the following Departments (hereinafter "Certifying Departments"):

- A. Department of Public Works
- B. Department of Planning (responsible to attest to cultural and historic resources, including but not limited to archaeology, architecture, and historic sites.)
- C. SAWS
- D. CPS
- E. Department of Parks and Recreation

(2) Referral

In addition to the Certifying Departments, copies of the requests for plat review along with required information shall be distributed to the ~~City Tax Office~~, Southwestern Bell Telephone, Cable Television, Aviation Department, Development Services Department, ~~Historic Preservation Officer~~, San Antonio River Authority, San Antonio Development Agency, ~~Bexar Metropolitan Water District~~, and Bexar County Public Works Department. A letter of certification is not required from these departments.

(3) Copies to Planning Development Services Director

A copy of each request for a Letter of Certification shall be filed with the Planning Development Services Director. The request for a Letter of Certification shall be in the form prescribed in Appendix B. In order to track the application, the Planning Development Services Director may assign a tentative tracking number for the Letter of Certification in the event that an Application for subdivision plat approval is filed.

(4) Plat number

Prior to submitting a plat, replat, or amending plat for review by the City or any other agency, the applicant shall complete a plat application with the department of planning and obtain a plat number.

(5) Fees

At the time an application for ~~Letters of Certification~~ a plat number is submitted, the applicant shall pay to the City of San Antonio the platting fees specified in Exhibit C. The platting fees are not transferable to other properties nor are they refundable. However, refunds shall be granted if the fees collected are in excess of the amount required at the time of plat filing, and such excess is not due to a substantial design change from that which was indicated on the initial application, or if an error in the plat fee calculation is discovered. If a plat is not formally filed with the Planning Commission within two (2) years from the date of the plat application, the application expires and new platting fees shall be required. The following situations shall be exempt from platting fees:

City of San Antonio projects which involve platting, and which are payable from the general fund. Permeable areas identified on a proposed plat such as private or public drains, conservation, landscape, or greenbelt easements.

(c) Completeness Review

Upon receipt of a request for letters of certification, the Director of Development Services shall classify the request as a tentative major subdivision or a tentative minor subdivision However, a plat that the Director of Development Services finds is for the sole purpose of amending one or more building setback lines shall be submitted to the Planning Commission for consideration without review by any other agency. Such plat shall be referred to as a Building Setback Line Plat (BSL) and shall comply with all provisions of Chapter 212 of the Texas Local Government Code. The Appellate Agency for purposes of completeness review (see § 35-402(c) of this Chapter) shall be the Planning Commission. When a Certifying Department determines that the proposed plat or any of the required accompanying data does not conform with the requirements of this chapter, the Certifying Department shall so notify the applicant and Director of Development Services. If the Certifying Department issues a letter of certification recommending disapproval of the proposed plat, the letter shall indicate the section and specific requirement of the regulations and the manner in which the request does not comply. The applicant may then revise the nonconforming aspects or may file the proposed request with the Planning Commission pursuant to § 35-432 of this Chapter, with or without a request for a variance (§ 35-483 of this Article) provided, however, that if no variance request is submitted and approved and the application does not conform to this Chapter, the Application shall be denied.

35-432 Procedures for Subdivision Plat Approval

(h) Scope of Approval

(1) Failure to Approve

An application for plat approval shall expire, and shall be void for all purposes if a plat is not approved in accordance with this chapter within two (2) years from the date that the plat number was assigned ~~formally submitted~~. Upon expiration of the plat application, a new plat number, application and fee shall be required if plat approval is still sought. Plat applications that have been submitted prior to September 1, 1997, and that have not been approved in accordance with this chapter, shall expire no later than May 15, 2005 unless otherwise prohibited by state law.

(i) Recording Procedures

(2) Recordation

The Director of Development Services shall file for record an approved plat in the deed and plat records of the county within which the plat is located, provided the property owner consents in writing and the plat meets one of the following conditions:

No site improvements are required.

All required site improvements have been completed and accepted by the Director of Development Services.

A performance agreement and a guarantee of performance as described in § 35-436 have been filed with the City Clerk.

All required impact and drainage fees have been paid.

35-441 Amending Plats

(a) Applicability

(12) to establish a no build easement
(13) to establish fire lanes

(b) Initiation

A subdivider wishing to amend an approved plat shall file with the Planning Development Services Department the amending plat, together with a copy of the plat being amended and a statement detailing the amendments being proposed. The Director of Development Services Planning will determine the extent to which the amending plat will require review by the various departments and agencies of the City. If the plat being amended has been recorded, the additional recordation fee shall be deposited with the City at the time of plat filing.

(c) Completeness Review

The Planning Development Services Director shall review an application for an amending plat in accordance with § 35-432(c) of this Chapter. The Appellate Agency for purposes of completeness review (see § 35-402(c) of this Chapter) shall be the Planning Commission.

(d) Decision

Pursuant to VTCA Local Government Code § 212.016, notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat. The amending plat shall be processed by the Director in the same manner as a Minor Plat. If the plat being amended has been recorded, the amending plat shall be clearly marked "Amending plat of (___plat number and name___). This plat amends the plat previously recorded in the plat and deed records of _____ County, Volume _____, Page _____." The amending plat shall then be recorded if all requirements have been met. If the plat being amended has not been recorded, the amending plat may be approved by the Development

Services Director of Planning provided the amendment is in accordance with section (a). Upon approval by the Director, the amending plat shall be annotated with the following statement: "This plat includes amendments approved by the Development Services Director of Planning."

35-451 Certificate of Appropriateness

(d) Decision

(2) Planning Director Review

Upon receipt of the recommendation by the Commission, the Director of Planning shall implement such recommendation by notifying the applicant within ten (10) days from receipt of such recommendation that his application has been approved, conditionally approved, or disapproved. ~~He~~ The Director of Planning shall also submit a copy of the his decision to the Commission for its information, to the Department of ~~Development Services~~ Services for issuance of permits, and to other departments, as applicable. The Director of Planning shall ~~base his~~ assure the decision is based on the same criteria considered ~~criteria considered~~ by the Commission in the his determination as to issuance or denial of any certificate.

(3) Appeal

An applicant for a certificate may appeal the decision of the Director of Planning to the Board of Adjustment within thirty (30) days after receipt of notification of the Director's action. The applicant shall be advised by the City Clerk of the time and place of the hearing at which the his appeal will be considered and shall have the right to attend and be heard as to the his reasons for filing the appeal. In determining whether or not to grant the appeal, the Board of Adjustment shall consider the same factors as the Commission, the report of the Commission, and any other matters presented at the hearing on the appeal. If the Board of Adjustment approves the application, it shall direct the Director of Planning to issue a certificate for the work covered. If the Board of Adjustment disapproves the application, it shall direct the Director of Planning not to issue such certificate. Such disapproval may indicate what changes in the plans and specifications would meet the conditions. Upon receipt of the written disapproval of the Board of Adjustment, the Director of Planning shall immediately advise the applicant and the Commission in writing.

35-454 Review of plans for city-owned properties

(c) Completeness Review

The Planning ~~Director Commission~~ shall review the plan review application for completeness in accordance with § 35-451(c) of this Chapter. The Appellate Agency for purposes of

completeness review (see § 35-402(c) of this Chapter) shall be the Historic and Design Review Commission.

35-455 Demolition Permit Applications

(b) Initiation

(1) Historic Landmarks and Contributing Properties

The applicant shall submit all necessary materials to the Historic Preservation Officer hereafter referred to as the HPO at least fifteen (15) days prior to the Historic and Design Review Commission hearing in order that staff may review and comment and/or consult on the case. Staff and/or professional comments shall be forwarded to the Historic and Design Review Commission for consideration and review and made available to the applicant for consideration prior to the hearing. The Historic and Design Review Commission may require that an applicant furnish such additional information that is relevant to its determination of unreasonable economic hardship and may require that such additional information be furnished under seal. The Historic and Design Review Commission or its agent may also furnish additional information as the Historic and Design Review Commission believes is relevant. The Historic and Design Review Commission shall also state which form of financial proof it deems relevant and necessary to a particular case. In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.

35-477 Tree Permits

(b) Initiation

(1) Application to City Arborist

A valid application for permit must be filed and approved with the city arborist before:

(3) Single-Family Residential Developments

At the platting or subdivision review, an application for a Tree Permit shall may include a tree preservation plan. See Section 35-B123.

35-478 Woodlands Preservation

(b) Initiation

- (1) The Woodlands Preservation Plan shall be filed with the Master Development Site Plan, if required; the application for a letter of certification for a subdivision plat; or the application for approval of a building permit if no subdivision plat or site plan is required.

(c) Completeness Review

(i) Scope Of Approval

A Woodlands Preservation Plan shall remain valid for the period of validity of the permit or authorization that triggered the requirement for obtaining the Tree Permit (i.e. Master Development Site Plan, building permit, plat, etc.).

Chapter 35 Article 5

Throughout Chapter 35 (unified Development Code) amend the term city arborist to be capitalized as follows City Arborist.

35-501 General Provisions

(b) Administrative Exceptions

(2) No administrative exception shall be granted unless:

- B. The Applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles, that exceptions adherence to the standard provided by this Chapter would not pose a threat to health and safety.

35-502 Traffic Impact Analysis

(a) Specific Requirements for Transportation LOS

(9) The following vehicles per day (vpd) will provide clarification to the roadway classification system for streets within conventional subdivisions exclusive of Traditional Neighborhood Developments (TND) as related to Master Development Plans, Plats, Zoning and Building Permits:

A. Residential Streets: Function of roadway UDC 35-506 (Table 506-1: Functional Classification System Description) and Appendix A (Definitions). Daily traffic volumes shall range between 500-1000 vehicles per day (vpd). Street design standards shall follow 35-506 (Transportation and Street Design). Spacing of Local A Streets should range from 175 to 800 feet.

B. Residential Local B Street: Function of roadway UDC 35-506 (Table 506-1: Functional Classification System Description) and Appendix A (Definitions). Daily traffic volumes range from 1,000 to 4,000 vpd (houses fronting) and 4,000 to 8,000 vpd (no houses fronting). Street design standards shall follow 35-506 (Transportation and Street Design). Spacing of Local B Streets should range from 800 feet to ½ mile.

C. Collector: Function of roadway UDC 35-506 (Table 506-1: Functional Classification System Description) and Appendix A (Definitions). Daily traffic volumes shall range from 8,000 to 10,000 vpd. Street design standards shall follow 35-506 (Transportation and Street Design). Spacing of Collector Streets should be ½ mile.

Note: All Secondary and Primary Arterials shall follow UDC 35-506 (Transportation and Street Design) and the City of San Antonio Major Thoroughfare Plan, Ordinance 98282.

35-503 Park/Open Space Standards

~~35-503 Park/Open Space Standards~~ (Delete entire 35-503 Park/Open Space Standards section and replace with the following).

35-503 Parkland Dedication Requirement

Parks and open space provide a valuable asset to the urban form of the City, its historical development, and the general welfare of its residents. Parks and open space have provided a significant role in the history of the City of San Antonio. The Laws of the Indies provided that the size of the parks and open spaces, such as plazas, shall be proportioned to the number of inhabitants and should take into consideration the growth of the community. Consistent with the historical development of the City, it is the intent of this Section that parks and open space should provide focal points for new communities. A central square or green, for example, may comprise a majority of the area required for dedication.

This Section implements the following provisions of the Master Plan:

Neighborhoods, Policy 3a: Protect the character and quality of neighborhoods by maintaining and enhancing their open spaces and parks.

Neighborhoods, Policy 3a: Amend applicable ordinances to require developers of subdivision plats with private common areas, to establish mandatory homeowners associations which shall be responsible for the maintenance of the common areas, or otherwise provide for same.

Neighborhoods, Policy 3a: Amend applicable ordinances to require developers of subdivision plats with private common areas to file a proposed operations budget and plan for long term capital repair and replacement.

Natural Resources, Policy 1d: Encourage retention of the 100-year floodplains as natural drainage ways without permanent construction, unnecessary straightening, bank clearing or channeling.

Natural Resources, Policy 1d: Encourage the ecological management of floodplains and promote their use as open space, such as greenways, parks, wildlife habitat, and pedestrian-friendly linkage corridors.

Urban Design, Policy 1g: Prepare design and construction policies and standards for utility and transportation infrastructure, capital improvement projects, public facilities and development projects that reinforce neighborhood centers and provide diverse, pedestrian-friendly neighborhoods.

Urban Design, Policy 3a: Ensure that parks are fully accessible to all citizens.

Urban Design, Policy 3a: Encourage conservation and protection of identified properties through leases, conservation or scenic easements, overlay zoning districts, protective covenants, tax abatements, or acquisition (by purchase or donation).

Urban Design, Policy 3a: Develop a requirement that subdividers of land provide recreational opportunities for City residents through the dedication of parkland, or fees in-lieu of dedication.

(a) Applicability

(1) The provisions of this section shall apply to any application for residential subdivision plat approval, unless exempt pursuant to subsection (3), below.

(2) The location and extent of parkland or designation of a fee-in-lieu of option shall be indicated on any Master Development Plan (or plat if single phase development), with dedication of parkland deferred until a subdivision plat is filed consistent with subsection (g) of this section. Where indicated, the required area shall conform to the requirements of subsection (b) as they relate to the total number of dwelling units approved at the time the Master Development Plan is filed.

Commentary: The Master Plan requires new subdivisions to include parks or to pay fees in lieu of providing parks. Developers may opt to show parks on a Master Development Plan in order to facilitate the phasing of subdivision plats filed pursuant to the Master Plan. This allows some plats to be approved without individually complying with this Section, so long as the requirements of this Section are met for

the entire development subject to the Master Development Plan. The applicant and the City may also execute a deferment contract which provides for the provision of parks/open space during a future phase of the development.

(3) The provisions of this Section do not apply to:

- A. A proposed subdivision located within an Infill Development Zone; or
- B. A proposed subdivision located within a planning area which has a surplus of improved neighborhood parks/open space, as designated in the Parks System Plan unless the surplus has been eliminated by the subsequent approval of residential dwelling units within the planning area, as measured by the level of service standard established in Table 503-1, Column (B).

(b) Required Parkland

(1) Required parkland shall be reserved for any development in the zoning districts or areas set forth in column "A" of Table 503-1, below, based upon the number of Dwelling Units in the proposed development corresponding to the zoning district as set forth in Column "B" in Table 503-1 hereto.

Table 503-1
Required Parkland

<u>ETJ</u>	<u>1 per 70</u>
<u>Multi-family developments within ETJ</u>	<u>1 per 114</u>
<u>R-20, R-15, R-10, R-8, R-6, RM-6, R-5, RM-5, R-4, RM-4, MH, TND, PUD, DR</u>	<u>1 per 70</u>
<u>MF-25, MF-33, MF-40, MF-50</u>	<u>1 per 114</u>

* The required acreage shall be rounded to the nearest one-tenth (e.g., 150 dwelling units x [1/70] = 2.1 acres)

- (2) The applicant may dedicate any trail specifically delineated in the Parks and Recreation System Plan (adopted January 1999) to the public. Any trail dedicated pursuant to this subsection will count towards meeting the required active parks and open space requirements of Table 503-1. The trails shall be maintained in accordance with subsection (f)(Preservation Parkland) of this Section.
- (3) The types of parkland that may be provided to satisfy the requirements of this Chapter are described in subsection (c) of this chapter.
- (4) If maintained as a private park, the required parkland shall be provided as common area for the use of all residents/occupants of the Proposed Development.
- (5) The following areas shall not be considered parkland pursuant to this subsection:

A. Areas covered by buildings, parking lots, or other impervious surfaces accessible to automobiles provided, however, that not more than fifty percent (50%) of a parking area accessory to, and reserved exclusively for, a park or open space area shall be counted toward the minimum land area required by this subsection.

B. Utility easements, drainage easements, or street rights-of-way, unless such areas are useable for public recreational purposes and will not be permanently converted to a street or trench. Land underneath overhead utility lines shall in no instance be considered a park/open space except where used for jogging trails, bicycle trails, or parking areas accessory to a park/open space.

C. Streets.

D. Ponds or lakes exceeding 2,500 square feet, unless surrounded by an upland area with a minimum width of twenty-five (25) feet.

(6) Any excess capacity of a parkland provided pursuant to this section may be credited toward the dedication required herein for another subdivision within a one-mile radius (subject to subsection (e)(1) of this section), where:

A. The subdivision for which the credit is applied is under Common Ownership by the same Applicant; and

B. The parkland is accessible to each subdivision.

(c) Parkland Characteristics

(1) Generally

Land designated as parkland shall be maintained as a park or open space and may not be separately sold, subdivided, or developed except as provided below. The applicant shall provide at least three (3) acres of contiguous parkland if land is to be dedicated to the City.

The applicant shall meet the requirements for parkland dedication through either (c)(3), (c)(4) or (c)(5) detailed below.

Table 503-5 at the end of this section provides a variety of options that may be utilized to meet the parkland dedication requirements. This table is for illustrative purposes only, and the language within each category is to serve as descriptive and not a requirement.

(2) Designation

Any areas reserved as parkland shall be indicated on the Application for Development Approval. A Parkland Provision and Maintenance Plan shall be submitted as a part of the application for development approval including the project phasing schedule. This plan shall designate and indicate the boundaries of all proposed parks or open-space required by this Section. The plan shall:

A. Designate areas to be reserved as a park or open space.

B. Specify the manner in which the park or open space shall be perpetuated, maintained, and administered.

(3) Parks and Open Space

A. Applicants may set aside parkland as Parks or Open Space to be maintained privately by an approved organization that meets the requirements of subsection (e) and the minimum size requirements stated below:

Table 503-2

<u>Zoning District</u>	<u>Minimum Dedication Size (in sq. ft)</u>	<u>Minimum Width</u>
<u>ETJ</u>	<u>10,000</u>	<u>100</u>
<u>R-20</u>	<u>20,000</u>	<u>100</u>
<u>R-6, RM-6</u>	<u>10,000</u>	<u>100</u>
<u>R-5, RM-5</u>	<u>10,000</u>	<u>100</u>
<u>R-4, RM-4</u>	<u>10,000</u>	<u>100</u>
<u>MH</u>	<u>10,000</u>	<u>100</u>
<u>MF-25, MF-33, MF-40, MF-50</u>	<u>10,000</u>	<u>100</u>

1. Planned unit developments will abide by the minimum requirements set forth in Table 503-2 based on the underlying zoning.

2. If several areas are proposed for park dedication credit, the sites shall be physically linked together by pedestrian access (sidewalks or trails) to form a network of recreational opportunities; however each individual area should meet the minimum size requirement set forth in Table 503-2.

B. The use of the parkland shall be restricted for park and recreation purposes by recorded covenant, which runs with the land in favor of future owners of the property and which cannot be defeated or eliminated without the written consent of the City or its successors;

C. The proposed private parkland shall be reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access and location.

(4) Multi-use Paths

A. Collectors and Arterials

1. The entire areas along a collector or arterial that meet the following requirements may also be counted against the minimum requirements set forth in this chapter.

i. Minimum length of collector is 200 feet

ii. Additional width of 12 feet on either side of the collector, outside of the right of way.

iii. Construction of multi-use concrete paths, or other material as approved by the Director of Development Services, on both sides of

- collector that meet minimum ASHTO standards for use by both pedestrians and bicyclists.
- iv. Path shall be defined by placing a planted strip of not less than three (3) between the back of the curb and the street edge of the path.
- v. In addition to the minimum streetscape requirements detailed in 35-512, one (1) large tree and one (1) medium tree shall be planted every 100 feet or fraction thereof. Additional tree requirements above and beyond the minimum streetscape requirements shall be counted toward any tree mitigation requirement.
- vi. Additional credit is not awarded for capital improvements.

(5) School Site Locations

Park sites shall be located, whenever possible, adjacent to and contiguous with school sites in order to make maximum use of common facilities and grounds. Land area dedicated to a school district shall be credited toward the minimum requirements of subsection (b) of this Section if there is a joint use agreement between the City and the school district.

(d) Suitability

In order to ensure that all designated parkland has suitable size, location, dimension, topography and general character, and proper road and/or pedestrian access, as may be appropriate, to be usable parkland, the following standards shall apply.

(1) Distance from Lots

Parkland shall be not further than one (1) mile (5,280 feet) from any lot or, if the proposed development does not involve a subdivision, any primary building, measured from the entrance allowing people, or bicycles to enter into the park or open space or to view the park or open space area. The foregoing distance shall be measured in a straight line, provided that the distance shall not be interrupted by an Arterial Street or Freeway. The distance may be measured from a park or open space provided pursuant to this section, or a public park or public open space area not provided by the Applicant.

(2) Parkland in Floodplains or Water Features

- A. Areas within a 100 year floodplain shall not exceed fifty percent (50%) of the area counted as Parkland pursuant to subsection (b), above, except as provided below.
- B. Water features exceeding 2,500 square feet shall not be considered as Parkland unless permitted by subsection C, below.
- C. The restriction on the maximum percentage of parkland in water features or floodplains (hereinafter "Restricted Areas") can be increased to ninety percent (90%) where:
 - 1. An area of not less than twenty-five (25) feet in width surrounding a pond or adjacent to the length of the floodplain and outside of the floodplain is improved as a Greenway; and

2. A trail is built along the area referenced in (d)(2)C1 above that meets the design criteria for trails described in Table 503-4. Additional credit will not be awarded for this requirement.
3. A minimum area of 10,000 square feet, with a minimum width of 100 feet must be located outside the floodplain.
4. The structures or activities located with the Restricted Areas do not cause an increase in base flood elevations; and
5. The velocities during a ten-year flood event do not exceed six (6) feet per second; and
6. For parkland dedicated to the City, at least one (1) acre is outside of the floodplain.

(3) Percentage in detention areas

Detention basins which are required as part of the Stormwater Management Standards shall not qualify as Parkland unless seventy-five percent (75%) or more of the active and usable area is designed for recreational use and the area(s) conforms to the requirements below.

- A. Detention areas shall not be inundated so as to be unusable for their designated recreational purposes. Detention areas must be designed to drain within 24 hours.
- B. Detention areas shall be constructed of natural materials. Terracing, berming and contouring is required in order to naturalize and enhance the aesthetics of the basin. Basin slopes shall not exceed a three to one (3:1) slope.
- C. Detention areas may count a maximum of fifty percent (50%) of the park dedication requirement.

(4) Walls and Fences

Walls and fences, if used shall not exceed six (6) feet in height. This requirement shall not apply to fences used in conjunction with athletic fields and courts.

(5) Playground equipment

Playground equipment shall be located no closer than twenty-five (25) feet from a park boundary.

(6) Slopes

At least fifty (50) percent of required dedicated parkland land shall have slopes not exceeding seven percent (7%).

(7) Access

Parkland provided pursuant to this Section shall have direct access to a public street or to a private street maintained by a Homeowners Association or Condominium Association, or an interior driveway maintained by Apartment Association.

(e) Designation of Parkland

Areas designated as Parkland shall not be subdivided, but shall be shown as a "Park" or "Open Space" on a plat. In order to ensure that parkland is maintained so that its use and enjoyment as parkland is not diminished or destroyed, parkland may be owned, preserved, and maintained by any of the mechanisms described in subsections (1) through (6) below, or combinations thereof. Land protected pursuant to this subsection which is intended to be used as a park shall be deeded as a park, regardless of ownership. The instruments creating the dedication, homeowners association, condominium association, easement, transfer, or improvement district shall be provided with the application for subdivision plat approval.

(1) Dedication of Land to City

Dedication of parkland to the City shall satisfy the requirements of this subsection. Dedication shall take the form of a fee simple ownership. The City shall accept undivided parkland provided: (1) such land is accessible to the residents of the City; (2) there is no cost of acquisition other than any costs incidental to the transfer of ownership such as title insurance; (3) the parkland area meets the requirements of subsection (d) of this Section.

(2) Homeowner's Association

A. Common ownership of parkland by a permanent homeowner's association which assumes full responsibility for its maintenance. The restrictive covenants shall provide that, in the event that any private owner of parkland fails to maintain same according to the standards of this Chapter, the Director of Parks and Recreation may, following reasonable notice and demand that deficiency of maintenance be corrected, enter the parks and/or open space to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the parks and/or open space. The association shall be formed and operated under the following provisions:

1. The developer shall provide a description of the association, including its bylaws and methods for maintaining the parkland.
2. The association shall be organized by the developer and shall be operated with a financial subsidy from the developer, before the sale of any lots within the development.
3. Membership in the association is automatic (mandatory) for all purchasers of homes therein and their successors. The conditions and timing of transferring control of the association from developer to homeowners shall be identified.
4. The association shall be responsible for maintenance of insurance and taxes on parkland, enforceable by liens placed by the City on the association. The homeowners' association shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues or assessments. Such liens may require the imposition of penalty interest charges. Should any bill or bills for maintenance of parkland by the City be unpaid by November 1 of each year, a late fee of fifteen percent (15%) shall be added to such bills and a lien shall be filed against the premises in the same manner as other municipal claims.

5. A proposed operations budget and plan for long-term capital repair and replacement of the parkland shall be submitted with the final plat. The members of the association shall share the costs of maintaining and developing such parkland. Shares shall be defined within the association bylaws. The operations and budget plan shall provide for construction of any improvements relating to the parkland space within three (3) years following recordation of the plat.

6. In the event of a proposed transfer, within the methods here permitted, of parkland by the homeowners' association, notice of such action shall be given to all property owners within the development.

7. The association shall have or hire staff to administer common facilities and properly and continually maintain the parkland.

B. The homeowners' association may lease parkland to any other qualified person, or corporation, for operation and maintenance of such parkland, but such a lease agreement shall provide: (1) that the residents of the development shall at all times have access to the parkland contained therein; (2) that the undivided parkland to be leased shall be maintained for the purposes set forth in this Chapter; and (3) that the operation of park facilities may be for the benefit of the residents only, or may be open to the residents of the City, at the election of the developer and/or homeowners' association, as the case may be. The lease shall be subject to the approval of the board and any transfer or assignment of the lease shall be further subject to the approval of the board. Lease agreements so entered upon shall be recorded with the County Clerk within thirty (30) days of their execution and a copy of the recorded lease shall be filed with the City.

C. Failure to adequately maintain the undivided parkland in reasonable order and condition constitutes a violation of this Chapter. The City is hereby authorized to give notice, by personal service or by United States mail, to the owner or occupant, as the case may be, of any violation, directing the owner to remedy the same within thirty (30) days.

(3) Condominiums

The undivided parkland and associated facilities may be controlled through the use of permanent condominium agreements, approved by the City. Such agreements shall be in conformance with the Uniform Condominium Act, VTCA Property Code, Chapter 82. All undivided parkland shall be held as a "common element." A proposed operations budget and plan for long-term capital repair and replacement shall be submitted with the Application for Development Approval.

(4) Dedication of Easements

The City may, but shall not be required to, accept easements for public use of any portion or portions of undivided parkland, title of which is to remain in ownership by condominium or homeowners' association, provided: (1) such land is accessible to City residents; (2) there is no cost of acquisition other than any costs incidental to the transfer of ownership, such as title insurance; and (3) a satisfactory maintenance agreement is reached between the developer, condominium or homeowners' association, and the City.

(5) Transfer of Easements to a Private Conservation Organization

An owner may transfer perpetual easements to a private, nonprofit organization, among whose purposes it is to conserve parkland and/or natural resources (such as a land conservancy), provided that:

- A. The organization is a bona fide conservation organization with perpetual existence;
- B. The organization is financially capable of maintaining such parkland;
- C. The conveyance contains legally enforceable provisions for proper reverter or retransfer in the event that the organization becomes unwilling or unable to continue carrying out its functions;
- D. The organization shall provide a proposed operations budget and plan for long term capital repair and replacement; and
- E. The developer and the organization enter into a maintenance agreement.

(6) Improvement Districts

An improvement district established pursuant to:

- A. The Public Improvement District Assessment Act, Tex. Local Gov't Code § 372.001 et seq.
- B. A Municipal Utility District established pursuant to Tex. Water Code, Chapter 54.
- C. Tax Increment Financing pursuant to Tex. Local Gov't Code, Chapter 374
- D. A development corporation established pursuant to Development Corporation Act, Tex. Rev. Civ. Stat. Ann. art 5190.6

(f) Development Phasing

- (1) In residential subdivisions which are to be platted in two (2) or more phases, the required parkland dedication, pursuant to this Section, must be provided in each phase of the subdivision except as provided in subsection (2), below.
- (2) If the subdivision is proposed in phases and the proposed parkland is shown on a Master Development Plan, and the first phase includes less than seventy (70) residential units, then the applicant may plat the first phase pursuant to the Master Development Plan and defer the provision of parkland to the second phase of the development provided, however, that:
 - A. No further subdivision plat shall be approved unless and until parkland is provided in increments equal to the acreage required pursuant to subsection (b) of this Section, subject to the phasing provisions of Table 503-3 below;

Table 503-3

<u>Number of lots</u>	<u>Acres of Parkland Required</u>	<u>Timing of Improvements</u>
<u>1-70</u>	<u>Up to 1 (minimum size of 1 acre)</u>	<u>Phase 2</u>
<u>71-140</u>	<u>Up to 2</u>	<u>Phase 3</u>
<u>Lots 141 through</u>	<u>As required by subsection</u>	<u>At time of platting</u>

completion	(b) of this Section	
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B. If any phase of the subdivision is platted without providing the required parkland at the time of platting and no future subdivision phases are planned pursuant to the Master Development Plan, the parkland required shall be provided within one (1) year after recordation of the plat and shall be secured by deferment contract as provided in subsection (3). The failure to provide parkland as provided herein shall be deemed a violation of this Chapter and shall be enforceable as provided in § 35-494.

Example: A Master Development Plan is approved for 500 residential lots. The Applicant may secure plat approval for the first 70 lots without providing parkland. The Applicant files a plat for approval of a second phase containing 150 lots. The second phase may not be approved until at least one (1) acre of parkland is provided based on the number of lots approved in Phase 1.

(3) The City shall authorize the developer to reserve parkland for dedication in subsequent phases of the subdivision by executing an enforceable contract with the City. The contract shall be approved by the City Attorney and the Director of Parks and Recreation. In addition, the developer shall dedicate a reversionary public access easement on the final plat of the proposed development where necessary to provide effective public access, maintenance and use of any parkland to be dedicated.

(g) Fee in Lieu of Land Dedication (Optional)

(1) For subdivisions proposed within one mile of an existing city park, or which will have a parkland dedication requirement under one acre, the applicant may deposit with the City a cash payment in lieu of dedicating lands as required by this section. The distance shall be measured in a straight line, provided that an Arterial Street or Freeway shall not interrupt the distance.

(2) The Director of Parks and Recreation shall determine the amount to be deposited, based on the following formula:

$A \times V = M$
where
A = _____ the amount of land required for dedication as determined in subsection (b) of this Section.
V = _____ fair market value (per acre) of the property to be subdivided, as established by an appraisal.
M = _____ the number of dollars to be paid in lieu of dedication of land.

The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for parkland dedication. Value shall be based on anticipated market value after development. The applicant shall submit a proposal for the cash-in-lieu fee and supply the information necessary for the City to evaluate the adequacy of the proposal. This information shall include at least one appraisal of the property by a qualified appraiser.

- (3) The City shall reduce the in-lieu fee by the amount of any reasonable costs for any land which has been dedicated to and accepted by the City for park/open space facilities by the applicant within the proposed development, subject to the following:
- A. The reasonable costs of the park/open space facilities that have been dedicated shall reduce the park/open space in-lieu fee due for only the same type of park facility.
 - B. The unit costs used to calculate the reduction shall not exceed those assumed as the average costs of the park/open space facilities which were used to compute the parks/open space in-lieu fee for the benefit area in which the property is located.
 - C. No reduction shall be granted that exceeds the park/open space in-lieu fee due for the development.
 - D. Any reduction created by the dedication of park/open space facilities shall expire ten years after the date that the offset was created.
 - E. An applicant may apply for a reduction of park fees either at the time of approval of a subdivision plat or at the time of dedication by separate instrument. The Applicant may appeal the determination of the Director of Parks and Recreation concerning the reduction to the City Council.
 - F. The amount of the reduction shall be prorated among the number of dwelling units approved for the development unless otherwise agreed to by the City.
- (4) The park in-lieu fee shall be calculated at the time of plat approval based on the number of lots shown on the plat, and shall be paid in full prior to the recordation of such plat.
- (5) All fees collected shall be used for the acquisition and/or development of land for a neighborhood park, or development and construction of improvements to existing park land, within one (1) mile of the periphery of the proposed subdivision development. However, if [1] such acquisition opportunities are not available, or [2] existing parkland is already developed or improved, within one (1) mile of the proposed subdivision development, then areas within two (2) miles of the periphery of the proposed subdivision development may be considered for the acquisition and development of neighborhood park land and/or construction of improvements to existing park land within such periphery.
- (6) There is hereby established a special fund for the deposit of all fees collected under this subsection (c), which fund shall be known as the Park Acquisition and Development Fund. Within the fund, park development fees paid shall be earmarked for expenditure on park improvements in a neighborhood park generally located within the distance described in subsection (7), above. All fees in lieu of park land dedication and all park development fees paid must be expended within ten (10) years from the date of receipt for park facilities benefiting the residential subdivision or dwelling unit for which the fees are paid. Fees shall be considered expended if they are spent for acquisition and/or development, respectively, of neighborhood parks located as per section (c)(7) above for which the fees were paid within the ten-year period. If fees are not expended within such period, the then-current owner shall be entitled to a refund of the principal deposited by the Applicant in such fund, together with accrued interest. The owner must request such refund in writing within three hundred sixty-five (365) days of entitlement or such right shall be waived. Interest accruing to the parkland dedication fund and to the park development fund shall be expended on neighborhood parkland acquisition and for neighborhood park improvements, respectively.

(h) Credit for Park Facilities

(1) Where parkland is provided in a proposed residential subdivision, credit may be given to the Applicant where the following requirements are met:

A. The parkland shall be maintained as provided in subsection (f) of this Section. The ultimate owner of the parkland shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the parks and/or open space through annual dues, special assessments, or similar arrangements.

B. A registered Landscape Architect is hired to develop the site plan and construction documents for the proposed park.

(2) The acreage required for dedication pursuant to Table 503-1 above may alternately be reduced by providing park facilities as outlined in Table 503-4 below. Credit shall be given toward the minimum land dedication requirement (see subsection (b) of this Section) at the rate specified in Column (C) of Table 503-4. Improvements for credit must meet all federal, state and local regulations and guidelines and be compliant with the Americans with Disabilities Act.

Table 503-4
Park Facilities Credit

(A) Criteria List	(B) Design Criteria	(C) Credit Acres
<u>Playground</u>	See subsection (3), below.	1.25
<u>Picnic area.</u>	<u>Picnic areas shall have a minimum area of 2,500 square feet and contains two picnic units. A picnic unit is defined as a concrete or metal picnic table two benches, and a cooking grill all permanently anchored to the slab. For every 3 acres of parkland required, credit for one picnic area may be awarded.</u>	0.25
<u>Athletic Courts</u>	<u>The court slab shall have a slope not exceeding two percent (2%) and shall be constructed of concrete. A basketball court must be a minimum of fifty feet by forty feet, with two metal goals, nets, backboards, and poles at each end. A tennis court must be a minimum of sixty feet by one hundred twenty feet, with net and metal posts. If the park dedication requirement exceeds 5.0 acres, then an additional .75 acre credit may be awarded for a second athletic court.</u>	.75
<u>Open Play Areas</u>	<u>An Open Play Area shall include a minimum area of 20,000 square feet. The areas shall be unobstructed by trees, shrubs, or utilities, with a slope not to exceed five percent (5%). Common Bermuda grass shall be established in these areas. One third of an acre is the minimum parkland area required for an Open Play Area. Maximum of one open play area for every five acres of parkland dedication.</u>	1.00
<u>Swimming pool</u>	<u>Minimum 500 square feet water surface, with adjacent deck and lawn areas. A maximum of 1.5 acres credit may be awarded. A swimming pool may not count towards more than 50% of the parkland dedication requirement.</u>	0.3 acres per 500 square feet of surface area
<u>Recrea</u>	<u>The building shall be in habitable condition and shall have a minimum 1,000 square feet of gross floor area. The covenants and restrictions of the homeowner's association shall restrict the building for use as a recreational and/or meeting area for use by all residents of the subdivision. Architectural design shall conform to the restrictive covenants recorded for the subdivision. Credit shall be awarded for only one building. A recreation building may not count towards more than 50% of the parkland dedication requirement.</u>	.50 for 1,000 – 1,500 square feet; 1.00 for over 1,500 square feet.
<u>Recreation community gardening</u>	<u>Community gardens shall have a minimum area of 10,000 square feet with a slope not exceeding two percent (2%). Maximum of one community garden for every five acres of parkland dedication requirement.</u>	0.25
<u>Jogging or walking trails</u>	<u>Trails shall have a minimum length of one-quarter mile. Trails shall be constructed of crushed granite, concrete, or asphalt, with a minimum thickness of four inches, a minimum width of 8 feet, and shall be sloped to drain. A maximum of 2.25 acres credit may be awarded for trails.</u>	1.50 for first .25 mile length; .75 for an additional .25 length

3. Specifications for playgrounds as set forth in Table 503-4 shall conform to the following minimum requirements:

A. Playground is to be of commercial standards. The Parks and Recreation Department will provide a list of potential vendors.

B. The playground area shall have a slope not exceeding two percent (2%).

C. Playgrounds are to include equipment for two distinct play abilities and may be located in the same or in separate areas.

1. One area designed for ages 2 – 5 years old with a minimum of six activities, and a

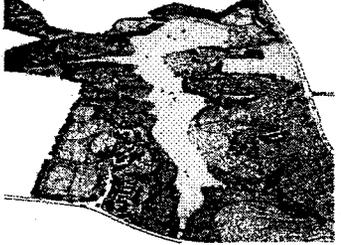
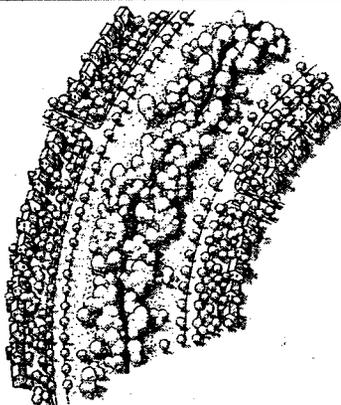
2. Second area designed for ages 5 – 12 years old with a minimum of twelve activities.

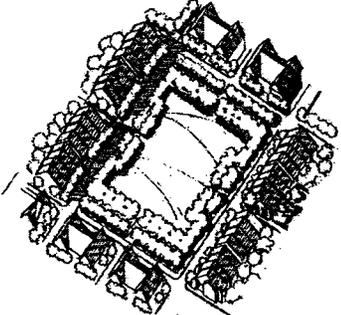
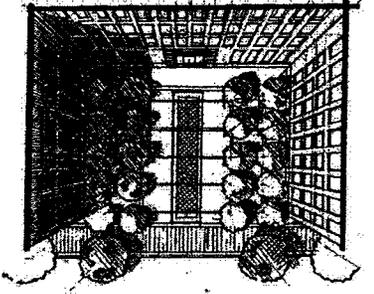
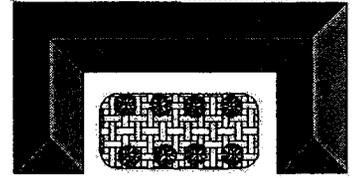
D. Playgrounds must meet all federal, state, and local regulations and guidelines and be compliant with the Americans with Disabilities Act, as well as guidelines set up by CPAC and NPSI.

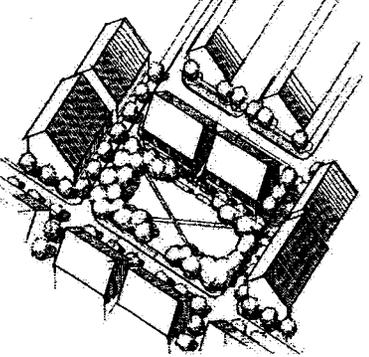
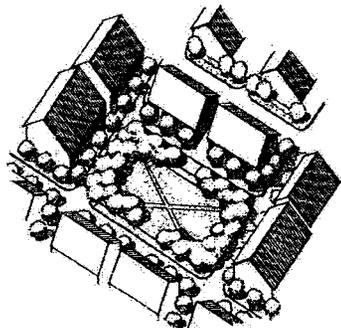
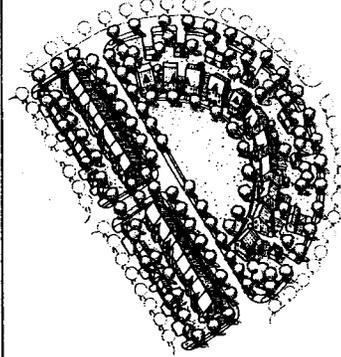
E. The following items shall be provided: at least two park benches, one trash receptacle, and an open shelter.

**Table 503-5
Typical Park Categories**

This table is provided for illustrative purposes only.

(A) Park or Open Space Cate- gory	(B) Description	(C) Maintenance Requirements	(D) Illustration
Natural Areas and Agricultural Areas	<p>Natural Areas are areas established for the protection of natural attributes of local, regional, and statewide significance, which may be used in a sustainable manner for scientific research, education, aesthetic enjoyment, and appropriate use not detrimental to the primary purpose. These areas are resource rather than user-based, but may provide some passive recreational activities such as hiking, nature study, and picnicking. Natural Areas may include floodplains mapped by FEMA with a drainage area exceeding 300 acres, or creeks with a drainage area of less than 300 acres.</p>	<p>Maintenance is limited to a minimum removal and avoidance of hazards, nuisances, or unhealthy conditions. Natural watercourses shall be maintained as free-flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain levels.</p>	
Greenways	<p>Greenways are areas connecting residences and recreational areas. Greenways are designed to incorporate natural settings such as creeks and significant stands of trees within neighborhoods. Parkways and greenways differ from parks, plazas and squares in that their detailing is natural (i.e. informally planted) except along rights-of-way, and may contain irregular topography.</p>	<p>A Greenway may be counted as Open Space provided, however, that: (1) the greenway shall have an average width of not less than fifty (50) feet; and (2) if the greenway consists of agricultural areas, the agricultural areas shall have a continuous area of not less than fifty (50) acres. The agricultural areas may be combined with adjacent agricultural lands provided, however, that the minimum width prescribed above shall be met on all portions of the agricultural greenbelt on the site.</p>	
Greenbelts	<p>Greenbelts run along the perimeter of a neighborhood, and serve to buffer a neighborhood from surrounding non-compatible uses such as a highway corridor or industrial district, or from agricultural areas or adjacent neighborhoods. Greenbelts differ from the other types of open spaces in that they are left natural, and are not for recreational use.</p>	<p>There is no tree planting requirement along rights-of-way for greenbelts.</p> <p>The following uses are permitted within the greenbelt: (1) Critical Areas, (2) Conservancy Lots with a minimum lot size of five (5) acres and a maximum impervious surface ratio of five percent (5%), or (3) linear parks improved with trails, benches, and/or playground equipment. Trails, benches and playground equipment shall not be considered impervious surfaces for purposes of computing impervious surface.</p> <p>The Greenbelt shall be an average of not less than one-hundred (100) feet in width and not less than fifty (50) feet at any point.</p>	

(A) Park or Open Space Category	(B) Description	(C) Maintenance Requirements	(D) Illustration
Playgrounds	Playgrounds provide play areas for children as well as open shelter with benches for parents. Playgrounds may be built within squares and parks or may stand alone within a residential block.	<p>Minimum Size: 5,000 square feet Maximum Size: 20,000 square feet</p> <p>Playing surfaces may be covered in sand, wood chips, or other equivalent material. Paths and walkways may be paved in concrete, crushed gravel, brick paver, or similar material, or partially paved.</p>	
Plazas	Plazas are areas for passive recreational use which are entirely bounded by Streets and/or lanes. Plazas are intended for master planned communities such as Planned Unit Developments (PUD's), or Traditional Neighborhood Developments (TND's), or for non-residential Use Patterns defined in Article 2 (Commercial Centers, Office or Institutional Campuses, and Commercial Retrofits).	<p>The plaza shall be square or rectangular with a length of not less than one and a half its width. The plaza shall be bounded on all sides by Streets, with Streets originating in the middle of each side, and two Streets originating from each corner.</p> <p>Minimum width: 200 feet Minimum length: 300 feet Maximum width: 530 feet Maximum length: 800 feet</p>	
Courtyard	A Courtyard is an open area adjacent to, or part of, a civic building or facility. Courtyards function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands. Courtyards shall be credited toward Parks and Open Space requirements only for non-residential Use Patterns defined in Article 2 (Commercial Centers, Office or Institutional Campuses, and Commercial Retrofits), and shall be maintained in private ownership.	<p>Parking is permitted only at the edge of the Courtyard. Courtyards shall be paved in brick or other type of paver, or crushed stone. Courtyards shall be level, stepped, or gently sloping (less than 5% grade). At no time shall a Courtyard's horizontal length or width be greater than 3 times the height of the surrounding building(s).</p> <p>Minimum size: 2,000 sq ft Maximum size: 30,000 sq ft</p> <p>Courtyards may be left unplanted. If planted, the trees shall frame the Courtyard space or the structure which the Courtyard services. Tree spacing shall be a maximum of 25 feet on center.</p>	
Forecourt	Forecourts are open space areas which act as buffers between residential and non-residential buildings or Streets. Forecourts shall be credited toward Parks and Open Space requirements only for non-residential Use Patterns defined in Article 2 (Commercial Centers, Office or Institutional Campuses, and Commercial Retrofits), and shall be maintained in private ownership.	Forecourts shall be entirely bounded by Streets and shall be planted parallel to all Street right-of-ways with one tree species.	

(A) Park or Open Space Cate- gory	(B) Description	(C) Maintenance Requirements	(D) Illustration
Attached Squares	Attached Squares are areas for passive recreational use which are internal to a block.	<p>Squares shall be bounded by Streets on a minimum of three sides or 75% of their perimeter. Squares may be bounded by buildings on a maximum of 60% of their perimeter (maximum of 2 sides) in order to provide a central gathering area for the community.</p> <p>Squares shall be planted parallel to all rights-of-way with at least two (2) tree species a minimum of 10 feet and a maximum of 50 feet on center. All internal tree plantings (if provided) shall be in geometrical layouts.</p> <p>Minimum size: 2000 square feet Maximum size: 1 acre</p>	
Detached Square	Detached squares bordered on all sides by roads are particularly formal. Since adjacent buildings provide much of the population using any public space, detached squares are less likely to be used than other types though it remains appropriate as a means to symbolically enhance important places, intersections, or centers.	<p>Detached Squares shall be planted along the perimeter of the Plaza or may be used to preserve a specimen tree or small stand of trees. The geometric pattern of the Square shall be square or a rectangle with a length not exceeding twice the width.</p> <p>Minimum Size: 200 sq ft Maximum Size: 1 acre</p>	
Green	The green is an urban open space which is natural in its details. Like the square, it is small, civic, and surrounded by buildings. Unlike the square, it is informally planted and may have irregular topography.	<p>Greens shall be landscaped with trees at the edges and open lawns at the center. Greens shall contain no structures other than benches, pavilions, and memorials. Trails or pedestrian pathways are optional.</p>	

(A) Park or Open Space Category	(B) Description	(C) Maintenance Requirements	(D) Illustration
Park	<p>Parks may be designed for active recreational use. Parks create a central open space which services an entire neighborhood or group of neighborhoods, or incorporate physical features which are an asset to the community (i.e. lake or river frontage, high ground, or significant stands of trees).</p> <p>Parks may be combined with parkways and greenbelts.</p> <p>Parks shall include at least three (3) of the facilities listed in the "Basic Facilities Menu" for Neighborhood Parks in the Parks and Recreation System Plan (page 230).</p>	<p>Public parks shall be bounded by Streets on a minimum of 50% of their perimeter (subject to lot line configurations). Private Parks shall be bounded by Streets on 25% of their perimeter.</p> <p>Minimum size: 1 acre</p> <p>Trees shall be planted parallel to all perimeter rights-of-way with one species type, a minimum of 15 feet to a maximum of 50 feet on center.</p> <p>Promenades, and Esplanades within a park may be formally planted with trees parallel to the walkway. Areas under dense tree plantings shall be paved with crushed gravel. Interior portions of parks may be kept free of tree plantings. Areas for active recreational use and any facilities which accompany such use shall have a tree planting design which integrates the structures into the park and defines the areas set aside for active use from areas of passive use. Plantings in interior portions of parks are encouraged to follow topographical lines.</p>	
Parkway	<p>Parkways are open spaces designed to incorporate natural settings such as creeks and significant stands of trees within neighborhoods. Parkway and greenways differ from parks, plazas and squares in that their detailing is natural (i.e. informally planted) except along rights-of-way, and may contain irregular topography.</p>	<p>Parkways shall be entirely bounded by Streets or pedestrian rights-of-way within developed areas.</p> <p>Parkways may be used for certain active recreational uses such as walking, jogging, or bicycling.</p> <p>Trees shall be planted along all rights-of-way a minimum of 10 feet and a maximum of 50 feet on center, with one species type. Interior areas shall remain natural and any additional plantings shall be informal in design.</p>	

Table 503-5

This table is provided for illustrative purposes only.

Table removed for emailing purposes only

35-506 Transportation and Street

(d) Cross-Section and Construction Standards

Table 506-3
Conventional Street Design Standards

Street Type	Marginal Access	Alley	Access to Conservation Subdivision	Local Type A	Local Type B	Collector	Secondary Arterial ¹	Primary Arterial ²
ROW (min.)⁸	36'	24'	36' 34'	50'	60'	70'	86'	120'
Pavement Width⁸	26'	18-24'	24' ⁷	28'	40'	44'	48'	72-48'
Grade (max.)³	12%	12%	12%	12%	12%	7%	5%	5%
Grade (min.)⁴	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
"K" Crest Curve	30	NR	30	30	30	55	70	70
"K" Sag Curve	35	NR	35	35	35	55	60	60
Centerline Radius (min.)	100'	50'	100'	100'	100'	400'	700'	1,200'
Stopping Sight Distance	75'	75'	75'	110'	150'	200'	300'	300'
Curb	No	No	No	Yes	Yes	Yes	Yes	Yes
Median	NR	NR	NR	NR	NR	NR	14' min.	14' min.
Sidewalk Width (see subsection (q)(5))	NR	No	4'/6' One Side Only	4' ⁹	4'/6' ⁹	4'/6'	4'/6'	4'/6'
Bike Facilities⁶	NR	NR	NR	NR _f	NR	City Option ⁵	Yes Path ⁵	Yes Path ⁵
Streetscape Planting Trees	NR	No	NR	NR	NR	Yes	Yes	Yes
Planting Strips	NR	NR	NR	NR	2' Min.	2' Min.	2' Min	2' Min.

Notes and Rules of Interpretation:

NR designates the item is « not required »

Table 506-3 is required for conventional option subdivisions (see § 35-202) or subdivisions not subject to Table 506-4, below), except for « Access to Conservation Subdivision », which apply only to Conservation Subdivisions (§ 35-203).

¹ For Secondary Arterial Type B right-of-ways designated on the Major Thoroughfare Plan, the required right-of-way will be a minimum of 70' with 86' at the intersections as determined by the Director of Development Services.

² For Primary Arterial Type B right-of-ways designated on the Major Thoroughfare Plan, the required right-of-way will be a minimum of 70' with 120' at the intersections as determined by the Director of Development Services.

³ See Figure 506-2

⁴ 0.4% Optional with concrete curb and gutter.

⁵ Bike path and sidewalks can be combined. See section 35-506(d)(4).

⁶ When designated on bicycle master plan as approved by City Council

⁷ Entry portion without parking.

⁸ Right-of-Way and pavement width requirements in established neighborhoods can be waived by the Director of Development Services as required on Capital Improvement Projects

⁹ Sidewalks along Local Type A streets shall be 4 foot in width and on a Local Type B street shall be 4 foot in width with a planting strip or 6 foot in width without a planting strip.

Table 506-4
Traditional Street Design Standards

<i>Street Type</i>	<i>Trail</i>	<i>Alley</i>	<i>Lane</i>	<i>Local</i>	<i>Avenue</i>	<i>Main Street</i>	<i>Boulevard</i>	<i>Parkway</i>
ROW (min.)	14'	20'	38'	48'	82'	58'	124'	86'
Pavement Width¹	8'-14'	10'-12'	16'-18'	22'-27'	27'-48'	28'-36'	44'-70'	44'+
Grade (max.)	10%	10%	10%	10%	7%	7%	7%	5%
Grade (min.)⁴	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
"K" Crest Curve	NR	NR	30	30	55	55	55	70
"K" Sag Curve	NR	NR	35	35	55	55	55	60
Curb Radius	N/A	15'	15'	15'	25'	15'	25'	25'
Centerline Radius²	95'	50'	90'	90'	250'	600'	500'	1,000'
Stopping Sight Distance	75'	75'	110	110'	150'	N/A	300'	300'
Intersection Sight Distance	15'	15'	15'	25'	75'	N/A	150'	150'
Curb	No	No	Yes	Yes	Yes	Yes	Yes	No
Median	N/A	N/A	N/A	N/A	14' in.	N/A	14' min.	14' min.
Sidewalk Width (see subsection (q)(5))	N/A	No	4'/6'	4'/6'	4'/6'	4'/6'	4'/6'	4'/6'
Bike Facilities^{3,6}	N/A	N/A	No	No	Yes Path	City Option	Yes Path	Yes Path
Streetscape Planting Trees	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Planting Strips	N/A	N/A	6'	6'	6'	City Option	6-11'	7-20'

Notes and Rules of Interpretation:

NR designates the item is « not required »

Table 506-4 applies only to the following development options: Commercial Center (§ 35-204),

Commercial Retrofit (§ 35-206), Traditional Neighborhood Development (§ 35-207), and Transit-Oriented Development (§ 35-208), except as provided in footnote 5, below.

¹ See Table 506-4A below. The smaller street width with on-street parking prohibited, or the larger street width coupled with on-street parking on one or both sides of the street, may be provided if the adjoining buildings are provided with (1) an NFPA 13D fire sprinkler system for Single-Family Dwelling Units, One Family Attached Dwelling Units, Two-Family (Duplex) Dwelling Units, Two-Family Attached Dwelling Units; (2) an NFPA 13R fire sprinkler system for Multi Family buildings; or (3) an NFPA 13 fire sprinkler system for Commercial Building.

² Lesser radius can be approved by the Director of Development Services.

³ Bike path and sidewalks can be combined. See section 35-506(d)(4).

⁴ Optional 0.4% with concrete curb and gutter.

⁵ Any provision in Table 506-3 (entitled "conventional street design standards") notwithstanding, interior streets in a subdivision that would otherwise be required to comply with the provisions of Table 506-3 may instead comply with the provisions of Table 506-4 (entitled "traditional street design standards"), regarding pavement width requirements only, provided that the connectivity ratio (see subsection (e), below and § 35-207(g) of this Chapter) shall comply with the requirements for a Traditional Neighborhood Development. The proposed development shall comply with footnote 1 hereto. Pursuant hereto, street types in such subdivisions shall comply with Table 506-4 as follows: An Alley shall be required to meet the street width standards for an Alley as provided in Table 506-4; a Conservation Access street shall be required to meet the street width standards for a Lane; a Local Type A street shall be required to meet the street width standards for a Street; a Local Type B street shall be required to meet the street width standards for an Avenue; a Collector street shall be required to meet the street width standards for a Main Street; a Secondary Arterial shall be required to meet the street width standards for a Boulevard; and Primary Arterial shall be required to meet the street width standards for a Parkway.

⁶ When designated on bicycle master plan as approved by City Council

**Table 506-4A
Street Width options for Traditional Street Design Standards**

Street Type	A	B	C	D	E	F	G	H
	Street Width	Parking	Directional	Fire Sprinklers	Alleys	Max. Block	Connections	Turning Radius
Lane	18'	None	1-Way	No	No	300'	27'	25-50'
Local	24'	1 Side	2-Way	No	Yes	- 35-207(f)	NR	25-50'
Local	27'	Both Sides	2-Way	No	No	-35-207(f)	NR	25-50'
Lane	16'	None	1-Way	Yes	Yes	-35-207(f)	NR	25-50'
Lane	18'	None	2-Way	Yes	Yes	-35-207(f)	NR	25-50'
Lane	18'	1-Side	1-Way	Yes	Yes	-35-207(f)	NR	25-50'
Local	22'	None	2-Way	Yes	Yes	-35-207(f)	NR	25-50'
Local	22'	1-Side	2-Way	Yes	Yes	-35-207(f)	NR	25-50'
Local	25'	Both Sides	2-Way	Yes	Yes	-35-207(f)	NR	25-50'
Local	26'	Both Sides	2-Way	Yes	Yes	-35-207(f)	NR	25-50'

(9) Substandard eExisting Streets

Where subdivisions within the city limits are adjacent to existing Streets and right-of-way widths of those existing Streets are less than the minimum right-of-way widths as set out in this chapter for all Streets, no building permits shall be granted until the right-of-way widths have been dedicated to the minimum widths required by this Chapter abutting the development. In addition, substandard existing streets located in the ETJ shall be upgraded to minimum standards as set forth in the code and in connection with plat approval. The provisions of this subsection shall not apply within the Infill Development Zone ("IDZ"). Curb, sidewalk and pavement improvements adjacent to the development for multi-family and commercial developments shall be provided on sub-standard width existing streets at the time of building permit. In cases where an existing fence and landscaping is present, the Director of Development Services shall require dedication of the additional right-of-way but may allow existing landscaping and fences to remain until such time as the right-of-way width is needed for infrastructure improvement. The Director shall evaluate the condition of the existing fencing and the character of the landscaping and may direct additional reconstruction of the fence or new plantings. In such cases the landscaping required by the Director shall not be greater than that required by this chapter for new projects.

(e) Connectivity

(5) Dead-end Streets.

Dead-end Streets shall be prohibited except as short stubs to permit future expansion. A "short stub" is defined as being the average depth of the adjacent lot within the subdivision. Stub outs greater than one lot in depth may be allowed with the dedication of a turnaround easement.

A recorded easement may be used to address this provision of future street extensions. It is specifically noted however that such easements are for unique situations where a stub out enters a retail center zoned either "C-2, "C-3" and "D". Such easements on or through properties zoned "L", "I-1" or "I-2" would normally not be conducive to such an easement but could be considered on an individual basis if the best interest of the public and adjoining property be met.

The use of an easement may be permitted provided it provides for each of the following:

- A. the easement shall be approved by the City (Development Service Director and the City Attorney's Office) prior to recordation in the Bexar County Deed Records.
- B. the document provides for an irrevocable access easement granted in perpetuity to the general public and the City of San Antonio.
- C. the easement's geometry and width shall equal the UDC's ROW width and design standards such as slope and curvature and be above the 100-year floodplain.
- D. the easement shall be accompanied by a maintenance agreement that the owner of the property shall maintain the easement in a safe and operable condition and shall correct any safety hazards or eminent needs if such is determined to be required by the City in order to protect the public utilizing the easement.

(8) Major Thoroughfare Plan Designated Arterial Streets

- A. Where a proposed plat abuts a designated thoroughfare shown on the Major Thoroughfare Plan and the proposed street alignment is split or separated by an ownership boundary, the applicant of the proposed plat shall include half 1/2 of the required dedication and construction for plat approval.
- B. If a plat applicant owns all of the land designated, as a thoroughfare, and the proposed plat abuts or embraces a thoroughfare alignment, the applicant shall be responsible for 100% dedication and construction or;
- C. A plat applicant may dedicate 100% of the ROW and develop an agreement with the owner of the abutting undeveloped tract to equally share the cost and post a guarantee for construction of the full thoroughfare in connection with the approval process.

(g) Dedication of Arterial

(1) Adjacent streets

The subdivider shall dedicate right-of-way and construct the required street to the width and provide pavement width and construction standards in accordance with the following table and typical sections in subsection (d) of this Section.

(i) Street light-Streetlights

(1) Streetlights shall be provided in all subdivisions within the City. Streetlights are not required in the ETJ by the County. However, if proposed by the applicant, all installation, operational and maintenance cost shall be borne by the developer. Streetlights shall be installed by City Public Service at all public street intersections with other public streets, crosswalks, at safety lane intersections with public streets, midblock areas, or service areas as determined by City policies.

(2) In subdivisions within the "RP" or "RE" zoning districts, which do not exceed two (2) dwelling units per acre, or in the ETJ and proposing densities which do not exceed one (1) dwelling unit per acre, the Director of Development Services may waive the requirement for streetlights for public street intersections or midblock areas where he finds that the area does not require such lighting for safe pedestrian or vehicular traffic.

(j) Private Streets

(1) Applicability

Private Streets are permitted within Planned Unit Developments, the Business Park (BP) zoning district, and manufactured home/recreational vehicle parks subject to the design criteria and standards of this section. Private streets are only allowed within an Enclave subdivision subject to being designed and constructed to the standards of a public street.

(n) Medians

(3) Sidewalk Crossings

Where a median or traffic divider projects across sidewalks, the median (concrete or sod) shall be opened for five (5) feet at the projection of the crosswalk. This five (5) foot opening shall be paved to the grade of the existing surface to permit wheelchair and mobility impaired persons to utilize the crosswalk. If no development is located on either side of the median then the first developer to plat or replat fronting on the median at the point of the required cut shall pay for the design and construction of the median cut to City specifications. If property on one side of the median facing upon the point of the required median cut has been previously developed, then the next developer to file a plat or replat facing on the median at the point of cut shall pay for the design and construction of the cut to City specifications.

35-510 Buffers

(c) Types of Buffer Yards Required

Table 510-1: Required Buffer Yards

Zoning District	Adjoining Zoning District											Adjoining Street Classification		
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
	RP	RE, R-20	R-6, R-5, R-4, RM-6, RM-5, RM-4, DR	MF-25, MF-33	MF-40, MF-50	NC	O-1, C-1, C-2	O-2, C-3, BP	D	L, I-1	I-2	Major Arterial	Minor Arterial	Collector
(1) RP	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a
(2) RE, R-20	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a
(3) R-6, R-5, R-4, RM-6, RM-5, RM-4, DR	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a
(4) MF-25, MF-33	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	F	A	N/a	N/a
(5) MF-40, MF-50	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	A	N/a	N/a
(6) NC	C	C	B	N/a	N/a	N/a	N/a	N/a	N/a	E	E	B	A	A
(7) O-1, C-1, C-2	C	C*	B	N/a	N/a	A	N/a	N/a	N/a	E	E	B	A	A
(8) O-2, C-3, BP	C	C*	C	C	N/a	A	N/a	N/a	N/a	N/a	D	B	B	A
(9) D	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a
(10) L, I-1	E	E	D	E	E	E	E	N/a	N/a	N/a	N/a	C	C	B
(11) I-2	F	F	F	F	F	E	E	D	N/a	N/a	N/a	C	C	B

Notes: A, B, C, D, E, F: Buffer Yard Type Designations as shown in Exhibit below.
N/a: Not applicable – buffer yard not required.

* Where a use zoned O-1, C-1, C-2 adjoins an existing platted subdivision zoned RE or R-20 as of the effective date of this Chapter, a Type "D" Buffer shall be applied. Where a use zoned BP, O-2 or C-3 adjoins an existing platted subdivision zoned RE or R-20 as of the effective date of this Chapter, a Type "F" Buffer shall be applied.

(c) Types of Buffer Yards Required

**Table 510-2
Minimum Plant Materials Required for Each Buffer Yard Type**

¹ Canopy Trees required for Buffer Yard Types D, E, and F shall be a minimum of medium/large, shade trees: that reach a mature height of 60-30 + feet minimum. See Appendix E. Where existing or proposed overhead electric lines conflict with tree canopies, understory small to trees/medium trees may substitute for canopy trees.

35-511 Landscaping

(c) Mandatory Criteria

(6) Irrigation

Landscaped areas shall be irrigated with a system that is suitable for the type of plantings installed. Where an irrigation system is required, the irrigation system shall comply with the requirements of 30 TAC Chapter 344, §§ 344.72 – 344.77. An in ground irrigation system consisting of water lines, water emitters and a controller is required to have a separate water service if the San Antonio Water System is the purveyor. In addition to the above irrigation requirements the following is required:

A. Design requirements:

1. Pressure Pressure

- (a) System to be designed to the lowest static pressure available in ~~an~~ an annual twelve -month period.
- (b) If static pressure exceeds design pressure by 15 PSI or more in any zone a flow control device shall be installed.
- (c) Pressure at any point within a zone shall not vary by more than 10% from the design sprinkler operating pressure.

2. Provide separate zones for:

- (a) Turf
- (b) Plants with dissimilar water requirements
- (c) Areas with greater or lesser sun exposures
- (d) Slopes from flat/level areas (topographic information is required for zoning for slope and flat/level area design).

3. Sprinkler head spacing

- (a) Head spacing shall not exceed 50% of diameter
- (b) Spacing shall make allowance for local wind conditions
- (c) Trim perimeters with correct arc and radii selection to eliminate water thrown onto non-landscaped areas
- (d) Show radius/diameter and arc of coverage of a representative number of each type of sprinkler head

4. Landscape water schedule - produce a water schedule for the landscape at a minimum of 80% ET (evapotranspiration) as determined by the local ET.

B. Equipment

1. Controller requirements
 - (a) On/off rain switch or other rain shut off device that does not alter program
 - (b) Multiple programming capacity
 - (c) Controllers capable of a minimum of 3 cycles per program
2. Valves: Flow control devices on all remote control valves (including a master control valve).
3. Sprinklers
 - (a) Use of low-angle heads is encouraged.
 - (b) Pop-up sprinklers and shrub risers will be at a height to clear turf, trees, shrubs, other planting and objects such as fences allowing no obstruction of spray pattern.
 - (c) Pop-up type shrub risers should be used in areas where pedestrians/auto traffic may occur. Drip irrigation should be used in areas between the curb and sidewalk and parking lot areas where over spray onto pavement may occur in accordance with manufacturers recommendations.
 - (d) Low head drainage is to be eliminated or minimized through design or by use of check valves.
 - (e) Sprinkler heads shall be attached to rigid lateral lines with flexible material, swing joints to reduce potential for breakage.

(d) Elective Criteria Artificial lots

If a building site is over two (2) acres in size, the applicant may request that the Director of Development Services designate an artificial lot to satisfy the requirements of this article. If request, the Director of Development Services shall designate an artificial lot consistent with the purposes and requirements of this article and in accordance with the criteria below.

(1) An artificial lot may be designated by the Director of Development Services if it:

- A. Wholly includes the area on which the construction work is to be done;
- B. Does not exceed seventy-five (75) percent of the area of the building site; and
- C. Depicts and includes all proposed and existing buildings and structures, access drives, appurtenant parking required for the building expansion or new building construction, and other areas functionally appurtenant to the buildings or structures.

(d)(e) Elective criteria

(1) Generally

In addition to the mandatory requirements, landscape plans shall earn a minimum of seventy (70) points awarded for elective requirements. As an exception to this requirement, landscape plans for commercial projects parking lots and uses which do not include any off-~~s~~Street parking within the Street yard shall earn a minimum of twenty-five (25) points

(2) Tree preservation

A maximum of forty (40) points shall be awarded for the preservation of existing healthy trees. Full credit in accordance with the criteria listed below shall be earned for the preservation of trees within the Street yard up to thirty (30) points. Half credit may be earned for preserving trees within the Street yard above thirty (30) points. Half credit may also be earned for preserving trees outside the Street yard up to a maximum of fifteen (15) points. These points shall be included within the maximum forty (40) points permitted by this elective. Points shall be tabulated for each tree retained in accordance with the following criteria:

Description	Points Awarded
* <u>DBH</u> Caliper equal to or exceeding 4, but less than 6 inches	3
* <u>DBH</u> Caliper equal to or exceeding 6, but less than 12 inches	4
* <u>DBH</u> Caliper equal to or exceeding 12, but less than 18 inches	6
* <u>DBH</u> Caliper equal to or exceeding 18 inches	8

* DBH – Diameter at breast height at 4.5 feet above ground.

(4) Parking Lot Shading

Twenty (20) points are awarded for compliance with subsection (c)(7), above. Further, an additional:

- A. Five (5) points are awarded when surface parking lots include canopy trees, as defined in Appendix A, which shade a minimum of thirty-five (35) percent of ~~the entire parking lot; and~~ any individual parking lot; and
- B. Fifteen (15) points are awarded when surface parking lots include canopy trees, as defined in Appendix A, which shade a minimum of fifty (50) percent of a ~~parking lot~~ any individual parking lot.

(e)(f) Variances

35-515 Lot Layout Regulations

(a) Buildings to be on a lot

Except as permitted in the planned unit development district, every building shall be located on a lot. In the RP and Residential Zoning districts, no more than one (1) principal building may be erected on a lot unless otherwise permitted in this chapter.

(1) Building on or near common property line

Construction on or near a common property line of two or more retail/service uses may be permitted after complying with all other provisions of the UDC and then current Building Codes subject to the recording in the Bexar County Deed Records an Operational Easement Agreement (OEA) which provides for each of the provisions as follows:

- A. provision of a written description of the responsibilities, limitations, and liabilities of the arrangement between the separate property owners that allows for the individual building be considered as a single building group (when viewed together).
- B. specifies that the owners of the separate property in the proposed building group agree to maintain a maximum one story, fully sprinkled building group, with a 60' yard on all sides (when viewed as a group).
- C. notes that where a lot line passes through the building group, either an area separation wall of four (4) hours fire-resistive construction or 2- two (2) hour area separation walls will be constructed. These firewalls will limit the potential fire exposure of each owner's portion of the common structure.
- D. notes that a 60' yard may be provided by a platted "No Build" easement adjacent to the building or building group.
- E. the OEA is in perpetuity, is irrevocable without the City's written authorization, is signed by each property owner, is recorded in the Bexar County Deed Records and so noted on each plat of the participating properties.

(d) Driveways

Restrictions on driveway areas are designed to avoid the domination of front yards by large expanses of impervious surfaces, which deaden the Streetscape and discourage pedestrian activity. Reducing the width of driveways can reduce total site imperviousness. Some techniques that can be used include:

- (1) Driveways and other impervious surfaces shall not comprise more than the percentage of the front yard as specified in Column (B) for the use patterns or zoning districts designated in Column (A). Driveway entrances shall not comprise more than the percentage of the front lot line as designated in Column (B). Parking may be provided in the rear yard, and access may be provided through alleys, where the front yard is insufficient to accommodate a driveway.

Table 515-1

(A) Zoning District or Use Pattern	(B) Maximum Percent of Front Yard	
TND, TOD, MXD, D, IDZ	30%	
R-6, RM-6, R-5, RM-5, R-4, RM-4, R-3, MF-18, MF-25, MF-33, MF-40, MF-5550, NC	50%	

- (2) In order to reduce impervious surfaces, shared driveways shall be permitted in any zoning district classification. In order to reduce runoff and increase stormwater travel times, alternative materials for driveway surfaces, such as pervious pavers or gravel, shall be permitted in any Residential Zoning District.
- (3) Table 515-1 shall not apply to irregular shaped lots as defined by Section 35-516 (I) of this Chapter.

35-516 Setback and Frontage Regulations

(a) Front and side setbacks

~~Front and side setbacks adjacent to streets shall be shown on all plats as required by Article III of this Chapter. A subdivider may elect to impose a more restrictive setbacks on a plat; however they must be enforced through restrictive covenants. The city shall only enforce the setbacks required by Article III. The following shall be annotated on plats that exceed the Building Setback line requirements. "The setbacks imposed on this plat are at the discretion of the developer or Bexar County and are not subject to enforcement by the City of San Antonio."~~

- (d) **Variation in front yard.** In any block in which seventy (70%) percent of the lots have front yards that are less than required by the existing zoning, construction on any remaining vacant lots is permitted to the average yard of the existing improved lots. In any block in which seventy (70%) of the lots have front yards that are more than required by the existing zoning construction on any remaining lot is permitted to the average yard of the existing improved lots.

- (o) **Previous plats.** The setback line, as shown on all previously approved and recorded plats shall be recognized as the official setback line.

35-526 Parking & Loading Standards

(b) Table of off-Street parking requirements

- (6) The Director of Development Services Administrator may waive up to fifty percent (50%) of the minimum parking spaces required by Table 526-3 upon a written finding that the waiver will result in the preservation of woodlands or significant stands of trees in a natural state, or that the waiver will further a public purpose established in the Master Plan.

(7) Storage in front and side yards

There shall be no parking or storage of vehicles (other than noncommercial off-street parking), or storage or display of any merchandise or materials of any kind in any front yard as required by this chapter in any residential zoning district and/or property or in any side yard or rear yard which abuts any residential zoning district and/or property unless permitted by Specifically permitted by Table 311-2 Non-residential Uses and complies fully with all screening, buffering and landscape provisions of this code.

35-673 Site Design Standards

(i) Street Furnishings

(1) Prohibited Street Furnishings in River Walk Area of RIO-2 and RIO-3

- E. Automated machines such as, but not limited, to, penny crunching machines, blood pressure machines, fortune-telling machines, video games, animated characters and other machines that are internally illuminated, or have moving parts, or make noise, or have flashing lights.

35-678 Signs and Billboards

(q) Violations in River Improvement Overlay Districts and on the River Walk

In those instances where a sign is erected or maintained in violation of the aforementioned restrictions, the department of Development ~~s~~Services or Park Police shall notify the sign's owner, agent, operator, or lessee. If the owner, agent, operator, or lessee of the sign fails to remove the sign within three (3) days after notification, the Department of Development Services or Park Police may file an action in municipal court as outlined in section 28-15. In addition, nothing herein shall prevent the City Attorney from seeking civil remedies.

35-680 Demolition of Historic Features in the River Walk Overlay Districts

(c) Penalties

Penalties for demolition of architectural features, artwork, furniture and other items discussed in this section shall be the same as those listed in Section 35-491(c)(3), (35-491(c)(4)).

Chapter 35 Appendix "A"

Convenience Store – A retail outlet supplying groceries and travel products (convenience stores may also provide gasoline, diesel sales and a car wash as provided for in § 35-311 Table 311-2 of the UDC.)

Gasoline Filling Station – A retail outlet for the dispensing of vehicular fuels to the general public. Diesel fuel storage on site shall be limited to a maximum of 5,000 gallons. (Gasoline filling stations may provide car wash services or auto repair as provided for in § 35-311 Table 311-2 of the UDC.)

Gasoline Filling Station – Fleet - A commercial vehicle fueling station or for the dispensing of vehicular fuels under a gas card-lock or fuel card-lock system or other system in which a purchaser, under a previously entered into contractual arrangement with the seller, is provided a card, key, or other item or device to unlock or operate the dispensing equipment when no employee is present on the premises.

Car Wash – A facility that provides for the washing, drying, vacuuming and detailing of automobiles and light trucks. Includes automatic and attendant operated, attendant operated handwash, automatic drive-thru, and self-service. (Car washes may be attendant operated or self operated as provided for in § 35-311 Table 311-2 of the UDC.)

Truck Wash (Laundry) – A facility that provides for the washing, drying, vacuuming and detailing of vehicles with a weight in excess of 4,000 pounds. (Truck washes (laundry) may be attendant operated or self operated as provided for in § 35-311 Table 311-2 of the UDC.)

Viewshed - Any area of open sky or view in front or behind: (1) the major entrance to a designated historic landmark building, object, site or structure; (2) the primary access point or points to a designated historic district; (3) the primary access to a major tourist attraction or amusement park; or (4) the primary view or access point to the San Antonio River Walk, a city lake or amusement park that has been defined by Article III, Division 6, Subdivision F of this chapter.

Table B101-1

35-B101 Specifications For Documents To Be Submitted

(c) Information Required

No application for development approval shall be accepted unless the following information and data required is included. The required information and data is set forth in Table B-1, below, and any specific regulations set forth in §§ 35-B102 et seq. An asterisk (*) indicates that the item listed in the row heading is required for the item listed in the column heading. The information and data is listed in each row under column (A). If an asterisk (*) appears in Column (B), the information or data is required for a Master Development Plan. If an asterisk (*) appears under Column (C), the information or data is required for a PUD Plan. If an asterisk (*) appears in

Column (D), the information or data is required for a major subdivision plat. If an asterisk (*) appears under Column (E), the information or data is required for a minor subdivision plat. If an asterisk (*) appears in Column (F), the information or data is required for a development plat.

TABLE B101-1

A	B	C	D	E	F	G
(A) MATERIAL/INFORMATION	MAJOR PLAT DEVELOPMENT PLAT	PUD PLAN	MAJOR PLAT APPLICATION	MINOR PLAT APPLICATION	DEVELOPMENT PLAT APPLICATION	SPECIFIC USE PERMIT
A. GENERAL						
(1) Proposed name of subdivision or development if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded in the County.	*	*	*	*		
(2) City assigned Master Development Plan ID number	*	*	*	*		
(3) City assigned Plat ID number			*	*		
(4) ERZD designation note as applicable			*	*		
B. OWNERSHIP						
(1) Name and address of owner of record, developer and designer.	*	*	*	*		
(2) The names of all adjacent property owners as shown on current tax records.	*	*				
(3) Certificate of agency or power of attorney if other than owner	*	*	*	*		
(4) Names and lot numbers of adjacent plats			*	*		
(5) <u>A table shall be provided on each sheet of the plat indicating the lots on which required ADA passing space are required. The passing space shall meet then current ADA regulations concerning size slopes and distance separation.</u>			*	*		
C. APPROVALS						

TABLE B101-1

A	B	C	D	E	F	G
(A) MATERIAL/INFORMATION	INDIVIDUAL DEVELOPMENT PLAT	PUD PLAN	MAJOR PLAT APPLICATION	MINOR PLAT APPLICATION	DEVELOPMENT PLAT APPLICATION	SPECIFIC USE PERMIT
D. LEGAL						
(1) Signature blocks prepared for the dated signatures of the Chairperson and Secretary (Director of Development Service or assignee) of the authorized approval entity.	*	*	*	*	*	
(1) Owner's certificate of consent including a legal description of the boundaries of the proposed development and the dedication of public ways or spaces. This certificate shall be signed, dated, and notarized prior to recording the instrument.			*	*		
(2) Proposed covenants on the property, if any, including a map and legal description of area affected.		*				
(3) Copies of maintenance agreements for privately owned drainage facilities.			*	*		
E. PROPERTY SURVEY AND TOPOGRAPHIC						
(1) Two points identified by Texas Planes Coordinates	*	*	*	*		
(2) Basis of bearings used and a north point.	*	*	*	*		
(3) Boundary of the development and total acreage encompassed, thereby described and mapped at an appropriate scale.	*	*				
(4) Legal description and exhibit of the property at appropriate scale showing the boundary. Description may be related to the USGS, state grid north, if two adjacent corners are shown.			*	*		
(5) Topographic contour intervals of no greater than ten (10) feet.	*					
(6) Existing topography with maximum contour interval of two (2) feet, except where existing ground is on a slope of less than five percent (5%) then either one foot contours or spot elevation shall be provided where necessary.		*	*	*		
(7) All monuments erected, and corners established in the field. The material of which the monuments, corners, or other points are made shall be noted at the representation thereof or by legend, except that lot corners need not be shown.			*	*	*	
F. PLANNING						
(1) Date of preparation.	*	*	*	*		
(2) Graphic and written scale and north arrow	*	*	*	*		
(3) A location map at a scale of not less than than <u>1"</u> = 2,000' indicating the location and distance in relation to adjacent streets and all surrounding major thoroughfares. The location map is to be located in the top left hand corner of the sheet.	*	*	*	*		

TABLE B101-1

A	B	C	D	E	F	G
(A) MATERIAL/INFORMATION	MULTI-STEP DEVELOPMENT PERMIT	PUD PLAN	MAJOR PLAT APPLICATION	MINOR PLAT APPLICATION	DEVELOPMENT PLAT APPLICATION	SPECIFIC USE PERMIT
(4) Total area of property	*	*	*	*		
(5) All existing easements or right-of-way and street names, including those contiguous to the development area, their nature, width, and the volume and page number of their recording.			*	*		
(6) All existing easements or right-of-way with street names impacting the development area, their nature and width.	*	*				
(7) The location and widths of all proposed public and private streets within the development's boundaries.			*	*		
(8) The approximate location and widths of all proposed public and private streets within the development's boundaries.		*				
(9) The approximate location and widths of all proposed public and private streets major thoroughfares, collectors and local b streets within the development's boundaries. <u>For Master Plans (MDPs) 100 acres or less, the double line representation of all streets shall be required. (See exhibit "A")</u>	*					
(10) The location of all proposed uses or zoning classifications as applicable and the maximum allowable intensity (residential density or non-residential FAR)		*				
(11) The location and general nature of proposed uses and proposed intensity (residential density or non-residential FAR)	*					
(12) Notation of any restrictions required by the City Council in accordance with this Ordinance.		*				
(13) Notation of any restrictions required as part of the platting process in accordance with this Ordinance.			*	*		
(14) The location of all entrances onto existing and/or proposed adjacent roadways, whether existing or proposed.	*	*				
(15) The location and dimensions of all proposed or existing lots.		*	*	*		
(16) The location, dimensions, and area of all parcels of land proposed to be set aside for park or playground use or other public use, or for the use of property owners in the proposed subdivision, where applicable.	*	*	*	*		
(17) A development phasing schedule including the sequence for each phase; approximate size in area of each phase; and, proposed phasing of construction of public improvements, recreation and common open space areas.	*	*				
(18) The schematic location of all existing and proposed streets, as well as proposed access points. <u>For Master Development Plans (MDPs) greater than 100 acres and more than one sheet is necessary to accommodate the entire site, single line representation of all streets not listed in subsection (9) shall be allowed or the engineer can choose to submit a supplemental for his development showing all streets in double line representation. Additional supplemental plans shall be submitted as</u>	*	*				

TABLE B101-1

A	B	C	D	E	F	G
	IMMEDIATE DEVELOPMENT PLAT	PUD PLAN	MAJOR PLAT APPLICATION	MINOR PLAT APPLICATION	DEVELOPMENT PLAT APPLICATION	SPECIFIC USE PERMIT
(A) MATERIAL/INFORMATION						
<u>additional segments of the original Master Plan are developed. (See Exhibit "B")</u>						
(19)	The schematic location of the pedestrian circulation system including walkways and bicycle paths, where applicable.	*	*			
(20)	(Conservation Subdivisions only) A slope analysis of the proposed development site, showing slopes for the following percent of existing grades: 0-10%, 10-20%, 21-30%, 31-40%, and slopes exceeding 40%, including a tabulation of the number of acres in each slope percentage.	*	*			
(21)	A delineation of EARZ, wetlands and floodplains. Conservation Subdivisions and PUD Plans shall also delineate Woodlands.	*	*			
(22)	The location, acreage, category and type of improvements, if any, for active and passive open space, including Greenbelt and active recreation space areas, private recreational areas.	*	*			
(23)	Tabulation of the number of acres in the proposed development, showing the total number of lots, and area of open space for the site including the following:					
	a. Square footage of all buildings and structures.		*			*
	b. For non-residential uses, multi-family dwellings, and any portion of a site located within the EARZ, the approximate location and area of impervious cover.		*			*
	c. Square footage of all paved or otherwise hard surfaced streets, parking facilities, including curb and gutters, walks, loading areas, and asphalt or concrete aprons for solid waste containers, signs or outdoor mechanical equipment.					*
(24)	A final statement in tabular form which sets forth the following data, when such data is applicable to a given development plan: (note: this information shall not be required to be shown on the plat)					
	a. Total number of dwelling units, by development phase;	*	*			
	b. Residential density and units per acre;	*	*			
	c. Total floor area and floor area ratio for each type of use;		*			
	d. Total area in passive open space;		*			
	e. Total area in active developed recreational open space; and		*			
	f. Total number of off-street parking and loading spaces.		*			
(25)	Traffic Impact Analysis (section 35- 502)	*	*	*	*	

TABLE B101-1

A	B	C	D	E	F	G
(A) MATERIAL/INFORMATION	SUBDIVISION DEVELOPMENT PLAT	PUD PLAN	MAJOR PLAT APPLICATION	MINOR PLAT APPLICATION	DEVELOPMENT PLAT APPLICATION	SPECIFIC USE PERMIT
(26) Utilities Plan		*	*			
H. DESIGN						
(1) Sufficient data to determine readily and reproduce accurately on the ground the location, bearing and length of every street and alley line, lot line, building line, easements required hereunder or of record in Bexar County or ascertainable by physical inspection of the property, and boundary lines of reserved or dedicated areas. All linear dimensions shall be in feet and hundredths thereof. The maximum allowable error of linear closure shall not be in excess of 1:10,000. In closed traverses, the sum of the measured angles shall vary with the theoretical sum by a difference not greater than an average of seven and one-half (7.5) seconds per angle, or the sum of the total shall not differ from the theoretical sum by more than ninety (90) seconds, whichever is smaller. Said information shall be provided on tracing cloth or reproducible mylar and on a diskette in ArcInfo or ArcView software, or a computer file with a ".dxf" format which is translatable to ArcView.			*	*		
(2) Location of property lines, existing easements, burial grounds, railroad rights-of-way, watercourses; location, width, and names of all existing or platted streets or other public ways within or immediately adjacent to the tract; names of adjacent property owners or subdivision name when adjacent property is a platted subdivision from the latest certified assessment rolls	*		*	*		
(3) Final location, arrangement and dimensions of all proposed and existing lots.			*	*		
(4) Lots numbered as approved by the City.		*	*	*		
(5) <u>Layout shall show where Lot setbacks are required. Layout shall show setbacks for areas located in the ETJ. (setbacks are not required for plats inside the City limits).</u>		*	*	*		*
(6) Off-street parking and loading areas and structures, including the number of spaces; dimensions of spaces and aisles; and landscaping for parking areas.		*				*
(7) Location, sizes, elevations, and slopes of existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto; existing permanent building and utility poles on or immediately adjacent to the site and utility rights-of-way, as part of a request for LOC			*	*		
(8) Preliminary proposals for connection with existing water supply and sanitary sewage systems, or alternative means of providing water supply and sanitary waste treatment and disposal; preliminary provisions for collecting and discharging surface water drainage, as part of a request for LOC			*	*		
(9) All roadway locations and dimensions, their names, numbers, and rights-of-way with profiles and cross sections of all proposed streets showing proposed cuts and fills, as part of a request for LOC.			*	*		
(10) Location and size of existing water and sewer mains together with intended water sources and sewage disposal sites, as part of a request for LOC			*	*		

TABLE B101-1

A	B	C	D	E	F	G
(A) MATERIAL/INFORMATION	INDIVIDUAL DEVELOPMENT PERMIT	PUD PLAN	MAJOR PLAT APPLICATION	MINOR PLAT APPLICATION	DEVELOPMENT PLAT APPLICATION	SPECIFIC USE PERMIT
(11) Location of existing springs or public water supply, as part of a request for LOC			*	*		
(12) Location of proposed water and sewer lines, as part of a request for LOC.			*	*		
(13) Location of proposed fire hydrants, as part of a request for LOC.		*	*	*		
(14) A tree <u>affidavit/permit application preservation plan</u> (section 35-B123)			*	*		
(15) The location, dimensions and type of all walls, fences (other than fences on private residential lots) and landscaping.						*
(16) Tree Stand Delineation (Section 35-B125 General)	*					
(17) Location and size in acres of school sites, as applicable.	*	*	*	*		
(18) The exterior boundaries as indicated from deeds or other instruments of the development area giving lengths and bearings of the boundary lines. If the proposed development is bounded by a watercourse, a closing meander traverse of that boundary shall be made and shown on the site plan. Where curving boundaries are used, sufficient data to establish the boundary on the ground shall be given; including the curve's radius, central angle, and arc length.	*	*	*	*	*	
(19) A stormwater management plan (section 35-B119)	*	*	*	*	*	*1
(20) Street, alley and cross walkway plans (section 35-B120)			*			

*1 Specific Use Permits shall only require a storm water management plan when the site is located over the Edward Recharge Zone (ERZD).

35-B113 Planned Unit Development (PUD) Plans

(a) Number of Copies

The Development Services Director of Planning may require the applicant to submit up to seven (7) processing copies and fifteen (15) final blue or black-line folded prints with respective department / agency request for reviews attached, a legible 8 ½ " X 11" reduced copy of the plan proposal accompanied with the plan review fee... In addition to the hard copies, information shall be submitted in a Digital Data format as out-lined in 35-B101(e).

(b) Format

The plan shall be drawn on sheet(s) no larger than 24" inches wide and 36" inches long with appropriate side margins. The plan shall be drawn at a scale of hundred (100) feet to one (1) inch (1"= 100') unless a smaller scale is approved by the Development Services Director of Planning. Where more than one sheet is necessary to accommodate the entire project site, an index sheet showing the entire area at an appropriate scale shall be attached.

35-B121 Subdivision Plat Applications

(c) Contents

The plat applications shall include the following:

- (1) All of the information required by Table B-1 of this Appendix.
- (2) A performance agreement, if one is required by § 35-436.
- (3) The tax certificates and letters of certification required by § 35-431.
- (4) The plat number issued by the department of planning in the upper right corner, scale, north arrow, and date.
- (5) The name of the subdivider and the name of the record owner of the land involved.
- (6) Location of the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part giving the dimensions of the subdivision.
- (7) The primary control points, approved by the Director of Public Works, or descriptions and ties to such control points, to which all dimensions, angles, bearings, new city block number or county block number, and similar data on the plat shall be referred; and four (4) points on the perimeter of the subdivision, identified by coordinates that relate to the state plane coordinate system.
- (8) The tract boundary lines, the exact location and width of all existing or recorded streets, easements, and other rights-of-way intersecting the boundary or streets, easements, and other rights-of-way forming the boundary of the tract being subdivided, and property lines of residential lots and other sites with accurate dimensions, bearing or deflecting angles and radii, area, and central angles of all curves.

- (9) Final contour data to show drainage of the site of the proposed subdivision. If the average grade of the site is five (5) percent or less, the maximum contour interval to be used shall be two (2) feet. If the average grade exceeds five (5) percent, the maximum contour interval may be increased to five (5) feet.
- (10) The name and width of each public and private street or other right-of-way in or adjacent to the subdivision. The right-of-way width on all streets and safety lanes shall be displayed by an overall dimension. The dimensions of the division of the right-of-way on public streets between the ~~center line~~centerline of the right-of-way and respective adjacent property line shall be shown. Also, private streets and safety lanes shall be designated as such.
- (11) The name of the subdivision (no more than 35 characters), legal description of the property, and a number to identify each lot or site
- (12) Location, dimensions, and purpose of any easement or reservation and location of any ~~high pressure~~high-pressure oil, gas, or gasoline lines. Easements which are designated to be converted into public street right-of-way on a subsequent plat shall be annotated with the following note: "Easement to expire upon incorporation into platted public street right-of-way."
- ~~(13) Front and side setback lines adjacent to streets, where required.~~
- (14)(13) The city limits line and the extraterritorial jurisdiction line if either traverses the subdivision.
- (15)(14) The location map indicating the location of the plat in relation to adjacent streets and at least two (2) major thoroughfares in the vicinity.
- (16)(15) Locations and dimensions of any potential recharge features which have been assessed as a high concern feature as designated in the 1987 Report entitled "The Edwards Aquifer: Perspectives For Local and Regional Action" or the latest adopted revision of the assessment chart used to assess such features.
- (17)(16) The county clerk's certificate of authentication as required by the applicable county.
- (18)(17) Wastewater EDU note. The number of wastewater equivalent dwelling units (EDUs) paid for this subdivision plat are kept on file at the San Antonio Water System under the plat number issued by the planning department.

(d) Letters of Certification

(4) Certificates of city departments

Letters of certification from the departments of ~~public works~~ Development Services, Planning, and Parks and Recreation stating that they have received and approved or disapproved the applicable data required by subsection (e), below.

(e) Data required for letters of certification

To obtain the required letters of certification, an applicant for plat approval shall submit the following data to the certifying agencies/departments. All data shall be annotated with the plat number of the associated plat.

(1) Department of Development Services ~~public works~~:

(f) Certification and Forms

All declarations, agreements, bonds, releases and other instruments required by the City of San Antonio shall be substantially in the same form as the particular instruments set out in this exhibit.

(4) Form D: Approvals

Approval of the Planning Commission or the Director of Development Services ~~director of planning~~ as follows:

A. For minor plats and amending plats to be approved administratively:

This plat of (name) has been submitted to the City of San Antonio, Texas, and having been reviewed by the Development Services ~~Director of Planning~~, is hereby approved in accordance with state or local laws and regulations as indicated below.

Minor or amending plat approved by the Development Services ~~Director of Planning~~
Dated this _____ day of _____ A.D., _____.

BY: _____
Director of Planning

(11) Form L: Release of Obligations under Performance Agreement

Upon Release Send to: _____
Name _____
Address _____
City and Zip Code _____

Dated _____

For _____

(subdivision, plat number)

State of Texas X
X
County of Bexar X

Know all men by these presents, that the City of San Antonio, a municipal corporation, by _____, its Development Services ~~Director of planning~~, does hereby release _____, his heirs, and assigns, successors, or subsequent purchasers having any right, title or interest in the property described as _____ (name and plat number) _____, from any and all obligations incurred under the performance agreement executed _____, concerning the construction of site improvements on the property known as (name and plat number)

Executed this _____ day of _____, _____.

City of San Antonio

Attest:

Title: _____

B-129 Historic Preservation Materials

(b) Demolition

Applications requesting demolition shall include:

- (1) Photographs of structure
- (2) Scale site plan
- (3) Proposed use after demolition (conceptual plan)
- (4) Letter of permission from property owner (if applicant is NOT owner)

The application shall include a demolition form as follows:

(c) Miscellaneous

All other applications shall include the following information:

- (1) Preliminary plans with building elevations
- (2) Working scale drawings/specifications
- (3) Drawings 8½" x 11" reproducible sheets
- (4) Scale site plan
- (5) Photographs of building site for new construction
- (6) Paint samples with brand name and number
- (7) Roofing material sample
- (8) Siding sample

Letter of permission from property owner if the applicant is not the owner.

Chapter 35 Appendix C

Appendix EXHIBIT C FEE SCHEDULE

35-C102 Zoning Fees

(b) Fees Established

The following fees are established for zoning cases and zoning related matters. All fees shall be paid at the time an application is filed or the service is requested.

(A) Permit, Development Order, Document or Action	(B) Fee Amount
Historic design review commission application fee	\$100.00 5,000 square feet . . . \$75.00 5,001 to 10,000 square feet . . . \$100.00 10,001 to 20,000 sq. ft. . . . \$150.00 20,001 to 50,000 sq. ft. . . . \$300.00 50,000 + sq. ft. . . . \$400.00 + \$5.00 per additional 1,000 square feet

35-C103 Subdivision and platting fees

The following fees are established for plats and subdivision related matters. Platting fees shall be paid at the time of plat application. Any adjustments to the platting fees and other plat related fees shall be paid at the time of formal plat filing. Other fees shall be paid at the time of application.

(A) Permit, Development Order, Document or Action	(B) Fee Amount
Major subdivision plat fees	Base fee . . . \$625.00 Single family development (per lot*) . . . \$64.00 Nonsingle family development (per acre*) . . . \$480.00
Minor plats	0 to 3 acres . . . \$595.00 3.1 to 10 acres . . . \$805.00 10.01 to 20 acres . . . \$1,075.00 20.1 or greater . . . \$1,610.00 Per lot . . . \$58.71 Per acre over 20.1 . . . \$103.00
Development plat, per plat	\$540.75
Amending plat fee	\$504.70
<u>Building Setback Replat</u>	<u>\$100.00</u>
Variance fee, per request	\$145.00
Plat deferral fee, per request	\$391.40
Time extension fee	\$252.35
Vacating declaration fee	\$283.25
Replat fee, per plat	\$430.00
Emergency add-on fee	\$442.90
Plan (Completeness) review fee, per review	\$500.00
Plan amendment fee, per amendment	\$500.00
Notification list fee:	Inside city limits . . . \$52.00 Outside city limits . . . \$104.00

Street name change application fee	\$250.00
Street name change installation fee (per sign)	\$150.00
Postponement of planning commission hearing fee, per processed postponement	\$309.00
Development rights determination	\$160.00
Design Criteria Manual	\$45.00
Master Plan Amendment	\$450.00

This does not include lots or acres reserved for parks or open space pursuant to § 35-503 of this Chapter.

Appendix F – Floodplains – Areas of Special Flood

35F135 Variance Procedure

- (d) Variances, without regard to the procedures set forth in the remainder of this section, may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Sites and Places or the Texas State Historic Survey List or the City of San Antonio Landmark List.

Chapter 35, Appendix E, Section 35-E101 is amended to reformat table, include clarifying titles, and to include a column titled "Shade Area" as follows:

Appendix E: San Antonio Recommended Plant List-All Suited to Xeriscape Planting Methods

TREES				
Small: Fifteen (15) to twenty-five (25) Feet; Medium: Twenty (25) to Forty (40) Feet; Large: Forty (40) Feet and Higher (60'+)				
Common Name	Scientific Name	Height	Remarks	Shade Area
Anacacho, Orchid tree	Bauhania congesta	S-M	Semi-Evergreen, tree-shrub, white flower clusters	<u>275</u>
Anaqua*, Sandpaper tree	Ehretia anacua	M-L	Evergreen broadleaf; white flower clusters	<u>875</u>
Arizona Cypress	Cupressus arizonica	M-L	Evergreen conifer; gray green foliage; pyramidal shape	<u>875</u>
Texas Ash, Green Ash	Fraxinus sp.	M-L	Deciduous; fast growing	<u>875</u>
Ashe Juniper*	Juniperus ashei	S-M	Evergreen conifer; green foliage, females fruit	<u>275</u>
Bald Cypress*	Taxodium distichum	L	Deciduous conifer; fine textured foliage; fall color	<u>1200</u>
Black Willow*	Salix nigra	M-L	Deciduous; riparian species	<u>875</u>
Bur Oak*	Quercus macrocarpa	L	Deciduous; large acorns and leaves, good shade tree	<u>1200</u>
Carolina Buckthorn	Rhamnus caroliniana	S-M	Semi-Evergreen; sun-shade, glossy leaves, reddish fruit	<u>275</u>
Cedar Elm*	Ulmus crassifolia	M-L	Deciduous; narrow canopy, good shade tree for R.O.Ws	<u>875</u>
Chinquapin Oak*	Quercus muhlenbergii	M-L	Deciduous; round-topped tree; bold foliage	<u>875</u>
Condalia, Brazil Tree, Bluewood Condalia*	Condalia hookeri, C. viridis	S-M	Evergreen; delicate foliage; very drought tolerant; sun-shade, good shade tree	<u>275</u>
Cottonwood	Populus deltoides	L+	Deciduous; large leaves, females fluffy seeds	<u>1200</u>
Crabapple, Texas*	Mollis texana	S-M	Deciduous, full to partial sun, spring flowering tree	<u>275</u>
Desert Willow*	Chilopsis linearis	S	Deciduous; pink tubular flowers; willow-like foliage, very drought tolerant	<u>n/a</u>
Deodar Cedar	Cedrus deodara	L	Evergreen; spreading pyramidal shape	<u>1200</u>
Ebony, Texas	Pithecellobium flexicaule	S	Evergreen; sun; white flowers	<u>n/a</u>

Escarpment Black Cherry*	Prunus serotina var. eximia	M-L	Deciduous; sun to shade; fall foliage	<u>875</u>
Eve's Necklace*	Sophora affinis	M-L	Deciduous; sun-shade; white to pink flowers	<u>875</u>
Goldenball Lead Tree*	Leucaena retusa	S-M	Deciduous; delicate foliage; fragrant yellow flowers	<u>275</u>
Hackberry	Celtis spp.	M-L	Deciduous; prolific; wildlife favorite	<u>875</u>
Honey Locust	Gleditsia triacanthos	M	Deciduous; thornless varieties available	<u>550</u>
Huisache*	Acacia farnesiana	M	Deciduous; delicate foliage; fragrant yellow flowers	<u>550</u>
Kidneywood	Eysenhardtia polystachya	S	Deciduous; delicate tree-shrub; fragrant white flowers	<u>n/a</u>
Lacy Oak*	Quercus laceyi	M	Deciduous; sun-partial shade; hill county native, good shade tree	<u>550</u>
Live Oak*	Quercus virginiana	M-L	Evergreen-like; good shade tree	<u>875</u>
Mesquite*	Prosopis glandulosa	S-M	Deciduous; lacy spreading form	<u>275</u>
Mexican Buckeye	Ungnadia speciosa	S	Deciduous; pink-red spring flowers	<u>n/a</u>
Pecan*	Carya illinoensis	L+	Deciduous; needs lots of space; sensitive to root impact	<u>1200</u>
Persimmon, Texas*	Diospyros texana	S-M	Deciduous; sun-shade, smooth bark; females has black pulpy fruit	<u>275</u>
Plum, Mexican*	Prunus mexicana	S	Deciduous; sun to shade; white flowers, fruit	<u>n/a</u>
Possum Haw*	Ilex decidua	S-M	Deciduous; sun-shade; female has red fruit	<u>275</u>
Retama, Paloverde	Parkinsonia texana	S-M	Deciduous; fast growing, yellow flowers	<u>275</u>
Red Oak, Shumard	Shumard Quercus shumardii	L	Deciduous; fall color, good shade tree	<u>1200</u>
Red Oak, Texas	Quercus texana	M	Deciduous; fall color, good shade tree	<u>550</u>
Redbud, Texas, Oklahoma, Mexican*	Cercis canadensis var texana	S-M	Deciduous; sun-shade, red/pink or white flowers	<u>275</u>
Rusty Blackhaw	Viburnum rufidulum	S	Deciduous; fall color, white flower clusters	<u>n/a</u>
Silk-tassle*	Garrya ovata	S	Evergreen; sun-shade	<u>n/a</u>
Spiny Hackberry	Celtis pallida	S	Evergreen; greenish white flowers, yellow orange fruit	<u>n/a</u>
Sycamore, Mexican	Platanus mexicana	L+	Deciduous; large leaves, good shade tree	<u>1200</u>
Sycamore, Texas*	Platanus glabrata	L+	Deciduous; large leaves, good shade tree	<u>1200</u>
Texas Mountain Laurel*	Sophora secundiflora	S	Evergreen, part shade to full sun; fragrant purple flowers	<u>n/a</u>
Texas Pistache	Pistacia texana	S	Semi-Evergreen; full sun to part-shade; red fruit	<u>n/a</u>
Wafer Ash, Hop tree	Ptelea trifoliata	S	Semi-Evergreen; sun-shade; light green foliage	<u>n/a</u>
Western Soapberry	Sapindus drummondii	M-L	Deciduous; full to partial sun; good shade tree, cluster large yellow flowers	<u>875</u>
Wild Olive	Cordia boissiereri	S-M	Semi-Evergreen; large white flowers, hardy to ~14°F	<u>275</u>

Vitex, Chaste Tree, False Hemp Tree, Lavender Tree*	Vitex agnus-castus	S-M	Deciduous; purple, pink, or white flower spikes	275
Yaupon Holly*	Ilex vomitora	S-M	Evergreen; sun-shade; female has red fruit	275

SHRUBS

Large (Not Taller than Twenty-Five (25) Feet at Maturity)

Common Name	Scientific Name	Height	Remarks
Bay	Laurel noblis	6'-12'	Evergreen, sun-part sun, fragrant leaves
Buckeye	Aesculus pavia	6'-12'	Deciduous (even in dry weather), shade, yellow or red flowers
Evergreen Sumac*	Rhus virens	4'-15'	Evergreen, sun-shade, red fruit
Flameleaf Sumac*	Rhus lanceolata	5'-15'	Sun-partial shade; deciduous; red berries in fall; fall color
Texas Mountain Laurel*	Sophora secundiflora	10'-25'	Tree-like evergreen shrub; purple spring flowers; sun, part shade
Texas Pistache	Pistacia texana	6'-12'	Semi-evergreen, sun

SHRUBS

Medium (Five (5) to Ten (10) Feet at Maturity)

Glossy Abelia	Abelia grandiflora	5'-9'	Bronze evergreen foliage; white or pink; sun, part shade
Agarita*	Mahonia trifoliata	5'-9'	Holly-like evergreen foliage; yellow spring; red edible berries; sun-shade
Cenizo, Texas Sage*	Leucophyllum sp.	5'-9'	Dusty gray evergreen foliage; sun; blooms throughout summer; purple - pink flowers; several new varieties: including compact
Elbow Bush	Forestiera pubescens	3'-6'	Deciduous; sun-shade, small white flowers, black fruit
Fragrant Sumac	Rhus aromatica	3'-6'	Deciduous; part shade, fall color
Hogplum	Colubrina texensis	4'-6'	Part shade, full sun; fragrant blooms
Juniper	Juniperus sp.	5'-10'	Tough evergreen; many varieties; sun, part shade
Mutablis Rose, Butterfly Rose, Old Blush	Rosa chinensis x (Mutablis)	3'-5'	Sun, large single petal flowers change color as ages
Pomegranate	Punica granatum	5'-10'	Sun, upright shrub; orange blooms; edible fruit; dwarf variety
Primrose Jasmine	Jasminum mesnyi	5'-8'	Evergreen, sun-shade, sprawling, yellow flowers
Southern Wax Myrtle	Myrica cerifera	3'-8'	Evergreen, sun-shade, compact variety, available
White Brush	Aloysia gratissima	4'-8'	Delicate; fragrant white flower; suckers, can be used as a hedge

SHRUBS

Small (Not Taller than Five (5) Feet at Maturity)

American Beautyberry	Callicarpa americana	3'-4'	Deciduous, fruit in fall and winter, purple; part shade
Agave, century plant	Agave americana	3'-5'	Sun, rosette, spine-tipped leaves
Barbados Cherry	Malpighia glabra	2'-4'	Evergreen, pink flowers, red fruit, sun-shade
Barberry	Berberis thunbergii	3'-5'	Evergreen; sun-part shade, color foliage

	<i>atropurpurea</i>		
Grayleaf Cotoneaster	<i>Cotoneaster glaucophylla</i>	3'-5'	Sprawling evergreen shrub; dusty gray foliage; sun, part shade
Juniper	<i>Juniperus sp.</i>	2'-5'	Evergreen shrubs; many varieties available; sun
Mexican Butterfly Weed	<i>Asclepias tuberosa</i>	3'	Broad clusters of orange flowers
Mexican Oregano	<i>Poliomentha longiflora</i>	2'-3'	Evergreen, sun, pink flowers
Rock rose	<i>Pavonia lasiopetala</i>	2'-4'	Deciduous; sub-shrub, pink or purple flowers
Rosemary, Upright	<i>Rosmarinus officinalis</i>	3'-5'	Evergreen, sun-part shade; blue flowers
Red Yucca	<i>Hesperaloe parviflora</i>	3'-4'	Sun, rosette, narrow leaves
Yucca	<i>Hesperaloe parviflora</i>	3'-4'	Sun, rosette, narrow leaves, white flowers

VINES

Common Name	Scientific Name	Height	Remarks
Autumn Clematis	<i>Clematis sp.</i>	n/a	Evergreen; fragrant white fall; sun, part shade
Carolina Jessamine	<i>Gelsemium sempervirens</i>	n/a	Evergreen; yellow spring; sun, part shade
Confederate Jasmine	<i>Trachelospermum jasminoides</i>	n/a	Evergreen; fragrant white spring; sun, part shade
Coral honeysuckle	<i>Lonicera sempervirens</i>	n/a	Almost Evergreen; red blooms; part shade to full sun
Coral vine, Queen's wreath	<i>Antigonon leptopus</i>	n/a	Pink flowers in late summer and fall; sun
Fig Ivy	<i>Ficus pumila (repens)</i>	n/a	Evergreen; clings to walls; sun, part shade
Lady Banksia	<i>Rosa banksia</i>	n/a	Evergreen, flowers in yellow or white; sun-part shade
Scarlet Clematis	<i>Clematis texana</i>	n/a	Shade to part shade, spring and summer blooms; red, rust, maroon, or rose-pink
Silverface Vine	<i>Polygonum ambertii</i>	n/a	Fluffy masses of white; sun, part shade
Virginia Creeper	<i>Parthenocissus quinquefolia</i>	n/a	Deciduous

GROUND COVER

Common Name	Scientific Name	Height	Remarks
Asiatic Jasmine	<i>Trachelospermum asiaticum</i>	n/a	Evergreen; green or variegated foliage; sun, part shade, no flowers
Columbine	<i>Aquilegia spp.</i>	n/a	Evergreen, gray/green foliage, yellow flowers
Confederate Jasmine	<i>Trachelospermum jasminoides</i>	n/a	Evergreen; fragrant, white spring flowers; sun, part shade
Frogfruit	<i>Phyla incisa</i>	n/a	Semi-evergreen, creeper, sun-part sun, white flowers
Lantana purple, gold	<i>Lantana sp.</i>	n/a	Deciduous, sun, purple, white or yellow flowers
Pigeonberry	<i>Rivina humilis</i>	1'-2'	Semi-evergreen shrub
Rosemary, prostrate	<i>Rosmarinus officinalis</i>	1'-2'	Evergreen sub-shrub, sun to part sun, blue flowers
Katie' Ruellia	<i>Ruellia spp.</i>	1'-2'	Evergreen, sun-shade, rosette with purple or pink flowers

Santolina	Santolina sp.	1'-2'	Species with green or silver foliage; sun
Trailing Juniper	Juniperus sp.	n/a	Several varieties available; not suitable for wet, humid areas; sun
Verbena	Verbena spp.	n/a	Evergreen, pink, purple, white, red flowers
Yarrow	Achillea millefolium	n/a	Gray or green gray leaves; many varieties

GRASSES, TURF

Common Name	Scientific Name	Height	Remarks
Bermuda grass	Cynodon dactylon	n/a	Excellent drought tolerance; poor shade tolerance; sun
Buffalograss*	Buchloe dactyloides	4"-6"	Excellent drought tolerance; poor shade tolerance; sun
Prarie mix	n/a	8"-12"	Mixture of Texas native Bunch, can add wildflowers
St. Augustine grass	Stenotaphrum secundatum	n/a	Produces dense turf; shade areas only; poor drought tolerance; sodded

PERENNIALS

Common Name	Scientific Name	Height	Remarks
Butterfly Weed	Asclepias spp.	3'	Semi-hardy perennial, orange flowers
Cigar Plant	Cuphea micropetala	3'-4'	Red, yellow; summer to fall flowers; sun
Fall Aster	Aster spp.	2'-3'	Semi-evergreen, sun-part sun, blue or white
Firebush	Hamelia patens	3'-5'	Reddish orange; summer to fall flowers; sun
Hinckley's Columbine	Aquilegia hinckleyana	18"	Yellow; spring flowers; shade
Indigo Spires	Sage Salvia spp.	2'-3'	Semi-evergreen, sun, dark blue flowers
Lantana	Lantana sp.	1'-2'	Many colors; spring to fall flowers; sun
Mealy Cup Sage*	Salvia farinacea	3'	Sun, part shade; blue, white, purple flowers
Mexican Oregano	Poliomentha longiflora	1'-3'	Evergreen; pink; summer flowers; sun
Mexican Petunia	Ruellia sp.	1'-3'	Evergreen; tolerates shade; purple, pink, white flowers, suckers
Mexican Sage	Salvia leucantha	3'-4'	Semi-evergreen; blue; spring to fall flowers; sun
Mist flower,	Boneset Eupatorium spp.	2'-4'	Hardy perennial, white to blue flowers
Muhly Grass*	Muehlenbergia lindheimeri	3'	Evergreen; hardy perennial; sun
Pigeonberry	Rivina humilis	1'-2'	Semi-evergreen shrub
Purple Cone Flower	Echinacea purpurea	2'	Hardy perennial, rosette with pink or white flowers
Perennial verbena*	Verbena sp.	6"-1'	Many colors; spring to fall flowers; sun
Rock rose	Pavonia lasiopetala	2'-4'	Deciduous; sub-shrub, pink or purple flowers
Rosemary	Rosmarinus officinalis	1'-4'	Sun, part shade; blue flowers
Shrimp Plant	Justicia spp.	1'-2'	Hardy perennial, sun-part sun; orange, red flowers
Skullcap	Scutellaria frutescens	1'	Evergreen sub-shrub; pink or purple flowers
Texas Betony	Stachys coccinea	1'-2'	Evergreen, gray-green; red tubular flowers

Tropical Sage	Salvia coccinea	2'-3'	Evergreen, red, pink blooms; part shade to full sun
Turk's Cap	Malvaviscus drummondii	1'-4'	Shade; red flowers
White Rain Lily*	Zephyranthes candida	1'	Ephemeral; sun, part shade; white

PALMS

Common Name	Scientific Name	Height	Remarks
California Fan Palm	Washingtonia filifera	15'-60'	Tree-like palm; sun. Hybrids with W. robusta can be taller
Dwarf Palmetto*	Sabal minor	3'-7'	Trunkless, bushy palm; sun, part shade
Texas Palmetto*	Sabal texana	10'-25'	Tall, native Texas palm; sun
Windmill Palm	Trachycarpus fortunei	10'-35'	Tree-like; sun; not considered a canopy; good foundation plant
Mexican Blue Palm	Brahea armata	12'-25'	Fan palm with blue-green leaves; sun
Butia or Jelly Palm	Butia capitata	10'-15'	Feather palm with blue-green leaves; sun
European Fan Palm	Chamaerops humilis	6'-12'	Tough, clumping fan palm with spiny petioles
Mazari Palm	Nannorrhops ritchiana	6'-25'	Slow growing fan palm with blue-green leaves
Canary Island Date Palm	Phoenix canariensis	40'	Beautiful feather palm; may be damaged in very cold winters
Needle Palm	Rhapidophyllum hystrix	5'-6'	Clumping shrublike palm foliage for sun to part shade
Silver Saw Palmetto	Sorenoa repens	3'-6'	Clumping low palm in both blue and green forms

ORNAMENTAL GRASSES

Common Name	Scientific Name	Height	Remarks
Big Bluestem	Andropogon gerardi	1'-2'	Sun, clump grass
Eastern Gamagrass	Tripsacum dactyloides	2'-3'	Dense, part shade, full sun
Inland Sea oats	Chasmanthium latifolium	2'-4'	Shade, dappled shade, part shade
Little Bluestem *	Schizachyrium scoparium	1'-2'	Evergreen, part shade, full sun
Muhly Grass*	Muehlenbergia lindheimeri	2'-5'	Evergreen, part shade, full sun
Purple Fountain Grass	Pennisetum setaceum 'Rubrum'	2'-3'	Delicate color accent; full sun
Sideoats Grama*	Bouteloua curtipendula	2'-3'	Dappled shade, part shade, full sun
Switchgrass	Panicum virgatum	3'	Part shade, full sun

RIPARIAN & AQUATIC

Common Name	Scientific Name	Height	Remarks
Button Bush*	Cephalanthus occidentalis	6'-10'	Large, deciduous shrub, sun, white ball shape flowers
Indiobush*	Amorpha fruticosa	6'-10'	Large, deciduous shrub, shade-sun, spikes of purple flowers
Roughleaf Dogwood*	Cornus drummondii	6'-15'	Large, deciduous shrub or tree, shade-sun, clusters of white flowers
Crab Apple*	Crataegus texana	8'-15'	Large, deciduous shrub or tree, shade-sun, large clusters of white flowers
Wooly Rosemallow*	Hibiscus lasiocarpus	3'-6'	Large shrub, white to rose flowers

NJH: 11-29-04

Item No. _____

Edwards Plateau Sedge	Carex microdonta	1"-7"	Rhizomatous perennial, calcareous soils
Bear Grass*	Nolina sp	2'-3'	Large clump, grass-like, shade-sun, good for bank stabilization
Purple Iris	Iris brevicaulis	1'-1.5'	Hardy perennial, purple flowers
Pickerelweed*	Pontoderia cordata .	5'-1'	Aquatic edge, sun, spikes of purple flowers
Horsetail	Equisetum laevigatum	1'-1.5'	Rhizomatous, grass-like, shade-sun, water edge
Blue Water Lily*	Nymphaea	n/a	Floating, semi-sun-sun,
Pond Weed	Potamogeton illinoensis	8"-16"	Rhizomatous, whorls of purple flowers
* Texas Native Plant			
Note:	Red Tip Photinia is no longer recommended due to new disease		

SECTION 3. All other provisions of Chapter 35 of the City Code of San Antonio, Texas shall