The Jan 2006 edition of the UDC below is a working copy of the October 2005 UDC and the annual amendments contained in city ordinance No. 101816 prepared by the Development Service Department for staff use and stakeholder convenience. If the reader requires a legal copy of the UDC they should contact the City Clerk's Office and request a copy of the Oct. 2005 UDC and a copy of city Ord. No. 101816. For additional information concerning obtaining copies of the UDC contact Bill Telford at (210) 207-7879.

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ARTICLE III - ZONING

This Article establishes zoning districts and describes the various uses permitted within the zoning districts, as well as design regulations. Several types of zoning districts are established. First, "base" zoning districts are established in Division 2. These districts divide the city into various residential, commercial and industrial zones. Each district establishes uses which are permitted "as of right" and as a specific use. A use permitted as of right is compatible with the other uses within the district and, therefore, requires only administrative approval. Specific uses require a public hearing in order to assess whether conditions are needed in order to make the use compatible with other uses in the district.

*"**Overlay**" districts are established in Division 4. Within these districts, the standards of both the base and overlay districts apply. These districts address special situations such as groundwater recharge, historic preservation, airport hazards, and utility conversions where the base district regulations are not sufficient to protect the public.*

***"Special**" districts established in Division 5 involve uses which cannot be adequately addressed by the base district regulations. Unlike the overlay districts, these districts are independent of the base zoning districts. The special districts have separate use and design regulations.*

Division 6 establishes incentives in the form of additional density and other regulatory measures in order to encourage the provision of affordable housing, the preservation of environmental resources, the dedication of right-of-way for arterial streets, and the redevelopment of underutilized sites. Landowners are permitted through rezoning to transfer densities from sites that are inappropriate for development to sites that are suitable for increases in density.

Some uses, while permitted in a zoning district, raise special concerns which require additional, uniform regulations. These regulations are established in Division 7. They apply regardless of whether the use is permitted as of right or as a specific use within the district.

This Article implements the following policies of the Master Plan:

- *Growth Management, Policy 1b: Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.*
- *Growth Management, Policy 1b: Ensure that proposed land uses and development are compatible in their use, character and size to the site and the surrounding areas.*
- *Growth Management, Policy 1f: Encourage a balance of new development and redevelopment.*
- *Neighborhoods, Goal 4: Promote the provision of sound and affordable housing to all San Antonians.*

Other goals and policies of the Master Plan applicable to specific districts and/or uses are referenced elsewhere in this Article.

DIVISION 1 GENERAL

35-301 Purpose

Pursuant to VTCA Local Government Code § 211.001, the purpose of this article is to promote the public health, safety, morals, or general welfare and to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Pursuant to VTCA Local Government Code § 211.004, these regulations are adopted in accordance with the Master Plan and are designed to:

- *lessen congestion in the streets;*
- *secure safety from fire, panic, and other dangers;*
- *promote health and the general welfare;*
- *provide adequate light and air;*
- *prevent the overcrowding of land;*
- *avoid undue concentration of population; or*
- *facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.*

Consistent with the Master Plan, these regulations are designed to foster the following subsidiary purposes:

- *Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations; and*
- *Ensure that new development is compatible with surrounding development in use, character and size; and*
- *Provide for land uses which serve important public needs, such as affordable housing and employment generators; and*
- *Promote mixed-use buildings and mixed-use neighborhoods; and*
- *Promote infill housing and downtown retail and residential development; and*
- *Integrate civic uses into neighborhoods; and*

35-301 continued

- *Protect natural resources; and*
- *Encourage retail development downtown.*

In accordance with the foregoing purposes, this Article establishes regulations governing the following:

- *the height, number of stories, and size of buildings and other structures;*
- *the percentage of a lot that may be occupied;*
- *the size of yards, courts, and other open spaces;*
- *population density; and*
- *the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes.*
- *In the case of designated places and areas of historical, cultural, or architectural importance and significance, this Article regulates the construction, reconstruction, alteration, or razing of buildings and other structures.*
- *the bulk of buildings.*

35-302 General Requirements

(a) No land shall be used or occupied and no structures shall be designed, erected, altered, used or occupied except in conformity with all regulations herein established in this Article, compliance with all design standards established in this Article, and upon performance of all conditions attached to any specific use permit, variance, appeal, conditional rezoning, or master development plan issued pursuant to this chapter.

(b) No person, firm or corporation and no officer or employee thereof (either as owner or as participating principal, agent, servant or employee of such owner) shall sell, rent or lease or offer or attempt to sell, rent or lease any land or structure upon the representation, falsely made and known to be false, that such land or structure may be used or occupied in a manner or for a use prohibited by this chapter.

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”	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
"MI-2"	Mixed Heavy Industrial

35-303 continued

(b) Overlay Districts

The city hereby establishes the following overlay districts which shall be governed by all of the uniform use and area requirements of this chapter. Within these overlay districts, additional requirements are imposed on certain properties within one or more underlying general or conditional zoning districts. The overlay districts established by this chapter, including the symbol for each type of district is as follows: "AHOD" airport hazard overlay district

"ERZD"	Edwards Recharge
"H"	Historic District
"HE"	Historic Exceptional
"HS"	Historic Significant
"MAO-1"	Military Airport Overlay 1
"MAO-2"	Military Airport Overlay 2
"NC"	Neighborhood Conservation Districts
"UC"	Utility Conversion Districts
"VP"	Viewshed Protection Districts
"RIO-1"	River Improvement Overlay District - 1
"RIO-2"	River Improvement Overlay District - 2
"RIO-3"	River Improvement Overlay District - 3
"RIO-4"	River Improvement Overlay District - 4
"RIO-5"	River Improvement Overlay District - 5
"RIO-6"	River Improvement Overlay District - 6
"DN"	River Improvement Overlay District – Development Node

(c) Special Districts

Special districts are created by Division 5 of this Article to address unique situations. However, unlike overlay districts, special districts replace the standards and requirements of the base districts.

""MXD"D"	Mixed Use District
"TOD"	Transit Overlay District
"IDZ"	Infill Development Zone
"MPCD"	Master Planned Community Districts
"PUD"	Planned Unit Development
"MR"	Military Reservation District
"BP"	Business Park District
"SG"	Sand & Gravel District
"QD"	Quarry District
"ED"	Entertainment District
"DR"	Development Reserve
"NP-8"	Neighborhood Preservation District
"NP-10"	Neighborhood Preservation District
"NP-15"	Neighborhood Preservation District
"MH"	Manufactured Housing District

35-303 continued

(d) Conditional Zoning Districts

See § 35-321 of this Article.

(e) Additional Zoning Districts

Additional zoning districts may be added from time to time upon the recommendation of the zoning commission to the city council pursuant to § 35-421 of this chapter. Proposed changes to the zoning district regulations, including the addition of new zoning districts and incidental changes to the Official Zoning Map, may be submitted by the zoning commission or any other interested party.

(f) Conversion Matrix

Districts established prior to the date of adoption of this ordinance are set forth in Appendix "D" to this chapter. The city hereby finds and determines that the existence of two separate zoning district classifications, one dating from 1938 and the other dating from 1965, causes confusion and difficulties in the administration of the zoning regulations and periodic updates to the city's comprehensive planning policies. In order to ease the administration of this ordinance, the city hereby adopts the conversion matrix established in Appendix "D" to this ordinance by reference in order to determine the appropriate zoning classification each property within the zoning jurisdiction of the city.

(Ord. No. 95352 § 6) (Ord. No. 98091 § 2) (Ord. No. 99555 § 2)(Ord. No. 100126)

35-304 Official Zoning Map

The maps delineating the boundaries of the various zoning districts together with all matters and things shown on such maps are adopted and approved, incorporated herein and made a part thereof and collectively shall constitute the official zoning map. These maps are on file in the office of the director of development services, and such zoning maps and all notations, references and other information shown on such zoning maps are as much a part of this chapter as if the matters and information set forth by such maps were all fully described herein. All amendments to the official map shall be listed in the order adopted in a separate register maintained in and kept current by the development services department. The official zoning map shall carry the zoning district designations established in § 35-303 and Appendix "D" (Conversion Matrix) to this chapter.

The regulations herein established shall apply uniformly to all geographical areas having the same district classification and bearing the same symbol or designation on the official map.
(Ord. No. 65513, ' 2(f), 8-13-87)

(Ord. No. 98697 § 2 & 3)

35-305 Zoning District Boundaries

When definite distances in feet are not shown on the zoning map, the following rules shall apply:

(a) Boundaries indicated as approximately following the right-of-way or centerlines of streets, highways, or alleys shall be construed to follow such right-of-way or centerlines;

(b) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

(c) Boundaries indicated as approximately following city limits shall be construed as following city limits;

(e) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

(f) Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines;

(g) Whenever any street, alley or other public way not subject to zoning regulations is vacated by official action of the city council, or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley or other public way shall be automatically extended to the center of such vacation, and all area so involved shall then and henceforth be subject to all regulations of the extended districts;

(h) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning maps, or in other circumstances not covered by the foregoing, the director of development services shall interpret the district boundaries with appeal to the board of adjustment.

(Ord. No. 98697 § 3 & 6)

35-306 Rezonings

The city council may, from time to time, reclassify a parcel from one zoning district to another as provided by VTCA Local Government Code § 211.007 and § 35-421 of this chapter.

(Ord. No. 98091 § 2)

35-307 Newly Annexed Territory

Annexed property shall be zoned in accordance with the procedures required by state law and this section.

(a) Generally – Interim Zoning

From the date of annexation until the property is zoned to a permanent zoning classification, annexed property will be zoned as an interim development reserve ("DR") district except as otherwise provided in this section.

(b) Zoning in Conjunction with Annexation Proceedings

The owner, or owners of property being annexed to the city, may apply for zoning of said property on or after the date on which the city council institutes annexation proceedings as referred to in VTCA Local Government Code, Sec. 43.0561 ("first reading" ordinance, Section, paragraph 2 of the city Charter). In connection with such proceedings, the provisions of the state enabling legislation (VTCA Local Government Code, chapter 211) and of this chapter concerning notice to adjacent property owners and by publication, public hearing or hearings and recommendation by the zoning commission shall be followed, and further, notice shall be mailed to those property owners, both inside and outside the corporate limits of the city, whose property is within two hundred (200) feet of the area in question.

(c) Master-Planned Developments

For any master-planned development approved as a planned unit development, master planned community district, traditional neighborhood development, or a business park, the city may incorporate the terms of the city approved master development plan into a zoning ordinance following annexation of a property.

(d) Development Agreements

Property that is subject to a development agreement may be designated in accordance with any zoning district classifications set forth in the development agreement, and shall be regulated by the development agreement. Said zoning classifications shall be applied upon the revision of the Official Zoning Map pursuant to § 35-421 of this chapter. For purposes of this subsection, a "development agreement" means and refers to any agreement adopted pursuant to VTCA Local Government Code §§ 43.0563 (contracts for provision of xervices in lieu of annexation); 42.046 (designation of a planned unit development district in extraterritorial jurisdiction); and 43.127 (annexation for full purposes).

(e) Long Range Comprehensive Plan

The Master Plan requires the city to prepare a comprehensive land use plan (Urban Design, Policies 1a, 1c). Pursuant to VTCA Local Government Code § 219.002, the city may prepare a comprehensive plan to "coordinate and guide the establishment of development regulations" pursuant to § 35-420 of this chapter. Accordingly, the city may prepare a comprehensive plan with land use categories and a designation of the zoning districts related to the land use categories as part of a comprehensive plan. The owner or owners of property may apply for rezoning to a classification consistent with the comprehensive plan in lieu of a temporary zoning classification, in accordance with the procedures set forth in subsection (a) hereto.

(Ord. No. 98697 § 6)

35-308 to 35-309 Reserved

DIVISION 2 BASE ZONING DISTRICTS

The purpose of this Article is to implement the land use policies of the Master Plan. Pursuant to VTCA Local Government Code § 211.004, all zoning ordinances or regulations adopted pursuant to this ordinance shall be consistent with the comprehensive plan and any specific plans of the city council. Each subsection describes the relationship between the various zoning district and the Master Plan, and prescribes the design regulations for the district.

35-310 Zoning District Purpose Statements and Design Regulations

This Section implements the following provisions of the Master Plan:

- *Urban Design, Policy 1b: Greater density and diversity of development consistent with these urban design policies.*
- *Urban Design, Policy 1e: permit zero Setbacks for commercial and multi--family developments.*

35-310.01 Generally

(a) No building permit shall be issued unless the proposed development conforms to the design regulations prescribed within the applicable zoning district. Rules for interpreting the design regulations are included in the lot layout, height, and density/intensity standards (Article 5, Division 4 of this chapter (§§ 35-515 to 35-517).

(b) The design regulations for each district are included in Table 310-1 below. The design standards are illustrated graphically for each zoning district in a subsection entitled “Summary of Lot and Building specifications” in each §§ 35-310.01 to 35-310.14, below. To the extent that there is any inconsistency between the provisions of Table 310-1 and the illustrations in the summaries of lot and building specifications, below, the provisions of Table 310-1 shall govern. Specific rules of interpretation and exceptions to the zoning district design regulations are as set forth in the lot layout, height, and density/intensity standards (Article 5, Division 4 of this chapter).

(c) Unless expressly permitted as an accessory use, a use permitted in the “RE”, “R-20”, “R-6”, “R-5”, “R-4”, “RM-6”, “RM-5”, “RM-4”, “MF-25”, “MF-33”, “MF-40”, or “MF-50” districts must occur within a completely enclosed structure.

(d) An application approval of a subdivision plat within the incorporated areas of the city must comply with Table 310-2, below, where the proposed subdivision abuts an existing subdivision which was recorded and substantially developed as of the effective date of this chapter (hereinafter the “existing subdivision”). The lots abutting the existing subdivision (“buffer lots”) must comply with the following minimum lot sizes:

35-310.01 continued

Table 310-2
DESIGN REGULATIONS

Zoning of Adjacent Subdivision	Buffer Lots
R-20	R-20
RE	R-20 or RE

Table 310-1
Lot and Building Dimensions Table

(A)	(B)	(C)	(D)	(E)	(F)	(G)			(H)	(I)	(J)	(K)	(L)	(M)	(N)
	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)			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	—	—
R-3[1]	3,000′		---	20	20	----			10	35	0[8]	10	35/ 3	70% of lot area	----
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, 4]	—		25	50	50	—			—	20[3, 6]	5	10	35	—	—
"MF-33" [1,4]	—		33	50	50	—			—	20[3, 6]	5	10	45	—	—
"MF-40" [1, 4]	—		40	50	50	—			—	20[3, 6]	5	10	60	—	—
"MF-50" [1, 4]	—		50	50	50	—			—	20[3, 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															
UD-Single Family	—	10,000	—	15	15	150			15	20	0	10	35 / 2-½		
UD-Multifamily-15	—	—	15	50	50	—			15	20	5	10	35		15 units
UD-Multifamily-33			33	50	50				15	20	5	10			150 units

Commercial															
*bldg > 90,000***		250,000				500			0	15[5]	30[2]	30[2]			
*bldg < 90,000***				20					0	15[5]	10[2]	30[2]			< 90,000
*bldg < 6,000***				20					0	15[5]	10[2]	30[2]	25		< 6,000
RURAL DEV															
RD-Single Family	43,560		1	100	120				15		5	30	35 / 2-½		
RD-Commercial															
*bldg > 90,000 sf***		250,000				500			0	35	30[2]	30[2]			
*bldg < 90,000 sf***				20					0	35	10[2]	30[2]	25		< 90,000
*bldg < 6,000 sf***				20					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]			
MI-2				100	100				***		50[(2)]	50[(2)]	150		
MI-2 < 3,000 sf				50					***		10[(2)]	30[(2)]			3,000
MI-2 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) & (L) or otherwise notated the dimensions specified in columns (B) through (P) are expressed in linear feet. The dimensions specified in columns (B), (M) and (N) 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 (H) & (I) 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 (J): 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 (K): 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 (L): *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 deckline of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof. 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 (N & O): 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 (O): 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 apply to 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.*

Note (7) – *May vary in accordance with 35-410.05a(b)(3).*

Note (8) *– As a note it should be recognized that while the "R-3" district provides for no required setback that life/safety provisions of the building code will require either a firewall or provision for a mandatory 10 foot separation between buildings.*

(Ord. No. 95490 § 1, Ord. No. 96564 § 2, Ord. No. 97568 § 2, Ord. No. 98091 § 3, Ord. No. 99555 § 4, Ord. No. 100126, Ord. No. 101816)

35-310.02 "RP" Resource Protection District

Purpose: the "RP" resource protection) district provides areas for agricultural operations and natural resource industries. These districts are composed mainly of unsubdivided lands that are vacant or in agricultural uses with some dwellings and some accessory uses. "RP" zoning protects and preserves valuable agricultural areas, implements agricultural and natural resource protection, establishes performance standards for rural businesses, preserves rural areas, preserves pasture land and agriculture, and identifies areas appropriate for agricultural preservation. The "RP" district may be used to establish a buffer of low intensity uses along streams, floodplains, and similar environmentally sensitive areas. The "RP" district implements the following policies of the Master Plan:

- *Growth Management, Policy 1f: Encourage a balance of new development and redevelopment. This district partially implements Policy 1f by discouraging leapfrog or premature subdivision, thereby directing growth to built-up areas with public facilities and services.*

- *Natural Resources, Policy 2d: Preserve the integrity of the natural settings of neighborhoods, communities, open spaces and parks, and develop clear procedures for their enforcement.*

- *Urban Design, Policy 1a: based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*

The "RP" district should normally be located in areas with large tracts of open space, agricultural areas, woodlands, or fields. The "RP" district should not be designated in areas with central water and sewer, or where collector or higher order streets are spaced closer than (1) mile apart.

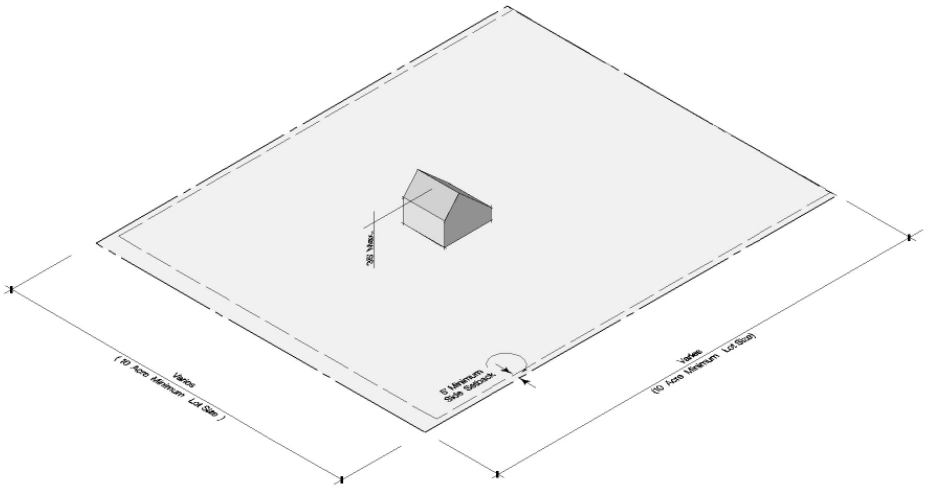

Figure 1 Summary of Lot and Building Standards, "RP" district

35-310.03 "RE" Residential Estate District

The Rural Estate (RE) district is the designation for a low-density residential use on a lot that is a minimum of one acre. The "RE" district implements the following policies of the Master Plan:

- *Growth Management, Policy 1b: Ensure that proposed land uses and development are compatible in their use, character and size to the site and the surrounding areas.*
- *Urban Design, Policy 1a: based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*
- *Urban Design, Policy 1c: Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.*

35-310.03 continued

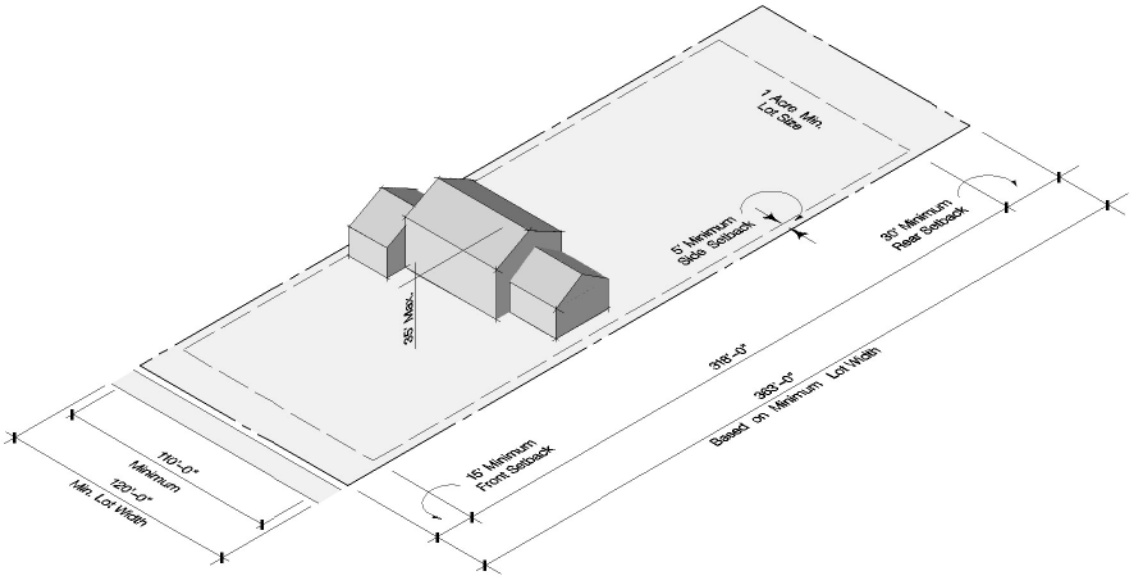

Figure 2 Summary of Lot and Building Standards, "RE" district

35-310.04 "R-20" Residential Single-Family

This district provides areas for low-density single-family uses which provide a buffer between the agricultural and RE classifications and the higher density areas of the city. Minimum lot size requirements are provided in order to allow for market and design flexibility while preserving neighborhood character.

The "R-20" district implements the following policies of the Master Plan:

- *Urban Design, Policy 1a: based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*

- *Urban Design, Policy 1c: Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.*

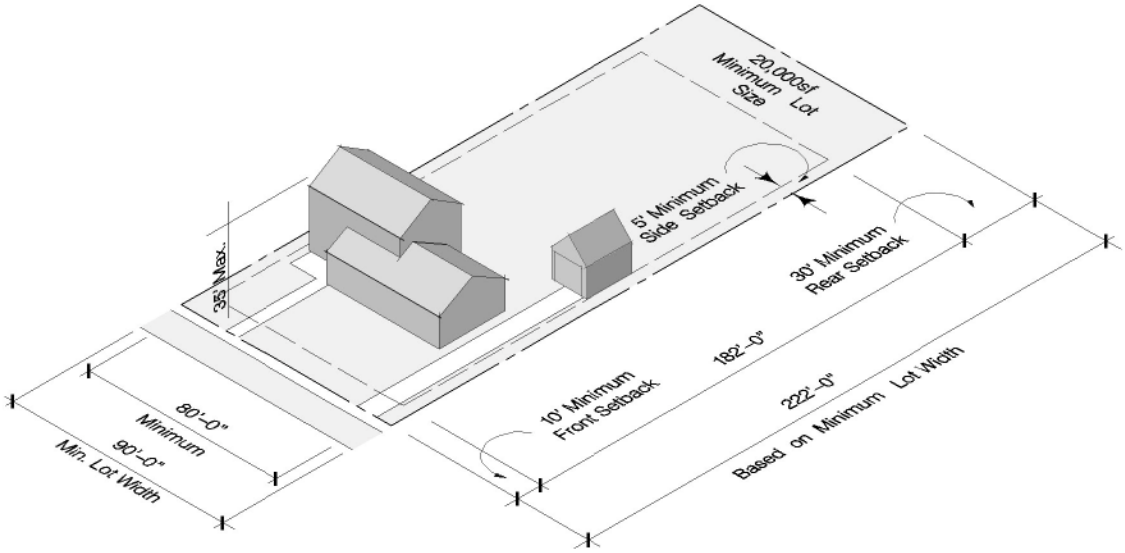

Figure 3 Summary of Lot and Building Standards, "R-20" district

35-310.05 "R-6", "R-5" and "R-4" Residential Single-Family

These districts provide areas for medium- to high-density, single-family residential uses where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing single-family dwellings and open area where similar residential development seems likely to occur. Residential Single-Family provides minimum lot size and density requirements in order to preserve neighborhood character.

These districts implement the following policies of the Master Plan:

- *Urban Design, Policy 1a: based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*
- *Urban Design, Policy 1c: Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure*
- *Urban Design, Policy 1a: Define, preserve and promote neighborhood centers which include schools, libraries, stores, transit centers and community service facilities in accessible, pedestrian friendly environments.*

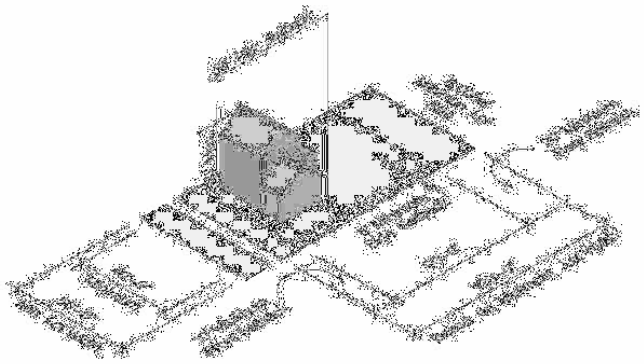

Figure 4 Summary of Lot and Building Standards, "R-6" district

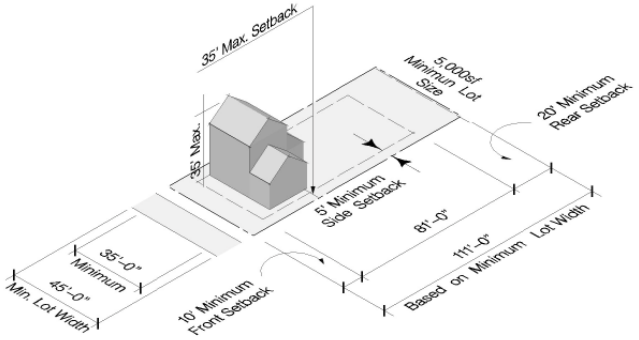

Figure 5 Summary of Lot and Building Standards, "R-5" district

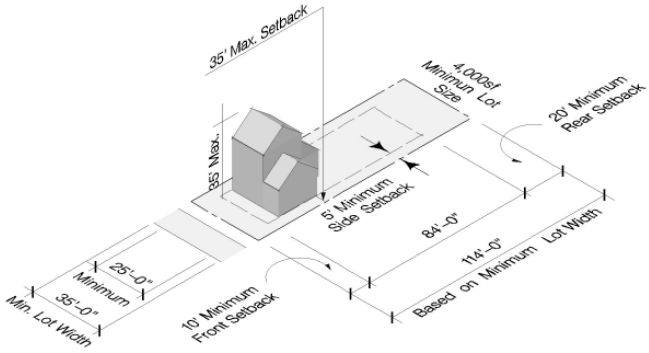

Figure 6 Summary of Lot and Building Standards, "R-4" district

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 Specification

(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 planed 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 building height - 35 feet/ 3 Stories

35-310.05a continued

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.

M. Maximum building size (average of total development of "R-3" homes) - none.

N. 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.

O. 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.

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 "R-3" 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. **Two (2) spaces** per dwelling unit including garage or carport area (cluster parking allowed)

35-310.05a continued

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’

(Ord. No. 100126, Ord. No. 101816)

35-310.06 "RM-6", "RM-5", & "RM-4" Mixed Residential

(a) Purpose

These districts provide areas for medium to high-density, single-family residential uses mixed with a variety of housing types where adequate public facilities and services exist with capacity to serve development. These districts are composed mainly of areas containing a mixture of single-family, two-family and multi-family dwellings and open space where similar residential development seems likely to occur. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools and churches; and to preserve the openness of the area by requiring certain minimum yard and area standards. Mixed Residential districts provide flexible minimum lot size and density requirements in order to allow for market and design flexibility while preserving the neighborhood character and permitting applicants to cluster development in order to preserve environmentally sensitive and agricultural land areas.

These districts implement the

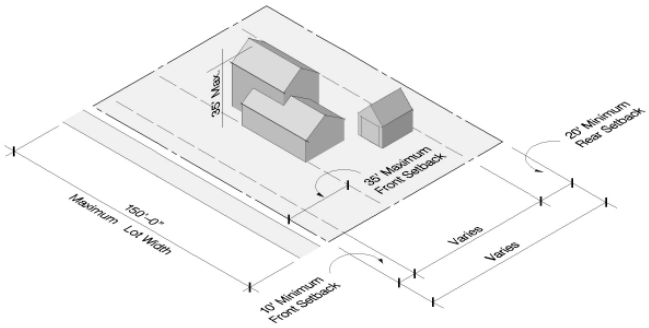

Figure 7 Summary of Lot and Building Standards, "RM-6" district

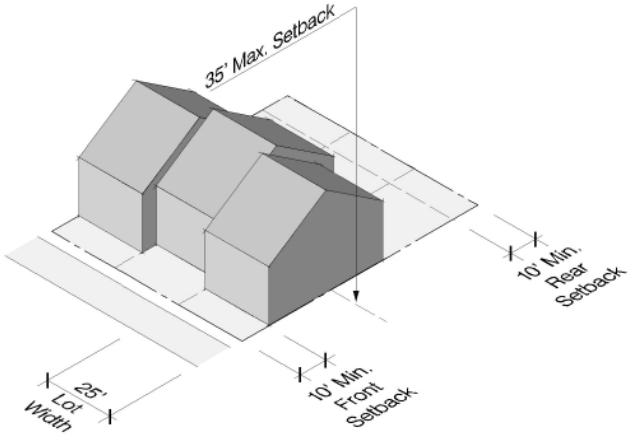

Figure 8 Summary of Lot and Building Standards, "RM-5" district

following policies of the Master Plan:

- *Urban Design, Policy 1a: based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*
- *Urban Design, Policy 1c: Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure*
- *Urban Design, Policy 1a: Define, preserve and promote neighborhood centers which include schools, libraries, stores, transit centers and community service facilities in accessible, pedestrian friendly environments*
- *Urban Design, Policy 1a: Define, preserve and promote neighborhood centers which include schools, libraries, stores, transit centers and community service facilities in accessible, pedestrian friendly environments*
- *Urban Design, Policy 5b: Encourage resident and employment growth within walking distance of the downtown area and neighborhood centers in order to support an inter-modal transportation system.*

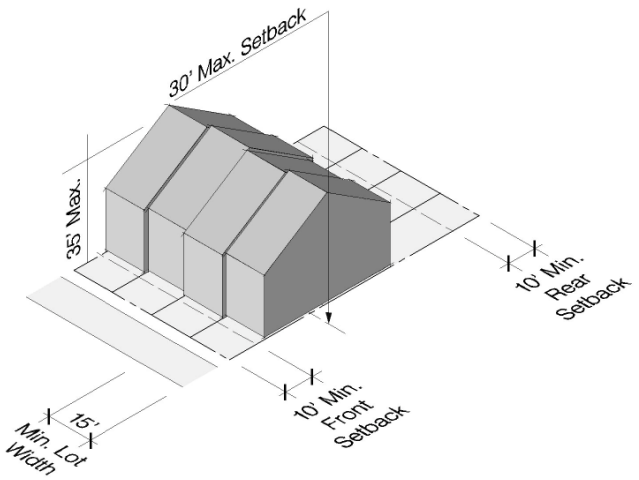

Figure 9 Summary of Lot and Building Standards, "RM-4" district

35-310.06 continued

(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).

(1) Where permitted in any residential mixed district (*e.g.*, “RM-6”, “RM-5”, or “RM-4”), the housing types listed below shall be subject only to the density restrictions in the zoning

district (Table 310-1, column (C)) and shall not be subject to the front, side and rear setback requirements of Table 310-1 (§ 35-310.01 of this code):

A. Single-family attached dwellings

B. Multi-family (subject to the use matrix, Table 311-1)

C. Duplexes

D. Triplexes

E. Quadruplexes

F. Rowhouses or townhouses

G. Zero-lot line houses

H. Cottages

I. Housing facilities for older persons

(2) The provisions of Table 310-1 shall only apply to single-family detached dwellings.

(Ord. No. 100126)

35-310.07 "MF-25", "MF-33", "MF-40", and "MF-50" Multi-Family

(a) "MF-25" Limited Density

Multi-family residence limited density "MF-25" district is the designation for a multi-family use with a maximum density of up to 25 units per acre, depending on unit size. An "MF-25" district designation may be applied to a use in a residential neighborhood that contains a mixture of single family and multi-family uses or in an area for which limited density multi-family use is desired. An "MF-25" district may be used as a transition between a single family and higher intensity uses.

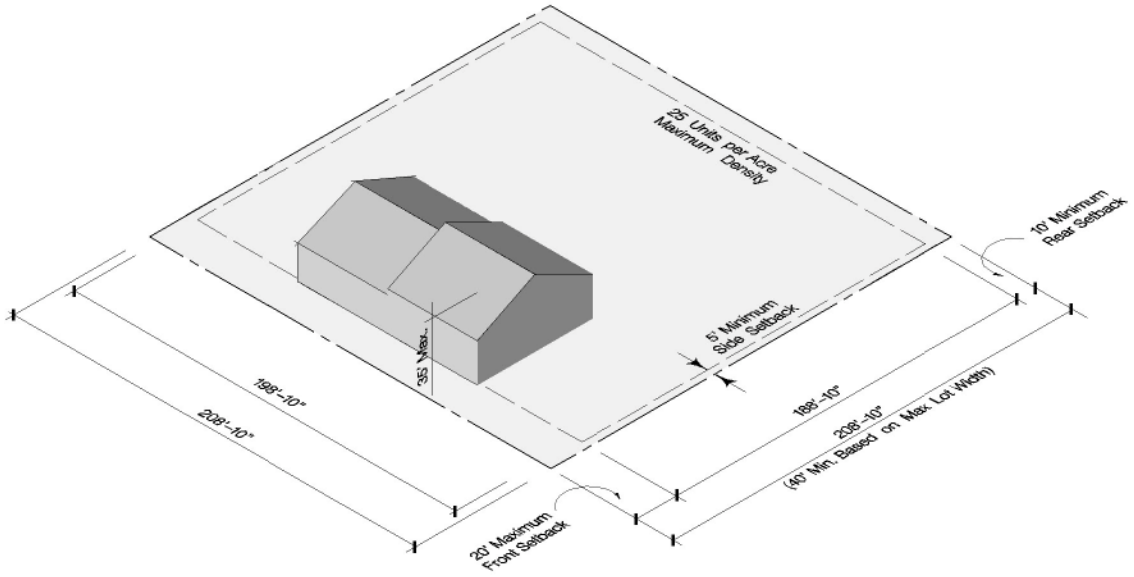

Figure 10 Summary of Lot and Building Standards, "MF-25" district

35-310.07 continued

(b) "MF-33" Multi-Family

Multi-family residence medium density "MF-33" district is the designation for multi-family use with a maximum density of up to 33 units per acre, depending on unit size. An "MF-33" district designation may be applied to a use in a multi-family residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multi-family use is desired.

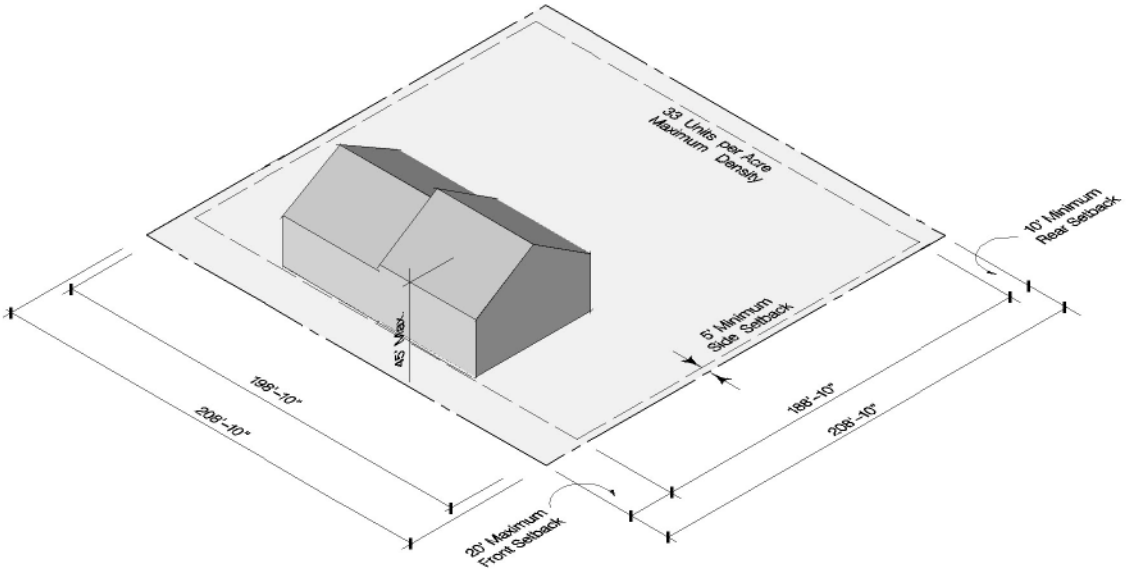

Figure 11 Summary of Lot and Building Standards, "MF-33" district

35-310.07 continued

(c) "MF-40" Multi-Family

Multi-family residence moderate - high density "MF-40" district is the designation for multi-family and group residential use with a maximum density of 40 units per acre, depending on unit size. An "MF-40" district designation may be applied to high density housing in a centrally located area near supporting transportation and commercial facilities, in an area adjacent to the central business district or a major institutional or employment center, or in an area for which moderate to high density multi-family use is desired.

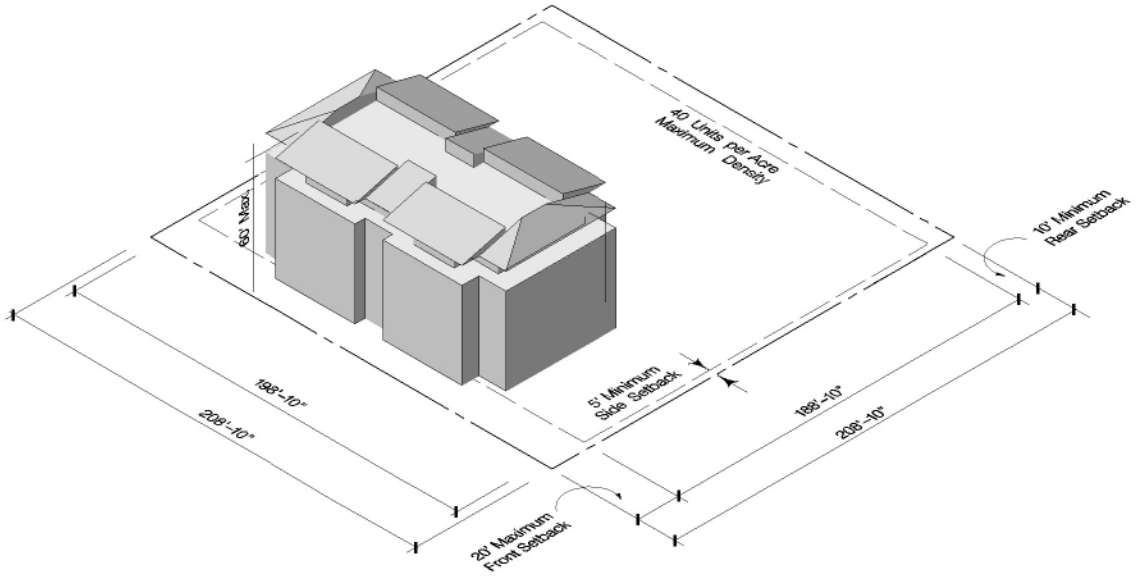

Figure 12 Summary of Lot and Building Standards, "MF-40" district

35-310.07 continued

(d) "MF-50" Multi-Family

(1) Purpose.

Multi-family residence high density "MF-50" district is the designation for multi-family and group residential use with a maximum density of up to 50 units per acre, depending on unit size. An "MF-50" district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which high density multi-family use is desired.

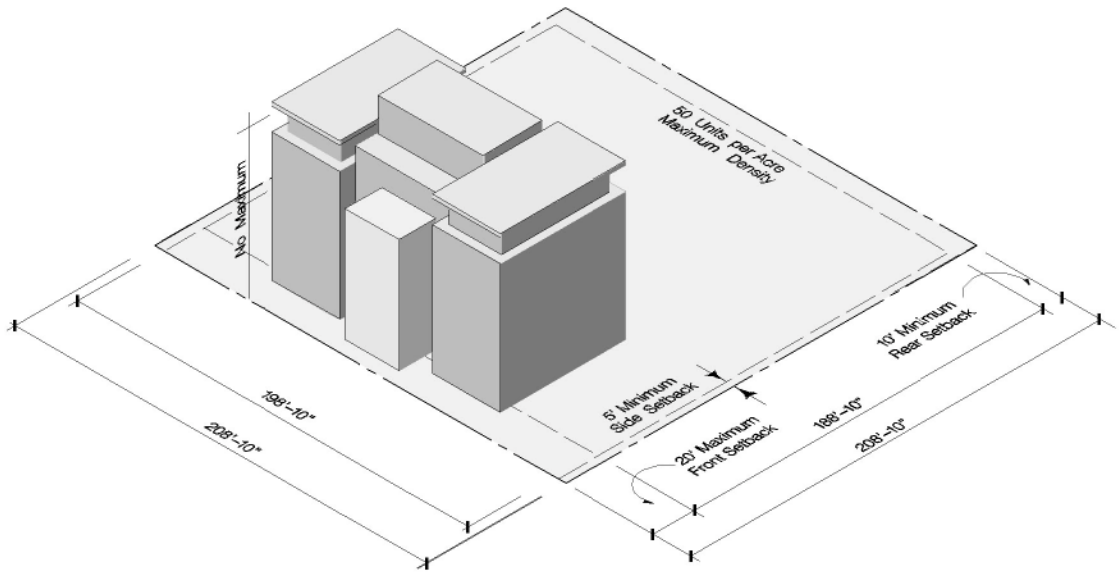

Figure 13 Summary of Lot and Building Standards, "MF-50" district

(2) General Provisions.

See § 35-517(d) relating to additional setback for building height increases.

35-310.08 "NC" Neighborhood Commercial

(a) Purpose

This district provides small areas for offices, professional services, service and shop front retail uses, all designed in scale with surrounding residential uses. The district regulations are designed to protect and encourage the transitional character of the districts by permitting a limited group of uses of a commercial nature and to protect the abutting and surrounding residential areas by requiring certain minimum yard and area standards to be met which are comparable to those called for in the residential districts. These districts are also intended to reduce energy consumption by permitting a limited group of commercial uses to be located in close proximity to residential areas. This district provides a balance of residential and non-residential land use opportunities reflecting the economic needs of residents and business owners. The "NC" district implements the following policies of the Master Plan:

- *Neighborhoods, Policy 2b: Amend the Unified Development Code to … create neighborhood commercial districts.*
- *Urban Design, Policy 1a: based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*
- *Urban Design, Policy 5b: Encourage resident and employment growth within walking distance of the downtown area and neighborhood centers in order to support an inter-modal transportation system.*

"NC" districts should be limited to:

- *the intersection of arterial/collector, collector/collector, collector/local street intersections, except where an existing commercial area has been established prior to the adoption of this chapter; or*
- *the interior of a block along an arterial or collector street which lies parallel to an existing commercial area.*

35-310.08 continued

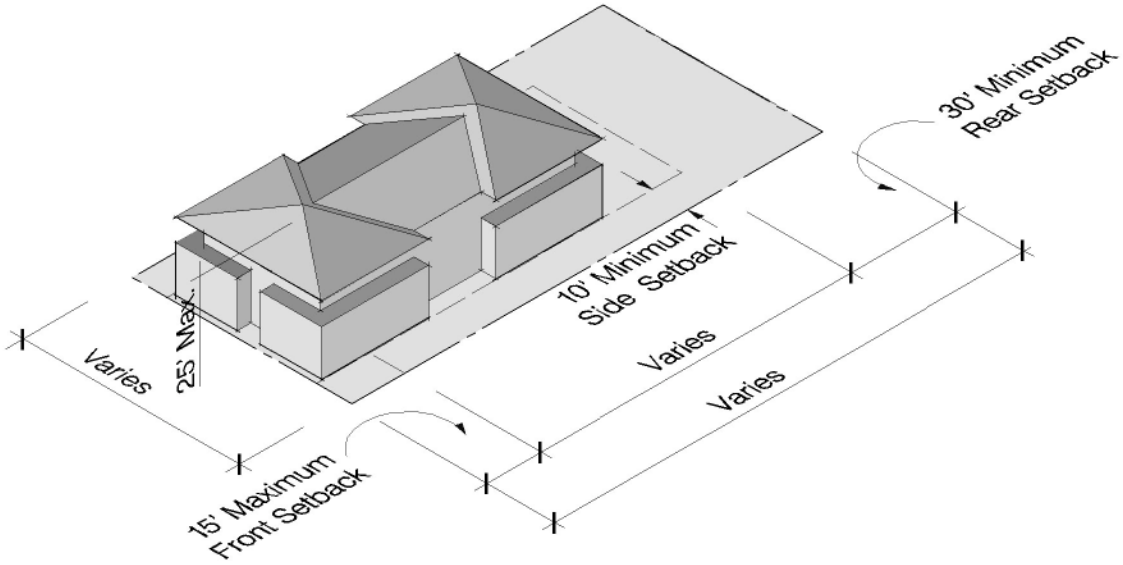

Figure 14 Summary of Lot and Building Standards, "NC" district

35-310.08 continued

(b) Lot and Building specifications

(1) In addition to the provisions set forth below, the following restrictions shall apply to the scale of buildings in each "NC" district. Individual buildings shall not exceed the following:

A. 3,000 square feet of gross floor area for a single-use building; or

B. a 3,000 square foot building footprint for a mixed-use building or a live-work unit, so long as the building does not exceed two (2) stories.

(2) Buildings shall conform to the design standards established in subsection (c)(2) of this section.

(c) General Provisions

(1) Generally.

A. Service entrances and service yards shall be located only in the rear or side yard of the business use. Service yards shall be screened from adjacent residential zones or uses by the installation and maintenance of a solid wall or fence having a height of not less than four (4) feet or greater than six (6) feet or vegetation having a minimum height of four (4) feet. Refuse enclosures shall be located at the rear of the site and screened with a wall and gate.

B. Animal clinics shall provide all care on an out-patient basis only. Overnight boarding of animals is not permitted.

C. Outside dining with consumption of alcoholic beverages incidental to food sales for restaurants are permitted subject to the following conditions: (1) no permanent structures shall be placed within the yard setbacks; (2) no live entertainment or amplification shall be permitted outside; and (3) a six-foot solid screen fence shall be erected and maintained adjacent to all residentially zoned property.

D. No external sound systems or live music shall be allowed in an "NC" district.

E. No outdoor storage or display of goods shall be permitted except for outdoor dining.

F. Signage in an "NC" district shall be limited to one sign per occupied space on the building. Signs in an "NC" district may be lighted but shall not utilize any moving parts or flashing lights. No inflatable advertisement signs of logos, products or figures may be utilized temporarily or permanently in a "NC" district".

G. Drive-Through uses shall not be permitted.

35-310.08 continued

(2) Design.

A. Parking areas for new buildings or structures shall be located in the rear of the principal use or principal building. This subsection shall not apply to buildings which exist at the time of a rezoning to "NC"."

B. Buildings shall contain ground level fenestration (transparent windows and openings at street level) shall conform to the commercial urban design standards, § 35-204(o)(6) of this code.

C. Buildings shall be articulated so that facades which face public streets and exceed fifty (50) feet in horizontal length shall include vertical piers or other vertical visual elements to break the plane of the facade. Such vertical piers or any other vertical visual elements shall be between fifteen (15) feet and forty (40) feet apart along the facade. This provision shall not apply to the conversion of a residential building to a commercial use.

35-310.09 "O-1" and "O-2" Office Districts

(a) Generally

(1) Purpose.

This district permits institutional, indoor retail, service and office uses requiring arterial or collector street access and business and commercial development along urban arterials. The purpose of the "O-1" and "O-2" districts are to accommodate well-designed development sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses.

The "O-1" and "O-2" districts implement the following policies of the Master Plan:

- *Promote San Antonio's health care industry as a regional and national leader through marketing of its excellent health care facilities and world class physicians (Economic Development, Policy 1c)*
- *Facilitate the development of export industries by encouraging the use of local and regional artistic, heritage and entertainment resources through international tours as a means to increase and diversify San Antonio export industries and economy (Economic Development, Policy 1c)*
- *Work towards establishing San Antonio as the dominant link between the United States and Mexico; and continue to support the expansion of free trade with other countries (Economic Development, Policy 1c)*
- *Facilitate the development and expansion of targeted industries including manufacturing and assembly; research; high technology; aviation and regional distribution (Economic Development, Policy 1d)*
- *Facilitate the development of business incubator facilities (Economic Development, Policy 3b)*
- Facilitate economic development activities that will strengthen neighborhoods and communities; provide educational, training and employment opportunities; provide necessary support services; and promote and encourage economic participation for all San Antonio citizens (Economic Development, Policy 3e)

35-310.09 continued

(b) "O-1" Office Districts

(1) Purpose.

The "O-1" district restricts uses primarily to offices and ancillary uses (for the purposes of this subsection, ancillary uses are those provided for the convenience of on-site tenants and which do not provide services or products to the general public) *which do not have peak weeknight or weekend usage in order to provide a buffer between residential areas and more intensive uses. "O-1" districts provide for the establishment of low to mid-rise office buildings. Uses within an "O-1" district are limited to uses incidental to the needs of the occupants of the building and are not designed to serve a regional market area.*

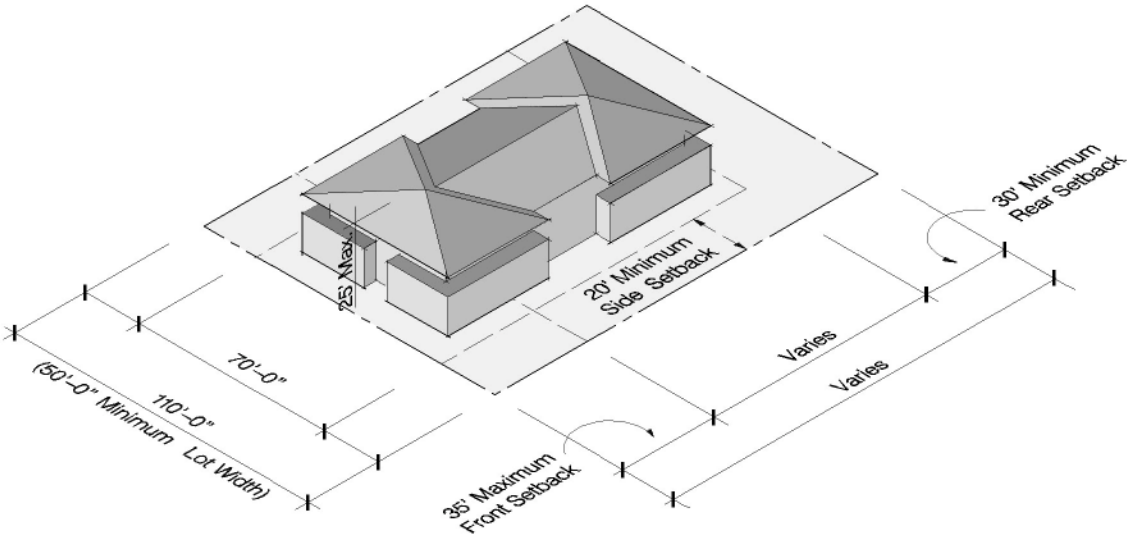

Figure 15 Summary of Lot and Building Standards, "O-1" district

(2) General Provisions.

A. **Scale.** Buildings in an "O-1" district shall be restricted to 10,000 square feet for individual buildings.

B. **Outdoor display/sales.** The outdoor display or sale of merchandise is prohibited in the "O-1" district.

35-310.09 continued

C. **Design**.

1. Parking shall be located to the rear of the principal use or principal building, provided that up to two (2) rows of parking may be located to the front, or to the side abutting a residential use, of the principal use or principal building.

1. Buildings shall contain ground level fenestration (transparent windows and openings at street level) consistent with the commercial urban design standards, § 35-204(o) of this code.
2. Buildings shall be articulated so that facades, which face public streets and exceed fifty (50) feet in horizontal length, shall include vertical piers or other vertical visual elements to break the plane of the facade. Such vertical piers or any other vertical visual elements shall be between fifteen (15) feet and forty (40) feet apart along the facade. This provision shall not apply to the conversion of a residential building to a commercial use.

(c) "O-2" Office Districts

(1) Purpose.

The "O-2" district provides a wider variety of office and accessory *retail uses* that are primarily designed to serve on-site tenants but may provide services or products to the general public as a secondary market in support of the building's primary office tenants *in order to promote mixed uses and the internal capture of vehicular trips, while facilitating economic development. "O-2" districts provide for the establishment of low to high-rise office buildings. Uses within an "O-2"*

(2) General Provisions

A. **Building Height**. Unlimited except as specified in Table 310-1.

B. **Buffer**. Where a "O-2" district or use abuts an area either developed with residential uses or zoned as a Residential Zoning District, a minimum buffer of 65 feet zoned "NC", "C-1" or "O-1" shall be provided. Existing areas zoned "NC", "C-1" or "O-1" may be considered in computing the width of this buffer.

C. **Outdoor display/sales.** The outdoor display or sale of merchandise is prohibited in the "O-2" district.

district may serve a regional market area.

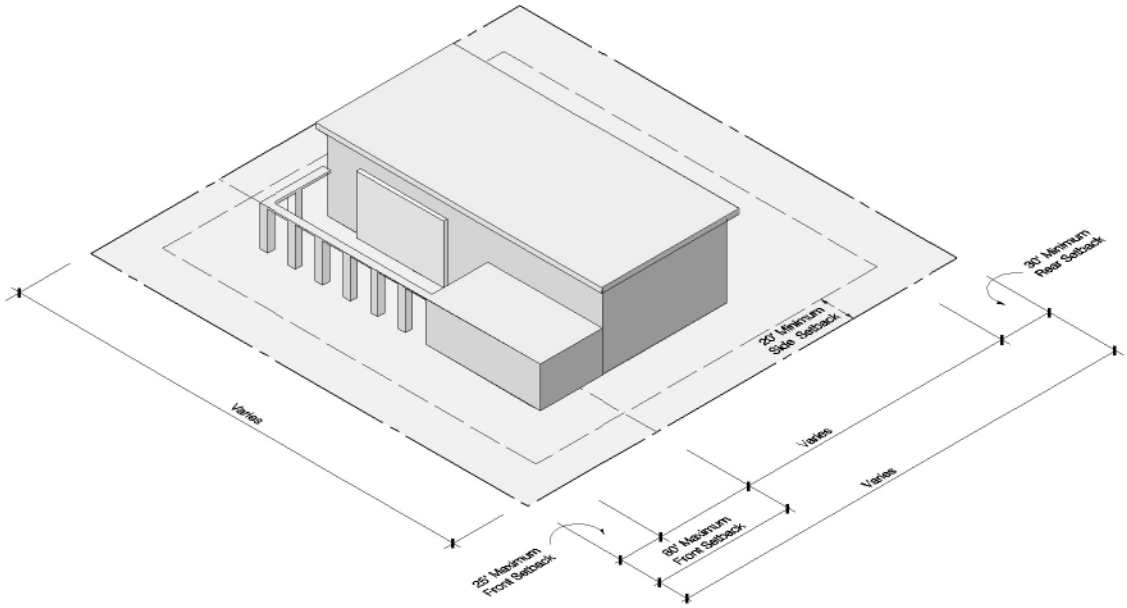

Figure 16 Summary of Lot and Building Standards, "O-2" district

(Ord. No. 95573 § 2, Amendment "D") (Ord. No. 96564 § 1)

35-310.10 "C-1", "C-2", and "C-3" Commercial Districts

(a) Generally

(1) Purpose.

These districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. These districts promote a broad range of commercial operations and services necessary for large regions of the city, providing community balance.

The ""C-1"," "C-2," and "C-3 districts implement the following policies of the Master Plan:

- *Ensure that proposed land uses and development are compatible in their use, character and size to the site and the surrounding areas (Growth Management, Policy 1b).*
- *Support and encourage efforts to diversify the economic base of San Antonio (Economic Development, Policy 1e).*

- *Define, preserve and promote neighborhood centers which include schools, libraries, stores, transit centers and community service facilities in accessible, pedestrian friendly environments (Urban Design, Policy 1a).*

- *Develop zoning regulations that would allow mixed-use development (i.e. residential and commercial) to be placed in the same building (Urban Design, Policy 1e).*

(2) Lot and Building Specifications.

See subsections (b)(2), (c)(2), (d)(2) and (e)(2), below. In addition to the provisions set forth below, the following restrictions shall apply to the scale of buildings in each commercial district. Individual buildings shall not exceed the maximum square footage established in column (B) of Table 310.18-1. Buildings on lots adjoining on the same side of a block face shall not exceed the maximum square footage established in column (C) of Table 310.10-1. Buildings shall conform to the design standards established in column (D) of Table 310.10-1.

Table 310.10-1

(A) District	(B) Maximum Building Size (sf) (Individual)	(C) Maximum Building Size (sf) (Aggregate)	(E) Design Standards
"C-1"	5,000	15,000	RP, F
C-2	N/A	N/A	N
C-3	N/A	N/A	N

Key:

"Aggregate" refers to the total square footage located within a contiguous district.
"RP" means that parking shall be located in the rear of the principal use or principal building.
"F" means that buildings shall contain ground level fenestration (transparent windows and openings at street level) which conform to the commercial urban design standards, § 35-203(o)(6) of this code.
"N" specific standards are not required, but may be imposed as a condition of granting a specific use permit consistent with the criteria established in § 35-423 of this code.

35-310.10 continued

(b) "C-1" Commercial

(1) Purpose.

"C-1" districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an "NC" district. "C-1" uses are considered appropriate buffers between residential uses and "C-2" and "C-3" districts and uses.

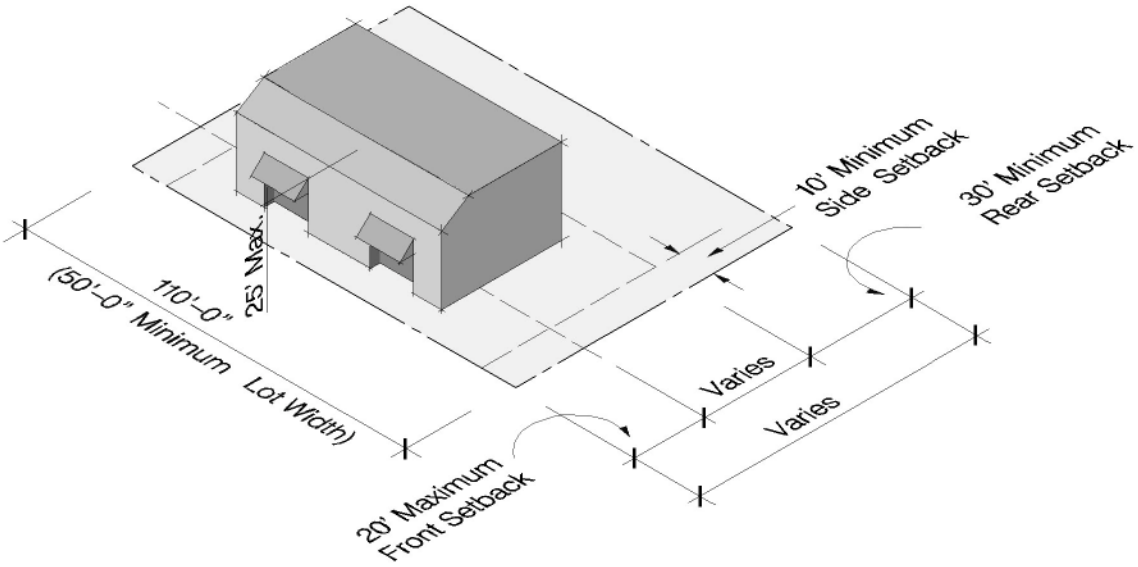

Figure 17 Summary of Lot and Building Standards, "C-1" district

(2) General Provisions.

A. **Scale.** See subsection (a)(2) of this Section.

B. **Location of uses**. Unless permitted as an Accessory use, uses permitted within the commercial districts shall occur within completely enclosed structures.

C. **Noise.** No external sound systems or live music shall be allowed.

D. **Outdoor storage or Display.** No outdoor storage or display of goods shall be permitted except for outdoor dining.

35-310.10 continued

(c) "C-2" Commercial

(1) Purpose.

"C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic.

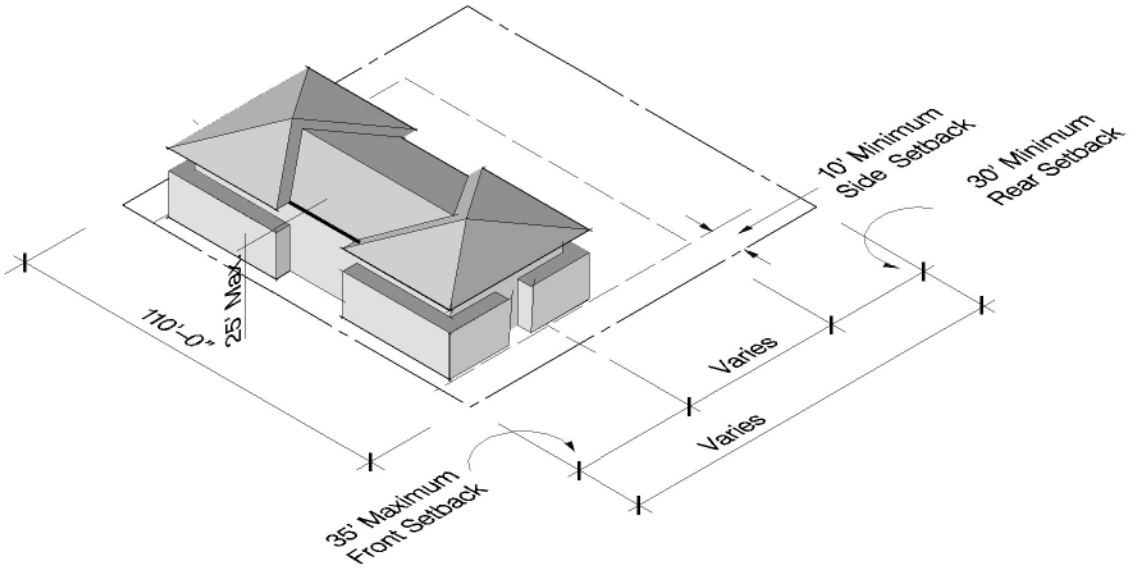

Figure 18 Summary of Lot and Building Standards, "C-2" district

(2) General Provisions.

A. **Scale.** See subsection (a)(2) of this section.

B. **Outdoor Storage or Display.** No outdoor storage or display of goods shall be permitted except for outdoor dining.

(3) Front Setback.

A. The maximum front setback in a "C-2P" district is 35 feet.

B. The district regulations within the "C-2" district are the same as in the "C-2P" districts except that there is no required front setback maximum.

35-310.10 continued

(d) "C-3" Commercial

(1) Purpose.

"C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC", "C-1", C-2 or C-3 zoning districts. "C-3" uses are typically characterized as community and regional shopping centers, power centers and/or assembly of similar uses into a single complex under either single ownership or the structure of a property owners or condominium styled organization. "C-3" districts should incorporate shared internal circulation and limited curb cuts to arterial streets.

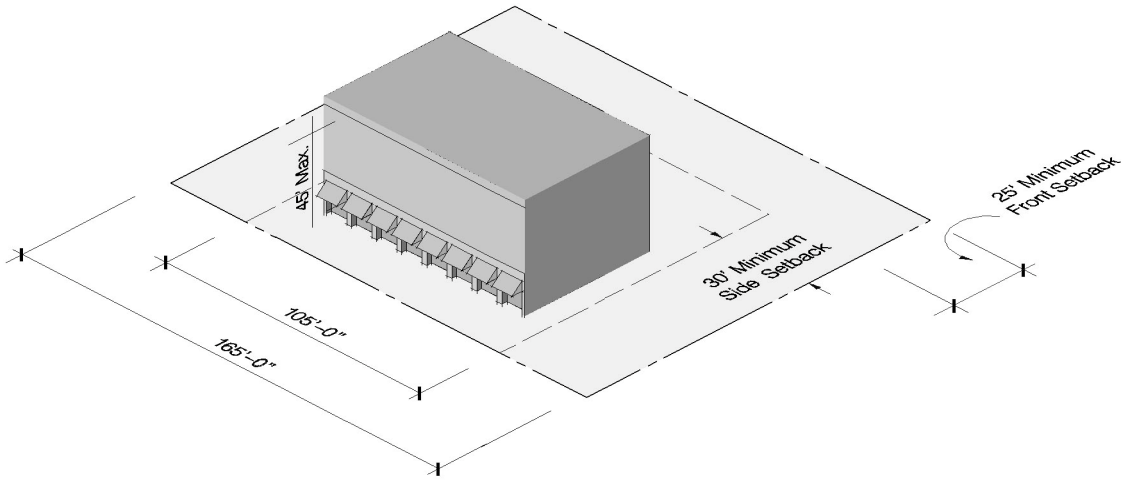

Figure 19 Summary of Lot and Building Standards, "C-3" district

(2) General Provisions.

No outdoor storage is permitted. Outdoor operations and display shall be permitted in areas which are screened as provided in § 35-510(g) of this Code.

(e) Alcohol Restricted Districts

(1) The district regulations within the "C-2NA" district are the same as in the "C-2" districts, except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

(2) District regulations within the "C-3R" district are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

35-310.10 continued

(3) District regulations within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

(Ord. No. 95490 § 1)

35-310.11 "D" Downtown

This district provides concentrated downtown retail, service, office and mixed uses in the existing central business districts. Major/regional shopping centers are permitted, but urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Large outdoor sales areas are not permitted. Pedestrian circulation is required as are common parking areas. The "D" district promotes the long-term vitality of the central business district. The "D" district implements the following policies of the Master Plan:

- *Neighborhoods, Policy 2b: Amend the Unified Development Code to … create mixed use districts.*
- *Neighborhoods, Goal 5: Encourage development of the downtown area as a complete neighborhood to enhance its image to both visitors and residents.*
- *Neighborhoods, Policy 5a: Encourage new development in the downtown area to create a broad range of housing stock including single occupancy hotels, low, moderate, and upper income housing, and housing for elderly persons.*
- *Neighborhoods, Policy 5a: Give priority to existing buildings, particularly vacant upper floors in existing buildings for meeting housing needs.*
- *Neighborhoods, Policy 5a: Adapt zoning, construction and fire codes that facilitate housing in existing buildings without compromising the basic health and safety of building occupants.*
- *Neighborhoods, Policy 5a: Facilitate the development of new infill multifamily housing in single use or mixed-use developments on vacant tracts in the downtown.*
- *Neighborhoods, Policy 5g: Encourage development of vacant parcels and parcels with underutilized buildings [in downtown] as office space.*
- *Urban Design, Policy 5b: Encourage resident and employment growth within walking distance of the downtown area and neighborhood centers in order to support an inter-modal transportation system.*

The "D" Downtown district encompasses the city's Central Business district, which is the area originally settled and the locus of economic activity in the region. This shall include the area described as follows:

Start at the intersection of Salado and El Paso Streets; north on Salado to its intersection with Frio Street; thence northeast in a straight line to the intersection

35-310.11 continued

of IH-10 and Cadwalader; south on IH-10 to IH-35; northeast on IH-35 to a perpendicular point connecting with Cherry Street; south on Cherry Street to Durango Boulevard; west on Durango to the San Antonio River; south along the San Antonio River to Arsenal Street; west on Arsenal to El Paso Street; and then west on El Paso to Salado.

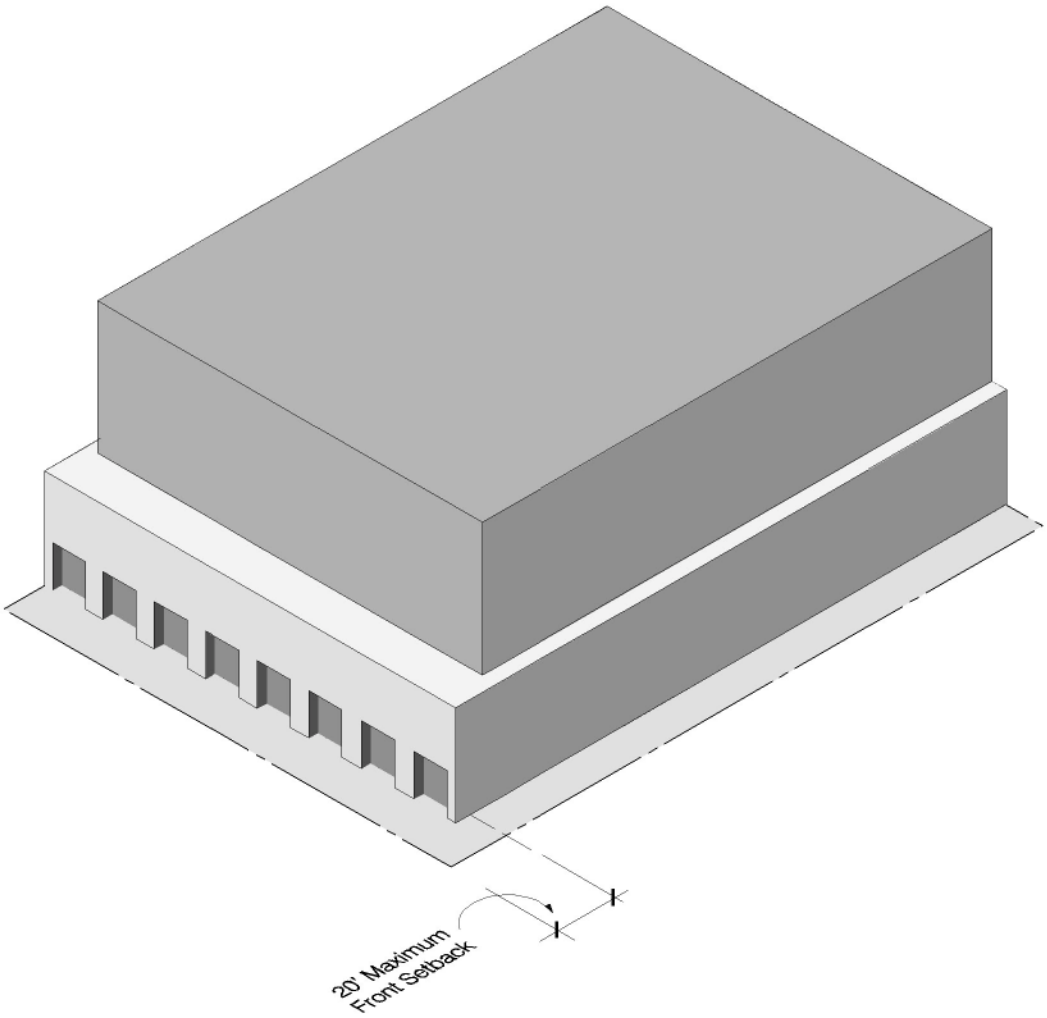

Figure 20 Summary of Lot and Building Standards, "D" Downtown district

35-310.12 "L" Light Industrial

(a) Purpose

This district provides for a mix of light manufacturing uses, office park, flex-space, and limited retail and service uses that services the industrial uses with proper screening and buffering, all compatible with adjoining uses.

The "L" district implements the following policies of the Master Plan:

- *Ensure that proposed land uses and development are compatible in their use, character and size to the site and the surrounding areas (Growth Management, Policy 1b).*
- *Support and encourage efforts to diversify the economic base of San Antonio (Economic Development, Policy 1e).*

The zone and its uses shall should continue the orderly development and concentration of industrial and manufacturing uses. The land area should be sufficient to maintain compatibility with surrounding uses.

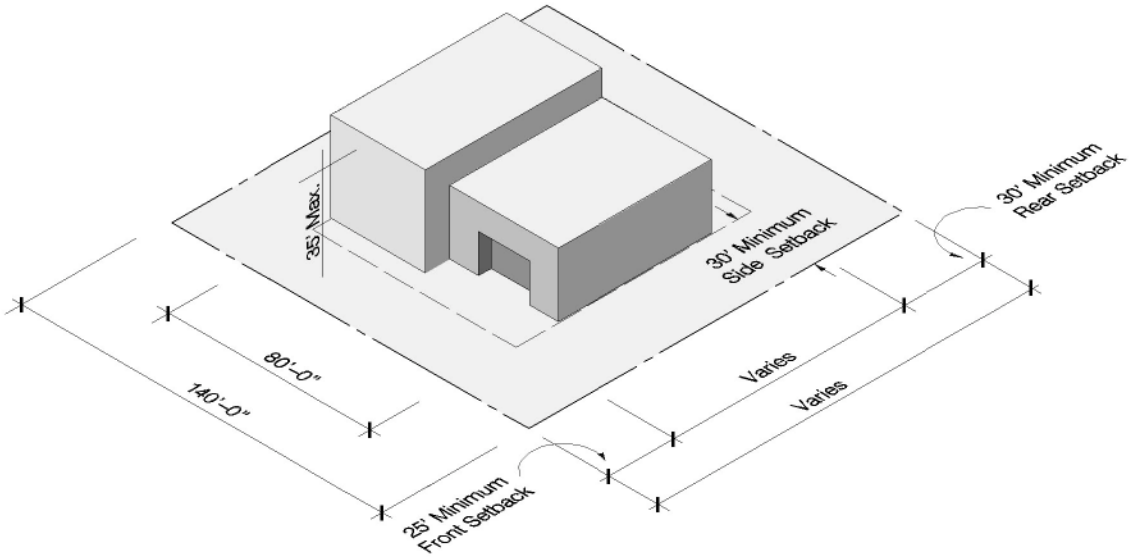

Figure 21 Summary of Lot and Building Standards, "L" district

35-310.12 continued

(b) General Provisions

Uses in this district shall be in full conformance with the standards of the following and other applicable sections of this chapter:

(1) Principal vehicle access to and from the site shall be from a primary driveway.

(2) All loading shall be from the rear or side of the building, but not facing an arterial street. These loading standards apply to new structures only, and existing buildings with loading docks facing the street may continue to be used, restored or enlarged without being subject to the side or rear loading requirement of this section. Loading docks may be located in the rear yard, or a side yard facing a street that is internal to an “L”, “I-1” or “I-2” zoning district.

35-310.13 "I-1" General Industrial

(a) Purpose

This district accommodates areas of heavy and concentrated fabrication, manufacturing and industrial uses which are suitable based upon adjacent land uses, access to transportation and the availability of public services and facilities. It is the intent of this district to provide an environment for industries that is unencumbered by nearby residential or commercial development. I-1 must be located in areas where conflicts with other uses can be minimized to promote orderly transitions and buffers between uses. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines these districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required. The I-1 district implements the following policies of the Master Plan:

- *Ensure that proposed land uses and development are compatible in their use, character and size to the site and the surrounding areas (Growth Management, Policy 1b).*
- *Support and encourage efforts to diversify the economic base of San Antonio (Economic Development, Policy 1e).*
- *Natural Resources, Policy 1g: Promote the safe storage of hazardous materials in locations that do not endanger neighborhoods.*
- *Natural Resources, Policy 1g: Identify and establish appropriate locations and standards for the storage of hazardous and toxic materials.*
- *Natural Resources, Policy 1g: Consider during the zoning process and when issuing building permits and certificates of occupancy, the proximity of residential neighborhoods to the storage of hazardous materials.*

35-310.13 continued

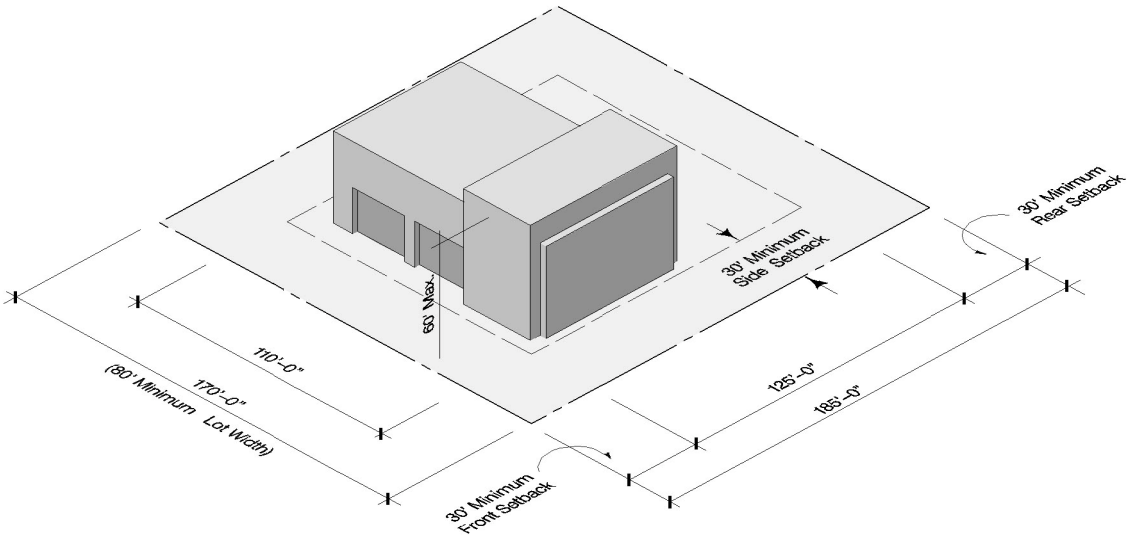

Figure 22 Summary of Lot and Building Standards, "I-1" district

(b) General Provisions

A. All driveways, parking areas, and pedestrian ways shall be surfaced with an all weather surface. Curb and gutter shall be provided where required by the Street Design Standards.

B. All delivery and freight handling areas shall be screened from the boundary of any property not zoned L, I-1 or I-2

C. Sites shall not be accessed from residential streets.

35-310.14 "I-2" Heavy Industrial

(a) Purpose

This district accommodates uses that are highly hazardous, environmentally severe in character and/or generate has very high volumes of truck traffic. The "I-2" district is established in order to provide sites for activities which involve major transportation terminals, and manufacturing facilities that have a greater impact on the surrounding area than industries found in the "L" or" I-1" district. These districts are located for convenient access for existing and future arterial thoroughfares and railway lines these districts are in many instances separated from residential areas by business or light industry areas or by natural barriers; where they are adjacent to residential areas some type of artificial separation may be required. The "I-2" district implements the following policies of the Master Plan:

35-310.14 continued

- *Ensure that proposed land uses and development are compatible in their use, character and size to the site and the surrounding areas (Growth Management, Policy 1b).*

- *Support and encourage efforts to diversify the economic base of San Antonio (Economic Development, Policy 1e).*

- *Natural Resources, Policy 1g: Promote the safe storage of hazardous materials in locations that do not endanger neighborhoods.*

- *Natural Resources, Policy 1g: Identify and establish appropriate locations and standards for the storage of hazardous and toxic materials.*

- *Natural Resources, Policy 1g: Consider during the zoning process and when issuing building permits and certificates of occupancy, the proximity of residential neighborhoods to the storage of hazardous materials.*

The zone and its uses should continue the orderly development and concentration of industrial and manufacturing uses. The land area should be sufficient to maintain compatibility with surrounding uses.

35-310.14 continued

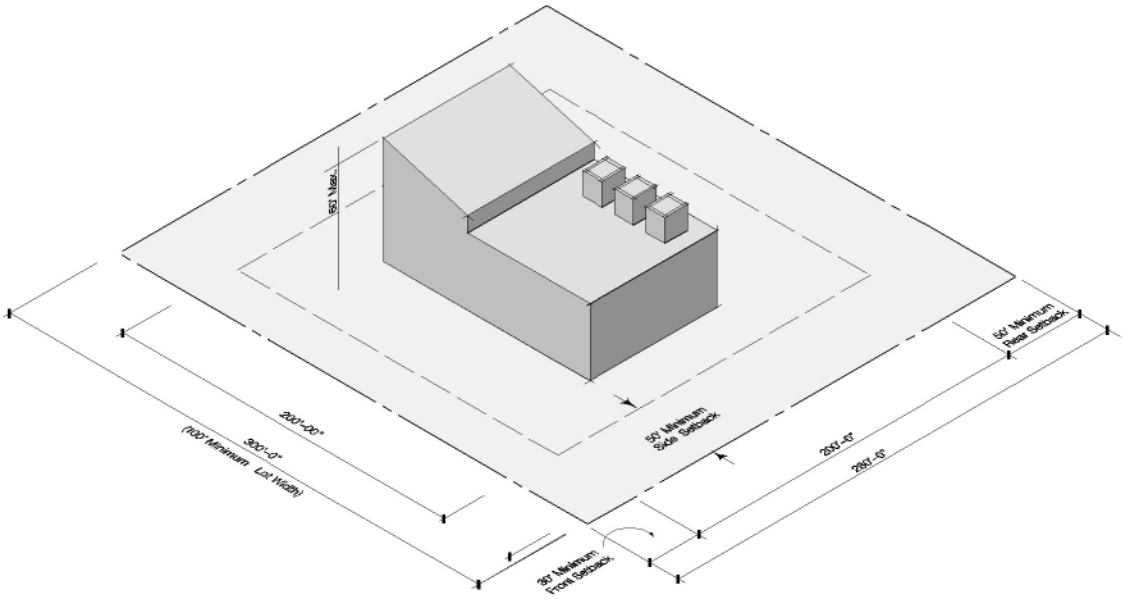

Figure 23 Summary of Lot and Building Standards, "I-2" district

(b) General Provisions

(1) Storage yards shall be completely screened from the boundary of any property not zoned “L”, “I-1” or “I-2”.

(2) All driveways, parking areas, and pedestrian ways shall be surfaced with an all weather surface.

(3) Sites shall not be accessed from residential streets.

35-310.15 "UD" Urban Development District

(a) "UD" Generally

Purpose

The Urban Development "UD" district is established to encourage the development of a land use pattern that encourages compact neighborhoods and centralized commercial areas that promote a sense of community and are pedestrian and transit friendly. The intent is to minimize traffic congestion and environmental degradation while improving the quality of life and promoting the health, safety and welfare of neighborhood communities.

The "UD" district implements the following Master Plan Policies:

- *Growth Management Policy 1b: Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.*
- *Urban Design Policy 1a: based on a comprehensive land use plan, encourage more intense development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*
- *Urban Design Policy 1c: Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and efficient provision of infrastructure.*
- *Urban Design Policy 1e: Apply strategies, which will result in all existing and new streetscapes being accessible, safe, and stimulating.*
- *Urban Design Policy 3b: Plan and develop a citywide system of linear parks and hike and bike trails which incorporate drainage ways and open spaces which link parks, schools, institution, and neighborhoods.*

- *Urban Design Policy 4c: Create streetscapes, which emphasize both pedestrians and vehicles.*

- *Urban Design Policy 5i: Develop a safe and convenient pedestrian travel network with sidewalks, walkways, and trails integrated into the transportation system and neighborhood centers.*

The "UD" district standards are based on the following principles:

- *Well planned neighborhoods have identifiable centers and edges.*

- *Shopping, recreation and basic neighborhood services are accessible by non-vehicular means in the neighborhoods.*

- *Each neighborhood shall provide a mixed-use neighborhood center within ½ mile of the majority of the dwelling units.*

- *Land use and housing types are mixed and in close proximity to one another, utilizing urban design to facilitate the compatibility of different uses.*

- *Street, block, and building placement patterns encourage pedestrian activity.*

- *Streets are interconnected, forming a network.*

- *Civic spaces and buildings are located on prominent sites.*

- *Parks are evenly distributed throughout neighborhoods – within ¼ mile from the majority of dwelling units.*

- *Schools are located within a 10-minute walk or ½ mile from a majority of the dwelling units in a neighborhood.*

- *Residential development shall be connected to adjacent developments and thoroughfares in as many locations as possible.*

- *A network of interconnecting tree-lined streets should be developed to create several alternative routes through and between neighborhoods and commercial/employment districts.*

- *On-street parking and structured parking is encouraged in commercial areas.*

- *Lakes, ponds, creeks, wetlands and other natural features should be retained in the design and development process.*

- *Significant natural amenities should be fronted by streets or paths rather than privatized in rear yards for at least 30% of their length or circumference.*

35-310.15 continued

- *Street vistas should terminate with views of a primary building or a natural feature.*
- *A continuous pedestrian system should be provided throughout any development.*

(b) "UD" Uses & Conditions

The Urban Development district "UD" is a mixed-use district that allows for development under the dimensional standards indicated in section 35-310, Table 310-1 unless stated otherwise in this section.

All permitted and specifically permitted uses for "UD" districts are enumerated in section 35-310, Table 311-1a, residential use matrix and Table 311-2a, non-residential use matrix.

(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. Multi-family (more than 4, less than 15 dwelling units per building)

3. No block face shall have more than 55% duplexes, triplexes, quadruplexes, and/or multi-family units.

35-310.15 continued

4. See illustration of housing types in Figure 310.15-1.

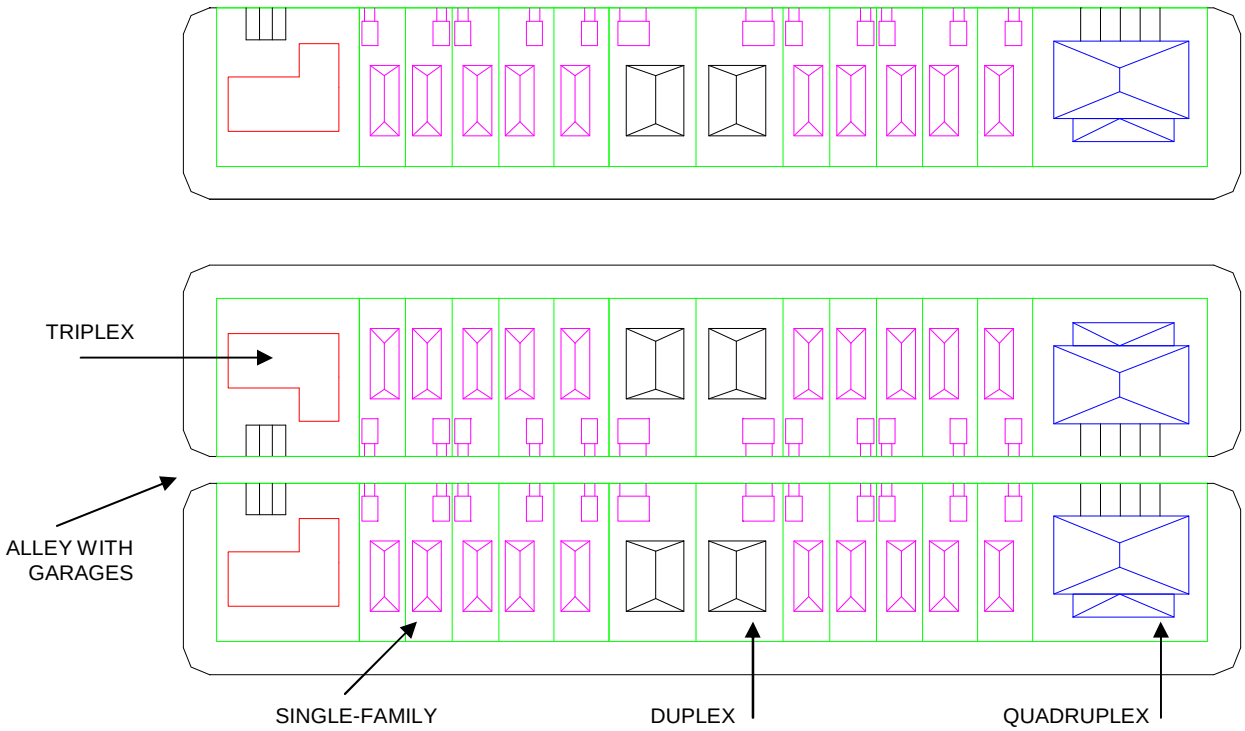

Figure 310.15-1

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.

35-310.15 continued

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 an average lot depth no greater than 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. 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 collector or arterial street shall be oriented toward the street.

(3) Commercial Uses.

A. Individual commercial structures with uses permitted in Table 311-2a, non-residential use matrix, with a building footprint of 90,000 square feet or greater shall be 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 commercial structures with uses permitted in Table 311-2a, non-residential use matrix, with a building footprint of less than 90,000 square feet shall be located fronting on and within 850 feet of the intersection of the centerlines 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.

35-310.15 continued

C. Commercial structures with uses permitted in Table 311-2a with an aggregate building footprint of 6,000 square feet or less are allowed on any property located fronting on and within 200 feet of the intersection of the centerlines of any two collector streets or avenues as defined in Table 506-1 and Table 506-2. 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.

(c) "UD" Blocks, Lots, Streets, Sidewalks, Parking & Loading Design

All blocks, lots, streets and sidewalks shall be designed in accordance with chapter 35, Article 5, of the UDC with the following exceptions: (Where the provisions of this section conflict with Article 5 the provisions of this section shall apply.)

(1) Blocks.

All blocks shall have an average length not exceeding 600 feet and no single block shall exceed a maximum length of (800) eight hundred feet.

(2) Lots.

A. All lots shall comply with the dimension provisions of Table 310-1.

B. When a plat is not required by chapter 212 of the TEXAS LOCAL GOVERNMENT CODE the property owner may elect to develop residential units under the lot and setback standards referenced in Table 310.15-1.

Table 310.15-1
Dimension Alternative for Pre-Existing Lots

4,000 “R-4”	10	5	20	35 ft / 2½ stories
5,000 “R-5”	10	5	20	35 ft / 2½ stories
6,000 “R-6”	10	5	20	35 ft / 2½ stories
20,000 “R-20”	10	5	30	35 ft / 2½ stories
43,560 “RE”	15	5	30	35 ft / 2½ stories
10 acres “RP”	15	5	-	35 ft / 2½ stories

(3) Streets.

35-310.15 continued

A. All streets and alleys shall be built to the traditional design classification categories described in Section 35-506(c) (Table 506-2) and standards in section 35-506(d) (Table 506-4).

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

B. No gated streets or developments are allowed.

C. All streets shall have an internal connectivity ratio of 1.7. The formula for calculating the ratio is found in section 35-506(e).

Reference: Sec. 35-506(e) Transportation and Street Design: Connectivity
Current standards require a connectivity of 1.2

D. Access points for commercial uses may be no greater than 30 feet in width. Shared driveway approaches between adjacent properties is permitted.

Reference: Sec. 35-506(r) Transportation and Street Design: Access and Driveways

E. Residential driveway aprons shall be no wider than 15 feet and driveways shall be no wider than 12 feet until they are five feet past the adjacent front building face.

(4) Sidewalks and Pedestrian Circulation for Commercial Uses.

A. At least one direct pedestrian route shall be provided within the parking lot from the building to the furthest edge of the parking lot. The pedestrian route shall be separated from the parking stalls and drive lanes with a combination of landscaping and edging to protect pedestrians from the vehicular traffic flow in the parking lot. Where the pedestrian route crosses drive lanes the pedestrian path shall be clearly striped to warn vehicle drivers of the pedestrian crossing.

B. Direct access from the public sidewalk shall be provided into buildings, unless the building fronts a plaza, green, or courtyard.

(5) Parking & Loading.

A. Minimum parking space provisions shall not apply.

(Reference: Sec. 35-526 Parking and Loading Standards)

B. No more than 50% of the off-street parking area shall be located within the street yard of the front entrance of the building.

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C. Surface parking lots shall be designed to screen parked cars from the public sidewalk and the screening shall be continuous on all public frontages using one or a combination of the following:

1. Building face,

2. Low wall (24" to 48"), canopy structure, or fence (no wooden fences) constructed of material similar to the building,

3. Street furniture, or

4 Landscaping.

D. Parking structures shall provide clearly defined pedestrian access and be screened by one or more of the following:

1. Placement of the parking structure on the interior of the site,

2. Liner buildings that front the street(s),

3. Ground floor area, or

4. A minimum of a Type B buffer yard (see Table 510-2).

Reference: Section 35-510 Landscaping and Section 35-523 Tree Preservation (buffer requirements)
Reference: Section 35-511 Landscaping and Section 35-523 Tree Preservation (screening and shading)

E. On-street parking shall be allowed within commercial use areas.

F. Service/loading areas shall have an articulated screening wall to shield trucking activities from pedestrian areas.

G. Loading areas and service driveways shall adjoin alleys or parking areas to the rear or the principal building and shall be hidden from streets, parks, squares, and pedestrian spaces.

H. Bicycle parking shall be provided within 50 feet of the primary building entrance and at least every 150 feet along the length of the facade in developments with multiple tenants that have separate entrances. Bicycle parking shall be provided through bicycle storage racks. Bicycle parking shall not be located behind any wall, shrubbery, or other visual obstruction.

35-310.15 continued

Reference: Sec. 35-526 Parking and Loading Standards
Section (k) contains reference to current bicycle parking standards

(d) "UD" Parks & Open Space

(1) Dedication.

Park dedication will be at the ratio of (1) one acre per seventy (70) dwelling units. Entities to which the park may be dedicated shall follow the provisions in section 35-503 and shall be subject to review and approval by the director of parks and eecreation. A fee in lieu of land dedication may be allowed only for developments of less than 70 dwelling units.

Reference: Sec. 35-503 Parks and Open Space Standards

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

(1) Facades.

Windows and clearly marked public entries that allow for visibility into the commercial building 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.

(2) Articulation.

Buildings shall be articulated so facades which face public streets and exceed 40 feet in horizontal length shall include design elements such as:

A. Texture

B. Canopies

C. Projections or indentations

D. Vertical expression of structural bays

E. Roof design

(3) Building Orientation.

35-310.15 continued

The primary façade of all buildings within 35 feet of the right-of-way shall front a public street, unless they front a plaza, green or a courtyard.

(4) Outside Storage.

A. Mechanical Equipment.

Mechanical equipment, electrical meter and service components, and similar utility devices, whether ground level, wall mounted, or roof mounted, shall be screened from view from streets, parks, squares, and pedestrian spaces. Exterior screening materials shall be the same as the predominant exterior materials as the principal building.

B. Trash receptacles.

Trash receptacles, garbage areas, and storage areas shall be hidden from streets, parks, squares, and pedestrian spaces through strategic placement and shall be screened in accordance with §35-511(c).

(5) Lighting.

A. The height of a lamp shall not exceed fifteen (15) feet for all pedestrian walkways.

B. Flashing lights, rotating lights, and chaser lights are prohibited.

C. Lighting shall be placed and shielded so as to direct the light on the site, away from adjoining properties, and to not cause glare for motorists.

D. Outdoor lighting fixtures shall incorporate cutoff features to reduce glare and limit uplight. The mounting height of all outdoor lighting, with the exception of outdoor sports field lighting and outdoor performance area lighting, shall not exceed twenty (20) feet measured from grade at the base.

E. All outdoor sports field and outdoor performance area lighting fixtures shall be equipped with a glare control package (louvers, shields, or similar devices.) The fixtures must be aimed so that their beams are directed and fall within the primary playing or performance area.

F. Building illumination and architectural lighting shall be indirect in character, with no light source visible. Architectural lighting, where used, shall articulate and animate the particular building design, as well as provide the required functional lighting for safety of pedestrian movement. Wall pack fixtures shall be cutoff fixtures.

35-310.15 continued

Reference: Lighting requirements are contained in Sec. 35-526 Parking and Loading Standards.
Sec. 35-526(e)(4) states "Facilities shall be arranged so that the source of light is concealed from public view and from adjacent residential properties and does not interfere with traffic."

(f) Signs

The provisions of Chapter 28 of the city code pertaining to signs and billboards shall apply, provided that in the event of a conflict between the provisions of this section and section 28, the provisions of this section shall apply.

Reference: chapter 28 of the city Code contains regulations regarding signs and billboards.

(1) Signs shall only advertise a service, product or business on the site on which the sign is located.

(2) Signs shall be designed to be compatible in style and character with the primary structure on the site.

(3) No florescent colored, reflective surfaces, blinking lights and/or rotating or moving parts shall be permitted on a sign.

(4) Wall signs. The maximum allowable sign area, as a percentage of the area of each building elevation, for attached signs along all street frontage is contained in Table 310.15-2, provided that each occupancy that has a separate and distinct public entrance located on an arterial Type B street shall be allowed a minimum of fifty (50) square feet of sign message area, each occupancy that has a separate and distinct public entrance located on an arterial Type A street shall be allowed a minimum of seventy five (75) square feet of sign message area, and each occupancy that has a separate and distinct public entrance located on an expressway shall be allowed a minimum of one hundred (100) square feet of sign message area.

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Table 310.15-2
Maximum Attached Sign Message Area

Street Type		**Maximum Attached Sign Message Area**
Arterial Type B		15%
Arterial Type A		
	Cabinet sign	10%
	Channel letters raised or incised	15%
	Painted or flat sign	15%
Expressway		
	Cabinet sign	15%
	Channel letters raised or incised	20%
	Painted or flat sign	15%

(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.

(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.

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(8) Temporary signs.

Banners, pennants, streamers, and balloons one (1) foot in diameter may be used as temporary advertising for a maximum duration of thirty (30) days each six (6) months. Permits in accordance with chapter 28 are required for temporary signs more than fifteen (15) square feet in size.

(g) "UD" Buffers

(1) Buffer requirements for "UD" districts shall be in addition to the requirements set forth in section 35-510 pertaining to buffers.

Reference: Section 35-510 Landscaping and Section 35-523 Tree Preservation

(2) Any property adjoining a collector, primary or arterial street, or freeway must comply with the minimum vegetative buffer yard requirements set forth below in Table 310.15-3. No fence or wall can be substituted for the vegetative buffer yard requirement. A Type N buffer may be substituted for the buffer yard requirement to encourage the preservation of natural vegetation.

Table 310.15-3
Street Classification and Vegetative Buffers

Adjoining Street Classification*	**Minimum Vegetative Buffer Yard Requirement**	**Vegetative Buffer Yard Type**
Collectors or Avenues ** (UD, RD, and FR districts Exempt)	15 feet from any property line adjoining a collector street	C or Option C or N Fence, wall, or berm not permitted
Primary and Secondary Arterials or Main Streets or Boulevards (UD district Exempt)	25 feet from any property line adjoining a primary or secondary arterial street	D or Option D or N Fence, wall or berm not required
Freeways or Parkways	30 feet from any property line adjoining a freeway	E or Option E or N Fence, wall, or berm not required

* As described in Table 506-1, Table 506-2, and the Major Thoroughfare Plan
** Only applicable to MI-1 district.

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

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(3) Buffer requirements for adjoining uses or zoning districts are set forth below in Table 310.15-4.

Table 310.15-4
Adjoining use Buffers

Use or Zoning District	Adjoining use or zoning district: SF	MF < or = 15 du	MF > 15 du	C - O < 3,000*	C - O 3,001-10,000*	C - O 10,001-45,000*	C - O 45,001-90,000*	C - O > 90,000*	L, I-1, I-2	MI-1
SF	NA	A	B	A	B	C	D	E	F	F
MF < or = 15 du	A	NA	B	A	C	C	C	E	F	F
MF > 15 du	B	B	NA	A	C	C	C	D	F	F
C - O < 3,000*	A	A	A	NA	A	B	B	B	E	E
C - O 3,001-10,000*	B	C	C	A	NA	NA	NA	NA	D	D
C - O 10,001-45,000*	C	C	C	B	NA	NA	NA	NA	C	C
C - O 45,001-90,000*	D	C	C	B	NA	NA	NA	NA	C	C
C - O > 90,000*	E	E	D	B	NA	NA	NA	NA	C	C
L, I-1, I-2	F	F	F	E	D	C	C	C	NA	NA
MI-1	F	F	F	E	D	C	C	C	NA	NA

* Commercial or office aggregate building footprint

Type N or "Option" buffers may be utilized

Reference: Section 35-510 Landscaping and Section 35-523 Tree Preservation
Table 510-1 lists buffer requirements between zoning districts and adjoining streets.

(h) "UD" Natural Resource Protection

(1) Riparian.

35-310.15 continued

A. Riparian protection buffer. The purpose of the riparian protection buffer shall be to:

- Protect natural storm water management provided by rivers, creeks, and wetlands.
- Protect surface water and groundwater quality.
- Protect water-dependent aquatic and terrestrial wildlife corridors.
- Maintain natural vegetation needed to protect the floodplain and provide wildlife habitat.
- Protect wetlands under Federal jurisdiction that exist within the floodplain buffer.
- Protect the underlying aquifer.

Reference: Riparian Buffers are not currently addressed in UDC.
Whereas the Floodplain (Sec. 35-460 and Appendix F) and the Stormwater (Sec. 35-504) regulations protect people and development from the hazards of flooding, the Riparian Protection Buffer is designed to protect the natural function and beauty of the riparian area.

B. A riparian protection buffer shall be a minimum of 150 feet from both sides of the centerline of a waterway or the limit of the 100-year floodplain, whichever is greater.

C. No building shall be placed or excavation shall be conducted within the riparian protection buffer. A single-family residential use is permitted in the riparian protection buffer when a plat is not required by chapter 212 of the TEXAS LOCAL GOVERNMENT CODE and the existence of the buffer would otherwise prohibit such use on the lot. No riparian protection buffer shall be cleared, graded, filled, or subject to construction provided, however, that rights-of-way for trails, any streets needed to provide access to the property and water, sewer, electric, or cable lines may be cleared. The buffer area may be used for passive recreation or agriculture and ranch uses. The width of rights-of-way for streets or trails in the riparian protection buffer shall be restricted to the minimum as designated in the transportation standards, section 35-506 (d).

D. Drainage channels and watercourses located within a riparian protection buffer, except streets, shall be of earthen construction only. A retention or detention facility may be located within a riparian protection buffer, provided that it is of earthen construction and is screened with vegetative screening. Modifications to existing earthen channels and watercourses or newly created open channels or retention/detention facilities shall be designed with earth and sodded to enhance the rural aesthetic character or habitat value and shall be constructed and maintained in accordance with section 35-504(h).

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E. In a riparian protection buffer where ongoing maintenance is required, the drainage easements shall be maintained in accordance with section 35-504 (d). Native vegetation shall be preserved within all drainage easements except that portion of the channel to be used for storm water conveyance wherein all vegetation will be removed if it obstructs or retards the desired flow of water. Ground cover plantings to prevent soil erosion must be used to supplement native vegetation. New earthen channels shall be planted with drought resistant, low growth, native species grasses, which will allow unobstructed passage of storm water, and shall be maintained in accordance with section 35-504 (h).

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 surface area 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.

G. The flood plain administrator may reduce the required riparian protection buffer area up to fifty (50) percent for:

1. a single family residence when a plat is not required by chapter 212 of the TEXAS LOCAL GOVERNMENT CODE; or

2. if the applicant demonstrates that the portion of the riparian protection buffer being reduced does not contain significant existing vegetative cover, such as protected native trees or wetlands, and the applicant provides one or more of the following mitigation measures:

3. Enhanced vegetative cover provided in the remaining buffer area; or

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4. Earthen water breaks, drainage facilities or catch basins, or

5. Erosion control and slope stabilization.

Reference: Sec. 35-360 Flexible zoning: Density Bonus
Sec. 35-203 Conservation Subdivision
Sec. 35-503 Parks and Open Space Standards

(i) "UD" Master Plan Consistency

Application of the "Flex" districts shall be consistent with the city council adopted Master Plan governing the subject area. Within the "Flex" district, a landowner may develop any parcel or combination of parcels greater than 20 acres in size as a Flexible Development Plan "FDP" if such "FDP" complies with the goals and objectives of the city's Comprehensive Master Plan and the development standards and criteria set forth below. The use of a "FDP" under this provision shall be considered in compliance with the adopted Master Plan and requires only ministerial approval of the flexible development plan (section 35-412) by the planning director if it meets the criteria in Table 310.15-5.

(1) An "FDP" shall follow one of the following two use patterns.

A. The TND pattern requires compliance with the provisions of section 35-207 and the additional flex standards in the table below.

B. The "MXD"D pattern requires a mix of retail, office, service, and residential uses within a maximum radius of one quarter (1/4) mile 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.

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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**	No residential uses allowed in "FR", "MI-1" or "MI-2".	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
		Live –work units allowed	Live –work units allowed	Live –work units allowed	Not applicable	
(b)	**Commercial**	TND standards apply	*Location*: Buildings with footprint > 90,000 are allowed only at intersection of Interstate Highway and primary arterial (boulevard) or higher classification			
			Setback standards apply			
(c)	**Parks and Open Space**	TND standards apply	All UD flex district standards apply			Not applicable. (MI-standards are applicable)
(d)	**Building/Site Design**	TND standards apply	All UD Flex district standards apply			
(e)	**Signs**	All UD flex district standards apply				

(f)	**Buffers**	All UD flex district standards apply, except for uses adjoining collector streets in UD, RD, and FR districts and arterial streets in UD districts	All UD flex district standards apply, except for uses adjoining collector and arterial streets	All UD flex district standards apply except for uses adjoining collector streets.	All UD flex district standards apply
(g)	**Resource Protection**	All UD Flex district standards apply			
(h)	**Petroleum and Gas**	All UD Flex district standards apply			
(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	Lot dimensions are not applicable (developer not choosing to utilize pre-existing lot standards)			
	(c)(3) Streets	TND standards apply	UD Flex standards apply	UD Flex district standards apply except connectivity ratio shall be 1.5 and collectors exempt from traditional street design standards	UD Flex district standards apply except exempt from traditional street standards of UDC, and connectivity ratio does not apply
	(c)(4) Sidewalks and Pedestrian Circulation	TND standards apply	All UD Flex district standards apply		
	(c)(5) Parking and Loading	TND standards apply.	All UD Flex district standards apply.		

	Applicable MI-1 Standards	**TND Pattern:**	**Mixed use Pattern:**			
	Standards Referenced in MI-1 district	**All Flex districts**	**UD**	**RD**	**FR**	**MI-1**

(a)	**(c) (3) Minimum building setback requirements.**	Applies to MI-1 district only	Not applicable (industrial uses not allowed)	MI-1 flex standards apply
(b)	**(c) (4) Wireless communicatio n transmission tower setback**	MI-1 flex standards apply		
(c)	**Parks and Open Space**	Not applicable. (industrial uses not allowed)		MI-1 flex standards apply
(d)	**(e) Building Design and Articulation**	Applies to MI-1 district only	Not applicable. (industrial uses not allowed)	MI-1 flex standards apply

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(j) "UD" Petroleum and Natural Gas Extraction and Production - (same as "MI-1" district).

(Ord. No. 98091 § 4, Ord. No. 100126, Ord. No. 101816)

35-310.16 "RD" Rural Development District

(a) "RD" Generally

Purpose

The Rural Development district "RD" is established to encourage the development of a land use pattern that reflects rural living characteristics by encouraging low density, single family residential land use patterns with limited commercial uses placed in a manner that conserves open land. The "RD" district serves as a buffer between more urbanized, denser development, and significantly rural, open, or agriculturally oriented land use patterns.

The "RD" district implements the following Master Plan policies:

- *Growth Management Policy 1b: Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations.*

Urban Design Policy 1a: based on a comprehensive land use plan, encourage more intense development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.

Urban Design Policy 1c: Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and efficient provision of infrastructure.

(b) "RD" Uses & Conditions

The rural development district "RD" allows development in accordance with the dimensions

35-310.16 continued

standards contained in Section 35-310, Table 310-1, lot and building dimensions table. All permitted and specifically permitted uses in the "RD" district are enumerated in section 35-311, Table 311-1a, residential use matrix, and Table 311-2a, non-residential use matrix, unless otherwise provided for in this section.

(1) Single-Family Residential Uses.

A. Single-family development projects shall have a minimum lot size of 43,560 square feet (one acre) unless otherwise permitted below.

B. A density bonus shall be allowed when property is developed as a conservation subdivision (section 35-203) subject to the following requirements:

1. A minimum of fifty percent (50%) of the property is contained within a conservation easement for agricultural land, ranch land, or open space. The easement shall be dedicated and maintained as required by section 35-203.

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2. The remainder of the property may be developed up to a maximum density of 5 units per acre.

3. The residential units shall be developed in conformance with the housing types and lot configuration referenced in Table 203-1, columns B and C.

4. Up to 5% or five (5) acres (whichever is less) of the conservation easement set aside may be designated as parks and open space if dedicated in accordance with section 35-503, and may be used to fulfill the parks and open space requirement.

Example: On a 50 acre lot, this would result in a maximum density of 125 dwelling units on 25 acres with the remaining 25 acres in a conservation easement.

Comparison: A standard "RD" development would allow 50 units on a 50 acre lot compared to the 125 units allowed in a Conservation Subdivision.

35-310.16 continued

Reference: Sec. 35-203 Conservation Subdivision
Includes Table 203-1 for acceptable Lot Configurations
Subsection (j) contains provisions for permanent primary and secondary conservation areas.

(2) Multi-Family Residential Uses.

Multi-family/apartment uses are not permitted in the "RD" district.

(3) Commercial Uses.

A. Commercial uses as indicated in Table 311-2a, Non-Residential use Matrix, with an aggregate building footprint of 90,000 square feet or greater are 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. Commercial uses as indicated in Table 311-2a, non-tesidential use matrix, with an aggregate building footprint of less than 90,000 square feet are allowed on any property located along and within 850 feet of the intersection of the centerlines 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 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 along and within 200 feet of the intersection of the centerlines 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, a maximum allowable setback of fifteen (15) feet.

(c) "RD" Blocks, Lots, Streets, Sidewalks, Parking & Loading Design

All blocks, lots, streets, sidewalks, and parking and loading shall be designed in accordance with chapter 35, Article V, of the UDC with the following exceptions: (Where the provisions of this section conflict with Article 5, the provisions of this section shall apply.)

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(1) Blocks - (no additional standards are required).

(2) Lots - (same as "UD" district).

(3) Streets -

A. Streets to be built in accordance with the provisions of subsections 35-506(c) and 35-506 (d) - (same as "UD" district but shall apply only to main streets, boulevards, parkways or major thoroughfares).

B. Gated streets - (same as "UD" district). See Section 35-310.15(c).

C. Connectivity ratio - (no additional standards are required).

D. Access points - (same as "UD" district). See aection 35-310.15(c).

E. Residential driveways - (no additional standards are required).

(4) Sidewalks and pedestrian xirculation - (same as "UD" district). See section 35-310.15(c).

(5) Parking & loading - (same as "UD" district). See section 35-310.15(c).

(d) "RD" Parks & Open Space - (UDC standards apply). See section 35-503.

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

Buildings set back thirty-five (35) feet or less from common property lines or street rights-of-ways shall comply with the standards for "UD" districts. Buildings in "RD" districts set back more than 35 feet from common property lines or street rights-of-ways are exempt from these provisions.

(f) "RD" Signs - (same as "UD" district). See section 35-310.15(f).

(g) "RD" Buffers - (refer to "UD" district Table 310.15-3 and Table 310.15-4).

(h) "RD" Natural Resource Protection - (same as "UD" district). See section 35-310.15(h).

(i) "RD" Master Plan Consistency- (same as "UD" district).). See section 35-310.15(i).

(j) "RD" Petroleum and Natural Gas Extraction and Production - (same as "MI-1" district). See section 35-310.18(j).

(Ord. No. 98091 § 5, Ord. No. 100126, Ord. No. 101816)

35-310.17 “FR” Farm & Ranch District

(a) "FR" Generally

Purpose

The Farm and Ranch district "FR" is intended to preserve rural character and culture by implementing larger minimum lot sizes and by prohibiting incompatible land uses.

The "FR" district provides areas for agricultural operations and natural resource industries. These districts are composed primarily of large tracts of land that are vacant or in agricultural uses and may contain a minimal number of dwellings and accessory structures.

“FR” zoning protects and preserves valuable agricultural areas, implements agricultural and natural resource protection, preserves rural areas, and identifies areas appropriate for agricultural preservation. The “FR” district may be used to establish and buffer low intensity uses along streams, floodplains, and similar environmentally sensitive areas.

The “FR” district implements the following policies of the Master Plan:

- *Growth Management, Policy 1b: Distribute land uses to meet the physical, social, cultural, economic and energy needs of present and future populations.*
- *Natural Resources, Policy 2b: Assist in the development of a comprehensive, regional natural resources plan.*
- *Natural Resources, Policy 2d: Preserve the integrity of the natural settings of neighborhoods, communities, open spaces and parks, and develop clear procedures for their enforcement.*
- *Urban Design, Policy 1a: based on a comprehensive land use plan, encourage more intensive development in and near neighborhood centers with less intensive development between neighborhood centers, and implement these changes through zoning.*

(b) "FR" Uses & Conditions

The farm and ranch district "FR" allows development in accordance with the dimension standards contained in section 35-310, Table 310-1, lot and building dimensions Table. All permitted and specifically permitted uses in the farm and ranch district "FR" are enumerated in section 35-311, Table 311-1a, residential use matrix, and Table 311-2a, non-residential use matrix, unless otherwise provided for in this section.

(1) Single-Family Residential Uses.

35-310.17 continued

A. Accessory detached dwelling units (ADDU) are permitted in the "FR" districts under the following conditions:

1. Each property is permitted a maximum of two ADDUs.

2. The total square footage for each ADDU shall not exceed 1200 square feet or be less than 300 square feet.

3. An ADDU may not contain more than three (3) bedrooms.

4. The owner is not required to occupy either the principal dwelling unit or an ADDU on the property as a primary residence.

Reference: Sec. 35-371 contains regulations for accessory dwelling units as a supplemental use.

B. Other Accessory Structures.

1. An "FR" property is permitted a maximum of 5,000 total square feet for accessory structures, not including permitted ADDUs, for every twenty-five (25) acres.

Reference: Sec. 35-370 contains regulations for accessory use structures (that are not used as a dwelling unit) as a supplemental use.

C. Building setbacks are enumerated in Table 310-1.

D. Density bonus. A density bonus allowed when property is developed as a conservation subdivision, per sec. 35-203, and subject to the following requirements:

1. A minimum of seventy-five percent (75%) of the property is contained within the conservation easement for agricultural land, ranch land, or open space.

2. The remainder of the property may be developed up to a maximum density of two (2) units per acre.

3. The residential units shall be developed in conformance with the housing types and lot configurations referenced in Table 203-1, column B (“RP”, “RE”, and “R-20” districts).

4. Up to 5% or five (5) acres (whichever is less) of the conservation easement set aside may be designated as parks and open space if dedicated in accordance with section 35-503, and may be used to fulfill the parks and open space requirement.

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Example: On a 100 acre lot, this would result in a maximum density of 50 dwelling units on 25 acres with 75 acres in a conservation easement.

Comparison: A standard "FR" development would allow 4 units on a 100 acre lot compared to the 50 units allowed in a conservation subdivision.

Reference: Sec. 35-203 Conservation Subdivision
Table 203-1 contains allowable housing types and lot configurations

(2) Multi-Family Residential Uses.

Multi-family (apartment) dwelling units are not permitted in the "FR" district.

(3) Commercial Uses. - All non-residential uses are enumerated in Table 311-2a, non-residential use matrix.

(4) Village Center Option. Table 311-2a indicates uses that may be permitted in a village center. The standards are the same as the "MI-1" district. sec. 35-310.18(b).

(c) "FR" Blocks, Lots, Streets, Sidewalks, Parking & Loading Design

All blocks, lots, streets and sidewalks shall be designed in accordance with chapter 35, Article V of the UDC with the following exceptions: (Where the exceptions conflict with Article V the provisions of this section shall apply.)

(1) Blocks - (no additional standards are required).

(2) Lots.

A. All lots shall comply with the provisions of Table 310-1. The minimum lot size shall be 25 acres.
B. Pre-existing lots - (same as "UD" district).

(3) Streets - (no additional standards are required).

(4) Sidewalks & Pedestrian Circulation - (no additional standards are required).

(5) Parking & Loading - (same as "UD" district, agricultural related uses are exempt from requirements).

(d) "FR" Parks & Open Space - (no additional standards are required).

(e) "FR" Non-Residential Building/Site Design & Articulation - (no additional standards are required).

(1) Lighting - (same as "UD" district except only Subsections 35-310.15(e)(5)A, B, C, and F apply to a village center).

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(f) "FR" Signs - (same as "UD" district). See section 35-310.15(f).

(g) "FR" Buffers - (same as "UD" district, section 35-310.15(g), except Table 310.15-3 does not apply).

(h) "FR" Natural Resource Protection - (same as "UD" district). See section 35-310.15(h).

(i) "FR" Master Plan Consistency - (same as "UD" district, section 35-310.15(i), provided that the residential density is one (1) dwelling unit per five (5) acres).

(j) "FR" Petroleum and Natural Gas Extraction and Production - (same as "MI-1" district). See section 35-310.18(j).

(Ord. No. 98091 § 6, Ord. No. 100126, Ord. No. 101816)

35-310.18 "MI-1" Mixed Light Industrial

(a) "MI-1" Generally

(1) Purpose.

The Mixed Light Industrial district "MI-1" is established to encourage the development of mixed agricultural, commercial and light industrial uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses, building, and circulation systems.

These districts are located for convenient access from existing and future arterial thoroughfares and railway lines. Furthermore, these districts shall protect and enhance the rural character of the area, attract sources of economic development and growth, promote clean industry, and minimize the adverse effects to adjacent uses. The "MI-1" district implements the following goals and policies of the Master Plan:

- *Economic Development, Policy 1e: Support and encourage efforts to diversify the economic base of San Antonio.*
- *Natural Resources, Policy 1g: Promote the safe storage of hazardous materials in locations that do not endanger neighborhoods.*
- *Natural Resources, Goal 3: Achieve a sustainable balance between the conservation, use and development of San Antonio's natural resources.*
- *Natural Resources, Policy 1d: Encourage retention of the 100-year floodplains as natural drainage ways without permanent construction, unnecessary straightening, bank clearing, or channeling*
- *Urban Design, Policy 1b: Develop urban design policies and standards which integrate and coordinate planning for historic and cultural*

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resources, public facilities and services, and private development, infrastructure, transportation, arts and cultural resources, libraries, parks and recreation, health and human service facilities.

(b) "MI-1" Uses & Conditions

The mixed light industrial district "MI-1" allows development in accordance with the dimension standards contained in Section 35-310, Table 310-1, lot and building dimensions table.

(1) Single-Family Residential Use.

Single-family residential uses are not permitted in a "MI-1" district except that dwelling units for on-site caretakers are allowed.

(2) Multi-family Residential Use.

Multi-family (apartment) uses are not permitted in the "MI-1" district.

(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:

A. The minimum lot frontage requirement shall be 300 feet.

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

C. A minimum of three (3) individual buildings is required.

D. A minimum of two (2) acres located on an arterial street or an expressway is required.

E. Village centers shall not be located within a radius of forty-five percent (45%) of the length of the roadway section between the intersection of two major arterial streets or higher classification, whichever is greater, measured from the centerline where two major arterial streets or higher classification streets intersect.

F. Site plan(s) shall be pedestrian oriented with sidewalks and walkways connecting buildings, plazas and parking.

G. All buildings of village centers shall have their principal entrance opening to a plaza, green or other public open space.

H. Shared internal driveway access is required.

I. No parking shall be permitted in the front street yard.

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

K. At least two of the following pedestrian-oriented features shall be provided in the public open space area:

a. Seating
b. Ornamental lamp posts, or
c. Native shade trees.

L. At least two of the following urban design features shall be provided in the public open space area:

a. Drinking fountains,
b. A bandstand or a gazebo,
c. Arbors,
d. Awnings or canopies,
e. Ornamental fountains,
f. Trellises with native plants, or
g. Beds of native plants.

M. The buildings of a village center shall be oriented around a green, plaza, or other public open space. Public open space shall not be less than five percent (5%) of the total acreage. The five percent (5%) requirement shall include only those sidewalks and walkways that adjoin or are located in the open space.

(4) Exceptions to the Commercial Village Center.

If the maximum building size does not exceed 3,000 square feet, auto and light truck repair, auto state vehicle inspection, gasoline station, convenience store, and restaurant uses may be located completely within 250 feet from the intersecting centerlines of arterial streets, expressways, main streets, boulevards, or parkways.

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

(1) Streets - (no additional standards required).

(2) Parking and Loading - (no additional standards required).

(3) Minimum building setback requirements. In addition to the requirements set forth in Section 35-310, Table 310-1, any property adjoining a collector street, primary or secondary arterial street, or freeway must comply with the minimum setbacks in Table 310.18-1.

(4) Wireless communication towers. All self-standing wireless communication transmission towers shall adhere to the minimum building setbacks set forth in Table 310.18-1.

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Table 35-310.18-1
Building Setback Requirements for MI-1 district

Adjoining Street Classification*	Minimum Building Setback Requirement
Collectors or Avenues	30 feet from any property line adjoining a collector street
Primary and Secondary Arterials, Boulevards, and Main Streets	40 feet from any property line adjoining a primary or secondary arterial street
Freeways or Parkways	50 feet from any property line adjoining a freeway

** As described in Table 506-1, Table 506-2, and the Major Thoroughfare Plan*

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

(5) Off-Street Loading.

A. Principal vehicle access to and from the site shall be from a primary driveway.

B. All loading 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.

(d) "MI-1" Parks & Open Space

No park or open space dedication is required. Fifteen percent (15%) of the site shall be retained in permanent open space with either undisturbed natural plant materials or maintained landscaped areas.

(e) "MI-1" Building Design

Buildings within one-hundred (100) feet of any public rights-of-way shall conform to the following standards:

(1) Exterior wall finish for non-residential buildings. Any exterior wall located partially or wholly within 100 feet from the edge of public rights-of-way shall be masonry, i.e., brick, stone, or stucco, or similar material. Stucco shall not comprise more than fifty (50) percent of the exterior finish.

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(2) Refuse collection. Refuse containers shall be located away from public rights-of-way and business entrances, must not interfere with traffic circulation or site parking, and shall be completely screened from public view with materials similar to or compatible with buildings located on the same site.

(3) Mechanical equipment and appurtenances. Cooling towers, vent stacks, ventilating fans, and other rooftop and ground-mounted mechanical units located partially or wholly within 100 feet from the edge of public rights-of-way shall be integrated into the design of the structure in a manner that is integral to the architectural form of the building.

(f) "MI-1" Signs - (same as "UD" district). See section 35-310.15(f).

(g) "MI-1" Buffers - (same as "UD" district). See section 35-310.15(g).

(h) "MI-1" Natural Resource Protection - (same as "MI-2" district). See section 35-310.19(h).

(i) "MI-1" Master Plan Consistency - (same as "UD" district, provided that no residential uses are permitted). See section 35-310.15(i).

(j) "MI-1" Performance Standards

(1) Mechanical Operations.

All mechanical repairs shall be conducted inside a building or under a roof and screened from public view.

(2) Air Pollution.

All uses shall operate in compliance with the most current revision of the regulations of the Texas Commission on Environmental Quality codified in the Texas Administrative Code, Title 30, Chapter 101, "General Air Quality Rules."

(3) Noise.

All uses shall comply with the provision of chapter 21, Article III of the city code, "Noise," and shall not create a noise nuisance as defined in Article III of chapter 21.

(4) Glare and Heat.

No direct or sky-reflected glare so as to be visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this ordinance. There shall not be emission or transmission of heat or heated air that is discernible at the boundary of the lot line.

(5) Vibration.

All machines shall be so mounted as to minimize vibration and no vibration shall be produced which is discernible without the aid of instruments at the boundary of the lot line.

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(6) Noxious Odors.

The un-permitted emission of any odors that are discernible without the aid of instruments shall be prohibited beyond the boundary of the lot line.

(7) Toxic and Liquid Wastes.

The discharge of any toxic or liquid waste material into any outdoor watercourse or drainage way without a permit is prohibited.

(8) Fire and Explosion.

All activities and all storage of flammable and explosive materials shall be provided with adequate safety and fire-fighting devices in accordance with the city's adopted Uniform Fire Code. The storage of petroleum and other flammable products is permitted only as required for incidental uses and is prohibited in above ground tanks greater than 25 gallons, unless otherwise constructed and registered in accordance with Texas Commission on Environmental Quality regulations governing such product storage and use

(9) Radioactive Materials.

No operation shall cause radioactivity at any lot line in violation of the regulations of the Nuclear Regulatory commission as set forth in Title 10, chapter 1, Part 20 of the Code of Federal Regulations, and all applicable regulations of the State of Texas.

(10) Electromagnetic Radiation.

No operation shall be conducted which shall adversely affect the performance of electromagnetic radiators or receptors other than those of the creator of the radiation.

(11) Industrial Waste Monitoring.

Upon request of the city fire department, the city environmental services department, or San Antonio Water System, any person operating an activity within this district shall provide, to the requesting agency's satisfaction, documentation evidencing the characterization, handling, and disposal of any industrial waste generated within the district. Documentation that will satisfy the characterization inquiry includes process knowledge literature and/or waste analysis records.

(12) Material Safety Data.

Upon request of the city fire department, independent of the Federal Emergency Planning and Community Right to Know Act, (EPCRA) any person operating an activity within this district shall provide copies of Material Safety Data Sheets (MSDS) for material maintained, stored, or used within the district. The materials, subject to this section, are those materials whose properties for volatility, flammability, explosive potential, corrosiveness, radioactivity, or other toxic or hazardous property qualify their listing in the North American Emergency Response Guidebook, current addition and as amended.

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(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 persons or property shall be in violation of this section.

B. Well head setbacks. No well shall be drilled or re-entered for deepening or conversion, the surface location of which is:

1. Within less than the height of the drilling rig plus twenty-five (25) feet from any street, alley or utility easement, unless the operator obtains a variance from the board of adjustment.

2. Within less than four hundred (400) feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the board of adjustment for which the operator provides notarized affidavits from all affected property owners within four hundred (400) feet of the proposed well stating consent of the proposed drilling or re-entry activity for deepening or conversion.

3. Within less than four hundred (400) feet from any exterior boundary line or six hundred (600) feet from any building or land used by any public or parochial school, college, university, or hospital, or which is occupied by a church or a public building, unless the operator obtains a variance from the board of adjustment for which the operator provides notarized affidavits from all affected property owners within six hundred (600) feet from the proposed well stating consent to the proposed drilling or re-entry activity for deepening or conversion.

4. Within less than four hundred (400) feet from the exterior boundary line of lands utilized for cemeteries or public parks, unless the operator obtains a variance from the board of adjustment.

C. Well re-entry. No well shall be re-entered for reworking which does not involve deepening or conversion, or re-entry activity for plugging and abandonment, the surface location of which is within less that two hundred (200) feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the board of adjustment for which the operator provides notarized affidavits from all affected property owners within two hundred (200) feet of the proposed well stating consent of the proposed re-entry activity for reworking, which does not involve deepening or deepening or conversion, or re-entry for plugging and abandonment.

D. Pipelines. Before any excavation or construction work is commenced on any pipeline to move oil, gas, water or other product to and from a well site, on, over under, along or across any city street, sidewalk, alley or other city property, a

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franchise shall first be obtained from the city council. No operator shall interfere with or damage any existing storm sewer, drainage facility, water line, sewer line or gas line, or facility of a public utility located on, under or across the course of any such pipeline.

E. Premises to be kept clean. All surface areas utilized by an operator for production facilities shall be kept clear of dry grass, weeds and combustible trash or other rubbish or debris that would, if allowed to accumulate, result in a fire hazard. In the event the operator does not keep the premises clean, the director may have the premises cleaned by contract and the payment of such work performed shall constitute a valid lien against the property.

F. Public nuisance declared. No person shall conduct any well operation in a manner that would create a noise, odor or vibration detrimental to the health, safety or welfare of the surrounding neighborhood or any considerable number of persons. Such operation is hereby declared to constitute a public nuisance and subject to the provisions of Article V, Section 14-61 through Section 14-67 of the Municipal Code.

(Ord. No. 98091 § 7, Ord. No. 99555 § 5, Ord. No. 100126, Ord. No. 101816)

35-310.19 "MI-2" Mixed Heavy Industrial

(a) "MI-2" Generally

(1) Purpose

The Mixed Heavy Industrial district "MI-2" is established to encourage the development of commercial, light and heavy industrial uses that are internally compatible in an effort to achieve a well designed development and provide a more efficient arrangement of land uses, building, and circulation systems. These districts are located for convenient access from existing and future arterial thoroughfares and railway lines. Furthermore, these districts shall protect and enhance the rural character of the area, attract sources of economic development and growth, promote clean industry, and minimize the adverse affects to adjacent uses.

(2) The "MI-2" district implements the following goals and policies of the Master Plan:

- *Economic Development, Policy 1e: Support and encourage efforts to diversify the economic base of San Antonio.*
- *Natural Resources, Policy 1g: Promote the safe storage of hazardous materials in locations that do not endanger neighborhoods.*
- *Natural Resources, Goal 3: Achieve a sustainable balance between the conservation, use and development of San Antonio's natural resources.*

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

- *Urban Design, Policy 1b: Develop urban design policies and standards which integrate and coordinate planning for historic and cultural resources, public facilities and services, and private development, infrastructure, transportation, arts and cultural resources, libraries, parks and recreation, health and human service facilities.*

(b) "MI-2" Uses and Conditions

The mixed heavy industrial district "MI-2" allows development in accordance with the dimension standards contained in section 35-310, Table 310-1, lot and building dimensions table.

All permitted and specifically permitted uses in the Mixed Heavy Industrial district "MI-2" are enumerated in section 35-311, Table 311-1a, residential use matrix, and Table 311-2a, non-residential use matrix, unless otherwise provided for in this section.

(1) Single Family Residential Use.

Single-family residential use is not allowed in a "MI-2" district except that dwelling units for on-site caretakers are allowed.

(2) Multi-family Residential Use.

Multi-family residential use is not allowed in a "MI-2" district.

(3) Accessory Uses.

Accessory uses, whether located within a plant facility for its sole use or within a separate structure to be shared in common by occupants of the industrial facility shall be demonstrably related to the permitted principal uses and provided only for the convenience, uses, and service of occupants of the industrial facility its guests and visitors. Authorized accessory uses include but are not limited to:

A. Personal services such as cafeteria, restaurant, barber/beauty shop, newsstand, laundry/dry cleaning pickup station, sundries store, financial services, or day care center, clinic (physician and/or dentist), optical goods retail, optician, optometry office, and post office, provided that such facilities shall have no advertising display other than directional or informational signs.

B. Retail incidental to or in support of any of the principal permitted uses, including but not limited to, apparel & accessory store, candy, nut and confectionery store, gift shop grocery store, and delicatessen.

C. Recreational facilities, industrial health clinics and first aid stations, technical libraries, auditoriums, employee training facilities, meeting and display rooms

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D. Temporary buildings, trailers and vehicles for uses incidental to construction work.

E. Other accessory uses and structures customarily incidental to any permitted principal uses.

F. Any permitted uses involving the handling or sale of food or food products shall comply with the requirements set forth in chapter 13 of the city code (food and food handlers).

(4) Commercial Village Centers.

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

A. The minimum lot frontage requirement of village centers shall be 300 feet.

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

C. A minimum of three individual buildings is required for village centers.

D. Village centers shall be no less than two (2) acres and shall be located on an arterial street or an expressway.

E. Village centers shall not be located within a radius of forty-five percent (45%) of the length of the roadway section between the intersection of two major arterial streets or higher classification whichever is greater measured from the centerline where two major arterial streets or higher classification intersect.

F. Site plan of village centers shall be pedestrian oriented with sidewalks and walkways connecting buildings, plazas and parking.

G. All buildings of village centers shall have their principal entrance opening to the plaza, green or other public open space.

H. Shared internal driveway access shall be required for village centers.

I. No parking shall be permitted in the front street yard of a Village center.

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

K. At least two of the following pedestrian-oriented features of a village center shall be provided in the public open space area:

1. Seating
2. Ornamental lamp posts, or
3. Native shade trees.

L. At least two of the following urban design features shall be provided in the public open space area of a village center:

1. Drinking fountains,

2. A bandstand or a gazebo,
3. Arbors,
4. Awnings or canopies,
5. Ornamental fountains,
6. Trellises with native plants, or
7. Beds of native plants.

M. The buildings of a village center shall be oriented around a green, plaza, or other public open space. Public open space shall not be less than five percent (5%) of the total acreage. The five percent (5%) requirement shall include only those sidewalks and walkways that adjoin or are located in the open space.

N. Exceptions to the commercial village center.

If the maximum building size does not exceed 3,000 square feet, auto and light truck repair, auto state vehicle inspection, gasoline station, convenience store, and restaurant uses may be located completely within 250 feet from the intersecting centerlines of arterial streets, expressways, main streets, boulevards, or parkways.

(c) "MI-2" Blocks, Lots, Streets, Sidewalks, Parking & Loading Design

Blocks, lots, streets, sidewalks, and parking and loading shall be designed in accordance with Article V of this chapter with the following exceptions:

(1) Streets. (no additional standards required).

(2) Parking and Loading. (no additional standards required).

(3) Minimum Building Setback Requirements.

In addition to the requirements set forth in section 35-310, Table 310-1, any property adjoining a collector street, primary or secondary arterial streets, or freeway must comply with the minimum setbacks in Table 310.19-1.

(4) Transmission Towers.

All self-standing wireless communication transmission towers shall adhere to the minimum building setbacks set forth in Table 310.19-1.

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Table 35-310.19-1
Building Setback Requirements for MI-2 district

Adjoining Street Classification*	Minimum Building Setback Requirement
Collectors or Avenues	30 feet from any property line adjoining a collector street
Primary and Secondary Arterials, or Boulevards and Main Streets	40 feet from any property line adjoining a primary or secondary arterial street
Freeways or Parkways	50 feet from any property line adjoining a freeway

** As described in Table 506-1, Table 506-2, and the Major Thoroughfare Plan*

Reference: Sec. 35-506 Transportation and Street Design:
Tables 506-1 and 506-2 explain both Conventional and Traditional Street classifications.

(5) Off-Street Loading.

A. Principal vehicle access to and from the site shall be from a primary driveway.

B. All loading docks shall be located on the same lot as the building or use to be served. All loading docks located within 250 feet of public right-of-way shall be located behind a building. Loading docks may be located at the sides of a building and within 250 feet of public right-of-way if fully screened from public view. No loading docks shall be permitted in the required front yard setback area.

(d) "MI-2" Parks & Open Space

No park or open space dedication is required. Fifteen percent (15%) of the site shall be retained in permanent open space with either undisturbed natural plant materials or maintained landscaped areas.

(e) “MI-2” Building Design & Articulation

Buildings within 100 foot of any public right-of-way shall conform to the following standards:

(1) Exterior Wall Finish for Non-Residential Buildings.

Any exterior wall located partially or wholly within 100 feet from the edge of the public right-of-way shall be masonry, except for doors, windows and trim. Masonry shall mean brick, stone, or stucco, or similar material. Stucco shall not comprise more than fifty percent (50%) of the exterior finish.

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(2) Refuse Collection.

Refuse containers shall be located away from public rights-of-way and business entrances, must not interfere with traffic circulation or site parking, and shall be completely screened from public view with materials similar to or compatible with buildings located on the same site. Screening is not required for collection areas for industrial by-products located more than 100 feet from the right-of-way.

(3) Mechanical Equipment and Appurtenances.

Cooling towers, vent stacks, ventilating fans, and other rooftop and ground-mounted mechanical units located partially or wholly within 100 feet from the edge of the public right-of-way shall be integrated into the design of the structure in a manner that is integral to the architectural form of the building.

(f) Signs

The provisions of Chapter 28 of the city code pertaining to Signs and Billboards shall apply, provided that in the event of a conflict between the provisions of this section and section 28, the provisions of this section shall apply.

Reference: chapter 28 of the city Code contains regulations regarding signs and billboards.

(1) Signs shall only advertise a service, product or business on the site on which the sign is located.

(2) Signs shall be designed to be compatible in style and character with the primary structure on the site. Trademark signs are allowed subject to the other provisions of this section.

(3) No florescent colored, reflective surfaces, blinking lights and/or rotating or moving parts shall be permitted on a sign.

(4) Wall Signs.

The maximum allowable sign area, as a percentage of the area of each building elevation, for attached signs along all street frontage is contained in Table 310.19-2, provided that each occupancy that has a separate and distinct public entrance located on an Arterial Type B street shall be allowed a minimum of fifty (50) square feet of sign message area, each occupancy that has a separate and distinct public entrance located on an Arterial Type A street shall be allowed a minimum of seventy five (75) square feet of sign message area, and each occupancy that has a separate and distinct public entrance located on an Expressway shall be allowed a minimum of one hundred (100) square feet of sign message area.

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Table 310.19-2
Maximum Attached Sign Message Area

Street Type		**Maximum Attached Sign Message Area**
Arterial Type B		15%
Arterial Type A		
	Cabinet sign	10%
	Channel letters raised or incised	15%
	Painted or flat sign	15%
Expressway		
	Cabinet sign	15%
	Channel letters raised or incised	20%
	Painted or flat sign	15%

(5) One monument sign not to exceed six (6) feet in height and thirty two (32) square feet of sign area per side for single tenant sign, or eight (8) feet in height and fifty (50) square feet of area per side for a multi-tenant sign shall be permitted per parcel or platted lot or one per each 1200 feet of frontage, provided that the spacing between signs is 200 feet. 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. On a tract of land with more than 2400 feet of frontage signs must be spaced two hundred (200) feet apart, however the total permissible sign area may be combined into one or more signs that shall not exceed six feet and six inches in height and sixty four (64) square feet of sign area per side for a single tenant sign or eight feet in height and one hundred (100) square feet of area per side for a multi-tenant sign.

(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.

(8) **Temporary Signs**.

Banners, pennants, streamers, and balloons one (1) foot in diameter may be used as

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temporary advertising for a maximum duration of thirty (30) days each six (6) months. Permits in accordance with chapter 28 are required for temporary signs more than fifteen (15) square feet in size.

(g) "MI-2" Buffers

(1) Buffer requirements for "MI-2" districts shall be in addition to the requirements set forth in section 35-510 pertaining to buffers.

Reference: Section 35-510 Landscaping and Section 35-523 Tree Preservation

(2) Any property adjoining a collector, primary or arterial street, or freeway must comply with the minimum vegetative buffer yard requirements set forth below in Table 310.19-3. No fence or wall can be substituted for the vegetative buffer yard requirement. A Type N buffer may be substituted for the buffer yard requirement to encourage the preservation of natural vegetation.

Table 310.19-3
Street Classification and Vegetative Buffers

Adjoining Street Classification*	**Minimum Vegetative Buffer Yard Requirement**	**Vegetative Buffer Yard Type**
Collectors or Avenues ** (UD, RD, and FR districts Exempt)	15 feet from any property line adjoining a collector street	C or Option C or N Fence, wall, or berm not permitted
Primary and Secondary Arterials or Main Streets or Boulevards (UD district Exempt)	25 feet from any property line adjoining a primary or secondary arterial street	D or Option D or N Fence, wall or berm not required
Freeways or Parkways	30 feet from any property line adjoining a freeway	E or Option E or N Fence, wall, or berm not required

* As described in Table 506-1, Table 506-2, and the Major Thoroughfare Plan
** Only applicable to MI-1 and MI-2 districts.

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

(3) Buffer requirements for adjoining uses or zoning districts are set forth below in Table 310.19-4.

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Table 310.19-4
Adjoining use Buffers
Adjoining use or zoning district

Use or Zoning District	SF	MF < or = 15 du	MF > 15 du	C - O < 3,000*	C - O 3,001-10,000*	C - O 10,001-45,000*	C - O 45,001-90,000*	C - O > 90,000*	L, I-1, I-2	MI-1, MI-2
MI-2	F	F	F	E	D	C	C	C	NA	NA

* Commercial or office aggregate building footprint

Type N or "Option" buffers may be utilized

Reference: Sec. 35-510 Landscaping and Tree Preservation: Buffers
Table 510-1 lists current buffer requirements between uses and along streets.

(h) "MI-2" Natural Resource Protection

(1) Riparian.

A. Riparian protection buffer. The purpose of the riparian protection buffer shall be to:

- Protect natural storm water management provided by rivers, creeks, and wetlands.
- Protect surface water and groundwater quality.
- Protect water-dependent aquatic and terrestrial wildlife corridors.
- Maintain natural vegetation needed to protect the floodplain and provide wildlife habitat.
- Protect wetlands under Federal jurisdiction that exist within the floodplain buffer.
- Protect the underlying aquifer.

Reference: Riparian Buffers are not currently addressed in UDC.
The Floodplain (Sec. 35-460 and Appendix F) and the Storm Water (Sec. 35-504) regulations protect people and development from the hazards of flooding. The Riparian Protection Buffer is designed to enhance the natural function and beauty of the riparian area.

B. A riparian protection buffer shall be a minimum of 150 feet from both sides of the centerline of a waterway or the limit of the 100-year floodplain, whichever is greater.

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C. A single-family residential use is permitted in the riparian protection buffer when a plat is not required by chapter 212 of the TEXAS LOCAL GOVERNMENT CODE.

D. Clearing, grading, filling, or construction is permitted in the riparian protection buffer if such clearing, grading, filling, or construction complies with the provisions of Appendix F, provided however, that rights-of-way for trails, streets or railroad lines needed to provide access to the property, and utility easements for water, sewer, storm water, electric, or cable lines may be cleared. In no case shall these activities impacting the riparian protection buffer exceed more than 20% of the total area of the buffer. The buffer area may be used for agriculture and ranch uses.

E. A retention or detention facility may be located within a riparian protection buffer provided that it is of earthen construction and is screened with vegetative screening.

F. In a riparian protection buffer where ongoing maintenance is required, drainage easements shall be maintained in accordance with Section 35-504.

G. Modifications to existing earthen channels and watercourses or newly created open channels or retention/detention facilities shall be designed to enhance the rural aesthetic character or habitat value and shall be constructed and maintained in accordance with Section 35-504.

H. The flood plain administrator may reduce the required riparian protection buffer area up to fifty (50) percent for:

1. a single family residence when a plat is not required by chapter 212 of the TEXAS LOCAL GOVERNMENT CODE; or

2. if the applicant demonstrates that the portion of the riparian protection buffer being reduced does not contain significant existing vegetative cover, such as protected native trees or wetlands, and the applicant provides one or more of the following mitigation measures:

- Enhanced vegetative cover provided in the remaining buffer area; or
- Earthen water breaks, drainage facilities or catch basins, or
- Erosion control and slope stabilization.

Reference: Sec. 35-203 Conservation Subdivision and Sec. 35-503 Parks and Open Space Standards

(i) "MI-2" Master Plan Consistency

Application of the “Flex” districts shall be consistent with the city council adopted Master Plan governing the subject area. Within the “Flex” district, a landowner may develop any parcel or combination of parcels greater than twenty (20) acres in size as a flexible development plan (FDP) if such FDP complies with the goals and objectives of the city’s Comprehensive Master Plan and the development standards and criteria set forth below. The use of a FDP under this provision shall be considered in compliance with the adopted Master Plan and requires only ministerial approval of the flexible development plan (Section 35-412) by the planning director if it meets the criteria in Table 310.19-5.

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An FDP shall follow one of the following two use patterns.

(1) TND

The TND pattern requires compliance with the provisions of section 35-207 and the additional flex standards in the table below.

(2) "MXD"D

The "MXD"D pattern requires a mix of retail, office, service, and residential uses within a maximum radius of one quarter (1/4) mile 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.

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Table 310.19-5
Flex Development Plan Option

	Applicable UD Standards	TND Pattern:	Mixed use Pattern:			
	Uses	**All Flex districts**	**UD**	**RD**	**FR**	**MI-1, MI-2**
(a)	**Residential**	Permitted, except no residential in MI-1 and no multi-family in FR TND standards apply	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 20% 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 [ingle-family or multi-family uses are permitted
		Live –work units allowed	Live –work units allowed	Live –work units allowed	Not applicable	
(b)	**Commercial**	TND standards apply	*Location*: Buildings with footprint > 90,000 are allowed only at intersection of Interstate Highway and primary arterial (boulevard) or higher classification			
			Setback standards apply			
(c)	**Parks and Open Space**	TND standards apply	All UD flex district standards apply			Not applicable. (MI-standards are applicable)
(d)	**Building/Site Design**	TND standards apply	All UD Flex district standards apply			
(e)	**Signs**	All UD flex district standards apply				

(f)	**Buffers**	All UD flex district standards apply, except for uses adjoining collector streets in UD, RD, and FR districts and arterial streets in UD districts	All UD flex district standards apply, except for uses adjoining collector and arterial streets	All UD flex district standards apply except for uses adjoining collector streets.	All UD flex district standards apply
(g)	**Resource Protection**	All UD Flex district standards apply			***MI-2 Standards Apply***
(h)	**Petroleum and Gas**	All UD Flex district standards apply			
(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	Not applicable (developer not choosing to utilize pre-existing lot standards)			
	(c)(3) Streets	TND standards apply	UD Flex standards apply	UD Flex district standards apply except connectivity ratio shall be 1.5 and collectors exempt from traditional street design standards	UD Flex district standards apply except exempt from traditional street standards of UDC, and connectivity ratio does not apply
	(c)(4) Sidewalks and Pedestrian Circulation	TND standards apply	All UD Flex district standards apply		
	(c)(5) Parking and Loading	TND standards apply.	All UD Flex district standards apply.		

	Applicable MI-1 Standards	**TND Pattern:**	**Mixed use Pattern:**			
	Standards Referenced in MI-1 district	**All Flex districts**	**UD**	**RD**	**FR**	**MI-1, MI-2**

(a)	**(c) (3) Minimum building setback requirements.**	Applies to MI-1 district only	Not applicable (industrial uses not allowed)	MI flex standards apply
(b)	**(c) (4) Wireless communicatio n transmission tower setback**	MI-1 flex standards apply		
(c)	**Parks and Open Space**	Not applicable. (industrial uses not allowed)		MI flex standards apply
(d)	**(e) Building Design and Articulation**	Applies to MI-1 district only	Not applicable. (industrial uses not allowed)	MI flex standards apply

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(j) "MI-2" Performance Standards

(1) Mechanical Operations.

All mechanical repairs shall be conducted inside a building or under a roof and screened from public view.

(2) Air Pollution.

All uses shall operate in compliance with the regulations of the Texas Commission on Environmental Quality codified in the Texas Administrative Code, Title 30, Chapter 101, "General Air Quality Rules."

(3) Noise.

All uses shall comply with the provision of chapter 21, Article III of the city code, "noise".

(4) Glare and Heat.

No direct or sky-reflected glare so as to be visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this ordinance. There shall not be emission or transmission of heat or heated air so as to be discernible at the boundary of the lot line.

(5) Vibration.

All machines shall be so mounted as to minimize vibration and no vibration shall be produced which is discernible without the aid of instruments at the boundary of the lot line.

(6) Noxious Odors.

No odors, other than those related to permitted emissions, that are discernible without the

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aid of instruments by a person of ordinary sensibilities shall be allowed beyond the boundary of the zoning district.

(7) Toxic and Liquid Wastes.

The discharge of any toxic or liquid waste material, unauthorized by state or federal permit, into any outdoor watercourse or drainage way shall be prohibited. The terms "toxic material" and "liquid waste material" shall have the meanings ascribed to them in applicable laws, rules, and regulations.

(8) Fire and Explosion.

All activities and all storage of flammable and explosive materials shall be provided with adequate safety and fire-fighting devices in accordance with the city's adopted Uniform Fire Code and shall comply with the regulations promulgated by the Texas Commission on Environmental Quality and/or Texas Railroad Commission and other applicable laws governing such product storage and use.

(9) Radioactive Materials.

No operation shall cause radioactivity at any lot line in violation of the regulations of the Nuclear Regulatory Commission as set forth in Title 10, chapter 1, Part 20 of the Code of Federal Regulations, and all applicable regulations of the State of Texas.

(10) Electromagnetic Radiation.

No operation shall be conducted which shall adversely affect the performance of electromagnetic radiators or receptors other than those of the creator of the radiation.

(11) Industrial Waste Monitoring.

Upon request of the city fire department, the city environmental services department, or San Antonio Water System, any person operating an activity within this district shall provide, to the requesting agency's satisfaction, documentation evidencing the characterization, handling, and disposal of any industrial waste generated within the district. Documentation that will satisfy the characterization inquiry includes process knowledge literature and/or waste analysis records.

(12) Material Safety Data.

Upon request of the city fire department, independent of the Federal Emergency Planning and Community Right to Know Act, (EPCRA) any person operating an activity within this district shall provide copies of material safety data sheets (MSDS) for material maintained, stored, or used within the district. The materials, subject to this section, are those materials whose properties for volatility, flammability, explosive potential, corrosiveness, radioactivity, or other toxic or hazardous property qualify their listing in the

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North American Emergency Response Guidebook, current addition and as amended.

(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 or persons or property shall be in violation of this section.

B. Well head setbacks. No well shall be drilled or re-entered for deepening or conversion, the surface location of which is:

1. Within less than the height of the drilling rig plus twenty-five (25) feet from any street, alley or utility easement, unless the operator obtains a variance from the board of adjustment.

2. Within less than four hundred (400) feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the board of adjustment for which the operator provides notarized affidavits from all affected property owners within four hundred (400) feet of the proposed well stating consent of the proposed drilling or re-entry activity for deepening or conversion.

3. Within less than four hundred (400) feet from any exterior boundary line or six hundred (600) feet from any building or land used by any public or parochial school, college, university, or hospital, or which is occupied by a church or a public building, unless the operator obtains a variance from the board of adjustment for which the operator provides notarized affidavits from all affected property owners within six hundred (600) feet from the proposed well stating consent to the proposed drilling or re-entry activity for deepening or conversion.

4. Within less than four hundred (400) feet from the exterior boundary line of lands utilized for cemeteries or public parks, unless the operator obtains a variance from the board of adjustment.

C. Well re-entry. No well shall be re-entered for reworking which does not involve deepening or conversion, or re-entry activity for plugging and abandonment, the surface location of which is within less that two hundred (200) feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the board of adjustment for which the operator provides notarized affidavits from all affected property owners within two hundred (200) feet of the proposed well stating consent of the proposed re-entry activity for reworking, which does not involve deepening or deepening or conversion, or re-entry for plugging and abandonment.

D. Pipelines. Before any excavation or construction work is commenced on any pipeline to move oil, gas, water or other product to and from a well site, on, over under, along or across any city street, sidewalk, alley or other city property, a franchise shall first be obtained from the city council. No operator shall interfere with or damage any existing

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storm sewer, drainage facility, water line, sewer line or gas line, or facility of a public utility located on, under or across the course of any such pipeline.

E. Premises to be kept clean. All surface areas utilized by an operator for production facilities shall be kept clear of dry grass, weeds and combustible trash or other rubbish or debris that would, if allowed to accumulate, result in a fire hazard. In the event the operator does not keep the premises clean, the director of development services may have it cleaned by contract and the payment of such work performed shall constitute a valid lien against the property.

F. Public nuisance declared. No person shall conduct any well operation in a manner that would create a noise, odor or vibration detrimental to the health, safety or welfare of the surrounding neighborhood or any considerable number of persons. Such operation is hereby declared to constitute a public nuisance and subject to the provisions of Article V, Section 14-61 through Section 14-67 of the Municipal Code.

(Ord. No. 99555 § 6, Ord. No. 101816)

35-311 Use Regulations

(a) Generally

No use shall be permitted pursuant to this ordinance, and no development permit authorizing a use may be authorized, issued, or approved by any officer, official, or agency, unless said use is listed as a permitted or specific use permit in this section and all applicable permits and approvals have been issued by the agency or official with final decision making authority. Those uses permitted as primary uses or buildings within each zoning district shall be those uses listed in the use matrix (Tables 311-1 and 311-2 herein). (permitted accessory uses are set forth in the accessory use regulations, § 35-360 of this chapter.)

(b) Uses Not Mentioned.

(1) Uses Not Permitted Unless Specifically Enumerated.

No building permit shall be issued for a use not specifically mentioned or described by category in the use Matrix. Evaluation of these uses shall be as set forth in subsection (3), below.

(2) Uses Preempted by State Statute.

Notwithstanding any provision of this section to the contrary, uses which are required to be permitted in any zoning district by state statute may be permitted in accordance with state law whether or not the use is included in the use Matrix.

(3) Interpretation – Materially Similar Uses.

The director of development services shall make a determination if a use not mentioned can reasonably be interpreted to fit into a use category where similar uses are described. Interpretations may be ratified by the city council upon recommendation by the zoning commission at a regularly scheduled meeting. It is the intent of this Article to group similar or compatible land uses into specific zoning districts, either as permitted uses or as uses authorized by a specific use permit. Uses not listed as a permitted or specific use permit shall be presumed to be prohibited

Example: NAICS 5413 (Architectural Engineering, and Related Services) is coded under "Office, General." Assume that the use Matrix sets out a classification for "Laboratories, Testing", which is NAICS 54138 (a subheading of 54183). The latter 5-digit number is more specific than the 4-digit code. Accordingly, Testing Laboratories are not included within the same classification as General Offices. However, if Testing Laboratories had not been separately listed, they would be permitted in all districts where General Offices are permitted.

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from the applicable zoning district. In the event that a particular use is not listed in the use matrix, and such use is not listed as a prohibited use and is not otherwise prohibited by law, the director of development services shall determine whether a materially similar use exists in this Section. Should the director of development services determine that a materially similar use does exist, the regulations governing that use shall apply to the particular use not listed and the director's decision shall be recorded in writing. Should the director of development services determine that a materially similar use does not exist, the matter may be referred to the zoning commission for consideration for amendment to this ordinance to establish a specific listing for the use in question. Unless an appeal is timely filed pursuant to § 35-481 of this code, a decision of the director of development services pursuant to this Section is deemed to be valid. If, when seeking periodic ratification of interpretations, the director's interpretation is reversed, then decisions made in reliance on the director's interpretation shall be deemed to be non-conforming uses.

(4) Rules of Construction.

The director may determine that a use is materially similar if:

A. The use is listed as within the same structure or function classification as the use specifically enumerated in the use Matrix, as determined by the Land- based Classification Standards ("LBCS") of the American Planning Association. The director shall refer to the following documents in making this determination, which documents are hereby incorporated by this reference and which shall be maintained on file in the office of the planning department: American Planning Association, Land- based Classification Standards, LBCS Structure Dimension with Detail Descriptions (September 13, 1999); American Planning Association, Land- based Classification Standards, LBCS Function Dimension with Detail Descriptions (September 13, 1999); American Planning Association, Land- based Classification Standards, LBCS Tables (September 13, 1999); and American Planning Association, Land- based Classification Standards (April 18, 1999). The use shall be considered materially similar if it falls within the same LBCS classification (subject to subsection (5), below), and meets the requirements of subsection C, below.

B. If the use cannot be located within one of the LBCS classifications pursuant to subsection A, above, the director shall refer to the North American Industry Classification Manual (Executive Office of the President, Office of Management and Budget, 1997)("NAICS"). The use shall be considered materially similar if it falls within the same industry classification of the NAICS (subject to subsection (5), below), and meets the requirements of subsection C, below.

C. The proposed use shall not generate trips exceeding other uses proposed in the zoning district by more than ten percent (10%), as determined by the Institute of

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Transportation Engineers, Trip Generation (5th ed., 1991)(the "ITE Manual"), which document is hereby incorporated by this reference. If the trip generation is not listed in the ITE Manual, the use shall be considered materially similar.

(5) Construction of LBCS & NAICS.

In order to assist in interpretation of the use matrix, the LBCS and NAICS numbers precede each use in the use matrix. In interpreting the use matrix, the following rules of construction shall apply:

A. If a use is listed for a specific classification, while a more general classification within the same industry classification is also listed for another use, the specific classification

B. Governs. The specific use is not permitted in all districts where the uses coded to the general classification are permitted simply because they share a similar NAICS code number. The numbers increase as the classifications get more specific.

C. Some uses are listed separately, but fall within the same LBCS or NAICS classification. The uses within one such classification are not permitted in all of the zoning districts as the others simply because they fall within the same LBCS or NAICS classification.

(c) Permitted Uses

(1) Generally.

No use shall be permitted pursuant to this ordinance, and no development permit authorizing a use may be authorized, issued, or approved by any officer, official, or agency of the city unless said use is listed as a permitted or specific use permit in the use Matrix (Tables 311-1 and 311-2) and all applicable permits and approvals have been issued by the official or agency with final decision making authority.

(2) Use Categories And Specific Uses

The use categories listed in the first column of Tables 311-1 and 311-2 are defined in this ordinance, the LBCS, NAICS, or in other resources cross-referenced in this ordinance.

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P	***Permitted Uses***. A "P" indicates that the listed use is permitted by right within the zoning district. Permitted uses are subject to all other applicable standards of this ordinance. Additional development standards may be applicable (see supplemental use regulations, Division 7 of this Article).
S	**Specific Uses**. An "S" indicates that the listed use is permitted within the respective zoning district only after review and approval of a specific use permit, in accordance with the review procedures of section 35-423 of this chapter. Specific use permits are subject to all other applicable standards of this chapter and those requirements that may reasonably be imposed by the city consistent with the criteria set forth in § 35-423(e) of this chapter and any Supplemental use regulations which apply to said use.
	Prohibited Uses. A blank cell (" ") indicates that the listed use type is not allowed within the respective zoning district, unless it is otherwise expressly allowed by other regulations of this chapter.
NA	**Not Allowed Uses.** "NA" within the use matrix of Table 311 or 312, indicates a use that the city council, in consultation with the San Antonio Water System, has deemed inappropriate. If a use is listed as prohibited in a zoning district, but is permitted as an accessory use in the accessory use regulations of this chapter, the use is permitted only as an Accessory use to a principal use or principal building on the same lot, tract or parcel. Such uses cannot be established unless and until there is a principal use or principal building on the same lot, tract or parcel to which that use is accessory.

The overlay zoning districts address special sitting, use and compatibility issues which require use and development regulations in addition to those found in the underlying zoning districts. Accordingly, an overlay district may not permit all of the uses allowed in the base zoning district. If any regulation in an overlay zoning district requires lower densities, greater setbacks, or otherwise imposes greater standards than those required by the base zoning district, the more restrictive standard applies.

(d) Alcoholic Beverage Consumption

The provisions of this subsection (d) are designed to carry forward the restrictions established in ordinances Nos. 65513, § 2(f), adopted August 13, 1987; ordinance No. 67518, adopted July 21, 1988; ordinance No. 73398, § 1 (Att. "A"), adopted March 28, 1991; ordinance No. 74489, § 1 (Att. I); and ordinance No. 76116, § 1 (Att. I, § 9(A)), adopted July 9, 1992; as said ordinances are designed to restrict the sale or consumption of alcohol within various zoning districts.

(1) The uses permitted within the "C-2NA" district are the same as in the "C-2" districts, except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

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(2) The uses permitted within the "C-3R" district are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises consumption shall be permitted.

(3) The uses permitted within the "C-3NA" districts are the same as in "C-3" districts except that no sales of alcoholic beverages for on-premises or off-premises consumption shall be permitted.

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 FU"NC"TION	LCBS STRUCTURE
Accessory uses (Supplemental To The Residential use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	9900	
Assisted Living Or Elderly Home								S		S		S	P	P	P	P	P	1230	
Athletic Fields (Non-Commercial & Supplemental To The Residential use)	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	5370	
Automobile Noncommercial Parking (board Of adjustment)													P	P	P	P	P	2110	
Bed And Breakfast			S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	1310	
Cemetery Or Mausoleum	S	S	S				S		S		S						S	6700	
Child - Care Institution (Basic)	S	S	S	S	S	S		S		S		S					P	6561	
Church, Temple, Mosque	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6600	
Daycare Center (Commercial Or Nonprofit)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	6562	
Day Care, Group Home	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	
Dwelling - 1 Family (Attached Or Townhouse)								P		P		P	P	P	P	P	P	1000	1120
Dwelling - 1 Family (Detached)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1000	1110
Dwelling - 2 Family								P		P	P	P	P	P	P	P	P	1000	1121
Dwelling - 3 Family								P		P		P	P	P	P	P	P	1000	1203
Dwelling - 4								P		P		P	P	P	P	P	P	1000	1204

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 FU"NC"TION	LCBS STRUCTURE
Family																			
Dwelling - Accessory (Carriage Houses, Granny Flats, Echo Homes)) in RM-4, RM-5 & RM-6 granny flats allowed only if primary structure is a single family structure and use.	P	P	P	P	P	P	P	P	P	p	P	p					P	1000	1130
Dwelling - College Fraternity (Off Campus)													P	P	P	P	P	1000	1320
Dwelling - School Dormitories Or Housing (Off Campus)													P	P	P	P	P	1000	1320
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
Dwelling - Multifamily (25 Units Maximum)													P	P	P	P	P	1000	1220
Dwelling - Multifamily (33 Units Maximum)														P	P	P	P	1000	1230
Dwelling - Multifamily (40 Units Maximum)															P	P	P	1000	1240
Dwelling - Multifamily (50 Units Maximum)																P	P	1000	1250
Dwelling - Rowhouse, Zero Lot Line								P		P		P	P	P	P	P	P	1000	1122
Dwelling – Townhouse								P		P		P	P	P	P	P	P	1000	1140
Family Home			P	P	P	P	P	P	P	S	P	S					P	6560	
Farming And Truck Garden	P	P	P	P	P	P		P		P		P	P	P	P	P	P	9100	
Foster Family Home			P	P	P	P	P	P	P	S	P	S					P	6560	
Foster Group Home	S	S	S	S	S	S	S	S	S	S	S	S					P	6562	
Golf Course (Accessory To A Residential	P	P	P	P	P	P	S	P	S	P	S	P	P	P	P	P	S	5370	

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 FU"NC"TION	LCBS STRUCTURE
Subdivision)																			
Group Day-Care Home	S	S	S	S	S	S	S	S	S	S	S	S					P	6562	
Museum							S		S		S								
Nursery (1 Acre Minimum)	P	P	P	P	P		P		P		P						S	9140	
Radio / Television Station With Transmitter Tower	S	S	S	S	S												P	4231	
Recreation Facility (Public & Non-Commercial)	P	P	P	P	P	P	P	P	P	P	P	S	S	S	S	S	P	6340	
Registered Family Home (12 Children Maximum)		P	P	P	P	P	P	P		S		S					P	6562	
Rooming House										S							P	1320	
School - Private (Includes Church Schools, Private Schools K-12, Privately Owned College Or University, Trade Or specialty School)	P	P	P	P	P	P		P		P		P	P	P	P	P	P	6100	
School - Public (Includes All Isd Schools K-12, Open Enrollment Charter Schools, Public College Or University	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6100	
University Or College (Private)	S	S	S	S	S	S	S	S	S	S	S	S					P	6130	
Wireless Communication System	S	S	S	S	S	S	S	S	S	S	S	S					S	4233	

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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	
Dwelling - Multifamily (25 Units Maximum)	P			
Dwelling - Multifamily (33 Units Maximum)	P			
Dwelling - Multifamily (40 Units Maximum)				
Dwelling - Multifamily (50 Units Maximum)				
Dwelling - Rowhouse, Zero Lot Line	P			
Dwelling - Townhouse	P			
Family Home	P	P		
Farming And Truck Garden	P	P	P	
Foster Family Home	P	P	P	
Foster Group Home	S	S	S	
Golf Course (Accessory to a Residential Subdivision)	See Non-Residential Matrix			
Group Day-Care Home	S	S	S	
Museum	P	P	S	
Nursery (1 Acre Minimum)	See Non-Residential Matrix			
Radio / Television Station With Transmitter Tower	See Non-Residential Matrix			
Recreation Facility (Public & Non-Commercial)	See Non-Residential Matrix			
Registered Family Home (12 Children Maximum)	P	P	P	

Rooming House (boarding House)	See Non-Residential Matrix
School - Private (Includes Church Schools, Private Schools K-12, Privately Owned College or University, Trade or specialty School)	See Non-Residential Matrix
School - Public (Includes All ISD Schools K-12, Open Enrollment Charter Schools, Public College Or University	See Non-Residential Matrix
University Or College (Private)	See Non-Residential Matrix
Wireless Communication System	See Non-Residential Matrix

35-311 continued

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Accessory	Accessory uses - Secondary Or Incidental To Primary use	P	P	P	P	P	P	P	P	P	P	P	9900
Alcohol	Alcohol - Bar And/Or Tavern			S	S	S	P	P	P			P	2540
Alcohol	Alcohol – Nightclub						P	P	P				2540
Alcohol	Alcohol - Beverage Manufacture Or Brewery - Alcohol										P	NA	3110
Alcohol	Alcohol - Distillation, Storage									P	P	NA	3110
Alcohol	Alcohol - Microbrewery						P	P			P	S	
Alcohol	Alcohol - Beverage Retail Sales					P	P	P				P	2150
Alcohol	Alcohol - Winery With Bottling						P						
Amusement	Animal Racetrack And/Or Rodeo Arena								S	S		S	5130
Amusement	Carnival And/Or Circus								S	S	S	NA	5300
Amusement	Carnival And/Or Circus (Temporary For Not More Than 60 Days)							S	S	S	S	NA	5300
Amusement	Fairground And/Or Stadium							S	S	S		S	5300
Amusement	Miniature Golf					P	P	S				P	5340
Amusement	Amusement And/Or Theme Park - Outdoor Rides						P	S				P	5310
Amusement	Billiard Or Pool Hall - No Alcohol In "C-2"					P	P	P				P	5380
Amusement	Bingo Parlor					S	P					P	5300
Amusement	Carnival And/Or Circus - Temporary use (Time Set By city council On Individual Case Consideration)						S	S	S			S	5300
Amusement	Dance Hall						P	P				P	5110
Amusement	Go-Cart Track						S		P			S	5300
Amusement	Laser Hide & Seek Games - Indoors					P	P	P				P	5300
Amusement	Laser Hide & Seek Games - Outdoors permitted						S		P			P	5300
Amusement	Racing - Auto Or Truck Track									S		S	
Amusement	Theater - Indoor permitting Over 2 Screens And/Or Stages						P	P				P	5110
Amusement	Theater - Indoor With 2 Or Less Screens And/Or Stages				S	P	P	P				P	
Amusement	Theater - Outdoor Including Drive-In & Amphitheaters								P			P	5110
Amusement	Video Games - Coin Or Token Operated			S	P	P	P	P				P	5320
Animal	Animal - Equestrian Center And Riding Trails				S							S	
Animal	Animal - Pound Or Shelter								P	P		S	2418
Animal	Breeder - Small Animal Only								S	P		NA	2140
Animal	Cemetery - Pets (Limited To Small Animals)					P	P		P			S	6730
Animal	Dog Training – Indoor						P		P	P		P	2100
Animal	Dog Training - Outdoor permitted						S		P	P		S	
Animal	Kennel - boarding & Breeding (See Health & Environmental)								S	P		S	2418
Animal	Pet Grooming - Small Animals Only			P	P	P	P	P	P			P	2136
Animal	Small Animal Clinic - No Outside Runs			P	P	P	P	P	P			S	2418
Animal	Small Animal Hospital - Outside Runs Are permitted					S	P		P	P		S	2418
Animal	Stockyard										S	NA	9200
Animal	Veterinary Hospital - Large & Small Animal (Outside Runs, Pens & Paddocks permitted)									P		S	2418
Animal	Veterinary Hospital - Large & Small Animal (No Outside Runs, Pens & Paddocks permitted)						S		P	P		S	
Animal	Veterinary Hospital - Small Animal (Outside Runs, Pens &								P	P		S	

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
	Paddocks permitted)												
Animal	Veterinary Hospital - Small Animals (No Outside Runs, Pens & Paddocks permitted)						S	S	P	P		S	
Auto	Truck & Heavy Equipment - Auction									P		S	
Auto	Ambulance Service						S	P	P			P	4150
Auto	Auto - Glass Tinting					P	P		P			P	2115
Auto	Auto - Manufacture										P	NA	3770
Auto	Auto & Light Truck - Oil, Lube & Tune Up					P	P		P			NA	2110
Auto	Auto & Light Truck Auction								S	P		P	2110
Auto	Auto & Light Truck Repair						P		P			NA	
Auto	Auto & Vehicle Sales - New And used-Small Scale (No More Than 15 Vehicles Currently Licensed And In Running Condition On Site At Any Given Time For Storage And/Or Sale						P		P			S	2110
Auto	Auto & Vehicle Sales - New And used-Large Scale						P		P			S	2110
Auto	Auto – Rental						P		P	P	P	NA	
Auto	Auto – Rental (pick up and drop off only)					P	P	P	P	P		P	
Auto	Auto Alarm & Radio - Retail (Install. Incidental To Sales In "C-2")					P	P					P	2115
Auto	Auto Alarm & Radio – Retail (sales and installation as a primary use)						S		P			P	
Auto	Auto Glass Sales - Installation permitted						P		P	P		P	2110
Auto	Auto Muffler - Installation And Sales Only						P		P	P		S	2115
Auto	Auto Paint & Body - Repair With Outside Storage Limited To 3 Vehicles (All Outside Storage Of Parts To Be Totally Screened)						S		P	P		NA	2100
Auto	Auto Paint & Body - Repair With Outside Storage Of Vehicles And Parts permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways						S		P	P		NA	
Auto	Auto Parts Retail - No Outside Storage In "C-2"					P	P		P			P	2115
Auto	Auto Parts Retail - W/Installation & No Outside Storage					S	P		P			S	
Auto	Auto State Vehicle Inspection Station					P	P	P	P	P	P	P	2100
Auto	Auto Upholstery - Sales And Installation Completely Enclosed						P		P			P	2100
Auto	Carwash					S	P		P	P		S	
Auto	Carwash - Self Service					S	P		P			S	2110
Auto	Limousine Service -Dispatch & Office use Only No Servicing Of Vehicles Onsite					P	P	P	P	P		S	4155
Auto	Parking & Transient Vehicle Storage - Related To A Delivery (Auto, Truck, Trailer & Marine)(Each Vehicle Limited To 24 Hours Maximum Parking Time Within Any 48 Hour Period In "C3", "D" & "L")						S	S	P	P	P	S	9900
Auto	Parking And/Or Storage - Long Term								P	P	P	S	
Auto	Parking Lot - Noncommercial	P	P		S	P	P	P	P	P	P	S	2100
Auto	Parking Lot Or Garage - Commercial	S	P			P	P	P	P	P	P	P	2110
Auto	Taxi Service - Parking & Dispatch (No Washing Or Mechanical Service permitted)						P	P	P	P		S	4155
Auto	Taxi Service - Parking & Dispatch (Washing Or Mechanical Service permitted)								P	P		S	
Auto	Tire Repair - Auto & Small Truck (Sale And Installation Only, No Mechanical Service permitted)					P	P	S	P			S	2100
Auto	Truck Repair & Maintenance						S		S	P	P	NA	2000

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Auto	Truck Stop Or Laundry - Full Mechanical Service & Repair permitted									P	P	NA	
Auto	Truck Stop Or Laundry - Tire Repair permitted								S	P	P	S	2000
Auto	Vehicle Storage - See "Auto Parking And/Or Storage Long Term"	-	-	-	-	-	-	-	-	-	-	-	2110
Auto	Wrecker Service								P	P		NA	2100
Beverage	Beverage Manufacture - Non-Alcohol									P		S	
Church	Church	P	P	P	P	P	P	P	P			P	6600
Dry Goods - Wholesale	Dry Goods – Wholesale							S	P	P		P	3510
Dwelling	Apartment Or Extended Stay Housing - See (Housing - Apartment Or Extended Stay Hotel)	-	-	-	-	-	-	-	-	-	-	-	
Dwelling	Dwelling - Attached Apartments With Maximum Density Of 6 Dwellings Per Gross Acre (Allowed Ratio Of 1 Square foot Of Residential Floor use To 1 Square foot Of Nonresidential Floor use)				P	P	P	P				P	
Dwelling	Dwelling - Attached Apartments With Maximum Density Of 10 Dwellings Per Gross Acre (Allowed Ratio Of 1 Square foot Of Residential Floor use To 1 Square foot Of Nonresidential Floor use)					P	P	P				P	
Dwelling	Dwelling - Attachments Apartments With Maximum Density Of 20 Dwellings Per Gross Acre (Allowed Ratio Of 2 Square foot Of Residential Floor use To 1 Square foot Of Nonresidential Floor use)						P	P				P	
Dwelling	Dwelling - Attached Apartments							P					
Dwelling	Dwelling Other - See (Housing)												
Dwelling	Group Day Care - See (Housing - Group Day Care Limited To 12 Individuals)												
Dwelling	Housing (temporary or permanent) For On-Premise Caretaker			S	P	P	P	P	P	P	P	P	
Dwelling	Hotel - See (Housing - Hotel)												
Dwelling	Motel - See (Housing - Motel)												
Fabric	Electronic Component - Fabrication									P	P	S	3360
Government	Armory							S	S	S	S	S	6300
Government	Correction Institution						S	S	S	S		P	6222
Housing	Bed and Breakfast	S	P	S	P	P		P				P	1310
Housing	Housing - boarding House				P	P	P	P				P	
Housing	Housing - Extended Stay Hotel Or Timeshares					S	P	P				P	
Housing	Housing - Group Day Care Limited To 12 Individuals	P	P	P	P	P	P	P	P			P	6562
Housing	Housing – Hotel					S	P	P	P			P	
Housing	Housing - Motel					S	P	P	S			P	
Industrial	Batching Plant									P	P	S	
Industrial	Batching Plant - Temporary In "C-3" And "L" (6 Months Maximum)						S	S	S	P	P	S	3330
Industrial	Bookbinder						P		S	P		P	2135
Industrial	Cabinet Or Carpenter Shop						S		P	P		S	3210
Industrial	Can Recycle Collection Station - No Shredding						S		P	P	P	P	3600
Industrial	Coffee Roasting									P	P	P	3110
Industrial	Contractor Facility						S		S	P	P	S	7100
Industrial	Creamery									S	P	S	3110
Industrial	Dry Cleaning - Plant						P			P	P	NA	2600
Industrial	Laundry – Plant						P			P		S	2600

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Industrial	Lumber Yard And Building Materials						S		P	P	P	S	2126
Industrial	Machine Shop						S		P	P	P	S	7200
Industrial	Pecan Shelling								S	P	P	P	3110
Industrial	Rock Crusher									S	P	S	2120
Industrial	Rug Cleaning								P	P	P	S	2120
Industrial	Welding Shop - Limited To Three Employees & Screening Of Outside Storage In "C-3"						S		S	P	P	P	2100
Manufacturing	Abrasive - Manufacturing									P	P	NA	2610
Manufacturing	Acetylene Gas - Manufacturing & Storage										P	S	2613
Manufacturing	Air Products - Manufacturing									S	P	S	3400
Manufacturing	Artificial Limb Assembly					P	P	S	P	P	P	P	3400
Manufacturing	Asbestos Products - Manufacturing										P	NA	3330
Manufacturing	Asphalt Products - Manufacturing										P	NA	3330
Manufacturing	Bag Cleaning									P	P	S	2100
Manufacturing	Battery - Manufacturing										P	NA	3360
Manufacturing	Beverage - Manufacturing Or Processing									S	P	S	3110
Manufacturing	Biomedical Products - Manufacturing										S	NA	3000
Manufacturing	Boat & Marine - Manufacturing										P	S	2600
Manufacturing	Boiler And Tank Works										P	S	3350
Manufacturing	Broom, Brush - Manufacturing								P	P		S	3400
Manufacturing	Building specialties - Wholesale Outside Storage permitted								S	P		S	3510
Manufacturing	Bulk Plant Or Terminal										S	NA	3110
Manufacturing	Can Manufacture										P	NA	
Manufacturing	Candle - Manufacturing									S	P	S	3400
Manufacturing	Candy - Manufacturing								S	P		S	3110
Manufacturing	Canvas Products - Manufacturing								S	P	P	S	3400
Manufacturing	Chemical - Manufacturing Or Processing									S	S	NA	3320
Manufacturing	Chemical/Drug - Wholesale & Storage								P	P		NA	3600
Manufacturing	Clothing Manufacture - Chemical Process										P	NA	3130
Manufacturing	Clothing Manufacture - Non-Chemical Process								P	P	P	S	3130
Manufacturing	Concrete Products - Manufacturing									S	P	S	3330
Manufacturing	Cotton Compress, Ginning And Bailing										P	NA	9510
Manufacturing	Drug - Manufacturing									P	P	S	3000
Manufacturing	Electronic Component - Manufacturing									S	P	NA	3360
Manufacturing	Electroplating										P	S	3400
Manufacturing	Felt Products - Manufacturing										P	S	3400
Manufacturing	Glass Manufacture										P	S	3330
Manufacturing	Grain – Drying										P	S	3600
Manufacturing	Grain – Milling										P	S	3100
Manufacturing	Hatchery										P	S	9240
Manufacturing	Hazardous Materials Hauling Or Storage										S	NA	4000
Manufacturing	Hosiery - Manufacturing									P	P	S	3320
Manufacturing	Ice Cream - Manufacturing								P	P	P	P	3110
Manufacturing	Ice Plant - Manufacturing & Processing									P	P	P	3100
Manufacturing	Insulation Products - Manufacturing & Processing										P	NA	3330
Manufacturing	Junkyard Or Salvage Yard										S	NA	2120
Manufacturing	Petro Chemicals Bulk Storage										P	NA	3600
Manufacturing	Mattress - Manufacturing & Rebuilding								P	P	P	S	3340

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Manufacturing	Metal Forging Or Rolling Mill										S	NA	3340
Manufacturing	Metal Products - Fabrication									S	P	S	2140
Manufacturing	Millinery - Manufacturing								P	P		P	3400
Manufacturing	Millwork & Wood Products - Manufacturing									S	P	S	3210
Manufacturing	Moving And Transfer Company - With Trucks Attached To Trailers For A Total Exceeding 24 Feet In Length								P	P	P	S	4141
Manufacturing	Novelty And Souvenir - Manufacture								S	P	P	S	3400
Manufacturing	Nuclear Or Radioactive Instrumentation - Manufacturing									S	S	NA	3360
Manufacturing	Office Equipment, Furniture - Manufacture								P	P	P	S	2120
Manufacturing	Oil Well Supplies And Machinery - Manufacturing.										P	NA	3350
Manufacturing	Packing And Gasket - Manufacturing										P	NA	3000
Manufacturing	Packing Plant - No Rendering										P	NA	9200
Manufacturing	Paints, Etc. - Manufacturing & Processing										P	NA	3320
Manufacturing	Paper Products - Manufacturing										P	NA	3200
Manufacturing	Petroleum - Manufacturing Or Processing										S	NA	3310
Manufacturing	Pipe Storage									P	P	P	7000
Manufacturing	Planing Mill										S	S	2120
Manufacturing	Plastic / Vinyl - Manufacturing Or Processing									S	P	NA	3220
Manufacturing	Playground Equipment - Manufacturing								P	P	P	S	3400
Manufacturing	Poultry Processing - Caged Hen Operation										P	NA	9240
Manufacturing	Poultry Processing & Live Poultry Storage - Completely Enclosed										P	NA	9240
Manufacturing	Processing - Other Than Food									S	P	S	3000
Manufacturing	Refrigeration Equipment - Manufacturing									S	P	NA	3360
Manufacturing	Rendering Plant										S	NA	9200
Manufacturing	Sand Or Gravel - Storage & Sales									P	P	P	8000
Manufacturing	Shoe - Manufacturing								S	P	P	S	3140
Manufacturing	Shoe - Wholesale (Manufacturing permitted)								S	P		S	
Manufacturing	Shoe Polish - Manufacturing										P	NA	3320
Manufacturing	Sign Manufacture								S	P	P	S	3440
Manufacturing	Stone Curing, Monument - Manufacturing									P	P	P	3330
Manufacturing	Storage - Outside (Open With No Screening Required)								S	S	P	S	
Manufacturing	Storage - Outside (Screening From Public Rows And Adjacent Property Required)						S		S	P	P	S	
Manufacturing	Textile - Manufacturing										P	S	3130
Manufacturing	Tile - Manufacturing										P	NA	3330
Manufacturing	Tile, Roofing & Waterproofing Products - Manufacturing										P	NA	3330
Manufacturing	Tobacco - Processing										P	S	3120
Manufacturing	Tool - Manufacturing									S	P	S	3400
Manufacturing	Toy - Manufacturing									P	P	S	3420
Manufacturing	Trailer - Manufacturing									P	P	S	3400
Manufacturing	Venetian Blind - Cleaning & Fabrication								S	P	P	S	2100
Manufacturing	Vulcanizing, Recapping									S	P	NA	3320
Manufacturing	Water Distillation									S	P	S	3110
Manufacturing	Well Drilling Contractor									S	P	S	7230
Manufacturing	Wire Products - Manufacturing									P	P	S	3400
Manufacturing	Wood Processing By Creosoting Or Other Preserving Treatment										P	NA	3210
Manufacturing	Wool Pulling And Scouring										P	NA	3000

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Medical	Medical - Surgical Supplies Wholesale						P	S	P	P		P	3510
Office	Aerial Survey - Administrative Offices No On-Site Flight Services	P	P		P	P	P	P	P			P	2400
Office	Office – no restrictions on square footage unless otherwise prescribed in zoning district regulations, §§ 35-310.01 to 35-310.14, above	P	P		P	P	P	P	P	P		P	2400
Office	Office - Less Than 3,000 square feet and less than 35 feet in height	P	P	P	P	P	P	P	P	P		P	
Plants	Florist – Wholesale						P	P	P	P		P	3520
Plants	Landscaping Materials - Sales & Storage								P	P		S	2123
Plants	Nursery - Plant Wholesale Onsite Growing permitted						P		P			S	9140
Print	Printer - Large Scale Other Then Quick Print						S		P	P		S	2400
Processing	Cosmetics - Manufacturing Or Processing									P		S	2600
Processing	Food & Food Products - Processing								S	P	P	S	3110
Processing	Punch Concentrate - Processing & Mixing								S	P	P	P	3110
Processing	Punch Concentrate Products - Mixing Only					S	P		P	P	P	P	3110
Processing	Recycling Facility without outside storage and/or processing									P	P	S	
Processing	Recycling Facility with outside storage and/or processing										P	NA	
Recreation	Archery Range - Outdoor								S	P		P	5300
Recreation	Archery Range - Indoor					P	P	P	P			P	5300
Recreation	Athletic Fields - Noncommercial	S	S	S	P	P	P	S	P			P	5370
Recreation	Athletic Fields - Commercial	S	S			S	P	S	P				
Recreation	Bowling Alley						P	P	P			P	5380
Recreation	Golf Course - Private (See Residential use Table)					S	S					S	
Recreation	Golf Course - Publicly Owned	S	S	S	S	S	S	S	S			S	
Recreation	Golf Driving Range					S	P		P	S		S	5370
Recreation	Recreational Facility - Private Community Wide					P	P	P				P	
Recreation	Recreational Facility - Private Neighborhood			P	P	P	P					P	
Recreation	Recreational Facility - Public Community Wide					P	P	P				P	6340
Recreation	Recreational Facility - Public Neighborhood			P	P	P	P					P	6340
Recreation	Rifle & Pistol Range - Indoor						S	S		S	P	S	5300
Recreation	Rifle & Pistol Range - Outdoor permitted										S	S	5300
Recreation	Skateboard Track						S	S	P			P	5390
Recreation	Skating Rink - Ice Or Roller Skating						P	P	P			P	5390
Recreation	Stable & Equestrian Center								P			S	5300
Recreation	Tennis, Racquetball, Handball, Volleyball or Basketball - Noncommercial (Outside Courts permitted)		P		S	S	P	P	P			P	
Recreation	Tennis, Racquetball, Handball, Volleyball or Basketball - Commercial (Outside Courts Not permitted)		P			S	P	P	P			P	
Recreation	Tennis, Racquetball, Handball, Volleyball or Basketball - Commercial (Outside Courts permitted)		P		P	S	P	P	P			P	5370
Recreation	Tennis, Racquetball, Handball, Volleyball or Basketball - Noncommercial (Outside Courts Not permitted)		P			S	P	P	P			P	
Recreation	Recreational Vehicle Park						S		P			P	
Retail	Air Conditioners - Retail (Incidental To Other Onsite Retail Items In "D")						P	P	P			P	2120
Retail	Antique Store - Retail			P	P	P	P	P	P			P	2145
Retail	Apothecary - See (Drugstore - Apothecary)												
Retail	Apparel & Accessory Store - Retail			P	P	P	P	P				P	2133

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Retail	Appliance - Retail (Incidental To Other Onsite Retail Items In "D")					P	P	P				P	2125
Retail	Art Gallery		P	P	P	P	P	P				P	2142
Retail	Bakery – Retail			P	P	P	P	P				P	2151
Retail	Bookstore		P	P	P	P	P	P				P	2135
Retail	Business Machines - Retail		P		S	P	P	P				P	2130
Retail	Camera, Photographic Equipment & Supplies - Retail			P	P	P	P	P				P	2132
Retail	Candy, Nut And Confectionery - Retail			P	P	P	P	P				P	2153
Retail	Catering Shop			P	P	P	P	P	P			P	2560
Retail	Convenience Store			P	P	P	P	P	P			P	2152
Retail	Convenience Store (with carwash)					S	P		P	P	P	S	2152
Retail	Convenience Store (with gasoline)					P	P	S	P	P	P	NA	2152
Retail	Convenience Store (with gasoline and carwash)					S	P		P	P	P	NA	2152
Retail	Dairy Products - Retail			P	P	P	P	P				P	2150
Retail	Drugstore - Apothecary		P	P	P	P	P	P				P	2161
Retail	Dry Goods - Retail			P	P	P	P	P				P	2130
Retail	Farm Supplies						S		P	P		P	2140
Retail	Feed, Seed, Fertilizer Sales - No Outside Storage In "C-3"						P		P	P		P	2140
Retail	Fish Market - Retail			P	P	P	P	P				P	2153
Retail	Flea Market - Indoor						P		P			P	2100
Retail	Flea Market - Outdoor								S	P		P	2100
Retail	Floor Covering - Retail (Incidental To Other Onsite Retail Items In "D")					P	P	P	P			P	2120
Retail	Florist – Retail		S	P	P	P	P	P	P			P	2141
Retail	Food Locker Plant - Retail								S	P		S	2120
Retail	Food Store - Limited In "C-1" To Maximum 3000 Square foot Total Floor Area			P	P	P	P	P				P	2151
Retail	Fruit And Produce - Retail			P	P	P	P	P				P	2154
Retail	Furniture Sales - Retail			S	P	P	P	P				P	2121
Retail	Gift Shop - Retail		S	P	P	P	P	P				P	2140
Retail	Glass – Retail					P	P	P	P			P	2120
Retail	Grocery Store - Retail (Limited To Maximum 3000 Square foot Total In "C-1")			P	P	P	P	P				P	2151
Retail	Hardware Sales - Retail (Limited To Maximum 3000 Square foot Total In "C-1")			P	P	P	P	P				P	2122
Retail	Head Shop						S					P	2000
Retail	Hobby Store - Retail (Limited To Maximum 3000 Square foot Total In "C-1")			P	P	P	P	P				P	2140
Retail	Home Improvement Center						P	S	P			P	
Retail	Jewelry Store - Retail		S	P	P	P	P	P				P	2140
Retail	Leather Goods Or Luggage Store - Retail			P	P	P	P	P				P	2130
Retail	Medical - Surgical Supplies Retail					P	P	P	P			P	2130
Retail	Milliner - Custom			P	P	P	P	P	P	P		P	3400
Retail	Music Store			P	P	P	P	P				P	2135
Retail	Newsstand		P	P	P	P	P	P				P	2140
Retail	Nursery – Retail (Growing Plants On Site permitted)					P	P		P			S	
Retail	Nursery – Retail (No Growing Plants On Site permitted)				P	P	P	P				S	2100
Retail	Office Equipment And Supply - Retail		S		P	P	P	P	P			P	2120
Retail	Paint And Wallpaper Store - Retail & Wholesale					P	P	P	P	S		P	2120

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Retail	Pet Shop - Retail			P	P	P	P	P	P			P	2136
Retail	Plumbing Fixtures - Retail (Incidental To Other Onsite Retail Items In "D")					P	P	P	P			P	2120
Retail	Rug Or Carpet - Retail				P	P	P	P	P			P	2120
Retail	Secondhand Merchandise - Retail No Outside Storage Or Display Of Inventory permitted)					P	P	P	P			P	2145
Retail	Shoe – Retail			P	P	P	P	P				P	2140
Retail	Silk Screening - Retail					P	P	P				P	2140
Retail	Sporting Goods - Retail			P	P	P	P	P				P	2134
Retail	Stamps And Coin Sales - Retail			P	P	P	P	P				P	2140
Retail	Stationary Products - Retail	S	P	P	P	P	P	P				P	2140
Retail	Tamale - Preparation Retail (Less Than 2,000 Square foot In "C-1" & "C-2")			S	S	P	P	P	P			P	2153
Retail	Thrift Store - Retail See (Secondhand Merchandise)												2145
Retail	Tobacco Store - Retail		P	P	P	P	P	P				P	2143
Retail	Toy Store - Retail			P	P	P	P	P				P	2130
Retail	Trophy Sales, Engraving & Assembly			P	P	P	P	P	P			P	2140
Retail	Variety Store - Retail					P	P	P				P	2145
Sales	Boat - Sales & Service						P		P			S	
Sales	Machinery, Tools & Construction Equipment Sales & Service						S		P	P	P	S	2120
Sales	Farm Equipment Sales, Service Or Storage								P	P	P	S	2120
Sales	Oil Well Supplies And Machinery Sales - used										P	NA	2120
Sales	Portable Building Sales					S	S		P	P	P	P	2120
School	School - Private University Or College		S			S	P	P	P			P	6130
School	School - Public University Or College	P	P	P	P	P	P	P	P			P	6130
School	School - Montessori				S	P	P	P				P	6100
School	School - Nursery (Public & Private)		P	P	P	P	P	P				P	6110
School	School – Private Pre-Kindergarten Through 12th Grade	P	P	P	P	P	P	P				P	9900
School	School - Public Pre-Kindergarten Through 12th Grade	P	P	P	P	P	P	P				P	9900
Service	Air Conditioning / Refrigeration - Service & Repair						S		P	P		P	2120
Service	Altering/Repairing Of Apparel			P	P	P	P	P				P	2600
Service	Ammunition - Manufacturing, Loading & Storage										S	S	2100
Service	Appliance - Repair Major					P	P		P			P	
Service	Appliance - Repair Small			P	P	P	P					P	2125
Service	Auditorium		P			P	P	P				P	5110
Service	Bank, Savings And Loan	P	P	S	S	P	P	P				P	2210
Service	Barber Or Beauty Shop		P	P	P	P	P	P				P	2600
Service	Bicycle – Repair			P	P	P	P	P				P	2113
Service	Boat & Marine - Storage (Outside permitted)						S		P			S	
Service	Body Piercing						P					P	2600
Service	Cemetery Or Mausoleum				S	S	S	S				NA	6700
Service	Copy Or Blueprinting - Example "Quick Print"		P		S	P	P	P				P	2414
Service	Copy Service - Blueprinting And Photocopying	P	P	P	P	P	P	P	P	P		S	2414
Service	Cosmetics - Permanent			P	P	P	P	P				P	2600
Service	Day-Care Center - Child And/Or Adult Care		S	P	P	P	P	P	S			P	6562
Service	Delicatessen		P	P	P	P	P	P				P	2520
Service	Dry Cleaning - Limited To Five Employees					P	P	P	P	P		S	2600

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Service	Dry Cleaning - Pickup Station Only		P	P	P	P	P	P	P			P	2600
Service	Electric Repair - Heavy Equipment								P	P		P	7330
Service	Electric Repair - Light Equipment						S		P	P		P	7330
Service	Electronic Equipment - Repair			P	P	P	P	P	P			S	2125
Service	Elevator Maintenance - Service							P	P	P		S	2450
Service	Employment Agency	P	P		S	P	P	P				P	2423
Service	Exterminators								S	P		S	2451
Service	Food - Restaurant Or Cafeteria		P	P	P	P	P	P	P	P		P	2150
Service	Funeral Home Or Undertaking Parlor						P	P	P			S	6710
Service	Furniture Repair / Upholstering			P	P	P	P	P	P			S	2121
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	Gunsmith					P	P	P	P			S	2134
Service	Gymnasium - Commercial					S	P	P	P			P	5370
Service	Janitorial / Cleaning Service					P	P	P	P	P		S	2452
Service	Laboratory - Research						P	P	P	P		S	2416
Service	Laboratory - Testing	P	P				P	P	P	P		S	2416
Service	Laundry And Dry Cleaning - Self Service			P	P	P	P	P				S	2600
Service	Laundry- Limited To Max Of Five Employees					P	P	P	P	P		S	2600
Service	Laundry Or Dry Cleaning - Pickup Station Only		P	P	P	P	P	P	P			P	2600
Service	Lawnmower Repair And Service - No Outside Storage In "C-2"					P	P		P			S	2100
Service	Library	P	P	P	P	P	P	P				P	4242
Service	Linen Or Uniform Supply, Diaper Service (Pickup & Supply Only)						P		P	P		S	2100
Service	Loan Office	P	P	P	P	P	P	P				P	2200
Service	Locksmith		P	P	P	P	P	P				P	2100
Service	Manufactured Home / Oversize Vehicle Sales, Service Or Storage								S	P		S	2100
Service	Massage - Parlor						P	P				P	6520
Service	Massage - Therapeutic	S	P	P	P	P	P	P	P			P	3400
Service	Medical - Chiropractor Office	P	P	P	P	P	P	P				P	6511
Service	Medical – Clinic (Physician And/Or Dentist)	P	P	P	P	P	P	P				P	6511
Service	Medical – Clinic Physical Therapist	S	P	P	P	P	P	P				P	6520
Service	Medical - Hospital Or Sanitarium					S	P	P	S			S	6530
Service	Medical - Laboratory Dental Or Medical		S	P	P	P	P	P	P			S	6513
Service	Medical - Optical Goods Retail	S	P	P	P	P	P	P				P	2163
Service	Medical - Optical Goods Wholesale						P	P	P	P		P	3510
Service	Medical - Optician	P	P	P	P	P	P	P				P	2410
Service	Medical - Optometry Office	P	P	P	P	P	P	P				P	2410
Service	Mini Warehouse - Over 2.5 Ac. Requires specific use permit In "C3" & "D"						P	P	P	P	P	P	3600
Service	Mortuary - Embalming And Preparation Only						S		P			S	6700
Service	Movie Rentals			P	P	P	P	P				P	2336
Service	Palm Reading			P	P	P	P	P				P	2600
Service	Party House, Reception Hall, Meeting Facilities					S	P	P	P	S		P	
Service	Pawn Shop					P	P	P	P			P	2140

TABLE 311-2 NON-RESIDENTIAL USE MATRIX

	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Service	Picture Framing			P	P	P	P	P				P	2140
Service	Post Office	P	P	P	P	P	P	P	P	P		P	6310
Service	Reading Room	P	P	P	P	P	P	P				P	5300
Service	Reducing Salon				P	P	P	P				P	6511
Service	School - Business College		P			P	P	P				P	6142
Service	School - Trade (No Outside Storage & Training Area permitted)						P	P				S	6140
Service	School - Trade (Outside Storage & Training Area permitted)								P	P	P	S	6140
Service	Self-Defense Instruction			P	P	P	P	P	P			P	6140
Service	Shoe – Repair			P	P	P	P	P				P	2600
Service	Sign Shop – No Outside Storage					P	P	P	P			P	3440
Service	Studio - Fine Or Performing Arts	S	P	P	P	P	P	P				P	6145
Service	Studio - Interior Decorating	P	P	P	P	P	P	P				P	2413
Service	Studio - Photographic			P	P	P	P	P				P	
Service	Studio – Sound & Recording						P	P	P			P	
Service	Tailor Shop			P	P	P	P	P				P	2600
Service	Tattoo Parlor/Studio						P					P	2600
Service	Taxidermist								P	P		S	2140
Service	Temporary Common Worker Employer						S	P		P		P	
Service	Tool Rental - Fenced & Screened Outside Storage permitted						P	S				S	2140
Service	Tool Rental - Outside Storage permitted								P	P		S	2140
Service	Tree Cut & Trim Service						S		P	P		S	2000
Service	Watch Repair		P	P	P	P	P	P				P	2140
Social	Club – Private					S	P	P				P	9900
Social	Clubhouse - Private Including Lodges & Meeting Halls				P	P	P	P				P	9900
Storage	Carting, Crating, Hauling, Storage									P	P	S	3600
Storage	Cold Storage Plant									P	P	S	3600
Storage	Fur Dyeing, Finishing And Storing							S	P	P		S	3600
Storage	Ice Cream Truck Storage									P	P	S	4000
Storage	Moving Company								P	P	P	S	4140
Storage	Storage - Outside (Under Roof And Screened)								P	P	S	S	9900
Transportation	Airport - Non-Governmental									S	S	S	4113
Transportation	Freight Depot								S	P	P	S	4140
Transportation	Heliport		S					S		S	S	S	4110
Transportation	Helistop		S			S	S	S		S	S	P	4110
Transportation	Passenger Depot						S	S	P	P	P	P	4120
Transportation	Transit Bus Maintenance Facility								S	P		NA	
Transportation	Transit Bus Storage Facility								S	P		NA	
Utilities	Radio Or Television Station Without Transmission Tower					S	S	S	S	S		P	4231
Utilities	Telephone Equipment Infrastructure	S	S	S	S	S	S	P	P	P	P	P	4234
Utilities	Wireless Communication Systems		S			S	S	S	S	P	P	S	4233
Utility	Sanitary Landfill, Solid Waste Facility										S	NA	4345
Warehouse	Office Warehouse (Flex Space) - Outside Storage Not permitted						P		P	P	P	S	3600
Warehousing	Warehousing							S	P	P	P	S	3600
Wholesale	Bakery - Wholesale								S	P		P	3520

TABLE 311-2 NON-RESIDENTIAL USE MATRIX													
	PERMITTED USE	O-1	O-2	"NC"	"C-1"	C-2	C-3	D	L	I-1	I-2	ERZD	(LBCS Function)
Wholesale	Barber And Beauty Equipment - Wholesale						P	P	P			P	3510
Wholesale	Camera, Photographic Equipment & Supplies - Wholesale						S	P	P	P		S	3510
Wholesale	Dairy Equipment Sales - Wholesale									P	P	P	3510
Wholesale	Dairy Products - Wholesale									P		P	3520
Wholesale	Drug Sales - Wholesale								P	P		P	3520
Wholesale	Fish Market - Wholesale								P	P		P	3520
Wholesale	Food Products - Wholesale & Storage								P	P		P	3520
Wholesale	Fruit And Produce - Wholesale								S	P		P	3520
Wholesale	Furniture Sales - Wholesale						P		P	P		P	3510
Wholesale	Glass - Wholesale						P		P	P		P	2120
Wholesale	Grocery - Wholesale									P	P	P	3520
Wholesale	Hardware Sales - Wholesale								P	P		P	3510
Wholesale	Office Equipment And Supply - Wholesale (Incidental To Other Onsite Retail Items In "D")						P	P	P	P		P	3520
Wholesale	Paper Supplies - Wholesale (Incidental To Onsite Retail Items In "C-3" And "D")						P	P	P	P	P	P	3520
Wholesale	Plumbing Fixtures - Wholesale						S	S	P	P		P	3510
Wholesale	Shoe - Wholesale No Manufacturing						P	P	P			P	3520
Wholesale	Sporting Goods - Wholesale (Incidental To Onsite Retail Items In "D")							P	P	P		P	3510
Wholesale	Stone Monument - Retail & Wholesale								P	P		P	2130
Wholesale	Tamale - Preparation Wholesale (Less Than 2,000 Square foot In "C-1" & C-2)				S	S	P	P	P	P		P	3520

35-311 continued

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	MI - 2	MI - 2 < 3,000 sf	VILLAGE CENTER - M2
Accessory	Accessory uses - Secondary Or Incidental To Primary use	P	P	P	P	P	P	P	P	P		P	P		P
Alcohol	Alcohol - Bar And/Or Tavern	P	S	S	P	S	S					P			P
Alcohol	Alcohol - Beverage Manufacture Or Brewery - Alcohol												P		
Alcohol	Alcohol - Distillation, Storage												P		
Alcohol	Alcohol - Microbrewery	P	P		P	P						P	P		P
Alcohol	Alcohol - Beverage Retail Sales	P	P		P	P						P			P
Alcohol	Alcohol - Winery With Bottling												P		
Amusement	Animal Racetrack And/Or Rodeo Arena									S					
Amusement	Carnival And/Or Circus									S			S		
Amusement	Carnival And/Or Circus (Temporary For Not More Than 60 Days)	S			S			S		S			S		
Amusement	Fairground And/Or Stadium							P		S					
Amusement	Miniature Golf	P	P		P	P									
Amusement	Amusement And/Or Theme Park - Outdoor Rides	S			S										
Amusement	Billiard Or Pool Hall - No Alcohol In "C-2"	P	P		P	P						P			P
Amusement	Bingo Parlor	P	P		P	P		S	S						
Amusement	Carnival And/Or Circus - Temporary use (Time Set By city council On Individual Case Consideration)	S			S					S					
Amusement	Dance Hall	P			P			P	P	P					
Amusement	Go-Cart Track	S			S			P		P					
Amusement	Laser Hide & Seek Games - Indoors	P	P		P	P				P			P		
Amusement	Laser Hide & Seek Games - Outdoors permitted							P		P					
Amusement	Racing - Auto Or Truck Track									S			S		
Amusement	Theater - Indoor permitting Over 2 Screens And/Or Stages	P	P		P	P									
Amusement	Theater - Indoor With 2 Or Less Screens And/Or Stages	P	S		P	S						P			P
Amusement	Theater - Outdoor Including Drive-In & Amphitheaters							P	P	P					
Amusement	Video Games - Coin Or Token Operated	P	P	S	P	P	S					P			P
Animal	Animal - Equestrian Center And Riding Trails							S		S					
Animal	Animal - Pound Or Shelter									P					
Animal	Breeder - Small Animal Only							P		S					
Animal	Cemetery - Pets (Limited To Small Animals)							P		P					
Animal	Dog Training - Indoor	P	P		P	P		P		P					
Animal	Dog Training - Outdoor permitted							P		P					
Animal	Kennel - boarding & Breeding (See Health & Environmental)							P		S					
Animal	Pet Grooming - Small Animals Only	P	P	P	P	P	P	P	P	P		P			
Animal	Small Animal Clinic - No Outside Runs	P	P	P	P	P	P	P	P	P		P			

Animal	Small Animal Hospital - Outside Runs Are permitted									P			P						
Animal	Stockyard												S						
Animal	Veterinary Hospital - Large & Small Animal (Outside Runs, Pens & Paddocks permitted)									P			P						
Animal	Veterinary Hospital - Large & Small Animal (No Outside Runs, Pens & Paddocks permitted)									P	P		P						
Animal	Veterinary Hospital - Small Animal (Outside Runs, Pens & Paddocks permitted)									P			P						
Animal	Veterinary Hospital - Small Animals (No Outside Runs, Pens & Paddocks permitted)	S				S				P	P		P		P				
Auto	Truck & Heavy Equipment - Auction																		
Auto	Ambulance Service	S				S							P						
Auto	Auto - Glass Tinting	P	P			P	P						P						
Auto	Auto & Light Truck - Manufacture															P			
Auto	Auto & Light Truck - Oil, Lube & Tune Up	P	P			P	P							P	P	P		P	
Auto	Auto & Light Truck Auction												S						
Auto	Auto & Light Truck Repair	S				S								P	P	P		P	
Auto	Auto & Vehicle Sales - New And used-Small Scale (No More Than 15 Vehicles Currently Licensed And In Running Condition On Site At Any Given Time For Storage And/Or Sale	S				S							S						
Auto	Auto & Vehicle Sales - New And used-Large Scale												S			P			
Auto	Auto - Rental (Pickup & Drop Off Only In "C-2")	P	P			P	P								P			P	
Auto	Auto Alarm & Radio - Retail (Install. Incidental To Sales In "C-2")	P	P			P	P								P			P	
Auto	Auto Glass Sales - Installation permitted	S				S							P			P			
Auto	Auto Muffler - Installation And Sales Only	S	S			S	S						P			P			
Auto	Auto Paint & Body - Repair With Outside Storage Limited To 3 Vehicles (All Outside Storage Of Parts To Be Totally Screened)	S	S			S	S						P			P			
Auto	Auto Paint & Body - Repair With Outside Storage Of Vehicles And Parts permitted But Totally Screened From View Of Adjacent Property Owners And Public Roadways												P			P			
Auto	Auto Parts Retail - No Outside Storage In "C-2"	P	P			P	P						P		P			P	
Auto	Auto Parts Retail - W/Installation & No Outside Storage	S	S			S	S						P						
Auto	Auto State Vehicle Inspection Station	P	P			P	P							P	P	P		P	
Auto	Auto Upholstery - Sales And Installation Completely Enclosed	S	S			S	S						P			P			
Auto	Carwash - Automatic And Attendant Operated	P	P			P	P						P						
Auto	Carwash - Automatic Self Service Drvie-Thru	P	P			P	P						P						
Auto	Carwash - Self Service	P	P			P	P						P						
Auto	Limousine Service -Dispatch & Office use Only No Servicing Of Vehicles Onsite	P	P			P	P						P						
Auto	Parking & Transient Vehicle Storage - Related To A Delivery (Auto, Truck, Trailer & Marine)(Each Vehicle Limited To 24 Hours Maximum Parking Time Within Any 48 Hour Period In "C3", "D" & "L")												P			P			
Auto	Parking And/Or Storage - Long Term												P			P			
Auto	Parking Lot - Noncommercial	P	P			P	P						P			P			
Auto	Parking Lot Or Garage - Commercial	P	P			P	P						P			P			
Auto	Taxi Service - Parking & Dispatch (No Washing Or Mechanical Service permitted)	S	S			S	S						P						
Auto	Taxi Service - Parking & Dispatch (Washing Or Mechanical Service permitted)					S							P						
Auto	Tire Repair - Auto & Small Truck (Sale And Installation Only, No Mechanical Service	P	P			P	P						P						

	permitted)																		
Auto	Truck Repair & Maintenance	S				S							P			P			
Auto	Truck Stop Or Laundry - Full Mechanical Service & Repair permitted												P			P			
Auto	Truck Stop Or Laundry - Tire Repair permitted												P			P			
Auto	Vehicle Storage - See "Auto Parking And/Or Storage Long Term"															P			
Auto	Wrecker Service												P						
Beverage	Beverage Manufacture - Non-Alcohol																		
Church	Church	P	P	P		P	P	P		P	P				P				
Dry Goods – Wholesale	Dry Goods - Wholesale												P						
Dwelling	Apartment Or Extended Stay Housing - See (Housing - Apartment Or Extended Stay Hotel)																		
Dwelling	Dwelling - Attached Apartments With Maximum Density Of 6 Dwellings Per Gross Acre (Allowed Ratio Of 1 Square foot Of Residential Floor use To 1 Square foot Of Nonresidential Floor use)	P	P	P															
Dwelling	Dwelling - Attached Apartments With Maximum Density Of 10 Dwellings Per Gross Acre (Allowed Ratio Of 1 Square foot Of Residential Floor use To 1 Square foot Of Nonresidential Floor use)	P	P	P															
Dwelling	Dwelling - Attachments Apartments With Maximum Density Of 20 Dwellings Per Gross Acre (Allowed Ratio Of 2 Square foot Of Residential Floor use To 1 Square foot Of Nonresidential Floor use)	P	P	P															
Dwelling	Dwelling - Attached Apartments With Maximum Density Of 50 Dwellings Per Gross Acre (Allowed Ratio Of 4 Square foot Of Residential Floor use To 1 Square foot Of Nonresidential Floor use)	P																	
Dwelling	Dwelling Other - See (Housing)																		
Dwelling	Group Day Care - See (Housing - Group Day Care Limited To 12 Individuals)																		
Dwelling	Hotel - See (Housing - Hotel)																		
Dwelling	Motel - See (Housing - Motel)																		
Fabric	Electronic Component - Fabrication												P			P			
Government	Armory												S			S			
Government	Correction Institution												S						
Housing	Housing - boarding House	P	P	P		P	P	P											
Housing	Housing - Extended Stay Hotel Or Timeshares	P	P			P	P						P		P	P			
Housing	Housing - Group Day Care Limited To 12 Individuals	P	P	P		P	P	P											
Housing	Housing - Hotel	P	P			P	P						P		P			P	
Housing	Housing - Motel	P	P			P	P						S		S				
Industrial	Batching Plant															P			
Industrial	Batching Plant - Temporary In "C-3" And "L" (6 Months Maximum)															P			
Industrial	Bookbinder												S						
Industrial	Cabinet Or Carpenter Shop												S						
Industrial	Can Recycle Collection Station - No Shredding	S	S			S	S						S			P			

Industrial	Coffee Roasting															P			
Industrial	Contractor Facility												S			P			
Industrial	Creamery															P			
Industrial	Dry Cleaning - Plant															P			
Industrial	Laundry - Plant																		
Industrial	Lumber Yard And Building Materials												P			P			
Industrial	Machine Shop												P			P			
Industrial	Pecan Shelling									S			S			P			
Industrial	Rug Cleaning												P			P			
Industrial	Welding Shop - Limited To Three Employees & Screening Of Outside Storage In "C-3"									S			S			P			
Manufacturing	Abrasive - Manufacturing															P			
Manufacturing	Acetylene Gas - Manufacturing & Storage															P			
Manufacturing	Air Products - Manufacturing															P			
Manufacturing	Artificial Limb Assembly					S							P			P			
Manufacturing	Asbestos Products - Manufacturing															P			
Manufacturing	Asphalt Products - Manufacturing															P			
Manufacturing	Bag Cleaning															P			
Manufacturing	Battery - Manufacturing															P			
Manufacturing	Beverage - Manufacturing Or Processing															P			
Manufacturing	Biomedical Products - Manufacturing															S			
Manufacturing	Boat & Marine - Manufacturing															P			
Manufacturing	Boiler And Tank Works															P			
Manufacturing	Broom, Brush - Manufacturing												S						
Manufacturing	Building specialties - Wholesale Outside Storage permitted												S						
Manufacturing	Bulk Plant Or Terminal															S			
Manufacturing	Can Manufacture															P			
Manufacturing	Candle - Manufacturing															P			
Manufacturing	Candy - Manufacturing												S						
Manufacturing	Canvas Products - Manufacturing												S			P			
Manufacturing	Chemical - Manufacturing Or Processing															S			
Manufacturing	Chemical/Drug - Wholesale & Storage												P						
Manufacturing	Clothing Manufacture - Chemical Process															P			
Manufacturing	Clothing Manufacture - Non-Chemical Process												S			P			
Manufacturing	Concrete Products - Manufacturing															P			
Manufacturing	Cotton Compress, Ginning And Bailing															P			
Manufacturing	Drug - Manufacturing															P			
Manufacturing	Electronic Component - Manufacturing															P			
Manufacturing	Electroplating															P			
Manufacturing	Felt Products - Manufacturing															P			
Manufacturing	Glass Manufacture															P			
Manufacturing	Grain - Drying															P			
Manufacturing	Grain - Milling															P			
Manufacturing	Hatchery															P			
Manufacturing	Hazardous Materials Hauling Or Storage															S			
Manufacturing	Hosiery - Manufacturing															P			
Manufacturing	Ice Cream - Manufacturing												P			P			
Manufacturing	Ice Plant - Manufacturing & Processing															P			
Manufacturing	Insulation Products - Manufacturing & Processing												P			P			
Manufacturing	Junkyard Or Salvage Yard															P			
Manufacturing	Petro Chemicals Bulk Storage															P			
Manufacturing	Mattress - Manufacturing & Rebuilding												S			P			
Manufacturing	Metal Forging Or Rolling Mill															S			
Manufacturing	Metal Products - Fabrication															P			

Manufacturing	Millinery - Manufacturing											S							
Manufacturing	Millwork & Wood Products - Manufacturing														P				
Manufacturing	Moving And Transfer Company - With Trucks Attached To Trailers For A Total Exceeding 24 Feet In Length											P			P				
Manufacturing	Novelty And Souvenir - Manufacture											S			P				
Manufacturing	Nuclear Or Radioactive Instrumentation - Manufacturing														S				
Manufacturing	Office Equipment, Furniture - Manufacture											P			P				
Manufacturing	Oil Well Supplies And Machinery - Manufacturing.														P				
Manufacturing	Packing And Gasket - Manufacturing														P				
Manufacturing	Packing Plant - No Rendering														P				
Manufacturing	Paints, Etc. - Manufacturing & Processing														P				
Manufacturing	Paper Products - Manufacturing														P				
Manufacturing	Petroleum - Manufacturing Or Processing														S				
Manufacturing	Pipe Storage														P				
Manufacturing	Planing Mill														S				
Manufacturing	Plastic / Vinyl - Manufacturing Or Processing														P				
Manufacturing	Playground Equipment - Manufacturing														P				
Manufacturing	Poultry Processing - Caged Hen Operation														P				
Manufacturing	Poultry Processing & Live Poultry Storage - Completely Enclosed														P				
Manufacturing	Processing - Other Than Food														P				
Manufacturing	Refrigeration Equipment - Manufacturing														P				
Manufacturing	Rendering Plant														S				
Manufacturing	Sand Or Gravel - Storage & Sales														P				
Manufacturing	Shoe - Manufacturing											S			P				
Manufacturing	Shoe - Wholesale (Manufacturing permitted)											S							
Manufacturing	Shoe Polish - Manufacturing														P				
Manufacturing	Sign Manufacture											S			P				
Manufacturing	Stone Curing, Monument - Manufacturing														P				
Manufacturing	Storage - Outside (Open With No Screening Required)											S			P				
Manufacturing	Storage - Outside (Screening From Public Rows And Adjacent Property Required)											S			P				
Manufacturing	Textile - Manufacturing														P				
Manufacturing	Tile - Manufacturing														P				
Manufacturing	Tile , Roofing & Waterproofing Products - Manufacturing														P				
Manufacturing	Tobacco - Processing														P				
Manufacturing	Tool - Manufacturing														P				
Manufacturing	Toy - Manufacturing														P				
Manufacturing	Trailer - Manufacturing														P				
Manufacturing	Venetian Blind - Cleaning & Fabrication											S			P				
Manufacturing	Vulcanizing, Recapping														P				
Manufacturing	Water Distillation														P				
Manufacturing	Well Drilling Contractor											S			P				
Manufacturing	Wire Products - Manufacturing														P				
Manufacturing	Wood Processing By Creosoting Or Other Preserving Treatment														P				
Manufacturing	Wool Pulling And Scouring														P				
Medical	Medical - Surgical Supplies Wholesale											P							
Office	Aerial Survey - Administrative Offices No On-Site Flight Services	P	P			P	P					P							

Office	Office – no restrictions on square footage unless otherwise prescribed in zoning district regulations, §§ 35-310.01 to 35-310.14, above	P	P			P	P						P		P			P	
Office	Office - Less Than 3,000 square feet and less than 35 feet in height	P	P	P		P	P	P			P		P		P			P	
Plants	Florist – Wholesale									P	P		P						
Plants	Landscaping Materials - Sales & Storage									P	P		P						
Plants	Nursery - Plant Wholesale Onsite Growing permitted									P	P		P						
Print	Printer - Large Scale Other Then Quick Print												P						
Processing	Cosmetics - Manufacturing Or Processing																		
Processing	Food & Food Products - Processing									S	S		P			P			
Processing	Punch Concentrate - Processing & Mixing												S			P			
Processing	Punch Concentrate Products - Mixing Only												P			P			
Recreation	Archery Range - Outdoor									P	P		P						
Recreation	Archery Range - Indoor	P	P			P	P						P						
Recreation	Athletic Fields - Noncommercial	P	P	S		P	P	S		P	P		P						
Recreation	Athletic Fields - Commercial	P	P	S		P	P	S					P						
Recreation	Bowling Alley	P	P			P	P						P						
Recreation	Golf Course - Private		S			P				S	S		S						
Recreation	Golf Course - Publicly Owned		S			P				S	S		S						
Recreation	Golf Driving Range												P						
Recreation	Large Scale Athletic Fields-Noncommercial															P			
Recreation	Recreational Facility - Private Community Wide	P	P			P	P												
Recreation	Recreational Facility - Private Neighborhood	P	P	P		P	P	P											
Recreation	Recreational Facility - Public Community Wide	P	P			P	P												
Recreation	Recreational Facility - Public Neighborhood	P	P	P		P	P	P											
Recreation	Rifle & Pistol Range - Indoor									P	P		P			P			
Recreation	Rifle & Pistol Range - Outdoor permitted									S			S			S			
Recreation	Skateboard Track	S	S			S	S			S			P						
Recreation	Skating Rink - Ice Or Roller Skating	P	P			P	P			S	S		P						
Recreation	Stable & Equestrian Center									P			P						
Recreation	Tennis, Racquetball Or Handball - Noncommercial (Outside Courts permitted)	P	P	S		P	P	S		P	P		P						
Recreation	Tennis, Racquetball Or Handball - Commercial (Outside Courts Not permitted)	P	P	S		P	P	S					P						
Recreation	Tennis, Racquetball Or Handball - Commercial (Outside Courts permitted)	S	S	S		S	S	S					P						
Recreation	Tennis, Racquetball Or Handball -Noncommercial (Outside Courts Not permitted)	P	P	S		P	P	S					P						
Recreation	Recreational Vehicle Park									S			P						
Retail	Air Conditioners - Retail (Incidental To Other Onsite Retail Items In "D")														P			P	
Retail	Antique Store - Retail	P	P	P		P	P	P		P	P				P			P	
Retail	Apothecary - See (Drugstore - Apothecary)	*	*	*											*			*	
Retail	Apparel & Accessory Store - Retail	P	P	P		P	P	P							P			P	
Retail	Appliance - Retail (Incidental To Other Onsite Retail Items In "D")	P	P			P	P								P			P	
Retail	Art Gallery	P	P	P		P	P	P							P			P	
Retail	Bakery - Retail	P	P	P		P	P	P			P				P			P	
Retail	Bookstore	P	P	P		P	P	P			P				P			P	
Retail	Business Machines - Retail	P	P			P	P								P			P	
Retail	Camera, Photographic Equipment & Supplies -	P	P	P		P	P	P							P			P	

	Retail																		
Retail	Candy, Nut And Confectionery - Retail	P	P	P		P	P	P							P			P	
Retail	Catering Shop	P	P	P		P	P	P							P			P	
Retail	Convenience Ice House - Retail Convenience Store	P	P	P		P	P	P						P	P		P	P	
Retail	Convenience Store - W/ Gas Sales	P	P			P	P							P	P		P	P	
Retail	Dairy Products - Retail	P	P	P		P	P	P		P	P								
Retail	Drugstore - Apothecary	P	P	P		P	P	P			P				P			P	
Retail	Dry Goods - Retail	P	P	P		P	P	P							P			P	
Retail	Farm Supplies									P	P		P						
Retail	Feed, Seed, Fertilizer Sales - No Outside Storage In "C-3"	S	S			S	S			P	P		P						
Retail	Fish Market - Retail	P	P	P		P	P	P							P			P	
Retail	Flea Market - Indoor	S				S							P						
Retail	Flea Market - Outdoor												S						
Retail	Floor Covering - Retail (Incidental To Other Onsite Retail Items In "D")	P	P			P	P								P			P	
Retail	Florist - Retail	P	P	P		P	P	P			P				P			P	
Retail	Food Locker Plant - Retail									S	S		S						
Retail	Food Store - Limited In “C-1” To Maximum 3000 Square foot Total Floor Area	P	P	P		P	P	P			P				P			P	
Retail	Fruit And Produce - Retail	P	P	P		P	P	P		P	P		P		P			P	
Retail	Furniture Sales - Retail	P	P			P	P												
Retail	Gift Shop - Retail	P	P	P		P	P	P							P			P	
Retail	Glass - Retail	P	P			P	P						P		P				
Retail	Grocery Store - Retail (Limited To Maximum 3000 Square foot Total In “C-1”)	P	P	P		P	P	P			P				P			P	
Retail	Hardware Sales - Retail (Limited To Maximum 3000 Square foot Total In “C-1”)	P	P	P		P	P	P			P				P			P	
Retail	Head Shop	S	S			S	S												
Retail	Hobby Store - Retail (Limited To Maximum 3000 Square foot Total In “C-1”)	P	P	P		P	P	P							P				
Retail	Home Improvement Center	P	P			P	P						S						
Retail	Jewelry Store - Retail	P	P	P		P	P	P							P				
Retail	Leather Goods Or Luggage Store - Retail	P	P	P		P	P	P			P				P				
Retail	Medical - Surgical Supplies Retail	P	P			P	P								P			P	
Retail	Milliner - Custom	P	P	P		P	P	P							P			P	
Retail	Music Store	P	P	P		P	P	P							P				
Retail	Newsstand	P	P	P		P	P	P			P				P			P	
Retail	Nursery - Retail (Growing Plants On Site permitted)	P	P			P	P			P	P		P						
Retail	Nursery - Retail (No Growing Plants On Site permitted)	P	P	S		P	P	S		P	P				P			P	
Retail	Office Equipment And Supply - Retail	P	P			P	P								P				
Retail	Paint And Wallpaper Store - Retail & Wholesale	P	P			P	P								P				
Retail	Pet Shop - Retail	P	P	P		P	P	P							P				
Retail	Plumbing Fixtures - Retail (Incidental To Other Onsite Retail Items In "D")	P	P			P	P								P				
Retail	Rug Or Carpet - Retail	P	P			P	P								P				
Retail	Secondhand Merchandise - Retail No Outside Storage Or Display Of Inventory permitted)	P	P			P	P								P				
Retail	Shoe - Retail	P	P	P		P	P	P							P				
Retail	Silk Screening - Retail	P	P			P	P								P				
Retail	Sporting Goods - Retail	P	P	P		P	P	P							P				
Retail	Stamps And Coin Sales - Retail	P	P	P		P	P	P							P				
Retail	Stationary Products - Retail	P	P	P		P	P	P							P			P	
Retail	Tamale - Preparation Retail (Less Than 2,000 Square foot In “C-1” & "C-2")	P	P	S		P	P	S					P						
Retail	Thrift Store - Retail See (Secondhand	*	*	*															

	Merchandise)																	
Retail	Tobacco Store - Retail	P	P	P		P	P	P						P				P
Retail	Toy Store - Retail	P	P	P		P	P	P						P				
Retail	Trophy Sales, Engraving & Assembly	P	P	P		P	P	P						P				P
Retail	Variety Store - Retail	P	P	P		P	P	P						P				P
Sales	Boat - Sales & Service											S						
Sales	Machinery, Tools & Construction Equipment Sales & Service											S			P			
Sales	Farm Equipment Sales, Service Or Storage								P	P		P			P			
Sales	Oil Well Supplies And Machinery Sales - used								S	S		S			P			
Sales	Portable Building Sales											S			P			
School	School - Private University Or College	P	P			P	P		P	P		P						
School	School - Public University Or College	P	P			P	P		P	P		P						
School	School - Montessori	P	P	P		P	P	P	P	P								
School	School - Nursery (Public & Private)	P	P	P		P	P	P	S	S								
School	School - Private Pre-Kindergarten Through 12th Grade	P	P	P		P	P	P	P	P								
School	School - Public Pre-Kindergarten Through 12th Grade	P	P	P		P	P	P	S	S								
Service	Air Conditioning / Refrigeration - Service & Repair											P						
Service	Altering/Repairing Of Apparel	P	P	P		P	P	P						P				
Service	Ammunition - Manufacturing, Loading & Storage														S			
Service	Appliance - Repair Major	P	P			P	P					S						
Service	Appliance - Repair Small	P	P	P		P	P	P										
Service	Auditorium	P	P			P	P											
Service	Bank, Savings And Loan	P	P	S		P	P	S		S				P				P
Service	Barber Or Beauty Shop	P	P	P		P	P	P		P				P				P
Service	Bicycle - Repair	P	P	P		P	P	P										
Service	Boat & Marine - Storage (Outside permitted)											S						
Service	Body Piercing	P	P			P	P											
Service	Cemetery Or Mausoleum						S	S	S	S								
Service	Copy Or Blueprinting - Example "Quick Print"	P	P	P		P	P	P						P				P
Service	Copy Service - Blueprinting And Photocopying	P	P			P	P							P				P
Service	Cosmetics - Permanent	P	P	P		P	P	P										
Service	Day-Care Center - Child And/Or Adult Care	P	P	P		P	P	P		P				P				P
Service	Delicatessen	P	P	P		P	P	P		P				P				P
Service	Dry Cleaning - Limited To Five Employees	P	P			P	P					P		P				P
Service	Dry Cleaning - Pickup Station Only	P	P	P		P	P	P		P		P		P				P
Service	Electric Repair - Heavy Equipment											P						
Service	Electric Repair - Light Equipment											P						
Service	Electronic Equipment - Repair	P	P	P		P	P	P				P						
Service	Elevator Maintenance - Service											P						
Service	Employment Agency	P	P			P	P							P				P
Service	Exterminators											P						
Service	Food - Restaurant Or Cafeteria	P	P	P		P	P	P		P			P	P		P		P
Service	Funeral Home Or Undertaking Parlor	S	S				S	S				P						
Service	Furniture Repair / Upholstering	P	P			P	P					P						
Service	Gasoline Filling Station - W/O Repair Service (Car Wash Allowed)	P	P			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		P		P
Service	Gunsmith	S	S							S		P						
Service	Gymnasium - Commercial	P	P			P	P					P						
Service	Janitorial / Cleaning Service	P	P			P	P					P						

Service	Laboratory - Research	S				S						P						
Service	Laboratory - Testing	S				S						P						
Service	Laundry And Dry Cleaning - Self Service	P	P	P		P	P	P						P			P	
Service	Laundry- Limited To Max Of Five Employees	P	P			P	P		P			P		P			P	
Service	Laundry Or Dry Cleaning - Pickup Station Only	P	P	P		P	P	P	P	P				P			P	
Service	Lawnmower Repair And Service - No Outside Storage In "C-2"	P	P			P	P							P			P	
Service	Library	P	P	P		P	P	P		P				P			P	
Service	Linen Or Uniform Supply, Diaper Service (Pickup & Supply Only)	P	P			P	P					P		P			P	
Service	Loan Office	P	P	P		P	P	P		P				P			P	
Service	Locksmith	P	P	P		P	P	P						P			P	
Service	Manufactured Home / Oversize Vehicle Sales, Service Or Storage											P						
Service	Massage - Parlor																	
Service	Massage - Therapeutic	P	P	P		P	P	P						P			P	
Service	Medical - Chiropractor Office	P	P	P		P	P	P		P				P		P		
Service	Medical - Clinic (Physician And/Or Dentist)	P	P	P		P	P	P		P				P			P	
Service	Medical - Clinic Physical Therapist	P	P	P		P	P	P						P			P	
Service	Medical - Hospital Or Sanitarium	P	P			P	P					S						
Service	Medical - Laboratory Dental Or Medical	P	P			P	P					P						
Service	Medical - Optical Goods Retail	P	P	P		P	P	P						P			P	
Service	Medical - Optical Goods Wholesale											P						
Service	Medical - Optician	P	P	P		P	P	P		P				P			P	
Service	Medical - Optometry Office	P	P	P		P	P	P		P				P			P	
Service	Mini Warehouse - Over 2.5 Ac. Requires specific use permit In "C3" & "D"	P	P			P	P					P			P			
Service	Mortuary - Embalming And Preparation Only											S						
Service	Movie Rentals	P	P	P		P	P	P						P			P	
Service	Palm Reading	P	P	P		P	P	P						P			P	
Service	Pawn Shop	P	P			P	P							P				
Service	Picture Framing	P	P	P		P	P	P						P			P	
Service	Post Office	P	P	P		P	P	P	P	P				P			P	
Service	Reading Room	P	P	P		P	P	P						P			P	
Service	Reducing Salon	P	P			P	P							P			P	
Service	School - Business College	P	P			P	P							P			P	
Service	School - Trade (No Outside Storage & Training Area permitted)	P	P			P	P							P			P	
Service	School - Trade (Outside Storage & Training Area permitted)											P			P			
Service	Self-Defense Instruction	P	P	P		P	P	P						P			P	
Service	Shoe - Repair	P	P	P		P	P	P						P			P	
Service	Sign Shop - No Outside Storage	P	P			P	P	P				P						
Service	Studio - Fine Or Performing Arts	P	P	P		P	P	P										
Service	Studio - Interior Decorating	P	P	P		P	P	P						P				
Service	Studio - Photographic	P	P	P		P	P	P						P				
Service	Studio - Sound & Recording	P	S			P	S					P						
Service	Tailor Shop	P	P	P		P	P	P		P				P				
Service	Tattoo Parlor/Studio	P	P			P	P							P				
Service	Taxidermist								S			P						
Service	Tool Rental - Fenced & Screened Outside Storage permitted	S	S			S	S		P			P						
Service	Tool Rental - Outside Storage permitted								S			P						
Service	Tree Cut & Trim Service								S			P						
Service	Watch Repair	P	P	P		P	P	P						P			P	
Social	Club - Private	P	P			P	P		P	P				P			P	

Social	Clubhouse - Private Including Lodges & Meeting Halls	P	P			P	P			P	P				P			P		
Storage	Carting, Crating, Hauling, Storage															P				
Storage	Cold Storage Plant															P				
Storage	Fur Dyeing, Finishing And Storing												S							
Storage	Ice Cream Truck Storage															P				
Storage	Moving Company												P			P				
Storage	Storage - Outside (Under Roof And Screened)												P			P				
Transportation	Airport - Non-Governmental									S						S				
Transportation	Freight Depot									P			S			P				
Transportation	Heliport									S			S			P				
Transportation	Helistop	S				S				S			S			P				
Transportation	Passenger Depot	S	S			S	S			S			P			P				
Utilities	Radio Or Television Station Without Transmission Tower	P	P			P	P			S	S		S			S				
Utilities	Telephone Equipment Infrastructure	S	S			S	S			S	S		P			P				
Utilities	Wireless Communication Systems	S	S			S	S			S	S		S			P				
Utility	Sanitary Landfill, Solid Waste Facility															S				
Warehouse	Office Warehouse (Flex Space) - Outside Storage Not permitted												P			P				
Warehousing	Warehousing												P			P				
Wholesale	Bakery - Wholesale												S							
Wholesale	Barber And Beauty Equipment - Wholesale												P							
Wholesale	Camera, Photographic Equipment & Supplies - Wholesale												P							
Wholesale	Dairy Equipment Sales - Wholesale									P	P		P			P				
Wholesale	Dairy Products - Wholesale									P	P		S							
Wholesale	Drug Sales - Wholesale												S							
Wholesale	Fish Market - Wholesale									S	S		P							
Wholesale	Food Products - Wholesale & Storage									P	P		P							
Wholesale	Fruit And Produce - Wholesale									P	P		P							
Wholesale	Furniture Sales - Wholesale												P							
Wholesale	Glass - Wholesale												P							
Wholesale	Grocery - Wholesale												S			P				
Wholesale	Hardware Sales - Wholesale												P							
Wholesale	Office Equipment And Supply - Wholesale (Incidental To Other Onsite Retail Items In "D")												P							
Wholesale	Paper Supplies - Wholesale (Incidental To Onsite Retail Items In "C-3" And "D")												P			P				
Wholesale	Plumbing Fixtures - Wholesale												P							
Wholesale	Shoe - Wholesale No Manufacturing												P							
Wholesale	Sporting Goods - Wholesale (Incidental To Onsite Retail Items In "D")												P							
Wholesale	Stone Monument - Retail & Wholesale												P							
Wholesale	Tamale - Preparation Wholesale (Less Than 2,000 Square foot In “C-1” & C-2)												P							
Farm & Ranch	Bulk Grain and Feed Storage									P	S		P							
Farm & Ranch	Farming (Crops and Livestock)									P	P		P							
Farm & Ranch	Farmers Cooperative									P	P		P							
Farm & Ranch	Farmers Market									P	P		P							
Farm & Ranch	Greenhouse - Non-Retail									P	P		P							

Farm & Ranch	Orchard									P	P		P						
Farm & Ranch	Ranch									P	P		P						
Farm & Ranch	On-Site Storage of Farm Equipment									P	P		P						
Farm & Ranch	Retail - Crafts										P			P					
Auto ~~Mfg~~	Auto Manufacturing Assembly Operations (< 5 acres)												P			P			
Auto ~~Mfg~~	Electronic Component Manufacturing (< 5 acres)												P			P			
Auto ~~Mfg~~	Metal Fabrication (< 5 acres)												P			P			
Auto ~~Mfg~~	Plastics Manufacturing (< 5 acres)												P			P			
Auto ~~Mfg~~	Plating Manufacturing															P			
Auto ~~Mfg~~	Plating Manufacturing (< 5 acres)												P			P			
Auto ~~Mfg~~	Auto Parts Sequencing and Assembly															P			
Auto ~~Mfg~~	Auto Parts Sequencing and Assembly (< 5 acres)												P			P			

(Ord. No. 95326 § 3, 4, 5, 9, Ord. No. 95573 § 5 & 6, Amendment E & F, Ord. No. 96564 § 3, Ord. No. 97568 § 2, Ord. No. 97955§ 2, Ord. No. 98091 § 8 & 9, Ord. No. 99555 § 7, Ord. No. 100126, Ord. No. 101816)

35-312 to 35-319 Reserved

DIVISION 3 SPECIFIC USE PERMITS & CONDITIONAL ZONING DISTRICTS

35-320 Specific Use Permit

See § 35-423 of this chapter.

35-321 Conditional Zoning Districts

(a) A conditional zoning district, bearing the designation "C", is hereby established as a companion district for every district established in § 35-303(a), as follows:

"RP-C"	Resource Protection
"RE-C"	Residential Estate
"R-20-C"	Residential Single-Family
"R-6-C"	Residential Single-Family
"RM-6-C"	Residential Mixed
"R-5-C"	Residential Single-Family
"RM-5-C"	Residential Mixed
"R-4-C"	Residential Single-Family
"RM-4-C"	Residential Mixed
""MF-25"-C"	Multi-Family
""MF-33"-C"	Multi-Family
""MF-40"-C"	Multi-Family
""MF-50"-C"	Multi-Family
"O-1-C"	Office
"O-2-C"	Office
""NC"-C"	Neighborhood Commercial
""C-1"-C"	Light Commercial
"C-2-C"	Commercial "
"C-2NA-C"	Commercial, Nonalcoholic Sales "
"C-3-C"	General Commercial
"C-3R-C"	Restrictive Commercial
"C-3NA-C"	General Commercial, Nonalcoholic Sales
"D-C"	Downtown
"L-C"	Light Industrial
"I-1-C"	General Industrial
"I-2-C"	Heavy Industrial
""QD"-C"	Quarry district
"ED-C"	Entertainment district

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"UD-C"	Urban Development
"RD-C"	Rural Development
"FR-C"	Farm and Ranch
"MI-1-C"	Mixed Light Industrial
"MI-2-C"	Mixed Heavy Industrial

(b) Conditional zoning districts may be applied as parallel districts to any of the base zoning districts. Conditional zoning districts may not be applied to any of the overlay zoning districts (Article 4, Division 4) or special districts (Article 4, Division 5) of this chapter.

(c) The procedures for establishing conditional zoning districts are set forth in § 35-422 of this chapter.

(Ord. No. 99555 § 3)

35-322 to 35-329 Reserved

DIVISION 4 OVERLAY DISTRICTS

35-330 Generally

The overlay zoning districts address special sitting, use and compatibility issues which require use and development regulations in addition to those found in the underlying zoning districts. If any regulation in an overlay-zoning district requires lower densities, greater Setbacks, or otherwise imposes greater standards than those required by the base zoning district, the more restrictive standard applies.

The zoning designation of property located within an overlay district shall consist of the regular zone symbol and the overlay district symbol as a suffix. For example, if a parcel is zoned "RE" and is also located within the Edwards Recharge Zone district, the zoning designation of the property would be RE (ERZD). In effect, the designation of property as being within the Edwards Recharge Zone District places such property in a new zoning district classification and all procedures and requirements for zoning and rezoning must be followed.

35-331 "AHOD" Airport Hazard Overlay District

This division is adopted pursuant to the authority conferred by Vernon's Local Government Code, chapter 241. It is hereby found that an airport hazard endangers the lives and property of the users of San Antonio International Airport, Stinson Municipal Airport, Kelly Air Force base, Randolph Air Force

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base and of the occupants of land in the vicinity thereof, and also, if of the obstruction type, such hazard reduces the size of the area available for the landing, taking-off and maneuvering of aircraft, thus tending to destroy or impair the utility of these airports and the public investment therein. Accordingly, it is declared:

- *That the creation or establishment of an airport hazard is a public nuisance and an injury to the communities served by these airports;*
- *That it is necessary, in the interest of the public health, public safety and general welfare that the creation or establishment of airport hazards be prevented; and*
- *That the prevention of these hazards should be accompanied, to the extent legally possible, by the exercise of the police power without compensation.*

(a) Development Standards

(1) Future Uses.

Within any airport hazard area which is within, or extends into, the controlled area of these regulations, no material change in the use of land and no structure or tree shall be erected, altered, planted or otherwise established at a height greater than two hundred (200) feet above the ground or above a 100 to 1 slope from the nearest point of the nearest runway of any airport unless a permit therefore shall have been applied for and granted. Applications for permits shall be made to the department of development services upon a form supplied for this purpose, and by submitting a map of sufficient accuracy and detail to allow an accurate determination of compliance with this division. No permit for a use inconsistent with this division shall be granted unless a variance has been approved in accordance with subsection (a)(4) of this Section. Nothing in the foregoing shall be construed as permitting or intending to permit any construction, alteration or growth of any structure or tree in excess of the height limits established by this division.

(2) Existing Uses.

No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure or tree to be made or become higher or become a greater hazard to air navigation than it was on the effective date of the ordinance from which this division is derived or any amendments thereto, or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

(3) Nonconforming Structures, Natural Growths and Land Uses.

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A permit shall be required before any nonconforming structure, natural growth or land use in the airport hazard area may be altered, repaired, rebuilt, replaced, replanted or relocated. No permit shall be granted that would allow a nonconforming structure, natural growth or land use to be made or become higher, or become a greater hazard to air navigation than it was. Whenever the department of development services or administrative agency outside of the city of San Antonio determines that a nonconforming land use has been abandoned or more than eighty (80) percent torn down, damaged, physically deteriorated or decayed, no permit shall be granted that would allow same to be replaced, repaired or re-established unless in full compliance with the height and use restrictions of this division.

(4) Variances.

Any person desiring to erect or increase the height of any structure or permit any natural growth or use his property, not in accordance with the regulations prescribed in this division, shall apply to the board of adjustment for a variance from such regulations. Such variances shall be allowed where it is found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship, and the relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this division. Applications for such action by the board of adjustment shall be made to the director of development services if inside the city of San Antonio, or the director of development services if in the city's extra-territorial jurisdiction.

(5) Federal Notification.

Within any airport hazard area, any person who proposes any construction, alteration or tree growth meeting the following criteria shall give notice to the regional office of the Federal Aviation Administration if and as required by Part 77 of the Federal Aviation Regulations, titled "Objects Affecting Navigable Airspace":

- Any construction or alteration of more than two hundred (200) feet in height above the ground level at its site.

- Any construction or alteration of greater height than an imaginary surface extending upward and outward at any one (1) of the following slopes: (a) for International and Stinson, a slope of 100 to 1 for a horizontal distance of twenty thousand (20,000) feet from the nearest point of the nearest runway; and (b) for military airports, a slope of 50 to 1 for a horizontal distance of ten thousand (10,000) feet from the nearest point of the nearest runway.

Also, any person who proposes to construct, alter, activate or deactivate a civil or joint use, civil/military, airport shall likewise give notice to the Federal Aviation Administration as required by Part 157 of the Federal Aviation Regulations titled "notice of construction,

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alteration, activation, and deactivation of airports." If a request for a permit or variance is made from any action falling under any of the stated federal notice requirements, final action on the requested permit or variance may, at the discretion of the administrative agency or of the board of adjustment, be deferred until a final determination has been issued by the Federal Aviation Administration. However, in no event shall the requirements of this division be subordinate to a determination of the Federal Aviation Administration.

(6) Marking and Lighting.

Any permit or variance granted may require the owner of the structure or natural growth in question to install, operate and maintain thereon, at his own expense, such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard. Any lights required under this paragraph shall be engineered and designed for the intended purpose by a recognized manufacturer, and it shall be the responsibility of the owner or any subsequent owner to see that the lights are properly installed and maintained so as to be functioning during darkness and all periods of low visibility, independently of the functioning of other lighting in or on the structure or growth.

(b) Height-Limiting Imaginary Surfaces, International and Stinson

The height restrictions for structures and growths in the airport hazard areas are specified by means of imaginary planes or surfaces in the airspace above the airport hazard areas. Within the controlled area of this section, such surfaces are hereby established in the airspace surrounding each airport protected by this division to define the limit above which any projection of a structure or tree would be considered an airport hazard and thus be prohibited except as otherwise provided by this division. The surfaces are illustrated on the airport hazard zoning maps, which are adopted and made a part of this division, by means of elevation contour lines in a manner similar to the use of topographic contour lines to illustrate the variations in the elevation of natural terrain. Their geometric description is as follows:

***(1)* Primary Surface.**

The primary surface is centered longitudinally and laterally about the runway, the ends extending two hundred (200) feet beyond the runway ends. The elevation of any point on the primary surface is the same as the nearest point on the runway centerline between the runway ends. The width of the primary surface varies according to the existing or planned classification of usage of the most critical end of the individual runways as follows per Part 77 of the Federal Aviation Regulations:

A. San Antonio International Airport:

Runway 12”R-3”0L,	one thousand (1,000) feet.
Runway 12L-30R,	one thousand (1,000) feet.

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Runway 3-21,	one thousand (1,000) feet.

B. Stinson Municipal Airport:

Runway 9-27,	one thousand (1,000) feet.
Runway 14-32,	five hundred (500) feet.

(2) **Approach Surface.**

The approach surface is an inclined plane, longitudinally centered on the extended runway centerline, which begins at the end of the primary surface, at the same width and elevation, and extends outward and upward at a specific horizontal to vertical slope, at a specific uniform rate of increase in width and for a specific distance as follows:

A. San Antonio International Airport:

Runways 3, 12R, 12, 21, and 30L: 50 to 1 slope for first ten thousand (10,000) feet, thence to a 40 to 1 slope at an ultimate distance of fifty thousand (50,000) feet, at which the width is sixteen thousand (16, 000) feet.

Runway 30R: 20 to 1 slope for a distance of five thousand (5,000) feet, at which the width is one thousand five hundred (1,500) feet.

B. Stinson Municipal Airport:

Runway 27:50 to 1 slope for first ten thousand (10,000) feet, thence at a 40 to 1 slope to an ultimate distance of fifty thousand (50,000) feet, at which the width is sixteen thousand (16,000) feet.

Runway 32: 20 to 1 slope for a distance of five thousand (5,000) feet, at which the width is two thousand (2,000) feet.

Runways 9 and 14: 20 to 1 slope for a distance of five thousand (5,000) feet, at which the width is one thousand two hundred fifty (1,250) feet.

(3) **Transitional Surface.**

These surfaces extend outward and upward to a slope of 7 to 1 from the longitudinal edges of the primary surfaces and approach surfaces, measured at right angles to the runway centerline and centerline extended. These surfaces connect the primary and approach surfaces with the other surfaces described in this section, including other transitional surfaces. Beyond the outer periphery of the conical surfaces, the transitional surfaces extend a maximum horizontal distance of five thousand (5,000) feet from the longitudinal edges of the precision approach surfaces, measured at right angles to the extended runway centerline.

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(4) Horizontal Surface.

The horizontal surface is a horizontal plane one hundred fifty (150) feet above the established airport elevation, nine hundred fifty-nine (959) feet above mean sea level for San Antonio International; seven hundred twenty-seven (727) feet above mean sea level for Stinson Airport. The perimeter of the horizontal surface is constructed by swinging arcs of ten thousand (10,000) feet radius from the center of each end of the primary surfaces of Runways 3-21, 12”R-3”0L and 12L-30R at San Antonio International Airport and Runway 9-27 at Stinson Municipal Airport. The adjacent arcs are then connected by tangent lines.

(5) Conical Surface.

The conical surface extends outward and upward to a slope of 20 to 1 from the periphery of arid at the same elevation as the horizontal surface. It extends for a horizontal distance of four thousand (4,000) feet, to a height of three hundred fifty (350) feet above established airport elevation.

(6) Kelly Air Force Base and Randolph Air Force Base.

In addition to the above described imaginary surfaces, the imaginary surfaces of Kelly Air Force base and Randolph Air Force base described by Section 77.28 of Part 77 of the Federal Aviation Regulations, and which extend into the corporate limits of the city, shall be enforceable under these regulations within the corporate limits.

(c) Height Restrictions

(1) Except as otherwise provided in this article, no structure or natural growth shall be erected, altered, increased in height, allowed to grow or maintained in an airport hazard area in excess of the height of the imaginary surface above the structure or natural growth.

(2) Where more than one (1) imaginary surface or the imaginary surfaces of more than one (1) airport exist in the same area, the more restrictive limitation shall prevail.

(3) In addition to the height restrictions imposed by the imaginary surfaces, no structure or natural growth shall be erected, altered, increased in height, allowed to grow or maintained in an airport hazard area at such height as would result in the alteration of any flight procedure established by federal aviation authorities.

(4) If tall construction cranes or other equipment will be used which are higher than a structure or growth which is being erected under a permit granted pursuant to this article, the operator of the cranes or equipment may be required, at the discretion of the authorities in charge of the airport affected, to maintain coordination with air traffic

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control personnel to keep them informed of his work schedule, to keep the equipment in a lowered position to the maximum extent possible, and to install appropriate hazard marking and/or lighting on the top extremity of the equipment.

(5) Nothing in this division shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to twenty (20) feet above the surface of the land.

(6) If the imaginary surface boundaries established above are less restrictive for a specific instance than those specified in the Federal Aviation Regulation Part 77, "Objects Affecting Navigable Airspace" as amended, or any subsequent Federal Aviation Agency criteria, then the criteria shall, in effect, be a part of these regulations and shall be the applicable restriction hereunder.

(d) Use Restrictions

Notwithstanding any other provisions of this division no use may be made of land within the airport hazard area in such manner as to:

(1) Create electrical or visual interference with any electronic facility or instrumentation, wherever located within the airport hazard area, including but not limited to, radio transmitters and receivers, radar installations, landing and navigational aids and weather instruments where such facilities are used in connection with the landing, taking-off and maneuvering of aircraft;

(2) Make it difficult for flyers to distinguish between airport lights and others;

(3) Result in glare in the eyes of flyers using the airport;

(4) Impair visibility in the vicinity of the airport;

(5) Cause physical objects of any nature to penetrate, however briefly, the air space above the imaginary surfaces established in this article, such objects including, but not limited to kites, balloons, projectiles, rockets, model aircraft, derricks and cranes, unless a special temporary permit be obtained from the authorities in charge of the affected airport;

(6) Establish or alter privately owned flying fields, strips or heliports, unless found not to be objectionable after a special aeronautical study by federal aviation authorities;

(7) Create bird strike hazards;

(8) Otherwise endanger the landing, taking-off, or maneuvering of aircraft.

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(e) Nonconforming Uses

(1) Not Retroactive.

The regulations prescribed in this division shall not be construed to require changes in land use or the removal, lowering, or other change or alteration of any structure or natural growth in previous lawful existence, but not conforming to the effective date of the ordinance from which this division is derived, or otherwise interfere with the continuance of any previously lawful nonconforming use. Nothing contained in this division shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of the ordinance from which this division is derived, is diligently prosecuted, and would have otherwise been in legal existence upon completion.

(2) Marking and Lighting.

Notwithstanding the preceding provision of this section, the owner of any nonconforming structure or natural growth is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary to indicate to the operators of aircraft in the vicinity of the airport the presence of such flight hazards. Such markers and lights shall be installed, operated and maintained at the expense of the airport desiring such marking and lighting.

(f) Administrative Agency (Inside City Limits)

The department of development services of the city is hereby designated as the administrative agency charged with the administration and enforcement of this division. As such, it shall establish administrative procedures for requiring, accepting and subsequently approving or denying applications for airport zoning permits, in accordance with subsection (a) of this section. In this regard, the department of development services will withhold any other permits normally issued under its jurisdiction which would allow construction or erection to proceed on any structure which would be in violation of these regulations. The administrative agency shall not have, or exercise any of the powers or duties, which are delegated to the board of adjustment under Vernon's Local Government Code, chapter 241.

(g) Board of Adjustment

The board of adjustment of the city is hereby designated to be the board of adjustment for this division, to have and exercise the powers set forth in Vernon's Local Government Code, chapter 241.

(h) Appeals

Any person aggrieved or taxpayer affected by any decision of the administrative agency made in

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its administration of this division, or any governing body of a political subdivision, which is of the opinion that a decision of such an administrative agency is an improper application of airport hazard zoning regulations may appeal to the board of adjustment under the provisions of Vernon's Local Government Code, chapter 241.

(i) Judicial Review (Inside City Limits)

Any person aggrieved or taxpayer affected by any decision of the board of adjustment which is of the opinion that a decision of the board of adjustment is illegal, may present to a court of record a verified petition setting forth that the decision is illegal, in whole or in part, and specifying the grounds of illegality as provided in Vernon's Local Government Code, chapter 241. Such petition shall be presented to the court within ten (10) days after the decision is filed in the office of the board.

(j) Conflicting Regulations

In the event of conflict between any airport zoning regulations adopted hereunder and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land or any other matter, and whether such other regulations were adopted by the city or by some other political subdivision, the more stringent limitation or requirement shall govern and prevail.

(k) Imaginary Surfaces (Kelly and, Randolph Air Force Bases)

The following airport imaginary surfaces are hereby created and establish the limit above which any projection of a structure, natural growth or object constitutes an airport hazard under these regulations:

(1) Primary Surface.

The primary surface is centered longitudinally and laterally about each runway. It extends two hundred (200) feet beyond each end of the runway in a horizontal plane at the same elevation as the associated runway end, except at military airports where primary surface length is the same as the runway length. Between the ends of the runway it has a uniform gradient as established by the runway and elevations. The width varies as follows:

A. Instrument runways, municipally-owned airports, one thousand (1,000) feet.

B. Non-instrument runways, municipally owned airports, five hundred (500) feet.

C. Runway 15-22, Kelly Air Force base: two thousand (2,000) feet.

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D. Runway 14-32, Kelly Air Force base, and all runways, Randolph Air Force base: one thousand five hundred (1,500) feet.

(2) Approach-Departure Surface.

A. The approach-departure surface begins at the end of the primary surface, except at military airports where it begins two hundred (200) feet beyond the primary surface, and is centered about the runway centerline extended. From a width equal to that of the primary surface it extends outward and upward and increases uniformly in width as follows:

B. For instrument runways at municipally owned airports, the approach-departure surface extends outward from the primary surface at a distance of fifty thousand (50,000) feet, at which point it is sixteen thousand (16,000) feet wide. It extends upward at a slope of 50 to 1 to a distance often thousand (10,000) feet from primary surface, thence at a slope of 40 to 1 thereafter.

C. For non-instrument runways at municipally-owned airports, the approach departure surface extends outward from the primary surface a distance of ten thousand (10,000) feet, at which point it is two thousand five hundred (2,500) feet wide. It extends upward at a slope of 40 to 1.

D. For military airports, the approach-departure surface begins two hundred (200) feet beyond the primary surface and thereafter extends outward a distance of fifty thousand (50,000) feet, at which point it is sixteen thousand (16,000) feet wide. It extends upward at a slope of 50 to 1 until it reaches an elevation five hundred (500) feet above the established airport elevation, then it continues horizontally to its outer end.

(3) Transitional Surface.

The transitional surface extends outward and upward at right angles to the runway centerline at a slope of 7 to 1 until it intersects the horizontal or conical surface, except that transitional surfaces for those portions of ILS approach surfaces that project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edges of those portions of the approach surfaces and at right angles to the runway centerline. For military airports, the transitional surface does not apply for the horizontal portion of the approach-departure surface.

(4) Inner Horizontal Surface.

The inner horizontal surface is a horizontal plane at a height of one hundred fifty (150) feet above the established airport elevation. Its outer edge is determined by scribing an

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arc with a radius of seven thousand five hundred (7,500) feet above a point on the centerline at the end of all runways and interconnecting these arcs with tangents.

(5) Conical Surface.

The conical surface extends outward and upward from the outer edge of the inner horizontal surface at a slope of 20 to 1 for a horizontal distance of seven thousand (7,000) feet to a height of five hundred (500) feet above the established airport elevation.

(6) Outer Horizontal Surface.

The outer horizontal surface is a horizontal plane which extends from the outer edge of the conical surface a distance of thirty thousand (30,000) feet at a height five hundred (500) feet above the established airport elevation.

(7) Airport Zoning Maps.

The attached airport zoning maps are hereby adopted and supersede all prior airport zoning maps. The imaginary surface boundaries are shown on these maps by aerial contours.

(Ord. No. 98697 § 1, 5 & 6)

35-332 "ERZD" Edwards Recharge Zone District

The Edwards Recharge Zone district "ERZD" has been established for locations where the Edwards and associated limestone formations come to the surface to provide a recharge area for the underground water supply contained within these formations. The recharge area also can provide an entrance to the underground water supply for contaminated water runoff from uses on the recharge zone as well as from the related sensitive area. Thus this recharge zone district is designed to not allow land uses which could adversely affect the water supply, and thereby minimizing the risk of potential occurrences wherein such substances could enter the water reservoir. Land uses permitted are those not having operations, production, or storage of hazardous materials which could contribute contaminants to the water supply. All land uses allowed within the "ERZD" by this subdivision must also conform to the requirements of chapter 34, Article VI, Division 6, of this code.

The provisions of this Section implement the following policies of the Master Plan:

- *Natural Resources, Policy 1b: Develop and implement a management plan for land use activities which includes the best management practices, based on scientific study, that will protect the recharge and drainage zones of the Edwards Aquifer from pollution*
- *Natural Resources, Policy 1b: Aggressively implement the water quality recommendations included in the 1994 report, The Edwards Aquifer: San Antonio Mandates for Water Quality Protection and any subsequent revisions.*
- *Natural Resources, Policy 1b: Incorporate comprehensive watershed management considerations in revisions of land use and development standards.*

- *Natural Resources, Policy 1b: Support new development designs that incorporate street, drainage and lot layouts which reduce storm runoff, pollutant loading, and the need for landscape irrigation.*
- *Natural Resources, Policy 1b: Adopt urban drainage standards which reduce non point source pollution and minimize downstream flooding.*
- *Natural Resources, Policy 1b: Continue to enforce, and strengthen if necessary, requirements for underground storage tanks.*
- *Natural Resources, Policy 1b: Identify significant recharge features and accurately record their location onto subdivision plats using current computer technology.*
- *Natural Resources, Policy 1b: Protect recharge features through such measures as acquisition, zoning restrictions, and buffering.*
- *Natural Resources, Policy 1b: Consider impacts of transportation on the recharge zone when revising and implementing the Major Thoroughfare Plan.*
- *Natural Resources, Policy 1b: Utilize vegetated buffer zones along 100 year floodplains and significant creeks*
- *Natural Resources, Policy 1b: Establish standards for vegetation clearing and maintenance.*
- *Natural Resources, Policy 1b: Maximize open space and minimize impervious cover through all available means.*
- *Natural Resources, Policy 1b: Study the correlation between land use and stormwater quality and set standards in accordance with the findings.*
- *Natural Resources, Policy 1b: Utilize mechanisms such as land banking to provide incentives to public and private entities to mitigate impacts at a higher ratio than the minimum required.*
- *Adopt local guidelines and support regional guidelines for construction activities in the Edwards Aquifer Drainage and Recharge Zones area.*

(a) Boundaries

The limits of the Edwards Recharge Zone District (ERZD) are described on United States Geological Survey Quadrangle Maps, being copies of the official maps in the offices of the Texas Environmental Quality Commission (TEQC), and are defined in the Texas Administrative Code, 31 TAC § 701 *et seq.* (West 1997). If the limits of the ERZD cannot be accurately determined, then Watershed Protection and Management department of SAWS shall interpret the district boundaries after obtaining such geologic information as is necessary from the United States Geological Survey or other properly designated agency.

(b) Zoning Classification

(1) The Edwards Recharge Zone district (ERZD) is designed as an overlay to the regular zoning districts. Property located within this overlay district must also be designated as

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being within one of the regular zoning districts. Authorized uses must be permitted in both the regular zoning district and the overlay district.

(2) Uses permitted by right and with a specific use permit are specified in § 35-311, use regulations of this article. It shall be unlawful for any person to make use of any property located within the Edwards Recharge Zone District, except in accordance with such tables of permitted uses.

(c) Development Standards

No use may be established, and no development activity shall occur, within the ERZD except in compliance with the Edwards Aquifer Protection Standards (chapter 34, Article VI, Division 6 of the city Code). For subdivisions constructed over Edwards and associated limestone formations, all construction shall meet the herein referenced city specifications and the latest revision of the Texas Administrative Code, 31 TAC 313.1-313.11.

35-333 Historic Districts and Landmarks

Pursuant to Texas Local Government Code §§ 211.001 and 211.003, historic districts and landmark designations are adopted in order to protect and preserve places and areas of historical, cultural, or architectural importance and significance. Historic districts and Landmark designation preserve and enhance the city's historic resources pursuant to Goal 2 of the Urban Design Element of the Master Plan.

(a) Establishment

Historic districts and landmarks shall be established and governed in accordance with Division 2 of Article 6 of this chapter.

(b) Applications for Rezoning

(1) The designated historic districts have outstanding historic and cultural significance. When considering applications for rezoning relating to landmarks and in historic districts, the zoning commission shall apply the following goals and guidelines in addition to the criteria set forth in § 35-421 of this chapter:

A. Preserve the architectural integrity of the historic district or landmark.
B. Promote the general welfare of the community by fostering compatible land uses.
C. Permit only uses which would be compatible within these districts.
D. Prevent uses which would deteriorate the landmark, historic district, and/or district character.
E. Provide a sense of community identity and continuity for site planning issues such as open space, parking ratios, setbacks, lot size, building heights, signs, lighting, and traffic.

(2) All decisions approving a rezoning related to a Landmark or within an historic district should:

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A. conform as closely as possible to established zoning regulations while incorporating these goals; and

B. protect adjacent property; and

C. encourage preservation, restoration and revitalization of existing structures and neighborhood integrity.

(3) When considering applications for a rezoning related to a Landmark or within an Historic district, the zoning commission should encourage housing, commercial or institutional uses, or combinations thereof, to maintain the historic, architectural, and cultural harmony of design and function. It is further the intent of these goals and guidelines to provide for:

A. Zoning which preserves existing historic districts, landmarks, architecture, structures, trees, outstanding natural topography, and geologic features.

B. An efficient use of inner city land resulting in the use of existing facilities, structures, utilities, streets, topography, and resources.

C. An environment of stable architecture in harmony with the historic and cultural character of the surrounding cityscape.

(4) Flexibility to implement special development concepts should be encouraged, but should not detract from these goals and guidelines.

35-334 "MOAZ" Military Airport Overlay Zones

Purpose

The city of San Antonio has designated the military airport overlay zones in order to promote the public health, safety, peace, comfort, convenience, and general welfare of the inhabitants of military airport environs and to prevent the impairment of military airfields and the public investment therein. The land areas below military airport take off and final approach paths are exposed to significant danger of aircraft accidents. It is, therefore, necessary to limit the density of development and intensity of uses in such areas. The military airport overlay zones are intended to:

- Guide, control, and regulate future growth and development.
- Promote orderly and appropriate use of land
- Protect the character and stability of existing land uses.
- Enhance the quality of living in the areas affected.
- Protect the general economic welfare by restricting incompatible land uses.

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- Prevent the establishment of any land use which would endanger aircraft operations and the continued use of military airports.

(a) Definitions and Boundaries

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

Clear Zones: The area at the ends of the runways of military airports which measure three thousand (3,000) feet by three thousand (3,000) feet in length and width. Beyond the clear zones, the city has designated two (2) military overlay zones (see diagram):

Military Airport Overlay Zone 1 (MAOZ-1) The area that extends approximately five thousand (5,000) feet in length and three thousand (3,000) feet in width beyond the clear zone.

Military Airport Overlay Zone 2 (MAOZ-2) The area that extends approximately seven thousand (7,000) feet in length and three thousand (3,000) feet in width beyond district 1.

Official Map. The specific boundaries of the military airport overlay zones are shown on the official zoning map maintained in the department of development.

(b) Zoning Classification

(1) Overlay District.

The “MOAZ” military airport overlay zones are designed as overlays to the regular zoning districts. Property located within these districts must also be designated as being within one of the regular zoning districts. Authorized uses must be permitted in both the regular zoning district and the overlay district and must comply with height, yard, area, and parking requirements of the regular zoning district.

(2) Zoning Designation.

The zoning designation of property located within the military airport overlay zones shall consist of the regular zone symbol and the overlay district symbol as a suffix. For example, if a parcel is zoned “C-1” and is also located within district 2, the zoning designation of the property would be “C-1” (MAOZ-2). In effect, the designation of property as being within a military airport overlay zone places such property in a new zoning district classification and all procedures and requirements for zoning/rezoning must be followed.

(c) Uses

(1) Permitted Uses.

The following uses are permitted within the military airport overlay zones, subject to the

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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 35-334(e) through 35-334(f)]:

MILITARY AIRPORT OVERLAY ZONE PERMITTED USE TABLE

MAOZ PERMITTED USE	MAOZ-1	MAOZ-2
Single Family Residence (minimum one dwelling unit per acre)		P
ALCOHOL - retail sales	P4	P7
RACING - auto or truck track		P1
ANIMAL - equestrian center and riding trails	P	P
ANIMAL - pound or shelter	P	P
BREEDER - small animal only	P	P
CEMETERY - pets (limited to small animals)	P	P
DOG TRAINING – indoor	P	P
DOG TRAINING - outdoor permitted	P	P
KENNEL - boarding & breeding (see health & environmental)	P	P
PET GROOMING - small animals only	P	P
SMALL ANIMAL CLINIC - no outside runs	P	P
SMALL ANIMAL HOSPITAL - outside runs are permitted	P	P
STOCKYARD	P	P
VETERINARY HOSPITAL - large & small animal (outside runs, pens & paddocks permitted)	P	P
VETERINARY HOSPITAL - large & small animal (no outside runs, pens & paddocks permitted)	P	P
VETERINARY HOSPITAL - small animal (outside runs, pens & paddocks permitted)	P	P
VETERINARY HOSPITAL - small animals (no outside runs, pens & paddocks permitted)	P	P
TRUCK & HEAVY EQUIPMENT – auction	P	P
AMBULA"NC"E SERVICE	P	P
AUTO - glass tinting	P	P
AUTO - manufacture	P	P
AUTO & LIGHT TRUCK - oil, lube & tune up	P	P
AUTO & LIGHT TRUCK AUCTION	P	P
AUTO & VEHICLE SALES - new and used-small scale (no more than 15 vehicles currently licensed and in running condition on site at any given time for storage and/or sale	P	P
AUTO & VEHICLE SALES - new and used-large scale	P	P
AUTO ALARM & RADIO - retail (install. incidental to sales)	P4	P7
AUTO GLASS SALES – installation permitted	P4	P7
AUTO MUFFLER SALES - installation permitted	P4	P7
AUTO PAINT & BODY - repair with outside storage limited to 3 vehicles (all outside storage of parts to be totally screened)	P	P
AUTO PAINT & BODY - repair with outside storage of vehicles and parts permitted but totally screened from view of adjacent property owners and public roadways	P	P
AUTO PARTS RETAIL - no outside storage	P4	P7
AUTO PARTS RETAIL - w/installation & no outside storage	P4	P7
AUTO STATE VEHICLE INSPECTION STATION	P	P
AUTO UPHOLSTERY - sales and installation completely enclosed	P	P

CARWASH - automatic and attendant operated	P	P
CARWASH - automatic self service drive-thru	P	P
CARWASH - self service	P	P
LIMOUSINE SERVICE -dispatch & office use only no servicing of vehicles onsite	P	P
PARKING & TRANSIENT VEHICLE STORAGE - related to a delivery (auto, truck, trailer & marine)(each vehicle limited to 24 hours maximum parking time within any 48 hour period)	P	P
PARKING AND/OR STORAGE - long term	P2	P
PARKING LOT - noncommercial	P2	P
PARKING LOT or GARAGE - commercial	P2	P
TAXI SERVICE - parking & dispatch (no washing or mechanical service permitted)	P	P
TAXI SERVICE - parking & dispatch (washing or mechanical service permitted)	P	P
TIRE REPAIR - auto & small truck	P	P
TRUCK REPAIR & MAINTENA”NC”E	P	P
TRUCK STOP OR LAUNDRY – full mechanical service & repair permitted	P	P
TRUCK STOP OR LAUNDRY – tire repair permitted	P	P
VEHICLE STORAGE - see "AUTO PARKING AND/OR STORAGE LONG TERM"	P	P
WRECKER SERVICE	P	P
BEVERAGE MANUFACTURE - non-alcohol	P	P
DRY GOODS – wholesale	P	P
BATCHING PLANT	P3	P3
BATCHING PLANT - temporary in (6 months maximum)	P3	P3
BOOKBINDER	P3	P3
CABINET or CARPENTER SHOP	P3	P3
CAN RECYCLE COLLECTION STATION - no shredding	P3	P3
COFFEE ROASTING	P3	P3
CONTRACTOR FACILITY	P3	P3
CREAMERY	P3	P3
DRY CLEANING – plant	P3	P3
LAUNDRY – plant	P3	P3
LUMBER YARD and BUILDING MATERIALS	P3	P3
MACHINE SHOP	P3	P3
PECAN SHELLING	P3	P3
RUG CLEANING	P3	P3
WELDING SHOP - limited to three employees & screening of outside storage	P3	P3
ABRASIVE – manufacturing	P3	P3
AIR PRODUCTS - manufacturing	P3	P3
ARTIFICIAL LIMB ASSEMBLY	P3	P3
ASBESTOS PRODUCTS - manufacturing	P3	P3
ASPHALT PRODUCTS - manufacturing	P3	P3
BAG CLEANING	P3	P3
BATTERY – manufacturing	P3	P3
BEVERAGE - manufacturing or processing	P3	P3
BIOMEDICAL PRODUCTS - manufacturing	P3	P3
BOAT & MARINE - manufacturing	P3	P3
BOILER and TANK WORKS	P3	P3
BROOM, BRUSH - manufacturing	P3	P3
BUILDING SPECIALTIES - wholesale outside storage permitted	P3	P3
BULK PLANT or TERMINAL	P3	P3
CANDLE – manufacturing	P3	P3
CANDY – manufacturing	P3	P3
CANVAS PRODUCTS - manufacturing	P3	P3

CLOTHING MANUFACTURE - non-chemical process		P3
CO"NC"RETE PRODUCTS - manufacturing	P3	P3
COTTON COMPRESS, GINNING and BAILING	P3	P3
DRUG – manufacturing	P3	P3
ELECTRONIC COMPONENT - manufacturing	P3	P3
FELT PRODUCTS - manufacturing		P3
GLASS MANUFACTURE	P3	P3
GRAIN – drying	P3	P3
GRAIN – milling	P3	P3
FISH HATCHERY	P3	P3
HOSIERY – manufacturing		P3
ICE CREAM - manufacturing	P3	P3
ICE PLANT – manufacturing & processing	P3	P3
INSULATION PRODUCTS - manufacturing & processing	P3	P3
JUNKYARD or SALVAGE YARD	P3	P3
MATTRESS - manufacturing & rebuilding		P3
METAL FORGING or ROLLING MILL	P3	P3
METAL PRODUCTS - fabrication	P3	P3
MILLINERY - manufacturing		P3
MILLWORK & WOOD PRODUCTS - manufacturing	P3	P3
MOVING and TRANSFER COMPANY - with trucks attached to trailers for a total exceeding 24 feet in length	P3	P3
NOVELTY and SOUVENIR - manufacture	P3	P3
OFFICE EQUIPMENT, FURNITURE - manufacture	P3	P3
OIL WELL SUPPLIES and MACHINERY - manufacturing.	P3	P3
PACKING and GASKET - manufacturing	P3	P3
PACKING PLANT - no rendering	P3	P3
PAPER PRODUCTS - manufacturing	P3	P3
PIPE STORAGE	P3	P3
PLANING MILL	P3	P3
PLASTIC / VINYL - manufacturing or processing	P3	P3
PLAYGROUND EQUIPMENT - manufacturing	P3	P3
POULTRY PROCESSING - caged hen operation	P3	P3
POULTRY PROCESSING & LIVE POULTRY STORAGE - completely enclosed	P3	P3
PROCESSING - other than food	P3	P3
REFRIGERATION EQUIPMENT - manufacturing	P3	P3
RENDERING PLANT	P3	P3
SAND or GRAVEL - storage & sales	P3	P3
SHOE – manufacturing		P3
SHOE - wholesale (manufacturing permitted)		P3
SHOE POLISH - manufacturing	P3	P3
SIGN MANUFACTURE	P3	P3
STONE CURING, MONUMENT - manufacturing	P3	P3
STORAGE - outside (open with no screening required)	P3	P3
STORAGE - outside (screening from public ROWs and adjacent property required)	P3	P3
TEXTILE – manufacturing	P3	P3
TILE – manufacturing	P3	P3
TILE, ROOFING & WATERPROOFING PRODUCTS - manufacturing	P3	P3
TOBACCO – processing	P3	P3
TOOL – manufacturing	P3	P3
TOY – manufacturing	P3	P3

TRAILER – manufacturing	P3	P3
VENETIAN BLIND - cleaning & fabrication	P3	P3
VULCANIZING, RECAPPING	P3	P3
WATER DISTILLATION	P3	P3
WELL DRILLING CONTRACTOR	P3	P3
WIRE PRODUCTS - manufacturing	P3	P3
WOOD PROCESSING by CREOSOTING or OTHER PRESERVING TREATMENT	P3	P3
WOOL PULLING and SCOURING	P3	P3
MEDICAL - surgical supplies wholesale	P	P
AERIAL SURVEY - Administrative offices no on-site flight services	P	P
OFFICE	P4	P7
FLORIST – wholesale	P	P
LANDSCAPING MATERIALS - sales & storage	P	P
NURSERY - plant wholesale onsite growing permitted	P	P
PRINTER - large scale other than quick print	P	P
COSMETICS - manufacturing or processing	P	P
FOOD & FOOD PRODUCTS - processing	P	P
PU”NC”H CO”NC”ENTRATE - processing & mixing	P	P
PU”NC”H CO”NC”ENTRATE PRODUCTS - mixing only	P	P
ARCHERY RANGE - outdoor	P	P
ARCHERY RANGE – indoor	P	P
ATHLETIC FIELDS	P	P
GOLF COURSE - private (see residential use table)	P9	P
GOLF COURSE – public	P9	P
GOLF DRIVING RANGE	P9	P
RIFLE & PISTOL RANGE - indoor	P	P
STABLE & EQUESTRIAN CENTER	P	P
TENNIS, RACQUETBALL or HANDBALL - private (outside courts permitted)	P9	P
TENNIS, RACQUETBALL or HANDBALL - public (outside courts not permitted)	P9	P
TENNIS, RACQUETBALL or HANDBALL - public (outside courts permitted)	P9	P
TENNIS, RACQUETBALL or HANDBALL -private (outside courts not permitted)	P9	P
AIR CONDITIONERS - retail	P4	P7
ANTIQUE STORE – retail	P4	P7
APOTHECARY - see (DRUGSTORE - apothecary)	P4	P7
APPAREL & ACCESSORY STORE - retail	P4	P7
APPLIA”NC”E - retail	P4	P7
ART GALLERY	P4	P7
BAKERY – retail	P4	P7
BOOKSTORE	P4	P7
BUILDING SPECIALTIES - retail outside storage permitted	P4	P7
BUSINESS MACHINES - retail	P4	P7
CAMERA, PHOTOGRAPHIC EQUIPMENT & SUPPLIES - retail	P4	P7
CANDY, NUT and CONFECTIONERY - retail	P4	P7
CATERING SHOP	P4	P7
CONVENIE”NC”E ICE HOUSE - retail convenience store	P4	P7
CONVENIE”NC”E STORE – w/ gas sales	P4	P7
DAIRY PRODUCTS – retail	P4	P7
DRUGSTORE - apothecary	P4	P7
DRY GOODS – retail	P4	P7
FARM SUPPLIES	P4	P7
FEED, SEED, FERTILIZER SALES - no outside storage	P4	P7

FISH MARKET – retail	P4	P7
FLOOR COVERING - retail	P4	P7
FLORIST – retail	P4	P7
FOOD LOCKER PLANT - retail	P4	P7
FOOD STORE	P4	P7
FRUIT and PRODUCE - retail	P4	P7
FURNITURE SALES – retail	P4	P7
GIFT SHOP – retail	P4	P7
GLASS – retail	P4	P7
GROCERY STORE - retail	P4	P7
HARDWARE SALES – retail	P4	P7
HEAD SHOP	P4	P7
HOBBY STORE - retail	P4	P7
HOME IMPROVEMENT CENTER	P4	P7
JEWELRY STORE – retail	P4	P7
LEATHER GOODS or LUGGAGE STORE - retail	P4	P7
MEDICAL - surgical supplies retail	P4	P7
MILLINER – custom	P4	P7
NEWSSTAND	P4	P7
NURSERY - retail (growing plants on site permitted)	P4	P7
NURSERY - retail (no growing plants on site permitted)	P4	P7
OFFICE EQUIPMENT and SUPPLY - retail	P4	P7
PAINT and WALLPAPER STORE - retail & wholesale	P4	P7
PET SHOP – retail	P4	P7
PLUMBING FIXTURES - retail	P4	P7
RUG or CARPET – retail	P4	P7
SECONDHAND MERCHANDISE - retail no outside storage or display of inventory permitted)	P4	P7
SHOE – retail	P4	P7
SILK SCREENING – retail	P4	P7
SPORTING GOODS - retail	P4	P7
STAMPS and COIN SALES - retail	P4	P7
STATIONARY PRODUCTS - retail	P4	P7
TAMALE - preparation retail	P4	P7
THRIFT STORE - retail see (SECONDHAND MERCHANDISE)	P4	P7
TOBACCO STORE - retail	P4	P7
TOY STORE – retail	P4	P7
TROPHY SALES, ENGRAVING & ASSEMBLY	P4	P7
VARIETY STORE – retail	P4	P7
MACHINERY, TOOLS & CONSTRUCTION EQUIPMENT SALES & SERVICE	P	P
FARM EQUIPMENT SALES, SERVICE or STORAGE	P	P
OIL WELL SUPPLIES and MACHINERY SALES - used	P	P
PORTABLE BUILDING SALES	P	P
AIR CONDITIONING / REFRIGERATION - service & repair	P4	P7
ALTERING/REPAIR OF APPAREL	P4	P7
APPLIA”NC”E - repair major	P4	P7
APPLIA”NC”E - repair small	P4	P7
BANK, SAVINGS and LOAN		P6
BARBER or BEAUTY SHOP	P4	P7
BICYCLE – repair	P4	P7
BOAT & MARINE - sales, service (outside storage not permitted)	P	P
BOAT & MARINE - storage (outside permitted)	P	P

BODY PIERCING	P4	P7
CEMETERY or MAUSOLEUM	P5	P5
COPY OR BLUEPRINTING - example "Quick Print"	P4	P7
COPY SERVICE - blueprinting and photocopying	P4	P
COSMETICS - permanent	P4	P7
DELICATESSEN	P4	P7
DRY CLEANING - limited to five employees	P4	P7
DRY CLEANING - pickup station only	P4	P7
ELECTRIC REPAIR - heavy equipment	P3, 4	P3, 7
ELECTRIC REPAIR - light equipment	P3, 4	P3, 7
ELECTRONIC EQUIPMENT - repair	P3, 4	P3, 7
ELEVATOR MAINTENA”NC”E - service	P4	P
EXTERMINATORS	P4	P7
FOOD - restaurant or cafeteria	P4	P4
FURNITURE REPAIR / UPHOLSTERING	P4	P7
GASOLINE FILLING STATION - w/o repair service (car wash allowed)	P4	P7
GASOLINE FILLING STATION - with repair service and/or car wash	P4	P7
GUNSMITH	P4	P7
JANITORIAL / CLEANING SERVICE	P4	P7
LABORATORY – research	P3, 4	P3, 7
LABORATORY – testing	P3, 4	P3, 7
LAUNDRY and DRY CLEANING - self service	P4	P7
LAUNDRY- limited to max of five employees	P4	P7
LAUNDRY or DRY CLEANING - pickup station only	P4	P7
LAWNMOWER REPAIR	P4	P7
LINEN or UNIFORM SUPPLY, DIAPER SERVICE (pickup & supply only)	P4	P7
LOAN OFFICE		P7
LOCKSMITH	P4	P7
MANUFACTURED HOME / OVERSIZE VEHICLE SALES, SERVICE or STORAGE	P	P
MASSAGE - parlor	P4	P7
MASSAGE - therapeutic	P4	P7
MINI WAREHOUSE - over 2.5 AC.	P	P
MORTUARY - embalming and preparation only	P4	P7
PALM READING	P4	P7
PAWN SHOP	P4	P7
PICTURE FRAMING	P4	P7
POST OFFICE	P4	P4
REDUCING SALON	P4	P7
SHOE – repair	P4	P7
SIGN SHOP - no outside storage	P4	P7
STUDIO - fine or performing arts		P7
STUDIO - interior decorating	P4	P7
STUDIO - photographic	P4	P7
STUDIO - sound & recording		P7
TAILOR SHOP	P4	P7
TATTOO PARLOR/STUDIO	P4	P7
TAXIDERMIST	P	P
TOOL RENTAL - fenced & screened outside storage permitted	P4	P7
TOOL RENTAL - outside storage permitted	P4	P7
TREE CUT & TRIM SERVICE	P	P
WATCH REPAIR	P4	P7

CARTING, CRATING, HAULING, STORAGE	P	P
COLD STORAGE PLANT	P	P
FUR DYEING, FINISHING and STORING	P	P
ICE CREAM TRUCK STORAGE	P	P
MOVING COMPANY	P	P
STORAGE - outside (under roof and screened)	P	P
FREIGHT DEPOT	P	P
TELEPHONE EQUIPMENT INFRASTRUCTURE	P8	P8
WIRELESS COMMUNICATION SYSTEMS	P8	P8
SANITARY LANDFILL, SOLID WASTE FACILITY	P	P
OFFICE WAREHOUSE	P	P
WAREHOUSING - no outside storage permitted	P	P
BAKERY - wholesale	P	P
BARBER and BEAUTY EQUIPMENT - wholesale	P	P
CAMERA, PHOTOGRAPHIC EQUIPMENT & SUPPLIES - wholesale	P	P
DAIRY EQUIPMENT SALES - wholesale	P	P
DAIRY PRODUCTS - wholesale	P	P
DRUG SALES - wholesale	P	P
FISH MARKET - wholesale	P	P
FOOD PRODUCTS - wholesale & storage	P	P
FRUIT and PRODUCE - wholesale	P	P
FURNITURE SALES - wholesale	P	P
GLASS - wholesale	P	P
GROCERY - wholesale	P	P
HARDWARE SALES - wholesale	P	P
OFFICE EQUIPMENT and SUPPLY - wholesale	P	P
PAPER SUPPLIES - wholesale	P	P
PLUMBING FIXTURES - wholesale	P	P
SHOE - wholesale no manufacturing	P	P
SPORTING GOODS - wholesale	P	P
STONE MONUMENT - retail & wholesale	P	P
TAMALE - preparation wholesale	P4	P7

1 With no public assembly.

2 Maximum 100 parking spaces.

3 No industrial or manufacturing uses will be allowed if operations emit into the air any substance which would impair the visibility or otherwise interfere with the operation of aircraft, e.g., steam, dust, smoke. Nor will any use be allowed which would interfere with aircraft communication systems or navigational equipment through electrical disturbances.

4 Building size is limited to maximum 3,000 sq. ft.

5 Excludes chapels.

6 Low-intensity office use only.

7 Building size limit in MAOZ-2 is 250,000 sq. ft.

8 With height restrictions.

9 With no clubhouses.

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(2) Prohibited Uses.

A. Residential uses, except as provided for in exceptions for residential uses [section 35-334(d)].

B. All other uses not permitted under subsection (a) of this section

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(3) Military Airport Overlay Zone 1 Size Limitation.

Any retail, office or personal service use that is permissible in the "MAOZ-1" may not exceed 3,000 square feet in total floor area. Front, rear and side yard setbacks of 20 feet shall be required on all lots. There shall be a separation of at least 20 feet between each such use.

(4) Military Airport Overlay Zone 2 Size Limitation.

Any retail, office or personal service use that is permissible in the "MAOZ-2" may not exceed 250,000 square feet in total floor are

(5) Plat Notice.

A notice shall be placed on all final plats for properties located within Military Airport Overlay Zones 1 and 2 that the property, either partially or wholly, lies within a military airport overlay zone and is subject to noise and/or aircraft accident potential which may be objectionable

(d) Exceptions for Residential Uses

(1) Existing Residences.

Notwithstanding any other provisions of the zoning ordinance, residential uses located within the military airport overlay zones which were lawfully in compliance with the provisions of this chapter on the effective date of this chapter may be repaired and enlarged provided (1) the number of dwelling units is not increased and (2) all other applicable requirements of this district are met.

(2) Vacant Lots.

Vacant platted lots which are zoned for single-family residential uses may be used for single-family residences providing they conform to all other applicable requirements of this district. Such lots may not be subdivided into more than one additional lot for single-family residential use.

(3) Unplatted Property.

Unplatted properties zoned for single-family residential may be platted and used for single-residences in the "MOAZ-2", providing they conform to all other applicable requirements of this district. Such lots may not exceed a density of one single-family residence per acre.

(e) Visual and Electrical Interference

Notwithstanding any other provisions of these regulations, no use shall be made of land within the military airport overlay zones in such a manner to:

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(1) Release into the air any substance which would impair visibility or otherwise interfere with the operation of aircraft; e.g., steam, dust, smoke, etc.;

(2) Produce light emissions, either direct or indirect (reflective) which would interfere with pilot vision;

(3) Produce electrical emissions which would interfere with aircraft communications systems or navigational equipment; or

(4) Attract birds or waterfowl, or in any other manner constitute an airport hazard.

(f) Storage of Flammables

The provisions of this section shall apply throughout the military airport overlay zones. All technical terms shall be interpreted as defined in the Uniform Fire Code.

(1) Solid Materials.

A. The storage or manufacture of flammable solid materials or products is permitted only if the flammable material or products are stored or manufactured within completely enclosed buildings having noncombustible exterior walls and protected throughout by an automatic fire extinguishing system.

B. The storage or manufacture of explosive materials and of materials or products which decompose by detonation is prohibited.

(2) Liquid Materials.

A. The manufacture of flammable or combustible liquids or materials which produce flammable or combustible vapors or gases is prohibited.

B. All above ground storage of flammable or combustible liquids or materials which produce flammable or combustible vapors or gases shall be in enclosed fireproof vaults. This requirement does not apply to liquids or materials used for single-family residences.

C. The storage of flammable and combustible liquids, or of materials that produce flammable or combustible vapors or gases, shall be permitted only in accordance with the Uniform Fire Code.

(g) Height Regulations

The height of structures within the military airport overlay zones shall be governed by the height requirements of the underlying zoning district as well as the provisions of the joint airport zoning regulations in Division 11, Article III of this chapter.

(h) Procedure

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(1) Site Plan.

Except for single-family residences, a site plan shall be submitted to the director of development services 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 Appendix "C". The plan review fee shall be in addition to any other required fees.

(2) Purpose.

The purpose of the site plan is to ensure the proposed development complies with the provisions and intent of this chapter. The plan review will focus on the following:

A. **Ordinance Provisions**. Permitted uses, potential visual and electrical interference, and storage of flammables.

B. **Intent.** The site design should locate the most intensive uses farthest away from the end and centerline of the runway.

(3) Plan Requirements.

The plan shall include the following as a minimum.

A. Site size, location information, and adjacent land uses.

B. Dimensioned layout, with the location, size, and height of all buildings and structures.

C. The location and size of all above and below ground storage containers for flammable and combustible materials.

D. Size and location of all vehicular access points, streets, and parking areas.

E. Major physical features such as creeks, topography, and easements.

F. Diagrams indicating the location, dimensions, and angles of any or other reflective surfaces proposed in the development design.

G. A staging plan if appropriate.

(4) Staff Review.

The director of development services shall, upon receipt of the site plan, distribute copies to other departments/agencies, as the director deems necessary. Departments/agencies receiving copies of the site plan shall, within twenty (20) days of receipt of the plan,

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submit to the director of development services their written recommendation and comments about the plan. No later than thirty (30) days after submission of the site plan, the director shall submit the plan with a recommendation to the planning commission for consideration.

(5) Planning Commission Consideration.

The 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.

(6) Distribution of the Approved Plan.

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

(7) Changes in the Plan.

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 director of development services, 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.

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 director of development services.

(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 (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 ha been resubmitted and properly approved by the commission.

(i) Supplemental Information

Whenever any application for a change in zoning in a military airport overlay zone is filed, the

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director of development services 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 "NCD" Neighborhood Conservation District

(a) Purpose

(1) Within the city of San Antonio there are many unique and distinctive residential neighborhoods or commercial districts which contribute significantly to the overall character and identity of the city. They are worthy of preservation and protection, but may lack sufficient historical, architectural or cultural significance at the present time to be designated as historic districts. As a matter of public policy, the city council aims to preserve, protect, enhance, and perpetuate the value of these residential neighborhoods or commercial districts through the establishment of neighborhood conservation districts.

(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;
B. to promote and provide for economic revitalization;
C. to protect and enhance the livability of the city;
D. to reduce conflict and prevent blighting caused by incompatible and insensitive development, and to promote new compatible development;
E. to stabilize property values;
F. to provide residents and property owners with a planning tool for future development;
G. to promote and retain affordable housing;
H. to encourage and strengthen civic pride; and
I. to ensure the harmonious, orderly and efficient growth and redevelopment of the city.

(3) The neighborhood conservation district planning tool implements the following policies of the Master Plan:

A. Neighborhoods, Policy 2b (1): Establish a zoning classification such as a conservation district or a planned development district for neighborhood specific plans.

B. Urban Design, Policy 1b (1): Create and adopt urban design guidelines and standards that will enhance the quality of life in San Antonio, and which specifically encourage the following…preservation and enhancement of the city's important historic and cultural characteristics, including architectural styles and historic districts, as well as existing residential and commercial districts, and neighborhood centers.

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C. Urban Design, Policy 1d (1): Involve neighborhoods in developing neighborhood-specific plans that define the character and pattern of development for their neighborhood, and that establish infill development guidelines.

(b) Designation Criteria

To be designated as a neighborhood conservation district, the area must meet the following criteria:

(1) contain a minimum of one blockface (all the lots on one side of a block);

(2) at least 75% of the land area in the proposed district was improved at least 25 years ago, and is presently improved; and

(3) possess one or more of the following distinctive features that create a cohesive identifiable setting, character or association:

A. scale, size, type of construction, or distinctive building materials;

B. spatial relationships between buildings;

C. lot layouts, setbacks, street layouts, alleys or sidewalks;

D. special natural or streetscape characteristics, such as creek beds, parks, greenbelts, gardens or street landscaping;

E. land use patterns, including mixed or unique uses or activities; or

F. abuts or links designated historic landmarks and/or districts.

(c) Zoning Authority

Separate ordinances are required to designate each “NCD” 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

D. Whispering Oaks “NCD-4” Febuary 24, 2005

(1) **Overlay District**. Neighborhood conservation districts are designed as overlays to the regular zoning districts. Property designated within these districts must also be designated as being within one or more of the regular base zoning classifications.

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Authorized uses must be permitted in both the regular zoning district and the overlay district. Property designated as a neighborhood conservation district may have additional designations. Such property shall comply with all applicable use restrictions.

(2) **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.

A. The designation of property within a neighborhood conservation district places such property in a new zoning district classification and all procedures and requirements for zoning/rezoning must be followed.

B. In the event of a conflict between the provisions of a specific neighborhood conservation district ordinance and the regular base zoning district regulations, the provisions of the neighborhood conservation district ordinance shall control.

C. Except as modified by this section, the procedures for zoning changes set forth in this chapter shall otherwise apply to the designation of an area as a neighborhood conservation district.

D. Upon designation of an area as a neighborhood conservation district, the city council shall cause notice of such designation to be recorded in the official public records of real property of Bexar County, the tax records of the city of San Antonio and the Bexar Appraisal district, and the House Numbering section of the city of San Antonio's development services department.

(d) Initiation Procedures

(1) A zoning change application for designation as a neighborhood conservation district shall be initiated at the direction of the:

A. request of owners representing 51% of the land area within the proposed district, or

B. request of 51% of property owners within the proposed district, or

C. director of planning, pursuant to a neighborhood or community plan adopted by city council, or city or community revitalization program.

(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:

A. maps indicating boundaries, age of structures and existing land use within the proposed district;

B. maps and other graphic and written materials identifying and describing the distinct neighborhood and building characteristics of the proposed district;

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C. a list of all property owners (with legal addresses), neighborhood associations and/or other organizations representing the interests of property owners in the proposed district; and

D. design standards.

(3) All property owners within the proposed district shall be afforded the opportunity to participate in drafting the neighborhood conservation plan, which will be approved as part of the zoning ordinance creating a neighborhood conservation district.

(e) Design Standards

(1) The neighborhood conservation plan approved as part of the zoning ordinance creating a neighborhood conservation district shall include design standards for new construction of any building or structure, or the relocation or rehabilitation to the street facade of an existing building or structure.

(2) The neighborhood conservation plan, and requisite Design Standards shall not apply to those activities which constitute ordinary repair and maintenance, i.e., using the same or similar material and design.

(3) The design standards for the neighborhood conservation district must include at a minimum (or note the inapplicability), the following elements governing the physical characteristics and features of all property (public or private) within the proposed district:

A. building height, no. of stories;

B. building size, massing;

C. principal elevation features;

D. lot size, coverage;

E. front and side yard setbacks;

F. off-street parking and loading requirements;

G. roof line and pitch;

H. paving, hardscape covering.

(4) In addition, the design standards may include, but shall not be limited to, the following elements:

A. building orientation;

B. general site planning (primary, ancillary structures);

C. density;

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D. floor area ratio;

E. signage;

F. architectural style and details;

G. building materials;

H. garage entrance location;

I. window/dormer size and location;

J. landscaping;

K. fences and walls;

L. entrance lighting;

M. driveways, curbs and sidewalks;

N. utility boxes, trash receptacles;

O. street furniture;

P. solar systems, components;

Q. building relocation;

R. right-of-way (exceeding public works standards).

(f) Neighborhood Ordinance Administration

(1) The director of development services shall forward a copy of a building permit application to the director of planning for review and comment.

(2) No building permit shall be issued by the department of development services for new construction or an alteration or addition to the street facade of an existing building or structure within a designated neighborhood conservation district without the submission and approval of design plans and the issuance of a certificate of compliance by the director of planning.

(g) Violation of Provisions

(1) The violation of any provision of this section shall constitute a violation of this chapter and may be prosecuted in municipal court regardless of whether civil or administrative action is taken against the permit holder. Upon conviction, the permit holder shall be subject to the penalties prescribed in this chapter.

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(2) The director of development services may request the city attorney to institute a civil action as prescribed in this chapter, regardless of whether a criminal action has been taken.

(Ord. No. 98697 § 1, 5, Ord. No. 100126, Ord. No. 101816)

35-336 "UCD" Utility Conversion Districts

Within the city there are numerous corridors in which the transmission of electricity, telecommunications, cable television and other technologies (collectively referred to as utilities or facilities within this division) has been facilitated through the use of above ground poles in public rights-of-way and easements.

Under grounding or relocation of these facilities can provide a safer environment for the public. Under grounding, relocation or redesign of these facilities can enhance the surrounding development by improving the visual appearance and appeal of the city's visitor attractions, scenic views and urban corridors, cultural and historical resources, public gathering places and other major public facilities. The under grounding, relocation or redesign of these facilities can also promote economic development and revitalization in surrounding areas, increase the value of commercial properties and residential neighborhoods, and improve the quality of life for all San Antonians. The establishment of utility conversion districts requires mechanisms to identify and designate the specific corridors and areas to be modified, to determine the nature of the improvements to be required in each such corridor or area, to require the various utility companies to implement these projects as parts of public works or civic improvement projects directed by city council and to require property owners and utility customers to modify their property as necessary to receive utility services from underground, relocated or redesigned distribution systems.

(a) Applicability

To be established as a utility conversion district, a corridor or area must meet either one of the following criteria:

- The proposed utility conversion district includes the area of another public works or civic improvement project which is already planned and for which reasonable assurance of funding has been secured. If the existing public works or civic improvement project does not already require some relocation of existing above ground utilities in the area, then it must be of such unique and city wide significance, as determined by city council, to justify consideration to achieve the purposes of this subdivision. This related project does not need to be sponsored or financed by the city, but it must be the project of a governmental entity; or

- A utility conversion district is proposed by a petition of the property owners in the area. The petition must be signed by the owners of at least two-thirds (2/3) of the total number of lots or separate tracts of land in the area of the proposed district, and the property of these owners must encompass at least two-thirds (2/3) of the total land area of the proposed district, excluding the area of streets, alleys and other public rights-of-way and of any other land owned by the city. Petitioners shall use the city petition form for utility conversion districts to ensure that the

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project proposed is technically feasible and worthwhile and that all of the affected property owners are considered in the calculation of the signature requirement.

Other provisions of this Code notwithstanding, the provisions of this section shall apply to property belonging to or used by the city, or to property used to provide city owned utilities.

(b) "UCD" Ordinances

(1) Ordinances Establishing Utility Conversion Districts.

This division authorizes the establishment of utility conversion districts and includes general provisions governing all such districts. However, a separate ordinance is required to establish each such district. The ordinance establishing a particular utility conversion district shall:

- Describe the area of the district
- Specify the requirements for improvement of the utilities in each part of the district, and
- Establish a deadline by which existing utility customers within the district must complete the modification of their property as necessary to continue to receive utility services from the new utility distribution systems.

(2) Requirements of Utility Conversion Districts.

The requirements of a particular district may include any combination of the following:

- The conversion of existing overhead utility facilities to underground operation;
- The relocation of existing overhead utility lines from one specified route to another;
- Specified improvements in the design of existing and/or new overhead utilities.
- A requirement that all new utility lines in the district or in a specified area of the district be installed underground or meet an improved design standard without requiring modification of existing utilities in the district or that area of the district.

The requirements of a particular district may apply to transmission and trunk lines, to distribution lines, or both, as specified in the ordinance creating the district. The ordinance creating a particular district shall specify the improvements which are to be required in the district, and it may apply any combination of the preceding requirements to any particular specified areas or corridors within the district. In addition, the ordinance may require that whenever utility lines are extended from within the district or a specified area of the district to serve property which is outside but adjacent to the district or that area of the district, the portion of the extensions within the district shall conform to the district requirements with respect to underground installation, aboveground route or design standard as appropriate.

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(3) Utility Conversion Districts are Overlay Districts.

Utility conversion districts are established as overlays to the regular base zoning districts. The zoning district designation for each utility conversion district shall consist of the base zone symbol with the overlay district symbol "UCD" as a suffix, followed by a sequential number for the order in which these districts are created.

(c) UCD

(1) Compilation Process.

At the beginning of each calendar year, city staff shall begin compiling a list of the proposals for utility conversion districts which have been received during the previous year and which meet the criteria of the previous paragraph. Upon completion of the compilation process, city staff shall make the list available to the public. This list shall include the staff's preliminary analysis of the potential benefits, technical feasibility, and costs of each proposed district which is eligible for consideration. For each proposed and eligible district, the analysis shall also include consideration of any alternatives to the initially proposed requirements which the staff believes are feasible and would largely achieve the intended objectives of the district.

(2) City Council Resolution.

Each year, following the city's receipt of notice from CPS Energy of the amount of funds available for utility conversion projects in the city, the city council shall hold a public hearing to consider the establishment of utility conversion districts. Following the hearing, the council shall adopt a resolution stating its intention to establish one or more utility conversion districts, up to the limit of the funds available. The number of districts and their size and scope shall be limited to the funds available. For each such district which the council intends to establish, the resolution shall describe the area or boundaries of the district, the requirements or combinations of requirements which are proposed in each part of the district, and the deadline which is proposed for compliance by the utility customers.

(3) Notification.

Following the adoption by city council of a resolution of intent to establish a utility conversion district, the city shall notify each property owner, inside and within two hundred (200) feet of the boundaries of the proposed district, of this action. The city will also work with the utilities involved to identify and notify the utility customers in the area who are not property owners. The notice shall include a summary explanation of the purposes, procedures, requirements and possible impacts on property owners and utility customers of the establishment of a utility conversion district. The notice may also include the time and place of an informal public meeting, in a location convenient to the area, at which city staff will explain the process of implementing utility conversion districts, answer questions, and attempt to gather information on the degree of community support for the proposal.

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(4) Decision.

- Following the notice of the council's intent to establish a utility conversion district and the neighborhood public meeting, the zoning commission shall hold a public hearing and make recommendations to city council. Notice of the hearing shall be provided in the same manner as for a change in zoning. The planning commission will also consider the substance of the proposed utility conversion district and make a recommendation to the city council.

- Following receipt of the recommendations of the zoning commission and the planning commission, the city council shall hold a second public hearing before determining whether to proceed with the establishment of the district. If the council determines to proceed, it shall adopt an ordinance establishing the district as an amendment to § 35-335(i) of the Unified Development Code. The ordinance adopting the amendment to § 35-335(i) shall also declare that implementation of the utility improvements is required for the public health, safety and general welfare, and that the project constitutes a public works or civic improvement project of the city within the meaning of the utility franchise and municipal fee agreements.

- If the council determines not to proceed with the establishment of the district, it shall adopt a resolution to abandon the proposal. The council may then adopt a resolution of intent to establish another utility conversion district in place of the district which is abandoned. The adoption of a new resolution of intent shall then initiate the processes of notice, neighborhood meeting, and recommendations by the zoning commission as set out in the previous paragraphs of this section. However, the council may not establish a new district at this stage unless the proposed district was among those considered at the previous annual public hearing.

- Within thirty (30) days after the establishment of a utility conversion district, the city shall notify each affected utility company and property owner listed on the current Bexar County Appraisal district tax rolls. The notice to the utilities shall constitute their direction to proceed with the project as a public works or civic improvement project of the city. Except for districts or areas within districts which only require new utility distribution lines to be extended underground, the notice shall notify property owners that the utility poles, overhead utility lines and associated facilities in the district are to be removed and converted to underground operation, or relocated or redesigned as appropriate to the location of their property within the district, and that if the property owners, the tenants or occupants of their property desire to continue to receive the utility services they must make all of the necessary changes on the premises so as to receive service from the new utility distribution systems. The notice shall also notify the property owners of the anticipated schedule for the completion of the district improvements and the required deadline for modification of the property. The notice shall also inform the property owners of the technical and other assistance which is available to them in meeting the district requirements, and contain the name, office address and telephone number of a city staff person who will be available to answer questions.

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(d) Implementation of District Improvements

(1) Conversion of Overhead to Underground Operations.

If the ordinance establishing a particular utility conversion district requires the conversion of overhead utilities to underground operation, then every public utility which has poles, overhead lines and associated above-ground facilities in the affected area of the district shall remove it poles, overhead lines and associated facilities in the area as required by the ordinance establishing the district, subject to other applicable city ordinances and franchise agreements. Thereafter no new utility poles, overhead lines or associated facilities shall be permitted in the affected district area.

(2) Rerouting of Overhead Utility Lines.

If the ordinance establishing a particular utility conversion district requires the relocation of overhead utilities from one route to another, then every public utility which has poles, overhead lines and associated above-ground facilities along the route which is to be vacated shall remove its poles, overhead lines and associated facilities from that route, and shall install such new facilities as it considers necessary along the alternate route, as required by the ordinance establishing the district. Thereafter no new utility poles, overhead lines or associated facilities shall be permitted in the district along the route which is vacated. The ordinance establishing the district may also require that utility lines shall not be extended overhead from elsewhere within the district or within a specified area of the district to serve adjacent property along that route or along a specified part of that route. Prior to placement, the location of all new poles, anchors and guy lines along any new route shall be approved by the director of public works.

(3) Replacement of Facilities.

If the ordinance establishing a particular utility conversion district requires the replacement of existing poles, overhead lines and associated above-ground facilities with those of an improved design, then every public utility which has poles, overhead lines and associated facilities in the affected area of the district shall remove those which do not conform to the improved design standard and shall replace them with poles, lines and associated facilities which meet the improved standard, as required by the ordinance establishing the district. Thereafter no new utility poles, overhead lines or associated facilities shall be permitted in the affected district areas which do not meet the improved design standard. Prior to placement, the location, route and design of the new poles (including anchors and guy lines), overhead lines and associated facilities shall be approved by the director of public works.

(4) Regulations Applicable Only to New Development.

If a requirement of the ordinance establishing a particular utility conversion district applies only to new development, then the existing utility poles, overhead lines and

associated facilities in the affected district area may continue in use and may be replaced as necessary. However, no additional poles shall be installed and no additional lines shall be extended on existing poles in the affected district area except in conformance with the district requirements.

(e) Responsibilities of Property Owners and Customers

(1) Application.

This section applies whenever a utility conversion district requires:

- The conversion of overhead utilities to underground operation;
- The relocation of overhead utilities from one route to another; or
- The replacement of existing poles, overhead lines and associated above ground facilities with those of an improved design.

(2) New Easements.

Any new easement acquired by the city shall be reasonable and necessary. If an additional easement or easements are required, the utility may request the property owner to dedicate the easement with no compensation to the property owner. Election by the property owner to not dedicate the easement without receipt of compensation, will in no way impair the property owner's service contract with the utility. In such event, the city may:

- Withdraw or modify the proposed designation of the project as a utility conversion district; or
- Procure the new easement in conformity with existing procedures and statutes governing compensation for nonvoluntary easements.

The cost associated with acquisition of easements for utility conversion district shall not be borne by the property owner conveying the easement. Acquisition costs for gas and/or electric easements shall be paid from the City Public Service Energy conversion fund. Acquisition costs for other easements shall be paid by the respective utilities.

(f) Modification to Receive Utility Service

(1) Financial Responsibility.

Property owners and customers shall not be required to pay any costs associated with conversion of existing utility service to underground utilities. Modifications to the

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owner/customer's property necessary to receive service from the new utility distribution system shall be paid from the City Public Service Energy conversion fund. However, if preexisting electrical code violations are observed during installation or reconnection of service from the new utility distribution system the property owner/customer shall be responsible for the correction of such violations. All correction of violations shall be completed within ninety (90) days after written customer and owner notification that the new distribution system is available. For the purposes of this section, "preexisting electrical code violation" shall mean the violation of the electrical code in effect at the time the property owner/customer's improvements were constructed. Only life safety corrections will be required. Electrical installations that comply with prior codes and are in good repair may remain. All conversion costs for other utilities shall be borne by the respective utilities.

(2) Unfunded Conversion Costs.

In the event conversion costs that do not qualify for payment through the City Public Service Energy conversion fund are not borne by the customers, municipal utilities, other utilities or other interests, the project will not be designated as a utility conversion district unless the affected property owners voluntarily choose to pay for conversion costs of their property to receive service from the new distribution system.

(3) Utility Drops.

All new construction and new structural alterations which involve the utility drop of an existing building or structure with a utility conversion district shall be designed to receive utility service from the utility distribution system required in the district.

(g) Disconnection of Service

In the event that a property owner or utility customer does not comply with the requirements of a utility conversion district within ninety (90) days after receiving notice that service is available from the new utility distribution system, the utility provider(s) shall notify the director of public works of the owner/customer's noncompliance. The director of public works shall give the noncompliant party an opportunity to be heard. If, after this opportunity to be heard, the director of public works determines that the service should be disconnected, he/she shall direct the utility providers to do so. The purpose of this provision is to provide for flexibility when dealing with exceptional circumstances and not to frustrate the intent expressed in this division to convert or reroute utilities.

Upon notice to disconnect service, and subject to applicable federal and state rules and regulations regarding service termination, the utility providers shall disconnect and remove any and all poles, overhead lines and associated facilities supplying utility service to the subject property. The utility providers shall not thereafter be required to provide service to such premises until the necessary modifications to receive service from the new distribution system are made.

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(h) Exceptions

The provisions of this division shall not apply to the following types of facilities:

- Temporary utility services during construction.
- Overhead lines attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another or to an adjacent building without crossing the front line of the building or the building set backs.

In the case of a utility conversion district which requires the conversion of overhead utilities to underground operation or the installation of new utilities underground, the director of public works shall, at the property owner's request, authorize the use of overhead service drops from riser poles located on private property when the riser pole is located behind the front line of a building and behind the adjacent street side line of a building on a corner lot, or the riser pole is otherwise effectively shielded from public view from any street abutting the property.

(i) Emergencies and Unusual Circumstances

In cases of emergency or unusual circumstances of a temporary nature, the director of public works may authorize any person to erect, maintain and use utility poles, overhead utility lines and associated facilities which do not meet the requirements of a utility conversion district for the duration of the emergency or unusual circumstances, not to exceed one year.

(j) Districts Established

The utility conversion district administrative procedures attached to ordinance No. 85764 are adopted in order to provide city staff with general guidance regarding the implementation process and project selection criteria. The administrative procedures are available for public inspection in the office of the city clerk.

The city council urges City Public Service Energy to limit its annual contributions to the utility conversion fund to the current one percent of the electric revenue of the CPS Energy electric system billed during the previous fiscal year, and to refrain from implementing any further rate increases to subsidize this fund.

(Ord. No. 98697 § 6)

35-337 “VP” Viewshed Protection Districts

The purpose of this district is to establish regulations to protect, preserve and enhance of views and

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vistas by authorizing and establishing viewshed protection districts. The city of San Antonio has many views and vistas of historic places, landmark buildings, and other sites of cultural importance which have always been important to the city. These views will continue to be amenities and assets of great value to the city, its people and its economy. New development in the vicinity of these important places is usually beneficial, but when construction becomes too tall and begins to overwhelm or intrude, in scale and mass, the main view or vista of a smaller place of significance, then the viewshed located behind the significant property should be protected. Viewshed protection districts are overlay districts that will be used primarily for unique situations regarding views and vistas that are not adequately covered by the standard zoning districts.

Specific purposes of these viewshed protection districts are as follows:

- *To safeguard San Antonio's heritage by preventing the despoliation of views of areas and buildings that reflect important elements of the city's cultural, natural, historic, and economic fabric.*
- *To create favorable impressions of San Antonio as well as provide environmental enrichment for the citizens of the city.*
- *To enhance San Antonio's image as a scenic and livable city and to provide appropriate measures to maintain the existing ambiance of certain historic and cultural sites.*
- *To preserve, protect, and enhance visually those areas of high visitor interest.*
- *To reduce visual distractions and enhance the photographic quality and opportunities of important historic and cultural sites and landscapes.*

(a) Designation Criteria

To be designated as a viewshed protection district, an area must lie within the viewshed of the major entrance or front door to the following historic landmark buildings, objects, sites, or structures:

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Site	Legal Description	Address
The Alamo (Mission San Antonio de Valero)	All of “NC”B 115	320 Alamo Plaza
Mission Concepcion	Lot A-31 and all lots 26, 27,28, and the south 83' of Lot 25 “NC”B 3975	807 Mission Road
Mission San Jose	3.3 acres out of “NC”B 7664	701 East Pyron
Mission San Juan	Tract 3, “NC”B 10933	9101 Graf Road
Mission Espada	P-5, “NC”B 11173	10040 Espada Road
Espada Aqueduct	The east part of track I-A and the south part of tract 14, “NC”B 11174	9000 Block of Espada Road
Espada Dam	P-5, “NC”B 10932	1800 Block of SE Military
Bergs' Mill	The northwest irregular 310' of the south 330'' of P-11, “NC”B 10932	2400 Block of Ashley Road
Municipal Auditorium	“NC”B 412	100 Auditorium Circle
The Old Ursuline Academy (Southwest School of Art and Craft)	All of “NC”B 180	300 Augusta Street
Thomas Jefferson High School	“NC”B 6758 Blk 8 Lot 21	723 Donaldson
Navarro Homestead	“NC”B 13418, Lot 4	228 Laredo Street
Spanish Governors Palace	“NC”B 117 Lot A-6 and 4	105 Plaza de Armas
Yturri-Edwards Home and Mill	Lot 13, “NC”B 6305	257 Yellowstone Street
Church of the Little Flower	“NC”B 2072, Blk 004, Lot 24	906 Kentucky

Notes and Rules of Interpretation: “P” refers to the parcel number; ““NC”B” refers to the New city Block number.

(b) Zoning Process and Classification

(1) This ordinance authorizes the establishment of viewshed protection districts; however, separate ordinances are required to designate each district. This ordinance also specifies the general purposes of the protection districts and the scope of the standards which the separate ordinances may address. Ordinances designating each viewshed protection district shall identify the designated protection districts and the scope of the standards which the separate ordinances may address.

(2) Ordinances designating each protection district shall identify the designated viewshed district(s) and specify the individual purposes and standards for that district.

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(3) The departments of planning, public works, and development services shall undertake land use and other background studies necessary to designate a viewshed protection district. All property owners within the proposed district and adjacent areas shall be afforded the opportunity to comment on the ordinance regulations.

(4) The viewshed protection districts are established as overlays to the regular base zoning districts.

(5) The zoning designation for the viewshed protection district shall consist of a base zone symbol and the viewshed protection district symbol "VP" as a suffix. Viewshed protection districts shall be numbered sequentially to distinguish among different districts, i.e., "VP-1", "VP-2", etc. and shall be give a specific name, i.e., Alamo Viewshed, Mission Conception Viewshed, etc. along with a number.

(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).

(2) Prior to viewshed designation, a brass disk monument shall be set and named to mark the viewpoint origination. This monument shall be called out in a survey as the instrument in each legal description defining a viewshed. Each monument shall be numbered and named sequentially, i.e., "VP-1", "VP-2", etc. From the named monument the elevation, horizontal angle, and vertical angle of the viewshed shall be determined. The viewshed shall be described in the ordinance designating a Viewshed Protection district.

(3) Using these points, the viewshed shall also define the volume or envelope within which new construction will be allowed. New construction beyond or outside of this envelope that protrudes into the viewshed and obstructs the view of the designated building or site being photographed, filmed, or otherwise enjoyed by visitors to the site shall be limited by this ordinance.

(4) The viewpoint origination brass disk monument shall also mark the spot where a photograph can be taken at 5.51 feet above the pin (which is the approximate eye level for most adults). The photograph taken at this point represents a protected view.

*(*d) Development Standards

General. Ordinances establishing specific viewshed protection districts shall comply with the requirements addressed in this section subject to the guidelines included herein. In the event of a conflict between the specific protection district and other provisions of this code, the protection district provisions shall prevail.

(**1)** **Limitation on Construction.**

No part of a new structure, sign, tower, roof top equipment or other appurtenance shall be permitted to encroach into any designated viewshed as set forth in this ordinance unless an encroachment is approved in accordance with subsection (2), below. If the maximum height allowed in any zoning district within the city differs from the height permitted by a protection district, the more restrictive height limitation shall apply.

(2) Nonconforming Structures.

A. Any structure which presently encroaches into a viewshed protection district which was lawfully authorized by ordinances or regulations existing prior to the effective date of a protection district may continue. However, such encroachments will be encouraged to be removed as part of any remodeling or reconstruction of the structure. In the case of certain focal points that contribute to the historic character and to the quality of the urban design of the city, their removal due to their nonconforming status is not encouraged.

B. Structures lawfully established prior to the effective date of a protection district may be modified provided that such modification does not cause the structure to encroach into the viewshed to any greater extent in any dimension or configuration, specifically height, width or mass, than the existing structure.

C. Nonconforming structures may be maintained and repaired as necessary for the safe and efficient operation or use provided that no such maintenance or repair shall cause the structure to encroach into a viewshed to a greater extent in any dimension or configuration, specifically height, width, or mass, than the structure encroached prior to such maintenance and repair.

D. Whenever a nonconforming structure which does not conform with the provision of this ordinance is destroyed by fire, other calamity or by act of God, its use may be resumed or the structure may be restored provided the restoration is commenced within one year and diligently pursued to completion. The structure after such restoration shall not encroach into a viewshed to a greater extent in any dimension or configuration, specifically height, width, or mass, than the encroachment which existed prior to destruction.

(e) Public Facilities

Public agencies shall comply with a viewshed protection district in the siting and design of facilities which are located within or adjacent to a protection district. Utilities are encouraged to be located underground where possible.

(f) Viewshed Protection Districts

***(1)* "VP-1" Alamo Viewshed Protection District.**

A. **Designation Criteria.** There is hereby established an Alamo Viewshed Protection District. The area for the Alamo Viewshed Protection district meets the following designation criteria established in subsection 35-337(a) above:

1. The viewshed protection district lies behind the major entrance to the front door of the Mission San Antonio de Valero (The Alamo), a local historic exceptional landmark that is also a national historic landmark; and

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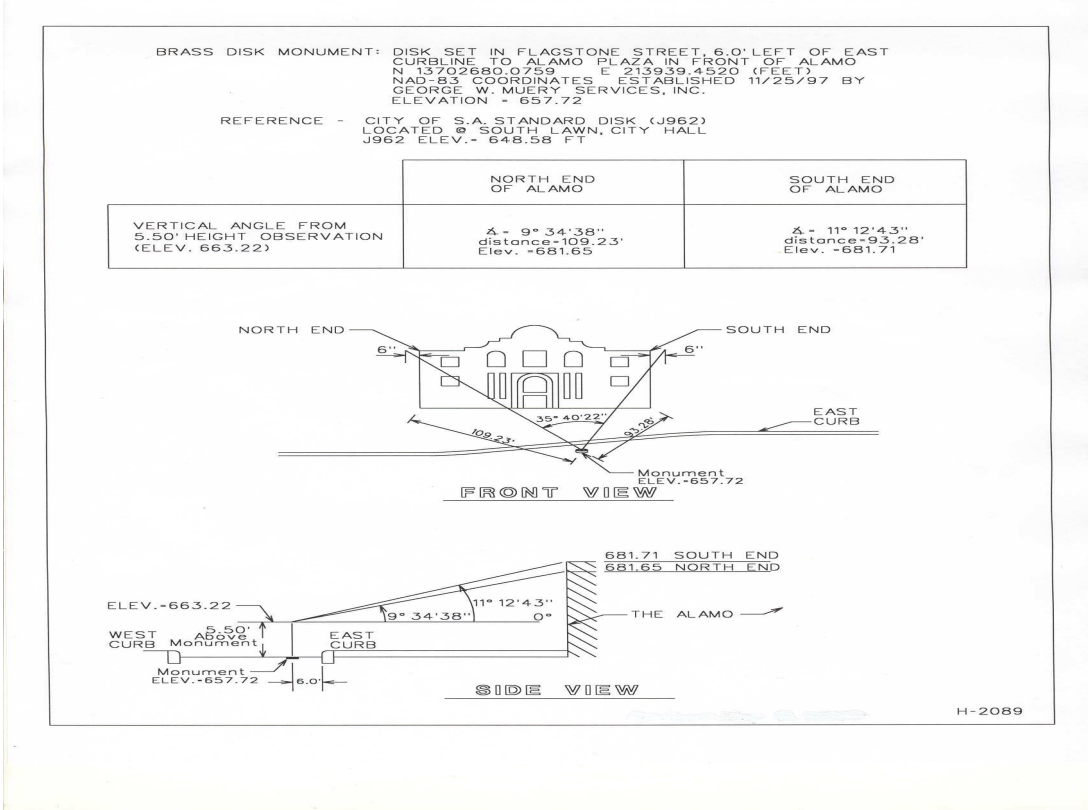
2. A brass disc monument named "VP-1", Alamo Viewshed, has been set to mark the viewpoint origination in Alamo Plaza in front of the Alamo Chapel at coordinates N13702680.0759 and E213939.4520 (feet) NAD-83 Coordinates established November 23, 1997 by George W. Muery Services, Inc. and at elevation 657.72 feet referencing city of San Antonio Standard Disc (5962) located at the south lawn, city Hall elevation 648.58 feet.

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°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° 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° 12'43" at a distance of 93.28 feet for the eastern boundary of the viewshed; Thence, to point of beginning

VP-1, Alamo Viewshed Protection District
Figure 337-1



(Ord. No. 97591 § 2, Ord. No. 98697 § 5 & 6, Ord. No. 100126)

35-338 "RIO" River Improvement Overlay Districts

The purpose of these districts is to establish regulations to protect, preserve and enhance the San Antonio River and its improvements by establishing design standards and guidelines for properties located near the river. The San Antonio River is a unique and precious natural, cultural and historic resource that provides a physical connection through San Antonio by linking a variety of neighborhoods, cultural sites, public parks and destinations. The districts cover a total of six geographic areas spanning the river from its northern boundary, near Hildebrand Avenue, to a southern boundary near Mission Espada and the southern city Limits.

Specific purposes of the River Improvement overlay are as follows:

- *Protect and enhance the overall character of the San Antonio River.*
- *Protect and enhance the unique experiences along the length of the river as well as define development nodes of greater activity.*

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- *Preserve and protect the distinctive historic character of the river walk and the Hugman features.*
- *Promote the integration of the street and river levels.*
- *Prevent the negative impacts caused by incompatible and insensitive development and promote new compatible development.*
- *Maintain the openness and natural habitat of the river, access to its trails and provide safety for its users.*
- *Assure that development near the river is compatible with a future vision of a series of mixed-use neighborhoods with commercial and residential nodes that orient to the river and/or stimulate redevelopment of existing commercial corridors.*

The River Improvement overlay implements the following policies of the Master Plan:

- *Economic Development, Policy 2b: Promote consistency in the development process.*
- *Neighborhoods, Policy 5I (2): Discourage development of parking garages adjacent to the River Walk and the city's plazas and parks.*
- *Urban Design, Policy 1b (1): Create and adopt design guidelines and standards that will enhance the quality of life in San Antonio.*
- *Urban Design, Policy 1b (6): Develop unique and specific design standards for areas throughout the city, including neighborhoods and downtown.*
- *Urban Design, Policy 1e: Apply strategies, which will result in all streetscapes being accessible, safe and stimulating.*
- *Urban Design, Policy 3b: Plan and develop a citywide system of linear parks and hike and bike trails which incorporate drainage ways and open spaces which link parks, schools, institutions, and neighborhoods.*

(a) Boundaries

The specific boundaries of the River Improvement overlay are shown on the city of San Antonio's Official zoning Map.

(b) Zoning Classification

(1) Overlay District.

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The river improvement overlay is designed as an overlay to the regular zoning districts. Properties located within these overlay districts must also be designated as being within one of the regular, underlying zoning districts.

(2) Zoning Designation.

The zoning designation of property located within the river improvement overlay shall consist of the regular zone symbol and the overlay district symbol as a suffix. The six river improvement overlay districts are “RIO-1”, “RIO-2”, “RIO-3”, “RIO-4”, “RIO-5” and “RIO-6”. For example, if a parcel is zoned “C-1” and is also located within “RIO” District 2, the zoning designation of the property would be ““C-1” (RIO-2). A River Improvement overlay district development node suffix would be “RIO-2 DN”.

(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.

(c) Uses

(1) Prohibited Uses.

A. The following uses are prohibited within the river Improvement overlay districts:

1. Billboards.
2. Transmitter towers, cell towers, or any freestanding commercial antennas.

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3. Truck and heavy equipment - auction.
4. Auto – Manufacture.
5. Auto and light truck auction.
6. Storage - outside.
7. Batching plant.
8. Stockyard.
9. Junkyard or salvage yard.
10. Abrasive manufacturing.
11. Acetylene gas – manufacturing & storage.
12. Hazardous materials hauling or storage.
13. Petro chemicals bulk storage.
14. Metal forging or rolling mill.
15. Packing plant.
16. Petroleum – manufacturing or processing.
17. Poultry processing.
18. Rendering plant.
19. Sand or gravel – storage or sales.
20. Vulcanizing, recapping.
21. Wood processing by creosoting or ther preservation treatment.

B. In addition to the uses prohibited above, the following uses are prohibited within the river improvement overlay districts where development is proposed on a property that directly abuts the river or on a property that falls within 100 feet of the river right-of-way:

1. Parking & transient vehicle storage – related to delivery.
2. Parking and/or storage – long term.
3. Tire repair – auto & small truck.
4. Truck repair & maintenance.
5. Truck stop or laundry.
6. Can recycle collection station.
7. Dry cleaning – plant.
8. Laundry – plant.
9. Flea market – outdoor.
10. Farm equipment sales, service or storage.
11. Oil well supplies and machinery sales
12. Oil refining
13. Portable building sales.
14. Electric repair – heavy equipment.
15. Manufactured home/oversize vehicle sales, service or storage.
16. Paper products – manufacturing.
17. Sexually-oriented businesses.
18. Parking structures, except where the parking structure is separated by at least twenty-five feet (25 ft) from directly abutting the river by a permitted use and is not visible from the river or river right-of way.

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(2) Permitted Uses.

All other uses authorized by the underlying zoning district are permitted subject to the conditions set forth in Division 6 of Article 6 of this chapter.

(3) Nonconforming Structures and Uses.

Any structure or use which presently exists in a river Improvement overlay district which was lawfully authorized by ordinance or regulations existing prior to the effective date of the River Improvement overlay districts may continue and may be maintained, modified or repaired as authorized and in accordance with the provisions of Article VII Division 1 of this chapter (entitled “nonconforming uses”).

(d) Exception for Residential Uses

(1) Single Family Development.

Notwithstanding any other provisions of this ordinance, the new construction, alteration, restoration, rehabilitation, ordinary repair, maintenance or demolition of a single-family development shall not be subject to § 35-338 of this chapter except when the single-family development exceeds the lesser of 5 units or 5 acres.

(2) Multi Family Development.

Notwithstanding any other provisions of this ordinance, the new construction, alteration, restoration, rehabilitation, ordinary repair, maintenance or demolition of a multi family development shall not be subject to § 35-338 of this chapter except when the multi-family development exceeds 8 units.

(3) Mixed Residential Development.

Notwithstanding any other provisions of this ordinance, the new construction, alteration, restoration, rehabilitation, ordinary repair, maintenance or demolition of a mixed residential development shall not be subject to § 35-338 of this chapter except when the mixed residential development exceeds 8 units.

(e) Design Standards

River Improvement overlay districts shall be governed in accordance with Division 6 of Article 6 of this chapter.

(f) Administration

River Improvement overlay districts shall be governed in accordance with Division 5 of Article 4 of this chapter.

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(g) Enforcement, Violations and Penalties

River Improvement overlay districts shall be governed in accordance with Division 11 of Article 4 of this chapter.

(Ord. No. 95352 § 1, Attachment 1, 8,9, Ord. No. 100126)

35-339 Urban Corridor Districts (1987)

(a) Development standards.

(1) **General**. Ordinances establishing specific urban corridor districts shall comply with the requirements addressed in this section subject to the guidelines included herein. In event of a conflict between the specific corridor ordinance and other provisions of this Code, the urban corridor provisions shall prevail.

(2) **Setbacks**. The setback along designated street corridors may be established in accordance with the table below. The determination of the setback shall take into account lot size, easements, and the location of existing buildings within the corridor. All other setbacks shall comply with the base zoning district requirements. However, residential buildings less than four (4) stories in height shall have no greater setbacks than required by the base zoning district.

Collector street . . . 0--30 feet

Arterial street . . . 0--40 feet

Expressway . . . 0--60 feet

(3) **Reserved.**

(4) **Screening.** The following uses may be required to be screened from a designated street corridor to a height sufficient to completely screen the use from view at ground level: all outside storage and industrial activities, off-street loading areas as required by Division 9 of this article, refuse storage areas, air conditioning and heating equipment, and microwave and satellite antennas.

(5) **Driveways**. The total width of driveways shall not exceed forty (40) percent of each street frontage, but in any event no less than one (1) driveway shall be permitted per platted lot.

(6) **Public facilities**. Public agencies are encouraged to take into account an urban corridor designation and be sensitive to the intent and provisions of a corridor ordinance in the siting and design of facilities which are located within or adjacent to an urban corridor district. On-site utilities may be required to be located underground unless required by the

utility to be otherwise located. Public agencies which own property within an urban corridor district are also encouraged to provide landscaping along public rights-of-way.

(7) **Reciprocal access easements.** Reciprocal access easements between adjacent properties for use by the general public are encouraged. Where such easements are platted between adjacent developments and the owners of the developments mutually agree to allow reciprocal parking, a reduction in off-street parking requirements may be granted.

(Ord. No. 76381, ' 1(Att. I), 8-27-92; Ord. No. 79330, Att. I(3)(A), 12-16-93)

(b) Site Plan.

(1) **Site Plan.** A site plan for all properties within an urban corridor district shall be submitted in conjunction with an application for a building permit or certificate of occupancy. The plan shall be on a standard drawing sheet of a size not to exceed twenty-four by thirty-six (24 X 36) inches and shall be submitted in four (4) copies, including one reproducible copy, together with a reproducible eight and one-half by eleven (8.5 X 11) inches reduction of the plan. The site plan shall include the following information as applicable for a particular urban corridor district:

A. Street address, legal description, vicinity diagram, scale, north arrow, and perimeter boundaries.
B. Location and dimensions of existing and/or proposed structures, easements, driveways, and parking areas.
C. Reserved.
D. Location and height of required screening.
E. Location and dimensions of proposed signs.

(2) **Plan Consideration.** Upon submission, each site plan shall be reviewed by the staff for compliance with the standards of the corridor zoning district. If approved, the plan shall be so annotated and one (1) copy of the approved plan shall be returned to the applicant and one (1) copy retained by the department of building inspections.

(3) **Plan Appeal**. If the plan is not approved, the applicant may appeal the staff decision to the board of adjustment for a final determination.

(Ord. No. 76381, ' 1(Att. I), 8-27-92; Ord. No. 79330, Att. I(3)(A), 12-16-93)

35-339.01 Corridor Districts

Within the city there are many roadway corridors that have been and/or will continue to be very significant to the city of San Antonio. Some of these corridors are important because they have shaped the sense of what individual neighborhoods of the city are in their role as historic entrances to the city or

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as traditional commercial centers. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. These corridors are amenities and assets of great value to the city, its inhabitants and its economy. The city council aims to preserve, enhance, and perpetuate the value of these roadway corridors and hereby authorizes the establishment of corridor overlay zoning districts.

The purposes of these overlay districts are as follows:

- *To create a more attractive, cohesive, and safe environment.*
- *To safeguard San Antonio's heritage by preventing the despoliation of views of areas and buildings that reflect important elements of the city's cultural, natural, historic, and economic fabric.*
- *To create favorable impressions of San Antonio as well as provide environmental enrichment for the citizens of the city.*
- *To enhance San Antonio's image as a progressive, scenic, and livable community.*
- *To preserve, protect, and enhance areas of high tourist and visitor visibility.*
- *To enhance the appearance and economic viability of corridors within established neighborhoods.*
- *To provide motorists and pedestrians with attractive viewing opportunities.*
- *To reduce visual chaos and limit distractions along public roadways.*
- *To stabilize and strengthen property values within the corridors.*
- *To protect capital investments in new roadways and infrastructure.*

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(a) Corridor Districts Established

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

The following three types of corridor districts may be established:

(1) Gateway Corridors

These corridors shall follow and parallel major highways in order to protect both developed and undeveloped areas in view of vehicular travelers from visual blight.

(2) Metropolitan Corridors

These corridors shall follow arterial streets or expressways in developed portions of the city and shall be directed toward reduction of existing visual clutter, improved design features, and preservation of developed areas of the city.

(3) Preservation Corridors

These corridors shall follow roadways having unique historical significance, natural vistas and unique scenic environments in order to protect these assets from visual blight.

(b) Designation Criteria

To be designated a corridor district an area must meet one (1) or more of the following criteria:

(1) Gateway Corridors

Must lie along a state or federal designated highway or follow a portion of Interstate Highway 410 or Loop 1604; and

A. Serve as a primary entryway into the city from outside the city limits or the Bexar County line; or

B. Provide primary access to one (1) or more major tourist attractions.

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(2) Metropolitan Corridors

Must lie along a street in the city's adopted Major Thoroughfare Plan; and

A. Abut, traverse or link designated historic landmarks and/or districts; or

B. Have a public or private commitment of resources for redevelopment or revitalization of the corridor's building or infrastructure; or

C. Have historically served as a regional or neighborhood commercial center; or

D. Provide primary access to one (1) or more major tourist attractions; or

E. Abut, traverse or link the San Antonio River or its major tributaries including Leon and Salado Creeks; or

F. Traverse residential areas where single family and multifamily housing units exist in residentially zoned areas along at least fifty (50) percent of the corridor frontage.

(3) Preservation Corridors

Must lie along a street in the city's adopted Major Thoroughfare Plan; and

A. Abut, traverse, or link designated historic landmarks and/or districts; or

B. Traverse scenic terrain where natural areas (an area without man made alterations that contains native topography and/or native plants such as trees,

C. Shrubs, wildflowers, forbs and grasses) are present along at least fifty (50) percent of the roadway frontage; or

D. Abut, traverse, or link the San Antonio River or its major tributaries, including Leon and Salado Creek; or

E. Provide primary access to one (1) or more major tourist attractions; or

F. Abut, traverse, or link historic roads or trails.

(c) Initiation Procedures and Zoning Classification

(1) Zoning changes to establish specific corridor districts shall be initiated by city council resolution.

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(2) The planning department shall undertake land use and other background studies necessary to establish a corridor district. All property owners within the proposed corridor district and adjacent areas shall be afforded an opportunity to participate in drafting the proposed regulations through public hearings and meetings.

(3) The corridor districts are established as overlays to the regular base zoning districts established by the Unified Development Code.

(4) The zoning designation for the corridor district shall consist of a base zone symbol and the overlay district symbol "C" 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.
B. Highway 151 Gateway Corridor (GC-2); April 28, 2005.

(d) Boundaries

Corridor districts shall be designated on both sides of a street except when one side is not located within the city of San Antonio. The maximum width of a corridor district along either side of the street right-of-way shall not exceed the distance indicated in Table 339.01-1; however structures on lots with access to the corridor street but, due to topography of the property, are not visible from the corridor street shall be exempt from the requirements of individual corridor ordinances. The director of planning shall make this determination based on the materials submitted by the applicant pursuant to subsection (g) below.

(e) Zoning/Rezoning Plan

A corridor district may be adopted as an overlay zone on top of the existing base zoning to incorporate additional urban design standards, and to ensure safe traffic movement within the corridor. The zoning ordinance creating a corridor district shall include a corridor plan. Uses allowed in the corridor shall be in accordance with the design and development standards found in Table 339.01-1 of this section. The city council may elect to rezone all or portions of the corridor to reflect compatible land use relationships.

(1) The corridor plan approved as part of the zoning ordinance creating a corridor district shall include development and design standards for new construction of any building or structure, or the relocation or rehabilitation to the street facade of an existing building or structure as set forth in subsection (f) below.

(2) The corridor plan and requisite development and design standards shall not apply to those activities that constitute ordinary maintenance and repair of the building or site using the same or similar material and design.

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(3) Nonconforming structures shall be governed by Article VII of this chapter.

(f) Development and Design Standards

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

(1) Siting, grading;

(2) Building size;

(3) Lot coverage; floor area ratio;

(4) fFont and side yard setbacks;

(5) Lot frontage;

(6) Driveway size and sidewalks;

(7) Parking, off-street parking and loading requirements;

(8) Screening of lighting for entrances, parking lots, walkways and building exteriors;

(9) Screening; fences, walls and berms;

(10) Landscaping to encourage the use of native trees and plants;

(11) Tree preservation;

(12) Natural areas to encourage the use of native trees and plants;

(13) Noise levels;

(14) Building materials;

(15) Trash receptacles, utility boxes;

(16) Satellite dishes and components to the extent permitted by federal laws and regulations;

(17) Solar systems and components.

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(g) Corridor Ordinance Administration

(1) A site plan and building elevations for all properties within a corridor district shall be submitted in conjunction with an application for a building permit as required by the city's building code. The plan shall be on a standard drawing sheet of a size not to exceed twenty-four by thirty-six (24 x 36) square inches and shall be submitted in four (4) copies, including one reproducible copy, together with a reproducible eight and one-half by eleven (8.5 x 11) inches reduction of the plan.

(2) The site plan shall include the following, as applicable, for a particular corridor district:

A. Street address, legal description, vicinity diagram, scale, north arrow, and perimeter boundaries;

B. Location and dimensions of existing and/or proposed structures, easements, driveways, and parking areas;

C. Location and height of required screening;

D. Topographic contours at ten-foot (10') intervals (for Preservation corridors only);

E. Significant vegetative features including all trees that are at least six (6) inches in diameter measured four and one-half (4 ½) feet from the ground (for Preservation corridors only);

F. Locations and dimensions of all signs and appurtenances; and

G. Location of lighting.

(3) Building elevations shall include:

A. Building materials; and

B. Building dimensions and details.

(4) No building permit shall be issued by the development services department for new construction or an alteration or addition to the street facade of an existing building or structure within a designated corridor district without the submission and approval of design plans submitted in conformance with the development and design standards established pursuant to subsection (f) above and the issuance of a certificate of compliance by the planning director, provided however, a sign permit may be issued upon review of the applicable corridor ordinance by the development services department without issuance of a certificate of compliance by the planning director.

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(5) The development services director shall forward a copy of a building permit application to the planning director for review and comment. Upon receipt of all submittal materials required in subsection (1), the planning director shall issue or deny a certificate of compliance to the applicant within ten (10) working days. If approved or disapproved the plan shall be so annotated and the plan shall be returned to the development services department

(6) Site preparation, including any grading or clearing of natural features, is prohibited until the planning director has issued a certificate of compliance (for preservation corridors only).

(7) If the plan is not approved, the applicant may appeal the staff decision to the board of adjustment.

(h) Sign Standards

(1) **General.** The provisions of section 28-220 of the Municipal Code shall apply to corridor districts established pursuant to this section, provided that in the event of a conflict between the provisions of a specific corridor ordinance and section 28-220, the most restrictive provisions shall apply.

(2) **Prohibited Signs.** In addition to the signs prohibited by section 28-220, no signs shall be permitted in public rights-of-way except for licensed residential monument signs and other signs expressly authorized by permit or license before the effective date of this section.

(3) **Nonconforming Signs.** Abatement of nonconforming signs shall be governed by section 28-245, nonconforming sign abatement, of this code.

(4) **On Premises Signs**. The maximum sign height and message area shall be as indicated in Table 339.01-1. Sign consolidation incentives may be considered for individual corridors not to exceed the maximum sign areas in Table 339.01-1.

(5) **Off Premises Advertising Signs and Billboards**. This ordinance does not prohibit signs advertising goods or services off-premises. However, such a prohibition may be adopted as a requirement of a designated corridor.

(6) **Sign Master Plan Development Agreements**. No provision in this section may be construed to prohibit a sign master plan development agreement as defined by section 28-244 of the Municipal Code.

(7) **Automobile Sales**. Where the primary use of a lot is automobile sales, one (1) freestanding sign shall be permitted for each two-hundred (200) linear feet of street frontage in accordance with Table 339.01-1. The maximum height and size for all

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allowed signs on lots where the primary use is automobile sales shall be in accordance with Table 339.01-1 On lots with frontage on more than one street, the same shall apply for each street.

(8) **Definitions**. For the purposes of this section the following definitions apply:
dual tenant dign. Dual tenant signs are signs that advertise no more than two (2) businesses, each with a separate certificate of occupancy on the same platted lot. Provisions pertaining to dual tenant signs may only be used when no more than two businesses occupy a single platted lot. An individual tenant shall not exceed the maximum allowable message area of a single tenant sign as designated in Table 339.01-1.

Commentary: *The provision of dual tenant signs in corridor districts is to encourage the reduction in the number of freestanding signs.*

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

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

(i) Public Facilities and Utilities

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

(j) Optional Provisions

Notwithstanding the minimum front setback established for a corridor district, an individual lot shall be entitled to a reduction of up to twenty-five percent (25%) of the minimum front street yard setback, if, from the materials submitted by the applicant pursuant to subsection (g) above, the planning director determines at least one (1) of the following conditions exists:

(1) The lot contains three (3) or more trees greater than six inches (6”) in diameter measured four and one-half (4 ½) feet from the ground.

(2) The topography of the lot is such that application of the corridor minimum front setback will unreasonably burden the use of the property. Consideration shall be given to easements, elevation changes, drainage, floodplains and lot configuration.

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TABLE 339.01-1			
	GATEWAY	*METROPOLITAN*	PRESERVATION
1. LOCATIONS PERMITTED			
A. Local street	No	No	No
B. Arterial Type B	No	Yes	Yes
C. Arterial Type A	Yes	Yes	Yes
D. Expressway	Yes	Yes	Yes
2. MAXIMUM CORRIDOR WIDTH EACH SIDE OF EXISTING RIGHT OF WAY			
A. Arterial Type B	na	200 ft	200 ft
B. Arterial Type A	500 ft	300 ft	300 ft
C. Expressway	1,000 ft	500 ft	500 ft
3. MINIMUM LENGTH			
A. Arterial Type B	na	660 ft	660 ft
B. Arterial Type A	2,640 ft	1,320 ft	1,320 ft
C. Expressway	5,280 ft	2,640 ft	2,640 ft
4. MINIMUM FRONT BUILDING SETBACK			
Minimum front building setbacks shall only apply to those properties with frontage on the roadway used to designate the Corridor district.			
A. Arterial Type B	na	0-30 ft	0-30 ft
B. Arterial Type A	0-40 ft	0-40 ft	0-40 ft
C. Expressway	0-90 ft	0-90 ft	0-90 ft
5. MAXIMUM SIGN HEIGHT			
A. Arterial Type B	na	10-15 ft single or dual tenant 15-25 ft multiple	10-15 ft single or dual tenant 15-25 ft multiple
B. Arterial Type A	25-35 ft single 30-40 ft dual 40-50 ft multiple	25-35 ft single 30-40 ft dual 40-50 ft multiple	25-35 ft single 30-40 ft dual 40-50 ft multiple
C. Expressway	35-45 ft single 40-45 ft dual 40-50 ft multiple	35-45 ft single 40-45 ft dual 40-50 ft multiple	35-45 ft single 40-45 ft dual 40-50 ft multiple
Up to an additional 10 feet of overall sign height may be added if the adjacent street grade is elevated. The difference in elevation between the property and the street grade shall be the determining factor in the height allowed.			
6. MAXIMUM FREESTANDING SIGN MESSAGE AREA (single/multiple tenant)			
The maximum sign face area for freestanding signs shall be established in accordance with the table below			

as measured in square feet. Sign consolidation incentives may permit a greater sign message area, provided that the maximum sign area shall not be exceeded.			
A. Arterial Type B	Na	64-96 sq ft single or dual	64-96 sq ft single or dual
	Na	96-160 sq ft multiple	96-160 sq ft multiple
B. Arterial Type A	65-200 sq ft single	65-200 sq ft single	65-200 sq ft single
	150-240 sq ft dual	150-240 sq ft dual	150-240 sq ft dual
	200-400 sq ft multiple	200-400 sq ft multiple	200-400 sq ft multiple
C. Expressway	200-300 sq ft single	200-300 sq ft single	200-300 sq ft single
	250-375 sq ft dual	250-375 sq ft dual	250-375 sq ft dual
	300-500 sq ft multiple	300-500 sq ft multiple	300-500 sq ft multiple
7. NUMBER OF FREE STANDING SIGNS			
The number of freestanding signs will be determined for each designated Corridor overlay Zone, provided that, one freestanding sign per platted lot is permitted. Additional freestanding signs may be permitted if a minimum spacing between signs of two hundred (200) feet exists along one side of the street and no sign is within the clear vision area defined by Section 35-506. Except in those instances provided in section (h) (7) above, additional freestanding signs shall not exceed seventy-five (75%) percent of the allowable height and size set out in Table 339.01-1.			
8. MAXIMUM ATTACHED SIGN MESSAGE AREA			
The maximum allowable sign area, as a percentage of the area of each building elevation, for attached signs along all street frontage shall be as follows, provided that each occupancy that has a separate and distinct public entrance located on an Arterial Type B street shall be allowed a minimum of fifty (50) square feet of sign message area, each occupancy that has a separate and distinct public entrance located on an Arterial Type A street shall be allowed a minimum of seventy five (75) square feet of sign message area, and each occupancy that has a separate and distinct public entrance located on an Expressway shall be allowed a minimum of one hundred (100) square feet of sign message area.			
A. Arterial Type B	Na	15%	10%
B. Arterial Type A			
(1) cabinet sign	15%	10%	10%
(2) channel letters raised or incised	15%	15%	10%
(3) painted or flat sign	15%	15%	10%
C. Expressway			
(1) cabinet sign	15%	15%	15%
(2) channel letters raised or incised	20%	20%	20%
(3) painted or flat sign	15%	15%	15%
na = not applicable			

(Ord. No. 96956 § 1, Ord. No. 100126)

35-339.02 "EP" Facility Parking/Traffic Control Districts

The purpose of this district is to establish regulations to regulate parking and traffic in and around large facilities that attract large amounts of vehicle traffic.

Specific purposes of these facility parking/traffic control districts are as follows:

- *To regulate parking of vehicles in areas not properly zoned for commercial parking.*
- *To reduce aesthetic and traffic problems for persons and businesses in these area.*
- *To reduce visual blight, congestion, and wear and tear on city streets.*
- *To increase access for emergency vehicles in these areas.*

Designation Criteria

To be designated as a facility parking/traffic control district, an area must be within 1 mile of a facility with a capacity of over 16,000 persons.

(a) Zoning Process and Classification

(1) This ordinance authorizes the establishment of facility parking/traffic control districts; however, separate ordinances are required to designate each district. This ordinance also specifies the general purposes of the facility parking/traffic control districts and the scope of the standards within that district.

(2) The departments of planning, development services, code compliance, and police department shall evaluate land use, traffic and other development related issues in determining the necessity of establishing a facility parking/traffic control district. All property owners within the proposed district and adjacent areas Shall be afforded the opportunity in accordance with zoning regulations to comment on the ordinance regulations and proposed district(s).

(3) The facility parking/traffic control districts are established as overlays to the regular base zoning districts.

(4) The zoning designation for the facility parking/traffic control district shall consist of a base zone symbol and the facility parking/traffic control district symbol "EP" as a suffix. Facility parking/traffic control districts shall be numbered sequentially to distinguish among different districts, I.e., "EP-1", "EP-2", etc.

35-339.02 continued

(b) District Standards.

(1) As used in this article, the term "commercial parking lot" shall be defined as any land or structure used for the parking of vehicles in which a parking area is offered to the general public at a set rate, whether it be by the hour, day, month or event.

(2) It shall be unlawful for any person to own, manage, conduct or operate a commercial parking lot within an approved facility parking/traffic control district without first obtaining a permit therefore. It shall be a rebuttable presumption that the failure to post a permit or furnish a permit upon request to an authorized city employee as specified in section "35-339.02 (b)(7)" is a violation of this article.

(3) Before obtaining a license required by this article, the applicant shall make a written, signed building permit application therefore to the city's department of development services. The application shall be made on forms provided by the city and shall set forth information concerning the applicant including but not limited to:

A. The full name, present address and telephone number of the applicant.

B. The full name, present address and telephone number of the property owner, if different from the applicant.

C. The full address and legal description o the property

D. Provide a recorded plat and set of plans showing the proposed or existing improvements in accordance with development requirements defined in section 35-386 and 35-526 of the Unified Development Code.

(4) The fee for such application required by this article shall be one hundred fifty dollars ($150.00) plus all building plan review and permit fees. No refund shall be made if the application is not approved.

(5) The department of development services shall verify the accuracy of the statements made in the application and determine that the property is zoned for commercial parking lot use and that the commercial lot is proposed to be built in accordance with Sections 35-386 and 35-526 of the Unified Development Code.

(6) All permits issued under this article shall expire one (1) year from the date the permit is effective.

(7) Any permit issued under this article shall be posted by the licensee in a conspicuous location on the property, or in the alternative, may be held on the person of an agent or employee on the property while business is being conducted. At the request of any city police officer, code compliance inspector or development services inspector, the permit must be furnished for review.

35-339.02 continued

(8) A permit issued pursuant to this article may be transferred to a different person upon application and payment of a transfer fee of a ten dollars ($10.00). Permits may only be transferred to subsequent applicants for the same property.

(9) No permit shall be issued for any location where the proposed operation would be in violation of chapter 35, zoning.

(10) The department of development services may revoke or suspend the permit of any person issued under the Provisions of this article if the applicant has knowingly made any false, misleading or fraudulent statement of fact in the application; or upon any grounds that would warrant the denial of issuance of the license in the first place. Notice of the suspension or revocation shall be given to the applicant in writing, with the reasons for the suspension or revocation specified in the notice. The notice shall be served either by personal service upon the applicant, or by posting the notice upon the property.

(11) When a license is revoked or suspended by the department of development services the applicant may appeal to the board of adjustments within ten (10) days of such revocation, which appeal shall be perfected by delivering to the development services director a letter stating that an appeal is desired along with a $300 appeal application fee. In the event of the filing of an appeal, until such appeal has been determined by the board of adjustment, the revocation order shall be stayed. The board of adjustment shall within a reasonable time after receiving the notice of appeal hold a hearing thereon and after the hearing sustain or reverse the decision of the department of development services. If no appeal is taken from the finding made by the department of development services within the prescribed ten-day period, the decision of the department of development services shall be final.

(12) It is a class "C" misdemeanor for any owner, manager, agent, or employee of a commercial parking lot to Violate the provisions of this article, and upon conviction, shall be punished by a fine of not less than one hundred dollars ($100) or more than two thousand dollars ($2000.00). If the violator has a previous Conviction under this article, the fine shall be not less than five hundred dollars ($500) or more than two thousand dollars ($2000.00),

(13) In addition to any criminal penalties, the city attorney's office may immediately seek additional remedies at Law or in equity to prevent the operation of a commercial parking lot by a property not having a permit as required under this article.

(14) Any commercial parking lot which was lawfully established prior to the effective date of the facility parking/traffic control district in which it is located shall be exempt from the requirements of this section, Provided that the use has been continuously maintained since the establishment of the district.

(Ord. No. 96038 § 1, Ord. No. 96272 § 6)

35-339.03 "NHS" National Highway System High Priority Corridor Districts

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

The purposes of this overlay district is as follows:

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

(a) "NHS" High Priority Corridor District Established

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

(Commentary – "NHS" Priority Corridor districts Established as of Jan 1, 2005 include:

1. The IH-35 North Corridor district Ord. No. 99358 dated June 24, 2004.

Details relative to specific design standards and requirements are maintained in the director of planning's office.)

35-339.03 continued

(b) Designation Criteria

To be designated an "NHS" High Priority Corridor district an area must be designated as a high priority corridor in the national highway system in accordance with section 1118 of the Transportation Efficiency Act of the 21st Century enacted in 1998 amending Title 23 of the United States Code (23 U.S.C).

(c) Initiation Procedures and Zoning Classification

(1) City council resolution shall initiate zoning changes to establish a specific "NHS" high priority corridor district.

(2) The planning department shall undertake land use and other background studies necessary to establish a "NHS" high priority corridor district. All property owners within the proposed district and adjacent areas shall be afforded an opportunity to participate in drafting the proposed regulations through public hearings and meetings.

(3) A "NHS" high priority corridor district is established as an overlay district to the regular base zoning districts established by the Unified Development Code.

(4) The zoning designation for the "NHS" high priority corridor district shall consist of a base zone symbol and the overlay district symbol IH as a suffix. High priority corridor districts shall be numbered sequentially to distinguish among different districts, i.e., "IH-1", "IH-2", etc. Adopted High Priority Corridor Districts referenced herein by their title and date of adoption are:

A. Northeast Gateway Corridor District (IH-1); June 24, 2004.

(d) Boundaries

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

(e) Zoning/Rezoning Plan

An "NHS" high priority corridor district may be adopted as an overlay zone on top of the existing base zoning to incorporate additional urban design standards, and to ensure safe traffic movement within the corridor. The zoning ordinance creating a "NHS" high priority corridor district shall include a development plan. Uses allowed in the corridor shall be in accordance with the design and development standards found in Table 35-339.03-1 of this section. The city council may elect to rezone all or portions of the district to reflect compatible land use relationships.

35-339.03 continued

(1) The development plan approved as part of the zoning ordinance creating a corridor district shall include development and design standards for new construction of any building or structure, or the relocation or rehabilitation to the street facade of an existing building or structure as set forth in subsection (f) below.

(2) The development plan and requisite development and design dtandards shall not apply to those activities that constitute ordinary maintenance and repair of the building or site using the same or similar material and design.

(3) Nonconforming structures shall be governed by Article VII of this chapter.

(f) Development and Design Standards

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

(1) Siting, grading;

(2) Building size;

(3) Lot coverage; floor area ratio;

(4) Front and side yard setbacks;

(5) Lot frontage;

(6) Driveway size and sidewalks;

(7) Parking, off-street parking and loading requirements;

(8) Screening of lighting for entrances, parking lots, walkways and building exteriors;

(9) Screening; fences, walls and berms;

(10) Landscaping to encourage the use of native trees and plants;

(11) Tree preservation;

(12) Natural areas to encourage the use of native trees and plants;

(13) Noise levels;

(14) Building materials;

35-339.03 continued

(15) Street wall façade of permanent structures;

(16) Trash receptacles, utility boxes;

(17) Satellite dishes and components;

(18) Solar systems and components.

(g) Corridor Ordinance Administration

(1) A site plan and building elevations for all properties within a corridor district shall be submitted in conjunction with an application for a building permit as required by the city's building code. The plan shall be on a standard drawing sheet of a size not to exceed twenty-four by thirty-six (24 x 36) square inches and shall be submitted in four (4) copies, including one reproducible copy, together with a reproducible eight and one-half by eleven (8.5 x 11) inches reduction of the plan.

(2) The site plan shall include the following, as applicable, for a particular corridor district:

A. Street address, legal description, vicinity diagram, scale, north arrow, and perimeter boundaries;

B. Location and dimensions of existing and/or proposed structures, easements, driveways, and parking areas;

C. Location and height of required screening;

D. Locations and dimensions of all signs and appurtenances; and

E. Location of lighting.

(3) Building elevations shall include:

A. Building materials; and

B. Building dimensions and details.

(4) No building permit shall be issued by the development services department for new construction or an alteration or addition to the street facade of an existing building or structure within a designated "NHS" high priority corridor district without the submission and approval of design plans submitted in conformance with the development and design standards established pursuant to subsection (f) above and the issuance of a certificate of compliance by the planning director, provided however, a sign permit may be issued upon review of the applicable corridor ordinance by the development services department without issuance of a certificate of compliance by the planning director.

35-339.03 continued

(5) The development services director shall forward a copy of a building permit application to the planning director for review and comment. Upon receipt of all submittal materials required in subsection (1), the planning director shall issue or deny a certificate of compliance to the applicant within ten (10) working days. If approved or disapproved, the plan shall be so annotated and the plan shall be returned to the development services department.

(6) The plan is not approved, the applicant may appeal the staff decision to the board of If adjustment.

(h) Sign Standards

(1) General.

The provisions of section 28-220 of the Municipal Code shall apply to corridor districts established pursuant to this section, provided that in the event of a conflict between the provisions of a specific corridor ordinance and section 28-220, the most restrictive provisions shall apply.

(2) Prohibited Signs.

In addition to the signs prohibited by section 28-220, no signs shall be permitted in public rights-of-way except for licensed residential monument signs and other signs expressly authorized by permit or license before the effective date of this section.

(3) Nonconforming Signs.

Abatement of nonconforming signs shall be governed by section 28-245, nonconforming sign abatement, of this Code; provided however that the right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the device is damaged or destroyed from any cause whatsoever and the cost of repairing such damage or destruction exceeds sixty percent (60%) of the replacement cost of the sign on the date of such damage or destruction.

(4) On Premises Signs.

The maximum sign height and message area shall be as indicated in Table 35-339.03-1. Sign consolidation incentives may be considered for individual corridors not to exceed the maximum sign areas in Table 35-339.03-1.

(5) Off Premises Advertising Signs and Billboards.

This ordinance does not prohibit signs advertising goods or services off-premises. However, such a prohibition may be adopted as a requirement of a designated corridor.

35-339.03 continued

(6) Sign Master Plan Development Agreements.

No provision in this section may be construed to prohibit a sign master plan development agreement as defined by section 28-244 of the Municipal Code.

(7) Automobile Sales.

Where the primary use of a lot is automobile sales, one (1) freestanding sign shall be permitted for each two-hundred (200) linear feet of street frontage in accordance with Table 35-339.03-1. The maximum height and size for all allowed signs on lots where the primary use is automobile sales shall be in accordance with Table 35-339.03-1 On lots with frontage on more than one street, the same shall apply for each street.

(8) Definitions.

For the purposes of this section the following definitions apply:

A. **Dual Tenant Sign.** Dual tenant signs are signs that advertise no more than two (2) businesses, each with a separate xertificate of occupancy on the same platted lot. Provisions pertaining to dual tenant signs may only be used when no more than two businesses occupy a single platted lot. An individual tenant shall not exceed the maximum allowable message area of a single tenant sign as designated in Table 35-339.03-1.

Commentary: *The provision of dual tenant signs in corridor districts is to encourage the reduction in the number of freestanding signs.*

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

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

(i) Public Facilities and Utilities

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

35-339.03 continued

TABLE 35-339.03-1

1. MAXIMUM SIGN HEIGHT

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

A. Single Tenant	10 – 45 ft.
B. Dual Tenant	10 – 45 ft.
C. Multiple Tenant	10 - 50 ft

Up to an additional 10 feet of overall sign height may be added if the adjacent street grade is elevated. The difference in elevation between the property and the street grade shall be the determining factor in the height allowed.

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

The maximum sign face area for freestanding signs shall be established in accordance with the table below as measured in square feet.

A. Single Tenant	100 – 300 sq ft	(Expressway)
	65 – 200 sq ft	(Arterial Type A or B)
B. Dual Tenant	100 - 375 sq ft	(Expressway)
	100 – 240 sq ft	(Arterial Type A or B)
C. Multiple Tenant	130 - 500 sq ft	(Expressway)
	130 – 400 sq ft	(Arterial Type A or B)

3. NUMBER OF FREESTANDING SIGNS

To be determined for each designated "NHS" High Priority Corridor district, provided that, one freestanding sign per platted lot is permitted. Additional freestanding signs may be permitted if a minimum spacing between signs of two hundred (200) feet exists along one side of the street and no sign is within the clear vision area defined by Section 35-506. Except in those instances provided in section (h) (7) above, additional freestanding signs shall not exceed seventy-five (75%) percent of the allowable height and size set out in Table 35-339.03-1.

4. MAXIMUM ATTACHED SIGN MESSAGE AREA

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

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

35-339.03 continued

(j) Prohibited Uses

It shall be a violation to operate, own, manage, or maintain a sexually oriented business within a national highway system high priority corridor district.

(Ord. No. 99355)

DIVISION 5 SPECIAL DISTRICTS

35-340 Purpose

Special districts address unique situations. However, unlike overlay districts, special districts replace the standards and requirements of the base districts. In effect, they are a parallel Code and an alternative to proceeding under conventional zoning.

35-341 "MXD" Mixed Use District

To provide concentrated residential, retail, service, office and mixed uses. This district does not regulate land uses but, instead, permits any use to be established subject to design standards established in the use Patterns (Article 2). Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas.

The "MXD" district implements the following policies of the Master Plan:

- *Neighborhoods, Policy 2b: Amend the Unified Development Code to create mixed use districts.*

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- *Urban Design, Policy 1c: develop zoning regulations that would allow mixed-use development (i.e. residential and commercial) to be placed in the same building.*
- *Urban Design, Policy 1f: Encourage mixed-use zones around existing and new city facilities to foster a greater mix of activities and social interaction.*
- *Urban Design, Policy 5b: Encourage resident and employment growth within walking distance of the downtown area and neighborhood centers in order to support an inter-modal transportation system.*
- *Urban Design, Policy 5e: Promote public and private sector, ride-sharing, flexible working hours, parking management innovations, and mixed-use developments as means of reducing the demand for peak period vehicular trips.*

(a) Locational Criteria

An ""MXD" district may be designated for areas:

(1) with an existing mix of retail, office, service and residential uses located within a radius of one-quarter (¼) of a mile, or

(2) on a tract or parcel for which a TND use Pattern is proposed.

(b) Use Regulations

The use matrix is not applicable to a mixed use district provided, however, that no building permit shall be issued unless the requested use conforms to a master development plan approved as part of a rezoning to an "MXD" district. If an "MXD"district is not approved pursuant to a conditional rezoning, permitted uses shall be governed by the TND Regulations with the exception that a mixed use development may comprise at minimum size a single building and/ or lot. There shall be no maximum size to a "MXD" district as long as it conforms with the maximum size limits, if any, imposed upon TNDs. A TND is permitted in an "MXD" district as of right.

(c) Lot and Building specifications

See TND regulations (§ 35-207 of this chapter).

(d) General Provisions

See TND regulations (§ 35-207 of this chapter).

(Ord. No. 97568 § 2)

35-342 "TOD" Transit Oriented Development District

The transit oriented development district encourages a mixture of residential, commercial, and employment opportunities within identified light rail station or other high capacity transit areas. The district allows for a more intense and efficient use of land at increased densities for the mutual re-enforcement of public investments and private development. Uses and development are regulated to create a more intense built-up environment, oriented to pedestrians, to provide a density and intensity that is transit supportive. The development standards of the zone also are designed to encourage a safe and pleasant pedestrian environment near transit stations by encouraging an intensive area of shops and activities, by encouraging amenities such as benches, kiosks, and outdoor cafes, and by limiting conflicts between vehicles and pedestrians. It is the intent of this Section that a "TOD" district be restricted to areas within one-half (½) of a mile of a transit station, which area is equivalent to a typical 10-minute walking distance.

(a) Locational Criteria

(b) Development Standards

No Application shall be approved within a "TOD" district unless it complies with the standards set forth in the "TOD" use patterns, § 35-203 of this chapter.

See § 35-208(c)

35-343 "IDZ" Infill Development Zone

To provide flexible standards for the development and reuse of underutilized parcels. Urban design standards are required in order maintain a neighborhood commercial scale, to promote pedestrian activity, and to maintain the unique character of the center. Pedestrian circulation is required as are common parking areas. Any use may be permitted within an "IDZ" so long as it complies with the standards of this Section.

The purpose of this section is to encourage and facilitate development on vacant, bypassed lands, or the redevelopment of underutilized buildings or structures, within existing built-up areas. The specific purposes of this section are:

- *To provide a more flexible approach to design and development of infill projects.*
- *To use the objectives of Smart Growth as the basis for evaluating proposed infill projects.*
- *To encourage infill development by simplifying procedures for plan approval and public involvement.*
- *To encourage planning and design flexibility and innovations.*

35-343 continued

- *To create a community environment that is enhanced by a mix of residential, commercial, recreational, open space, employment and institutional uses.*

- *To assure community compatibility through high standards of land planning, site and architectural design.*

- *To encourage efficient use of land and public services.*

- *To ensure adequate public facilities and other community amenities by simplifying and streamlining the approval of private development activities in areas with existing public facilities and infrastructure.*

The provisions of this Section apply to a geographic portion of the city adopted by city council to compliment the Community Revitalization Action Group (CRAG) Report of the special Projects Office of the city.

The "IDZ" implements the following policies of the Master Plan:

- *Growth Management, Policy 1g: Continue to make physical improvements in the inner city to encourage redevelopment and infill development.*

- *Economic Development, Goal 4: Provide economic opportunities in targeted areas, particularly within Loop 410 and the southern sector.*

- *Neighborhoods, Policy 1a: Rezone vacant or underutilized property in and around neighborhoods to encourage redevelopment that is compatible in use and intensity with the existing neighborhood.*

- *Neighborhoods, Policy 1d: Promote conversion or adaptive reuse of vacant or underutilized commercial buildings to provide affordable infill housing.*

- *Neighborhoods, Policy 1d: Provide incentives to the private sector to promote reuse of vacant or underutilized commercial buildings for affordable housing through such mechanisms as zoning and platting processing.*

- *Neighborhoods, Policy 2b: Amend the Unified Development Code to … create mixed use districts.*

- *Neighborhoods, Policy 4a: Preserve and revitalize housing and promote targeted infill housing in neighborhoods, particularly older neighborhoods located inside Loop 410.*

- *Urban Design, Policy 1c: develop zoning regulations that would allow mixed-use development (i.e. residential and commercial) to be placed in the same building.*

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- *Urban Design, Policy 1d: Develop criteria and procedures for infill development which will enhance the character of neighborhoods.*
- *Urban Design, Policy 1e: permit zero setbacks for commercial and multi-family developments.*
- *Urban Design, Policy 4b: use incentives to encourage development in underutilized urban areas.*
- *Urban Design, Policy 4b: Consider alternatives to existing Setback, right-of-way, and other platting and zoning requirements to encourage development.*
- *Urban Design, Policy 4b: Consider rezoning underutilized areas to accommodate and promote appropriate redevelopment, while being cognizant of the surrounding areas' environment.*
- *Urban Design, Policy 5b: Encourage resident and employment growth within walking distance of the downtown area and neighborhood centers in order to support an inter-modal transportation system.*
- *Urban Design, Policy 5e: Promote public and private sector, ride-sharing, flexible working hours, parking management innovations, and mixed-use developments as means of reducing the demand for peak period vehicular trips.*

(a) Locational Criteria

(1) Generally.

An “IDZ” may be located within *Community Revitalization Action Group (CRAG)* target area as designated on the effective date of this chapter, which area generally includes the territory located inside the corporate boundaries of the city as they existed in 1940. An “IDZ” may also be located in a Census Tract, an area subject to a neighborhood plan adopted pursuant to § 35-420 of this chapter, or other area designated by the city council pursuant to an ordinance establishing an “IDZ” zone, in which at least two (2) of the following factors are present:

A. At least ten percent (10%) of the structures are abandoned; or

B. At least ten percent (10%) of the platted lots are vacant; or

C. At least ten percent (10%) of the lots or structures are subject to tax liens.

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(2) Mapping.

The planning department may prepare a map of infill development zones ""IDZ"s" which meet the criteria set forth above. The "IDZ" may be approved by the city council as part of the Official Zoning Map.

(b) Use Regulations

(1) Unless the ordinance designating an "IDZ" provides otherwise:

A. A proposed infill development with frontage on a local street may be approved for any use permitted in the base zoning district in which it is located.

B. A proposed infill development located on a collector street or higher classification may be approved for any use permitted in the following zoning districts: any Residential zoning district, "O" Office, "NC" Neighborhood Commercial, "C-1" Commercial, "C-2" Commercial, "C-3" Commercial, or "D" Downtown.

(2) The ordinance designating an "IDZ" may provide:

A. a list of permitted uses, specific uses, and prohibited uses pursuant to a neighborhood plan; or

B. a designation of the "IDZ" as an overlay zoning district, in which case the permitted uses are those authorized in the base zoning district designation.

(c) Lot and Building Specifications

The side, front and rear setback provisions of the zoning regulations (Article 3) shall not apply to an approved infill development provided, however, that no new or existing building shall be erected, constructed or expanded to extend within the public right-of-way or within five (5) feet of the rear lot line.

(d) Adequacy of Public Facilities

The adequate public facilities regulations (§ 35-502 of this Code) do not apply to an application for development approval within an "IDZ".

35-343 continued

(e) Transportation

(1) Standards Not Applicable.

The transportation standards shall not apply to infill development which involves the activities listed in subsections A and B below, except as provided in subsections (2) below. The transportation standards shall apply to all other infill development not listed below.

A. The reuse of an existing building; or

B. The development of an existing parcel or lot of less than twenty-thousand (20,000) square feet.

(2) Standards Which Are Applicable.

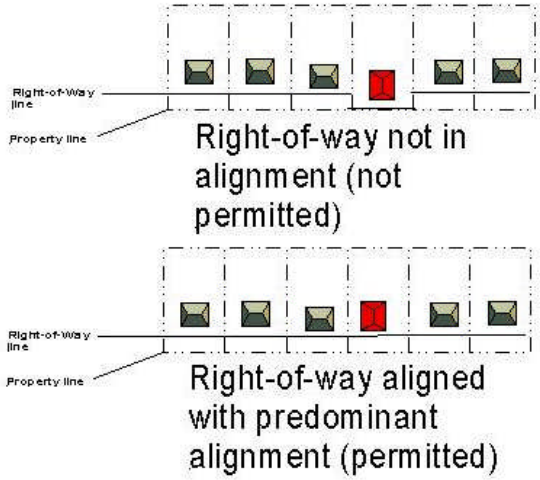

Figure 343-1

The following provisions of the transportation standards shall apply to all infill development, including that listed above:

A. Standards relating to sidewalks, § 35-505(q) provided, however, that the applicant shall not be required to provide a sidewalk width exceeding that of any existing sidewalks adjoining the site.

B. If the lot adjoins a street in which the right-of-way is not aligned with the adjoining parcels, the standards relating to the dedication of right-of-way (§ 35-505(g)) shall apply (see Figure 343-1).

(f) Stormwater Management

Infill development shall comply with the stormwater management standards, § 35-504 of this chapter, except as otherwise provided herein. The stormwater management standards shall not apply to the following:

(1) The reuse of an existing building; or

(2) The development of an existing parcel or lot of less than ten-thousand (10,000) square feet.

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The stormwater management standards shall apply to all other infill development not listed above.

(g) Utilities

The utilities standards shall apply to infill development.

(h) Parks & Open Space

The parks and open space standards (§ 35-503 of this chapter) shall not apply to infill development.

(i) Natural Resource Protection

The natural resource protection standards (Article 5, Division 5 of this chapter) shall not apply to infill development.

(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. Only twenty-five (25) points shall be required under § 35-511 (d) (elective criteria), for landscaping on lots within the "IDZ".

(k) Parking

The minimum parking requirements of the parking standards shall not apply to infill development. All other provisions of the parking standards shall apply to infill development.

(l) Outdoor Storage

The outdoor dtorage dtandards shall apply to infill development.

(m) Urban Design

Any new building, or any extension or enlargement of an existing building, shall be compatible in massing to buildings on adjoining lots. For purposes of this Section, the term "massing" refers to the shape and form of a building provided by all, or a combination of, architectural elements such as roof configuration, spacing between buildings, setbacks from the street right-of-way, proportion of fenestration and entryways, building form, exterior building materials, building scale, architectural styles, and landscaping. See Richard Hedman, Fundamentals of Urban Design (Chicago: American planning Association, APA Planner's Press, 1985), at 11-19, which

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document is hereby incorporated by reference. A building or site plan shall be considered to be "compatible in massing" to adjoining buildings or uses if at least two (2) of the following elements are provided:

SPACING BETWEEN BUILDING FACADES. A narrow setback (not exceeding 20 feet) shall be provided between building facades facing the public right-of-way in order to frame the structure and to provide spacing and rhythm between the structures. If an adjoining lot is vacant, the building façade shall be located within ten (10) feet of the side setback line. The provisions of this section shall not apply to Single-Family Detached Dwellings or lots adjoining a Single-Family Detached Dwelling.	
PROPORTION OF WINDOWS, BAYS, AND DOORWAYS. Windows, doorways, bays, and pediments meet the following criteria: (1) windows, doorways, bays, and pediments do not vary more than ten percent (10%) in size from windows, doorways, bays, and pediments in the facade of adjacent buildings on the site, and (2) vertical or horizontal elements tied together in bands across facade lengths.	
PROPORTION OF PRIMARY FACADE. The size of facades facing the public right-of-way are similar in area and height to width ratios. The size of the facade shall be considered "similar" if the proposed facade does not vary by more than thirty percent (30%) in circumference from any adjoining façade. If this standard cannot be met because of the variation in size of two adjoining facades, the proposed building shall not vary by more than thirty percent (30%) from one of the adjoining facades, at the discretion of the applicant.	
LOCATION AND TREATMENT OF ENTRYWAY. At least one (1) entryway shall be provided along the front façade. In order to create visual commonality between structures, the following criteria shall apply: (1) the size of entryways in building facades facing the public right-of-way shall not vary by more than thirty percent (30%) in size, and (2) the height of entryways for adjacent buildings shall not vary more than thirty percent (30%) from grade, as measured from the ground floor elevation.	
BUILDING SCALE. Building height and configuration shall not vary by more than ten percent (10%), unless needed to maintain continuity between the ground floor elevations of adjoining buildings on the site.	

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(Ord. No. 100126)

35-344 "PUD" Planned Unit Development District

The "PUD" planned unit development 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 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.

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(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	.1
R-20	2
R-6	5
RM-6	5
R-5	6
RM-5	6
R-4	7
RM-4	7
"MF-25"	25
"MF-33"	33
"MF-40"	40
"MF-50"	50

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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.

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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	45
Multi-Family not exceeding 33 units/acre	60
Multi-Family not exceeding 40 units/acre	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

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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 setback requirements of the adjacent base district unless a lesser zoning setback is approved in the PUD plan. There are no setbacks for interior lots provided the requirements of the International 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 setback from the back of the sidewalk, or curb if there is no sidewalk, as measured along the centerline of the

(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 dtandards 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.

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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

(1 Residential

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.

(2) Commercial

All commercial and industrial PUDs will contain a minimum of 20% of parks/open space.

(3) Mixed-Use

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)

(4) 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).

(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.

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(i) 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 PUD. 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.

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"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.

(j) PUD Plan

After the PUD zoning is granted, a PUD Plan shall be submitted to and approved by the planning commission prior to approval of any plats or the issuance of any building permits or certificates of occupancy. The PUD plan shall incorporate any conditions imposed with the granting of the PUD zoning. The PUD plan shall also delineate the measures that will be taken by the developer and/or owner to disclose to buyers of properties within PUDs of the increased financial responsibilities for the cost and responsibility for the maintenance of private streets and other commonly owned facilities.

(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.

(Ord. No. 95326 § 1, 2, Ord. No. 98695 § 1, Ord. No. 98697 § 1 & 6, Ord. No. 100126, xxx)

35-345 "MPCD" Master Planned Community Districts

The master planned community district is a special district established to encourage the development of areas of mixed uses that are internally compatible in an effort to achieve well designed development and provide a more efficient arrangement of land uses, building and circulation systems.

(a) Uses

(1) A "MPCD" may include both residential and commercial uses. In particular, all residential single family (including gated communities) and multi-family uses; "O-1" and "O-2" office uses; and "NC", "C-1", C-2, and "C-3" commercial uses as defined in this chapter, are specifically permitted in the "MPCD" zoning base district.

(2) In addition, business park uses shall be permitted in a "MPCD" zoning base district, subject to the performance standards established in subsection (l) of this section, as follows:

- wholesaling,
- research and development,
- manufacturing,
- processing,
- fabrication, and assembly,
- testing,
- repair,
- servicing,
- storage,
- laboratory,
- warehousing,
- displaying, or
- distribution of goods, materials or products.

(3) Vehicular access to a business park use shall be permitted only from major thoroughfares as designated in the city's Major Thoroughfare Plan.

(4) The location of all land use categories shall be designated on the "MPCD" site plan as residential (single family), attached residential (multi-family), office, commercial or light industry.

(b) Size

An "MPCD" shall consist of at least 100 contiguous acres.

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(c) Site Plan

(1) Simultaneous with the request for "MPCD" zoning, an "MPCD" site plan shall also be filed. An application for rezoning to an "MPCD" shall not be deemed complete unless accompanied by a proposed "MPCD" Site Plan. The "MPCD" Site Plan shall be governed by section 35-412(c)

Completeness Review and Section 35-412(e) Approval Criteria of this chapter. In addition to the applicable requirements of Article 5 of this chapter, the "MPCD" site plan shall also be reviewed for compliance with the terms of this section.

(2) "MPCD" site plans shall be reviewed by the zoning commission and approved by the city council concurrent with the application for rezoning to an "MPCD." The zoning ordinance shall provide that adherence to the "MPCD" site plan, or the amended "MPCD" site plan is required within the "MPCD" provided, however, that a rezoning shall not be required for the approval of a minor change to the "MPCD" site plan as defined in subsection (e)(3) of this Section. The site plan shall include the proposed land uses by location, type (single-family, multi-family, office or commercial), density and size. Where single-family uses are designated, minimum lot size shall be included and major physical features such as easements, streams, flood plains, and significant vegetation shall be noted.

(3) If a master planned community is proposed outside of the city's zoning jurisdiction, but within the city's extraterritorial jurisdiction, then the property owner may submit a master site plan that conforms with the provisions contained within the section. In addition, the property owner upon submittal of the master site plan may designate such site plan as a master planned community site plan. If the property which is the subject of the master planned community site plan is subsequently annexed into the city's zoning jurisdiction, then the city shall initiate a rezoning application for the subject tract to rezone the property to "MPCD". The rezoning request and the previously approved master site plan with master planned community designation shall then be reviewed for approval pursuant to the procedures contained herein.

(d) Coordination with Independent School Districts

A copy of the site plan shall be provided to the independent school district or districts in which the "MPCD" is proposed to be located. The applicant shall coordinate with the independent school district(s) in order to address the educational needs that may arise with the development of the "MPCD."

(e) Amendments to "MPCD" Master Site Plan

(1) Revisions to a previously approved "MPCD" master site plan shall be classified as minor

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or major changes. An application for a major or minor change to "MPCD" site plan shall be subject to Section 35-412(c) completeness review provisions of this chapter. Within five (5) working days after filing the proposed revisions, required items and information, the director of planning shall provide a written response indicating whether or not the submitted revised "MPCD" site plan has been accepted as a minor or major revision. If it is determined by the director of planning that the revised submittal is considered a minor change then said submittal shall processed by the director of planning and shall not require review by the zoning commission or approval by the city council. The applicant may appeal a conditional acceptance by the director of planning using the same process as the initial "MPCD" site plan submittal described in subsection (c) of this section. If it is determined by the director of planning that the proposed revision is a major change then said proposed major revisions shall be processed in the same manner as the initial "MPCD" site plan submittal described in subsection (c) of this section.

(2) A major amendment to an "MPCD" site plan shall include:

A. Any increase in the total number of residential units for the entire "MPCD"

B. Any increase in the total commercial acreage within the "MPCD"

C. Any increase in the total industrial acreage within the "MPCD"

D. Any increase in the cumulative traffic impacts of the entire "MPCD" upon outlying transportation infrastructure

E. Any increase in the total sewer capacity required for the "MPCD" as measured in equivalent dwelling units.

F. Any increase in the total water capacity required for the "MPCD" as measured in equivalent dwelling units.

G. Any decrease above 10% in the total open space acreage within the "MPCD"

H. Any decrease in perimeter buffers between the "MPCD" and adjacent properties.

I. Any change in a proposed land use node from residential to an office, commercial or light industrial use, if the property where the proposed change is to occur abuts existing property in which the Principal use is a Single Family Residence.

(3) Any other revision to an "MPCD" site plan not described in subsection (2), above, shall be deemed a minor change.

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(f) Height and Yard Requirements

(1) Height limitation. The maximum height of structures shall be thirty-five (35) feet; 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 thirty-five (35) feet. Distance credit shall be permitted for space occupied by structures of conforming height extending from the lot lines or Setbacks as applicable.

(2) Minimum yard. Single-family lots shall comply with the lot requirements of the zoning base district that requires a minimum lot square footage that is less than or equal to the lot square footage shown on the "MPCD" site plan. Multi-family, office and commercial shall comply with the setback requirements of the International Building Code.

(3) Fences. Along collector and arterial streets, fences within a "MPCD" may extend to a height of eight (8) feet subject to the clear vision area requirements of § 35-505(f) of this chapter.

(g) Required Natural Buffer

Unless the perimeter of the "MPCD" is bound by a street or roadway, any property located on the boundary of the "MPCD" shall maintain a twenty foot (20') natural buffer (trees, grass or other vegetation) when:

- the "MPCD" property, used (or proposed for use) for other than single-family purposes, abuts property outside the "MPCD" that is used (or is vacant and zoned) for single-family purposes; or
- the "MPCD" property, used (or proposed for use) for single-family purposes, abuts property outside the "MPCD" that is used (or is vacant and zoned) for other than single-family purposes.

(h) Infrastructure Requirements

(1) Streets and sidewalks.

A. Streets within a "MPCD" may be public or private.

B. The entrance to private streets may provide control access by gates or other means permitted by this chapter (see § 35-505(s)).

C. Alternative street and sidewalk Standards may be applied within a "MPCD." In order to be applicable to a particular "MPCD" the alternative street and sidewalk

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standards must be submitted as part of the "MPCD" site plan and the site plan must be approved by the city council. For purposes of this subsection, an "aaternative street and sidewalk standard" means a standard which varies from the requirements of § 35-505(d) of this chapter.

D. Whether public or private, streets and sidewalks shall conform to the transportation standards of this chapter, as applicable to streets, or alternative street and sidewalk standards" approved as part of an "MPCD" Site Plan.

(2) Utilities. All utility systems shall comply with the utilities standards (§ 35-506) of this chapter.

(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.

(i) Open Space

Each MPDC plan shall provide for a minimum amount of parks/open space as required by subsection (1) below. Open space shall include yards, as well as any parks or open space areas which conform to the parks/open space standards of this 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,

(1) 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 Open Space (in percent)***
Residential	35%
Non-Residential	20%

(2) Reduction in Open Space.

At its discretion, the planning commission may approve a decrease in the amount of

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required open space when the MPCD 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).

(j) Parking Requirements

Off street parking and truck loading facilities shall be provided in accordance with parking standards of this chapter.

(k) Compatibility Standards

(1) Applicability.

This section applies to any use within an MPCD which abuts property on which a single-family residential use is located. In this section, a "single-family residential use" includes any single-family dwelling, duplex, triplex, fourplex, townhome, or residential condominium. The abutting property on which a "single-family residential use" is which is established, or is to be used, as evidence by notation on the "MPCD" site plan, is referred to in this subsection (k) as a "single-family area."

(2) Height Limitations.

A structure subject to subsection (k)(1) of this Section:

A. Shall be located at least twenty-five (25) feet from a single-family area;

B. Shall not exceed two stories or 30 feet in height if the structure is 50 feet or less from a single-family area;

C. May exceed two stories or 30 feet in height, but shall not exceed three stories or 40 feet in height, if the structure is 100 feet or less from a single-family area.

(3) Increase in Height Limitations.

The height of a structure subject to subsection (k)(1) of this section may increase by:

A. one foot for each feet of distance from property that triggers the compatibility standards if the structure is at least 100 feet but not more than 300 feet from an abutting tract which is used or is to be used, as evidenced by a notation on the "MPCD" site plan, for single-family residential purposes, and the increased height is permitted by in a "MPCD"; or

B. one foot for each four feet of distance from property that triggers the

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compatibility standards if the structure is at least 300 feet, but not more than 540 feet, from property in an abutting tract which is being used or is to be used, as evidence by notation on the "MPCD" site plan, for single-family residential purposes; and the increased height is permitted by the applicable zoning district regulation.

(4) Scale and Clustering Requirements.

The massing of buildings and the appropriate scale relationship of a building to another building may be accomplished by:

- avoiding the use of a continuous or unbroken wall plane; and
- using an architectural feature or element that creates a variety of scale relationships, creates the appearance of a residential structure, or is consistent with the exterior form and materials of a structure on an adjoining property; and
- using similar materials for all buildings within the designated land use category; and
- using a design technique or element that creates a building scale which does not exceed single-family residential uses within the MPCD, prevents the construction of a structure in close proximity to a single-family residence zoning district that is significantly more massive than a structure in a single-family residence zoning district; and allows the construction of a structure, including a multi-family structure, that exhibits a scale and massing that is consistent with a single-family residential use.

Except where the "MPCD" site plan specifically provides otherwise, the first block of buildings subject to this subsection must be clustered in a group that is not more than 50 feet wide, as measured along the side of the buildings that are most parallel to the property line of the site. The depth of the first tier of buildings described under Subsection (B) may not exceed:

- two units; or
- 60 feet.

A building must be at least 10 feet apart from another building, as measured from wall face to wall face.

***(5)* Screening Requirements.**

Buildings shall be screened from the view of adjacent property single-family land use category if the use for the building to be constructed is intended for off-street parking,

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the placement of mechanical equipment, storage, refuse collection or any business park use. A person may comply with this subsection by providing a yard, fence, berm, or vegetation. If a fence is provided, the height of the fence may not exceed six feet, except as provided within this chapter. The owner must maintain a fence, berm, or vegetation provided under this section.

(6) **Design Regulations.**

A. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property which is being utilized for single-family residential purposes.

B. The noise level of mechanical equipment may not exceed 70 db at the property line.

C. A permanently placed refuse receptacle, including a dumpster, shall not be located within 20 feet of a single-family land use area.

D. A highly reflective surface, including reflective glass and a reflective metal roof with a pitch that exceeds a run of seven to a rise of 12, may not be used, unless the reflective surface is a solar panel or copper or painted metal roof.

E. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from a single-family area.

(l) Business Park Uses Performance Standards

In addition to this section's compatibility standards, set out in subsection (k) immediately above, business park uses shall conform to performance standards as follows:

(1) **Air Pollution**.

All uses within a business park district shall operate in compliance with the most current revision of the regulations of the Texas Air Control board pertaining to the control of air pollution. The city hereby adopts by reference these regulations, a copy of which is on file in the offices of the city clerk and the planning department.

(2) **Noise**.

All uses shall comply with the provisions of chapter 21, Article III of the city Code, Noise, and shall not create a noise nuisance as defined in said Article III of chapter 21.

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(3) Glare and Heat.

No direct or sky-reflected glare so as to be visible at the lot line shall be permitted. These regulations shall not apply to signs or floodlighting of parking areas otherwise permitted by this ordinance. There shall be no emission or transmission of heat or heated air so as to be discernible at the boundary of the lot line.

(4) Vibration.

All machines shall be so mounted as to minimize vibration and no vibration shall be produced which is discernible without the aid of instruments at the boundary of the business park district.

(5) Noxious Odors.

The emission of any odors which are discernible without the aid of instruments shall be prohibited beyond the boundaries of the business park district.

(6) Toxic and Liquid Wastes. The discharge of any toxic or liquid waste material into any outdoor watercourse or drainage way shall be prohibited.

(7) Fire and Explosion.

All activities and all storage of flammable and explosive materials shall be provided with adequate safety and fire fighting devices in accordance with the Uniform Fire Code as adopted by the city. The storage of petroleum and other flammable products is permitted only as an incidental use and is prohibited in above ground tanks.

(8) Radioactivity.

No operation shall cause radioactivity at any lot lien in violation of the regulations of the Nuclear Regulatory commission as set forth in Title 10, chapter 1, Part 20 of the Code of Federal Regulations, and all applicable regulations of the State of Texas.

(9) Electromagnetic Radiation.

No operation shall be conducted which shall adversely effect the performance of electromagnetic radiators or receptors other than those of the creator of the radiation.

(10) Outside Storage.

Outside storage shall be enclosed within a solid masonry wall or solid heavy timber fence (two (2) inches thick or greater) so as to completely screen all operations conducted within such wall from observation outside the business park district. The wall

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shall be at least six (6) feet, but not more than twelve (12) feet in height. No storage shall be higher than the height of the screening which shall be maintained in a safe and sightly condition at all times.

(11) Other Structures.

Structures other than buildings which are visible from view outside of the business park district shall be screened by plantings, landscaping, and/or a solid wall/fence at least six (6) feet in height.

Upon application for a certificate of occupancy for any use in a business park district, the director of development services may require such evidence as may be necessary to determine whether or not the proposed use will conform to the performance standards set forth above in this section. The director of development services shall provide verification of the proposed use(s) upon request from the director of development services.

(m) Rezoning of Property Within an "MPCD"

No property within the boundaries of an "MPCD" may be rezoned unless and until the "MPCD" Site Plan is amended pursuant to the provisions contained herein. In particular, any such amendment or rezoning application must be justified in terms of impact to utility infrastructure, *roadway infrastructure and goals and purposes of the original master planned community.*

(n) Development of an "MPCD" Within the city's Extraterritorial Jurisdiction

A "MPCD" may be developed within the city's extraterritorial jurisdiction provided that the "MPCD" is developed pursuant to an approved master site plan as provided in section 35-412 of this code and the "MPCD" is designated as such on the Master Site Plan. The permanent zoning of any "MPCD", that is initially located within the extraterritorial jurisdiction and later becomes part of an annexation, shall be consistent with the "MPCD" master plan governing the "MPCD" as provided in Sec 35-307 of this code.

(o) Copy Of "MPCD" Shall Be Made Available To The Public

The developer or landowner of an approved "MPCD" shall maintain a copy of the "MPCD" site plan within ~~the~~ sales office(s) located within the "MPCD". The site plan shall be displayed in a prominent location within the office so that it is easily viewable by the public. In addition copies of the site plan shall be made available to members of the public upon request. This requirement shall continue until all single-family residential property within the "MPCD" is developed.

(p) Rights Granted or Recognized by Texas Local Government Code Chapter 245 and Ordinance No. 86715 Shall Benefit an Approved "MPCD"

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(1) It is hereby found and determined that Texas Local Government Code chapter 245 and city of San Antonio ordinance No. 86715, passed and approved September 25, 1997 are applicable to an "MPCD" site plan which complies with this Section. An "MPCD" site plan shall enjoy the protection afforded by the aforementioned provisions of state and municipal law any exception in such laws to zoning notwithstanding.

(2) In each instance when an "MPCD" site plan obtains final approval from city council the director of development services shall change the zoning records and maps in accordance with the provisions of the ordinance approving a Master Plan Community.

(3) Thereafter, staff review of subdivision plat applications, building permit applications or other permit applications necessary for the development of the "MPCD" shall be reviewed in context of the "MPCD" site plan. Should there be a conflict between the requirements of the city code (excluding the city building code) and the particular "MPCD" site plan as to landscaping, buffering, open space or any other matter addressed in the "MPCD" site plans, the "MPCD" site plan shall control.

(Ord. No. 95236 § 1, Ord. No. 98697 § 1,4 & 6)

35-346 Repealed

35-347 "BP" Business Park District

(a) Locational Criteria

A business park district may be located adjacent to any freeway, arterial, principal arterial or non-residential collector street.

(b) Development Standards

All uses and development activities within a business park district shall conform to the regulations for an office or institutional campus, § 35-205, excluding § 35-205(j)(parks and open space standards). (Applicants electing to seek approval of an office or Institutional campus use pattern shall be subject to § 35-205(j).)

35-348 "ED" Entertainment District

An entertainment district must have within its boundaries as a primary use a theme park or destination resort that is developed as a regional tourist entertainment facility. This district is designed to protect and encourage the creation and development of commercial recreation, tourist, vacation, hospitality, entertainment, sports and leisure facilities and complexes, together with complementary and accessory support facilities, operations and services that are associated with the tourist, hospitality and entertainment industries. The district is specifically created in order to classify such commercial recreation, entertainment and related uses in a distinct zoning category that expressly encompasses such uses, as opposed to the other business districts which do not specifically embody such uses. It is a flexible zoning classification that is intended to allow for a broad range of uses that will create a controlled, favorable environment for the development of diverse commercial entertainment and amusement activities, including by way of example, theme parks, destination resorts, tourist attractions, and other recreation and leisure facilities. Such flexibility permits and encourages an appropriate balancing of land uses that promotes the development of adequate support facilities and services.

(a) Permitted Uses

(1) This District Shall Permit.

A. Commercial entertainment, amusement, recreation and show parks or complexes that are developed as regional visitor tourist attractions and that are organized around a central theme or themes, such as, by way of example, music attractions, marine life attractions, water attractions, amusement rides and attractions, or tours and exhibitions. Such parks and complexes may include the following facilities: Indoor theaters, concert and entertainment facilities, rehearsal and production facilities, open air theaters, water attractions, amphitheaters, grandstand facilities, marine life facilities, guest attractions, rides, water activity areas, merchandise buildings and facilities (indoor and outdoor), playground facilities, arboretums and botanical gardens, food and beverage buildings and facilities (indoor and outdoor), games, arcades, picnic areas and grounds, parking areas, service buildings, administration and operations facilities, main entrance buildings and facilities, security facilities, first aid facilities, wardrobe and locker facilities, and other similar facilities, attractions and activities. Such parks and complexes may also include all related accessory uses, buildings, structures and facilities that are necessary or incidental to the operation of such parks and complexes, including maintenance and fabrication facilities; food, beverage, and ice production preparation; storage and distribution facilities; wardrobe production and assembly facilities; laundry and cleaning facilities; maintenance facilities; salt water production and manufacturing facilities and related filtering, pipe, and plumbing infrastructure; warehouses, open sided shelters, and outdoor storage facilities; craft shops; bakeries; horse stables and equestrian centers; kennels, animal shelter and care facilities, and veterinary medicine facilities; and similar accessory uses and functions.

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B. Destination resorts.

C. Outdoor amusement and recreation facilities, including but not limited to, golf courses (including customary clubhouses and appurtenant facilities), miniature golf courses, golf driving ranges, picnic areas, parks and playgrounds, bicycle and motor scooter rental facilities outdoor festivals, hiking trails, swimming pools, equestrian trails, and sports facilities and stadiums.

D. Indoor amusement and recreational facilities, including but not limited to, bowling alleys, arcades, skating rinks, commercial recreation clubs and facilities, health and exercise oriented facilities, and theaters.

E. Convention and meeting facilities.

F. Concert and entertainment facilities and rehearsal and production facilities related thereto.

G. Television, film and radio studios; recording and production facilities; talent booking and entertainment management facilities; and all related services and activities.

H. Hotel facilities or complexes, including integrated and complementary recreational and commercial uses and facilities; timeshares; and other lodging facilities such as motels, motor inns, motor hotels, including associated accessory uses.

I. Campgrounds and recreational vehicle parks, including integrated and complementary recreational and commercial uses and facilities.

J. Business establishments selling merchandise, food, and beverages.

K. Personal service establishments, including, but not limited to, barber shops, beauty salons, car rental agencies, kennels, travel agencies, and day care facilities.

L. Business, financial, governmental, medical, and professional offices, agencies and studios.

M. Food service and beverage facilities, catering facilities, and related activities, including the sale of alcoholic beverages for on or off premises consumption.

N. Warehousing and wholesale distribution of foods, wares, and merchandise related to the primary use.

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O. Transportation facilities, including bus, railroad and taxi stations and facilities; tour and travel operations and facilities (including local sightseeing and destination travel services); parking facilities; tram, monorail, skywalk and moving sidewalk facilities; and other people moving facilities.

P. Religious, cultural, educational, governmental, and social facilities, including but not limited to churches, museums, libraries, auditoriums, and tourist information centers.

Q. Uses permitted in the "MF", "NC", "C-1", C-2, or "C-3" districts.

(b) Height and Yard Requirements

(1) Height.

The height of buildings and other improvements shall not exceed fifty (50) feet at the required perimeter Setbacks as specified by subsection (b). The height of buildings and other improvements may be increased two (2) feet for each one (1) foot they are setback beyond the required perimeter setback.

(2) Setbacks.

No building or other structure, except streets, walks, and parking facilities, shall be erected within the following setbacks lines measured along the perimeter of an entertainment district.

A. Forty-five (45) feet from any perimeter abutting a developed residential area.

B. Twenty-five (25) feet from any perimeter abutting an undeveloped or nonresidential area.

C. Internal to this district there are no Setback requirements.

(c) Parking and Security Lighting

Parking and security lighting facilities shall be arranged so that the source of light is deflected away from and not directed toward any existing residences abutting the district.

35-349 "SGD" Sand and Gravel District

A sand and gravel district "SGD" is a special zoning district permitting the operation of a sand or gravel extraction operation where soil, sand, gravel, and clay may be removed for commercial use on or off the

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property and those additional uses specifically noted in the following section, such as concrete and asphalt production (with city council approval required within the ERZD) and other uses. A "SGD" must have within its boundaries, as a primary use, a material extraction and materials processing operation that is designed to extract or process soil, sand, gravel or clay. This district is designed to protect the environmental character of a site and to promote compatible development with adjacent land uses and future redevelopment of the site. "SGD" is zoning classification that is intended to create a controlled environment for materials extraction and processing related directly to sand or gravel pits.

(a) Permitted Uses

Within a "SGD" only those uses directly related to the operation of the material extraction process shall be permitted. Such related uses are limited to the extraction, processing, storage, production of finished products, and shipment of such materials and products from within the property and are specifically limited to the following:

(1) Testing for, or extraction of, raw materials such as sand, soil, clay, gravel, or other similar materials that are mined or removed without the use of blasting or explosives.

(2) The processing and handling of extracted materials including, but not limited to, loading, screening, washing, sorting, stockpiling, and distribution by rolling equipment or conveyor systems.

(3) Production of materials and finished products through processing plants, including, but not limited to, concrete, bulk or bagged sand, soil, clay and/or gravel.

(4) Warehousing and storage of bulk or bagged sand, soil, clay, cement and/or gravel as well as exterior storage of sand, soil, clay and gravel in bulk form.

(5) Laboratory, weighing, and testing facilities for conducting test and chemical analysis of materials.

(6) The administrative activities associated with such uses including, but not limited to, offices and associated uses.

(7) Outdoor storage of materials, equipment, spare parts and supplies.

(8) Above ground fuel storage that meets all applicable government regulations.

(9) Transportation related uses and facilities including, but not limited to the use of trucking and railroad vehicles for transporting materials and product, to and from the "SGD". This would include maintenance, repair, and storage of the equipment and vehicles utilized by the sand or gravel pit operator.

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(10) A preexisting sand or gravel pit in legal operation located in a temporary post-annexation zoning district, or an "RE" residential zoning district or in an "I-1" or "I-2" industrial zoning district, may continue after the adoption of these regulations or after the rezoning of the property on which the operation is located to "SGD".

(b) Operating Standards

It is the intent of these regulations to allow the existence of sand, soil, clay and/or gravel extraction and processing in a manner which is sensitive to surrounding land uses and cognizant of the concerns of neighborhood and environmental interest with respect to protecting water quality, quality of life and ensuring protection of the environment. As such, the following operating standards are established to allow sand or gravel pit operations located within a "SGD" to be carried out in a manner that is compatible with surrounding land uses. All extraction, processing, and related operations performed in a "SGD" shall be done and shall operate in conformance with the standards set forth in each applicable subsection below.

(1) Frontage Requirements.

All property within a "SGD" shall have a minimum of sixty (60) feet of frontage on at least one (1) adjacent public right-of-way or recorded easement at least sixty (60) feet in width, which provides ingress or egress to public roads. Regardless of the frontage provided onto public roads a "SGD" shall comply with the provision of subsection (7), clear vision and queuing, below.

(2) Natural Buffer.

A natural area shall be maintained around the perimeter of the property within the district and no grading, removal, or disturbance of native plant material shall be allowed within fifty-five (55) feet of any perimeter property line of the property within the district or public right-of-way except as required for establishing fencing and berming as provided for herein and for permitting an eighteen-foot-wide access road for the purpose of establishing and maintaining fencing, landscaping, access and/or security patrol.

(3) Screening Requirements.

Notwithstanding subsection (2) above, greater visual screening shall be required at any point where the extraction is located within one hundred (100) feet of a public right-of-way carrying pedestrian or vehicular traffic. In such areas, the visual screen shall not be less than six (6) feet in height at or near the property line and shall be made up of any combination of the following materials: existing native plant materials, supplementary plant materials, existing grading, berming, and/or fencing.

(4) Fencing Requirements.

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A fence shall be provided around the perimeter of the property or not less than twenty-five (25) feet from the outer edge of any excavation that is ten (10) feet or greater in depth.

(5) Excavation Setbacks.

No excavation or extraction of material (other than is required for the installation and maintenance of fences, landscape screen, access points, crossings, or clear vision zones at entry points) shall be permitted closer than fifty-five (55) feet from the property line of the "SGD" district or closer than fifty-five (55) feet from any public right-of-way, unless and except for any point at which the operations cross said public right-of-way. Due to the unique nature of sand and gravel operations and their related operations, article VI of this chapter shall not apply within a "SGD".

(6) Facility Setbacks.

For individual or grouped "SGD" districts greater than ten (10) acres in size, all facilities for the production of excavated and processed products shall be located at least one hundred (100) feet from the property line of any adjoining property that is developed and/or zoned for residential uses at the time the facilities are constructed or installed, and at least fifty-five (55) feet from any public right-of-way on which pedestrian or vehicular access is allowed except for at points of crossing said right-of-way. Such crossing shall not exceed the width limitations established by the governmental authority having jurisdiction over the applicable right of way.

(7) Clear Vision and Queuing Requirements.

For individual or grouped "SGD" districts greater than ten (10) acres in size, a triangular clear vision zone shall be provided on the subject property at the intersection of all access points with public roads to provide an area of clear vision of vehicles. The zone shall be defined by a triangle consisting of three hundred (300) feet parallel with the public road and fifty (50) feet along the access road or drive measured from the intersection point of the two (2) rights-of-way. A queuing area accommodating four (4) trucks of no less than twenty-four hundred (2,400) square feet shall be provided between the edge of the public right-of-way and the access point or gate station, which ever is nearest the public right-of-way.

(8) Pit Walls and Slopes.

All walls of the pit or excavated areas shall be maintained in compliance with applicable state and federal safety requirements.

(9) Floodplain Protection.

No building may be placed or excavation be conducted within one hundred fifty (150)

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feet from the outer limit of a 100-year floodplain. All NPDES and TEQC requirements must be met any time the sand or gravel pit operations come within one hundred fifty (150) feet of a 100-year floodplain to prohibit silt or sediment from entering the creek or stream. These restrictions will not apply in any case where the floodplain is located more than one hundred fifty (150) feet inside the property line of the "SGD". The buffer required by this provision shall in no case be wider than one hundred fifty (150) feet from the boundary line of the "SGD".

(10) Water Quality Protection.

Operations within a "SGD" shall comply with all applicable water quality standards set forth in chapter 34 of this code.

(11) Industrial Waste Monitoring.

Upon request of the city fire department and/or environmental services department, any person operating an activity within a "SGD" shall provide, to the requesting agency's satisfaction, documentation evidencing the characterization, handling, and disposal of any industrial waste generated within the "SGD". Documentation which will satisfy the characterization inquiry includes process knowledge literature and/or waste analysis records.

(12) Material Safety Data.

Upon request of the city Fire department, independent of the Federal Emergency Planning and Community Right to Know Act, (EPCRA) any person operating an activity within a "SGD" shall provide copies of material safety data sheets (MSDS) for material maintained, stored, or used within the "SGD". The materials, subject of this section, are those materials whose properties for volatility, flammability, explosive potential, corrosiveness, radioactivity, or other toxic or hazardous property allow them to be listed in the North American Emergency Response Guidebook, current edition and as amended.

(c) Identification of Boundaries and Surrounding Uses/ERZD Environmental Assessment Report

(1) Within twenty (20) days prior to the submission of a zoning case to the zoning commission for obtaining "SGD" zoning on a property, a boundary map and metes and bounds description shall be provided by the applicant showing the outer perimeter line of the property that is owned, leased, under contract, or optioned by the operator and which the operation is to utilize. This boundary description and drawing shall be submitted to the city planning department and shall be considered the official boundary description on which the "SGD" will be established and within which the permitted uses allowed in the district will be allowed. All set backs and distance requirements shall be

measured from the boundary lines identified on the boundary map provided under this section. If the applicant is not the owner of the property the applicant shall provide written authorization to act as agent on behalf of the owner in a form acceptable to the city Attorney.

(2) An application for rezoning to an "SGD" zoning designation shall include an environmental assessment report as required by §35–471 when the subject property is within the Edwards Recharge overlay zoning district (ERZD). This requirement pertains to assessment of environmental impact by the city water system.

(d) Site Plan Requirements

If an application for zoning as a "SGD" is submitted for a site greater than ten (10) acres in size a site plan shall be submitted at the time any property owner initiates a zoning case by filing a zoning application requesting the establishment of a "SGD". The site plan shall be submitted to the planning department and shall graphically depict, generally to scale, the location and size of all then existing permanent and affixed structures, buildings, and facilities, and the location of any proposed facilities or buildings (if known), in relation to the boundaries of the property. The site plan shall also illustrate the location of all then existing access points and their relationship to adjoining or crossing major thoroughfares. The information required by this section may be incorporated into the boundary map required by subsection (c) hereto and an aerial photo may be used as the base document for the site plan.

If requested by SAWS for consideration of a "SGD" zoning application within the ERZD, the applicant shall provide SAWS with a site plan, regardless of size of the area that has been requested to be zoned, if this information is necessary to perform the review required by § 35-471 of this Code.

(e) Signs

Signs surrounding or within "SGD" may be used to provide the following:

(1) To identify the extraction or manufacturing operation;

(2) To inform customers of the facility with respect to access points and the existence of the facility;

(3) To identify the occupants or operations within a specific building or area of the district; and

(4) To provide directional, safety, and other information to the general public, occupants, employees, patrons, and visitors to the district.

(5) Signs within a "SGD" shall be in conformity with chapter 28 of this Code (Signs and

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Billboards) to the extent those regulations apply. Signs shall be posted at all exit points from a permitted district "QD" to a public road that reminds truckers that their loads must be covered in accordance with city and state regulations that impose fines if violated.

(f) Blasting

No blasting or use of any explosive shall be permitted within a "SGD".

(g) Asphaltic Concrete Production--Special Use

No asphaltic concrete production plants or storage of asphalt materials may be utilized within a "SGD" that is located in the ERZD, unless specific city council approval (CC) for such activity is granted for the "SGD". If such approval is granted, asphaltic concrete production may occur within the area(s) of a "SGD" located within the ERZD for which such CC approval is given provided such use complies with the applicable requirements of the TEQC, the EPA, and of this chapter.

(h) Existing Uses Allowed

Any use such as, but not limited to, livestock grazing, ranching operations, residential structures, barns, offices, etc. that are in existence, allowed by lease, or that are otherwise nonconforming under Article 7, Division 1, of this chapter at the time the "SGD" is established on the sand or gravel pit(s) and reserve property may continue.

35-350 "QD" Quarry District

The quarry district "QD" is a special zoning district intended to allow for a quarry and related uses for the extraction of limestone and other raw materials and the processing of those materials into finished products. A "QD" must have within its boundaries, as a primary use, a material extraction and materials processing operation that is designed to extract limestone or any other similar materials which are mined on the property and/or which are processed on the property subsequent to mining. This district is designed to protect the environment and promote compatible land use relationships with adjoining properties and to allow for the safe development of commercial quarrying, cement, concrete products and lime manufacturing, and related industries, together with accessory support facilities that relate directly to the on-site quarrying, processing, and manufacturing operations. The district is specifically created in order to classify such materials extraction, processing and related uses in a district zoning category that expressly encompasses such uses, as opposed to the other ordinary districts within the permitted uses table, which do not specifically embody, collectively, such uses. "QD" is a zoning classification that is intended to allow for a broad range of directly related uses that would create a controlled environment for the development of diverse material extraction and processing activities, including by way of example but not limited to, mining, blasting, extraction, processing, handling, crushing, washing, screening, sorting, stockpiling, and the production, packaging, distribution, and

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transportation of: aggregate, ready-mix concrete, asphaltic concrete (with city council approval required within the ERZD), quicklime and hydrated lime, cement, concrete, precast and prestressed concrete products, Portland cement, concrete pipe, concrete blocks, and other concrete products within the district, including activities required for the support of such directly related operations, including but not limited to vehicle and rail maintenance and repair facilities, office and dispatch facilities, outdoor storage of materials, and other operations incidental to quarry operations.

(a) Applicability

"QD" use regulations and operating standards set forth in this subdivision shall apply to all quarry and related processing uses within a "QD" district.

(b) Permitted Uses

Within the district no building, structure, or land shall be used for any purpose other than the following, or any combination thereof, provided that such uses take place within the site specific boundaries of the district designated as "QD", or on which said activities are otherwise permitted by law, in accordance with the operating standards for this zoning district:

(1) Testing for or extraction of raw materials such as limestone or other similar materials that are mined or removed without the use of blasting or explosives (or using blasting or explosives if approved under subsection (g) hereto).

(2) The processing and handling of extracted materials including, but not limited to, loading, crushing, screening, washing, sorting, stockpiling, and distribution by rolling equipment or conveyor systems.

(3) Production of materials and finished product through processing plants, including but not limited to cement plants, lime plants, ready-mix concrete plants, concrete batch plants, asphaltic concrete plants, pug mills and production facilities for precast and prestressed concrete, concrete blocks, packaged cement, packaged concrete, and concrete pipe.

(4) Warehousing and distribution facilities for finished products and raw materials such as mined aggregate, raw cement in various stages of production (i.e., cement powder, clinker, gypsum, etc.).

(5) Laboratory, weighing, and testing facilities for conducting tests and chemical analyses of materials.

(6) The administrative activities associated with such uses including, but not limited to, offices and associated uses.

(7) Outdoor storage of materials, equipment, spare parts and supplies.

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(8) Transportation related uses including, but not limited to the use of equipment, and trucking and railroad vehicles for transporting quarry materials and product to and from the particular site(s). This would include maintenance, repair, and storage of the equipment, and trucking and/or railroad vehicles utilized by the operator of the "QD".

(9) Above ground fuel storage that meets all applicable government regulations.

(10) A preexisting quarry use in legal operation located in the RP or RE zoning districts or in an I-1 or I-2 industrial zoning districts may continue after the adoption of these regulations or after the rezoning of property to "QD".

(11) Rail, vehicle and equipment maintenance facilities.

(c) Operating Standards

It is the intent of these regulations to allow the existence of quarrying and processing operations which are sensitive to surrounding land uses and cognizant of the concerns of neighborhood interest and environmental interest with respect to protecting quality of life and ensuring protection of the environment. As such, the following operating standards are established to allow the quarry and processing operations to be carried out in a manner that is as compatible as possible with the surrounding land uses. All quarrying, processing, and related operations that are not the subject of nonconforming rights and that are performed in a quarry district "QD" shall be done and shall operate in conformance with the standards set forth in each applicable subsection below.

(1) Frontage Requirements.

All property within a "QD" shall have a minimum of sixty (60) feet of frontage on an adjacent public right-of-way or recorded easement, at least sixty (60) feet in width, which provides ingress or egress to public roads. Regardless of the frontage provided onto a public road a district shall comply with the provision of subsection (7), Clear vision and queuing, below.

(2) Natural Buffer.

A natural area shall be maintained around the perimeter of the property within the district and no grading, removal, or disturbance of native plant material shall be allowed within fifty-five (55) feet of any perimeter property line of the property within the district or public right-of-way, except as required for establishing required berms and fencing and for an eighteen-foot-wide access road for the purpose of establishing and maintaining fencing, landscaping, access and/or security patrol.

(3) Screening Requirements.

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Notwithstanding subsection (2) above, visual screening shall be required at any point where the active quarry pit is located within one hundred (100) feet of a public right-of-way carrying pedestrian or vehicular traffic. The visual screen in such areas shall not be less than six (6) feet in height at or near the property line and shall be made up of any combination of the following materials: existing native plant materials, supplementary plant materials, existing grading, berming, and/or fencing.

(4) Fencing Requirements.

A fence shall be provided around the perimeter of the property or not less than twenty-five (25) feet from the outer edge of any excavation that is ten (10) feet or greater in depth.

(5) Excavation Setbacks.

No excavation or extraction of material, other than is required for the installation and maintenance of fences, landscape screen, access points, crossings, or clear vision zones at entry points, shall be permitted closer than fifty-five (55) feet from the property line of any property adjoining the property located in the district that has been zoned for single-family residential use at the time such excavation or extraction has begun, or closer than fifty-five (55) feet from any public right-of-way, unless and except for any point at which a quarry or quarrying operations cross said public right-of-way. Such crossing shall not exceed the width limitations established by the governmental authority having jurisdiction of the applicable right-of-way. Due to the unique nature of quarries and their related operations, article 5, Division 3 of this chapter shall not apply within a "QD".

***(6)* Facility Setbacks.**

All facilities for the production of finished products that are made from excavated materials (i.e., ready-mix concrete batch plants, lime plants, cement plants, concrete block plants, cement packaging plants, precast and prestressed yards, concrete pipe plants, and other similar facilities), which are constructed or installed after the effective date of this section, shall be located at least one hundred (100) feet from the property line of any adjoining property that is developed and/or zoned for residential uses at the time the facilities are constructed or installed, and at least fifty-five (55) feet from any public right-of-way on which pedestrian or vehicular access is allowed except for at points of crossing said right-of-way.

(7) Clear Vision and Queuing Requirements.

A triangular clear vision zone shall be provided at the intersection of all access points with public roads to provide an area of clear vision for vehicles. The zone shall be defined by a triangle consisting of three hundred (300) feet parallel with the public road and fifty (50) feet along the access road or drive measured from the intersection point of

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the two right-of-ways. A queuing area sufficient to accommodate four (4) or more trucks of no less than two thousand four hundred (2,400) square feet shall be provided between the edge of the public right-of-way and the access point or gate station, which ever is nearest the public right-of-way.

(8) **Floodplain Protection.**

No building may be placed or excavation be conducted within one hundred fifty (150) feet from the outer limit of a 100-year floodplain. All NPDES and TEQC requirements must be met any time the quarry operations come within one hundred fifty (150) feet of a 100-year floodplain to prohibit silt or sediment from entering the creek or stream. These restrictions will not apply in any case where the floodplain is located more than one hundred fifty (150) feet inside the property line of the “QD”. The buffer required by this provision shall in no case be wider than one hundred fifty (150) feet from the boundary line of the “QD”.

(9) **Water Quality Protection.**

Operations within a “QD” shall comply with applicable water quality standards set forth in chapter 34 of this Code.

(10) Industrial Waste Monitoring.

Upon request of the city Fire department and/or city public works environmental, any person operating an activity within a “QD” shall provide, to the requesting agency's satisfaction, documentation evidencing the characterization, handling, and disposal of any industrial waste generated within the “QD”. Documentation which will satisfy the characterization inquiry includes process knowledge literature and/or waste analysis records.

(11) Material Safety Data.

Upon request of the city fire department, independent of the Federal Emergency Planning and Community Right to Know Act (EPCRA), any person operating an activity within a “QD” shall provide copies of material safety data sheets (MSDS) for material maintained, stored, or used within the “QD”. The materials, subject of this section, are those materials whose properties for volatility, flammability, explosive potential, corrosiveness, radioactivity, or other toxic or hazardous property allow them to be listed in the North American Emergency Response Guidebook, current edition and as amended.

(12) Blasting Setback.

Blasting shall not be allowed within three hundred (300) feet of a residential structure

under construction or completed at the time the "QD" is established. This requirement shall not apply in any case were the owner of such a residential structure has consented in writing to blasting occurring within less than three hundred (300) feet of the structure.

(d) Identification of Boundaries and Surrounding Uses/ERZD Environmental Assessment Report

(1) Prior to the submission of a zoning case to the zoning commission for obtaining "QD" zoning on a property, a boundary map and metes and bounds description shall be provided by the applicant showing the outer perimeter line of the property that is owned, leased, under contract, or optioned by the operator and which the operation is to utilize. This boundary description and drawing shall be submitted to the city planning department and shall be considered the official boundary description on which the "QD" will be established and within which the permitted uses allowed in "QD" will be allowed. All Setbacks and distance requirements shall be measured from the boundary lines identified on the boundary map provided under this section. If the applicant is not the owner of the property the applicant shall provide written authorization to act as agent on behalf of the owner, in a form acceptable to the city Attorney.

(2) Additional site information shall be made available by the applicant upon request by SAWS when such information is found to be necessary to perform the environmental assessment report required by §35-471.

(3) Given the unique nature of quarries and quarrying operations, the city hereby adopts the policy that all residential lots within a subdivision plat located one thousand five hundred (1,500) feet or less from a "QD" at the time of platting, be required to have a notation stating that a permitted "QD" is located within one thousand five hundred (1,500) feet of the given lot. The distance shall be calculated as the shortest straight line from the closest point on the lot's property line to the closest point on the permitted quarry district boundary.

(4) The processing of an application for a "QD" zoning designation shall comport with requirements of §35-471 of this Code when the subject property is within the Edwards Recharge overlay zoning district, "ERZD." This requirement pertains to assessment of environmental impact by the city water system.

(e) Site Plan Requirements

A site plan shall be submitted at the time any property owner initiates a zoning case by filing a zoning application requesting the establishment of a "QD". The site plan shall be submitted to the city planning department and shall graphically depict, generally to scale, the location and size of all permanent and affixed structures, buildings, and facilities in existence at the time of submission, and the location of any proposed facilities of buildings (if known), in relation to the

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boundaries of the property. The site plan shall also illustrate the location of all access points and their relationship to adjoining or crossing major thoroughfares. The information required by this section may be incorporated into the boundary map required by subsection (d), and an aerial photo may be used as the base document for the site plan.

(f) Signs

Signs surrounding or within a "QD" may be to provide the following:

(1) To identify the quarrying or manufacturing operations located within the district;

(2) To inform customers of the quarry facility with respect to access points and the existence of the facility;

(3) To identify the occupants or operations within a specific building or area of the district; and

(4) To provide directional, safety, and other information to the general public, occupants, employees, patrons, and visitors to the district.

(5) Signs within a district shall be in conformity with chapter 28 of this Code (Signs and Billboards) to the extent those regulations apply. Signs shall be posted at all exit points from a permitted "QD" to a public road that reminds truckers that their loads must be covered in accordance with city and state regulations that impose fines if violated.

(g) Special Use--Blasting

No blasting or use of explosives shall be permitted within a "QD" established after December 31, 1998, unless a specific use permit for such activity is granted for the "QD". If such approval is granted, blasting may be used within the boundaries of the "QD" provided such use complies with the applicable requirements of the Uniform Fire Code (UFC), as amended and adopted by the city council, and with chapter 16 Article XIV of this Code.

(h) Special Use--Asphaltic Concrete Production

No asphaltic concrete production plants or storage of asphalt materials may be utilized within a "QD" located in the ERZD unless a specific use permit for such activity is granted for the "QD". If such approval is granted, asphaltic concrete production may occur within the area(s) of the "QD" for which such approval is given provided such use complies with the applicable requirements of the TEQC, the EPA, and of this chapter.

(i) Reuse of "QD" After Termination Concept

After the quarry and related uses have terminated within a "QD", the property shall not be

redeveloped for any purpose until a beneficial reuse concept plan (BRCP) has been prepared and submitted in accordance with the regulations of chapter 16 of this Code and a new permanent base zoning district (i.e., “R-6”, “R-20”) has been applied for and received though the required public process including, at a minimum, one (1) or more public hearings before the zoning commission and the city council. At the time the application for rezoning the property for the new permit base zoning district is submitted, SAWS shall file as part of the zoning case a report reflecting the results from the inspections made by SAWS of the property being rezoned. The SAWS report shall also indicate whether the quarry operation is in apparent compliance with all of its state and federal environmental permits.

(j) Existing Uses Allowed

Any use such as, but not limited to, livestock grazing, ranching operations, residential structures barns, offices, etc. that are in existence, allowed by lease, or that are otherwise nonconforming under article III, division 4 of this chapter at the time “QD” is established on the quarry and reserve property may continue.

(Ord. No. 98697 § 6)

35-351 “MR” Military Reservation District

These districts are used to designate federal and state military reservations within the city limits of San Antonio. In accordance with Vernon's Texas Codes Annotated, Local Government Code Section 211.013, the city’s zoning regulations do not apply to buildings, other structures, or land under the control, administration, or jurisdiction of a state or federal agency and uses within these districts are regulated solely by the responsible federal or state agency. In the event any land within this classification is sold, released, or otherwise conveyed to private ownership, the zoning commission shall institute proceedings on its own motion to appropriately rezone the land in harmony with the intent of this chapter according to the rules and regulations established herein for changes in zoning classifications.

(Ord. No. 98697 § 6)

35-352 “DR” Development Reserve

(a) Purpose

The purpose of the Development Reserve “DR” zoning district is to provide a temporary zoning classification for newly-annexed property. While use restrictions are imposed pursuant to the “DR” district:

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(1) it is recognized that the annexed property may be compatible for a use permitted in any zoning district; and

(2) it is the policy of the city to rezone the property to an appropriate zoning classification as soon as practicable.

(b) Development Restrictions Within "DR" Zoning Districts

(1) Uses permitted within a "DR" zoning district shall be the uses permitted in the "R-6" zoning district unless and until the property is rezoned to another zoning district.

(2) The development standards applicable to a "DR" zoning district shall be the those required within the "R-6" zoning district unless and until the property is rezoned to another zoning district.

35-353 "NP" Neighborhood Preservation Districts

(a) Purpose

The Neighborhood Preservation districts are designed to protect properties zoned "R-A, R-1a", "R-1b", or "R-1c" prior to June 4, 2001 and *existing platted subdivisions which are substantially developed with single-family detached dwelling units. It is the policy of the city that these districts will be applied only to* properties zoned "R-A", "R-1a", "R-1b", or "R-1c" prior to June 4, 2001 or *platted subdivisions which are recorded as of the effective date of this chapter, in order to prevent such subdivisions from being further subdivided in a manner in order to avoid congestion in the streets, prevent safety hazards, protect the health and general welfare of subdivision residents, provide adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of public facilities. The "NP" districts are not appropriate for the down zoning of unsubdivided parcels or tracts.*

(b) Establishment

The following "NP" districts are hereby established and referred to collectively herein as "NP" districts:

NP-8
NP-10
NP-15

(c) Permitted Uses

The uses permitted within an "NP" district are the same as the uses permitted within an "R-6" district.

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(d) Dimensional Regulations

The setback and height regulations for uses and structures within an "NP" district shall be as follows:

(A) Zoning District	(B) Minimum Lot Size Conventional	(C) Maximum Density	(D) Minimum Frontage	(E) Minimum Lot Width	(F) Maximum Lot Width	(G) Maximum Building Height	(H) Minimum Front Setback	(I) Maximum Front Setback	(J) Minimum Side Setback	(K) Minimum Rear Setback
NP-15	15,000	3	55	75	—	35ft/2-½ stories	10	—	5	30
NP-10	10,000	4	45	65	—	35ft/2-½ stories	10	—	5	20
NP-8	8,000	5	40	60	150	35ft/2-½ stories	10	—	5	20

(e) Nonconforming Lots

The rezoning of an existing subdivision to an "NP" district may at times result in lots which do not conform to the new zoning district lot sizes. In such cases, a single-family detached dwelling, and any uses accessory thereto, shall be permitted as provided in § 35-702(c) of this chapter.

(f) Properties Zoned Prior to June 4, 2001

Properties zoned "R-A", "R-1a", "R-1b", or "R-1c" prior to June 4, 2001 whether platted or remaining undeveloped will be converted to new zoning districts as indicated in Appendix "D" – zoning district conversion matrix.

(Ord. No. 95326 § 7 & 8)

35-354 "MH" Manufactured Housing District

(a) Purpose

The "MH" districts are composed of areas suitable for manufactured homes and compatible uses. The districts are intended to provide suitable locations for HUD-code manufactured homes on individual lots.

(b) Permitted Uses

The permitted uses within an "MH" district shall be those uses permitted in "RM-4" in Table 311-1 of this chapter.

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(c) Manufactured Homes on Individual Lots

(1) HUD-code manufacture homes may be located on individual lots outside of a manufactured home park provided they are permanently installed and limited to one home per lot. In addition they shall be subject to the following standards which are designed to ensure acceptable compatibility in exterior appearance between HUD-code manufactured homes and site built dwellings that have been or may be constructed in adjacent or nearby locations.

(2) HUD-code manufactured homes shall be permanently affixed to a foundation with a visible foundation system and skirting acceptably similar in appearance to foundations of site built residences. The foundation shall form a complete enclosure under exterior walls. Wheels and axles shall be removed. All units must also have covered front and rear entries, and site built steps and porches.

(3) Each HUD-code manufactured home shall have a sloping roof with eave projections of at least six (6) inches, constructed with material generally acceptable for site built housing. The pitch of the main roof shall not be less than one (1) foot of rise for each four (4) feet of horizontal run.

(4) Any materials that are generally acceptable for site built housing may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflection from such exterior shall not be greater than from siding coated with clean, white, semi gloss enamel paint.

(d) Dimensional Regulations

The dimensional regulations for an “MH” district are the same as those applicable to an “RM-4” district (see § 35-310 of this Article).

(Ord. No. 97568 § 2)

35-355 “MHC” Manufactured Housing Conventional District

(a) Purpose

The "MHC" districts are intended to provide suitable locations for HUD-code manufactured homes in manufactured housing conventional subdivisions.

(b) Permitted Uses

The permitted uses within an “MHC” district shall be those uses permitted in an “RM-4” district,

and manufactured homes and manufactured home parks.

(c) Manufactured Homes Design and Installation Criteria

(1) HUD-code manufacture homes shall be permanently installed and limited to one home per lot. In addition they shall be subject to the following standards which are designed to ensure acceptable compatibility in exterior appearance between HUD-code manufactured homes and site built dwellings that have been or may be constructed in adjacent or nearby locations.

(2) HUD-code manufactured homes shall be permanently affixed to a foundation with a visible foundation system and skirting acceptably similar in appearance to foundations of site built residences. The foundation shall form a complete enclosure under exterior walls. Wheels and axles shall be removed. All units must also have covered front and rear entries, and site built steps and porches.

(3) Each HUD-code manufactured home shall have a sloping roof with eave projections of at least six (6) inches, constructed with material generally acceptable for site built housing. The pitch of the main roof shall not be less than one (1) foot of rise for each four (4) feet of horizontal run.

(4) Any materials that are generally acceptable for site built housing may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflection from such exterior shall not be greater than from siding coated with clean, white, semi gloss enamel paint.

(d) Dimensional Regulations

The dimensional regulations for an “MH” district are the same as those applicable to an “RM-4” district (see § 35-310 of this Article).

(Ord. No. 97568 § 2)

35-356 “MHP” Manufactured Housing Park District

(a) Purpose

The manufactured housing park “MHP” district is composed of areas suitable for manufactured homes and compatible uses. The districts are intended to provide suitable locations for HUD-code manufactured homes for manufactured home parks. The district regulations are designed to provide adequate protection both for the manufactured homes and for the surrounding development.

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(b) Permitted Uses

The permitted uses within an “MHP” district shall be those uses permitted in an “RM-4” district, and manufactured homes and manufactured home parks.

(c) Manufactured Homes on Individual Lots

(1) HUD-code manufacture homes may be located on individual lots in a manufactured home park. All manufacture homes in a "MHP" district shall be permanently installed and limited to one home per lot. In addition they shall be subject to the following standards which are designed to ensure acceptable compatibility in exterior appearance between HUD-code manufactured homes and site built dwellings that have been or may be constructed in adjacent or nearby locations.

(2) HUD-code manufactured homes shall be permanently affixed to a foundation with a visible foundation system and skirting acceptably similar in appearance to foundations of site built residences. The foundation shall form a complete enclosure under exterior walls. Wheels and axles shall be removed. All units must also have covered front and rear entries, and site built steps and porches.

(3) Each HUD-code manufactured home shall have a sloping roof with eave projections of at least six (6) inches, constructed with material generally acceptable for site built housing. The pitch of the main roof shall not be less than one (1) foot of rise for each four (4) feet of horizontal run.

(4) Any materials that are generally acceptable for site built housing may be used for exterior finish if applied in such a manner as to be similar in appearance, provided, however, that reflection from such exterior shall not be greater than from siding coated with clean, white, semi gloss enamel paint.

(d) Dimensional Regulations

The dimensional regulations for an “MHP” district are the same as those applicable to an “RM-4” district (see § 35-310 of this Article).

(e) Manufactured Homes Developed within a Manufactured House and Recreational Vehicle Park

(1) Manufactured homes within a "MHP" district not developed on individual lots per the above shall be developed in compliance with the provisions of 35-381 manufactured homes and recreational vehicle parks.

(Ord. No. 97568 § 2)

35-357 to 35-359 Reserved

DIVISION 6 FLEXIBLE ZONING

Purpose: The Master Plan contains numerous provisions encouraging the protection of natural resources and the provision of parks and open space. The city can protect natural resources and require open space pursuant to its police powers. However, there are instances where it is in the best interests of the private landowner and the city to exceed the minimum requirements of this chapter. In such instances, the city's interests in restricting density or imposing certain regulatory requirements can be offset by increases in open space, natural resources, or the provision of affordable housing or certain amenities. Further, the system provides incentives to landowners while preserving the overall integrity of the Master Plan by providing uniform rules of general application for density increases. This system provides regulatory incentives while ensuring that regulatory modifications are not made solely and exclusively for the private benefit of the landowner.

The provisions of this Division implement the following provisions of the Master Plan:

- *Growth Management, Policy 1b: Develop ordinance revisions and development proposals which conserve energy and water, enhance the attractiveness of the area, and protect valuable natural and cultural resources.*
- *Growth Management, Policy 1b: Create a land exchange mechanism to acquire land for public purposes.*
- *Growth Management, Policy 1f: Encourage a balance of new development and redevelopment*
- *Neighborhoods, Goal 4: Promote the provision of sound and affordable housing to all San Antonians.*
- *Urban Design, Policy 1b: encourage public art in all public and private projects.*

35-360 Bonus Density

(a) Applicability

The provisions of this subsection shall apply to density and intensity on the parcel subject to an application for development approval. Density bonuses will be granted as of right if the applicant complies with the criteria established in subsection (b), below. Applicants requesting a density bonus for a residential subdivision may also reduce lot sizes through approval of a conservation subdivision (see § 35-202 of this chapter).

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(b) Bonus Criteria

(1) An applicant may be granted a density bonus by establishing any of the incentive items as described in column (A) in Table 360-2 herein consistent with the standards described in columns (B) and (C) of Table 360-2.

(2) The total permissible dwelling units shall be calculated in accordance with column (C) Table 360-2. In no event shall the cumulative total permissible dwelling units for public park land or open space in Table 360-2 exceed the following:

Table 360-1 Alternative Incentives

	(A) Active Open Space	(B) Passive Open Space	(C) Affordable Housing	(D) Percent to Total permitted Dwelling Units[(A)]
A	*			120%
B		*		120%
C	*	*		130%
D	*		*	130%
E		*	*	130%
F	*	*	*	130%

Interpretation of Table 360-1: column (D): As calculated in § 35-310, Table 310.01-1 (Dimensional Matrix). For conventional and conservation subdivisions, total permitted dwelling units are computed by dividing the gross acreage by the minimum lot size required by Table 310-1 of the proposed subdivision. Columns (A) – (D): The cells with asterisks (*) (columns (A) - (C)) indicate the combination of incentives, with column (D) indicating the maximum total dwelling units permitted, measured by multiplying the percentage in column (D) by the base density, using the combination of incentives indicated in the row.

(3) Minimum lot sizes may be reduced as needed to accommodate the additional dwelling units permitted by this section provided, however, that in no event shall minimum lot sizes be less than the following:

Zoning District	Minimum Adjusted Lot Size
RP	7 acres
RE	31,000
R-20	14,000
R-6, RM-6	4,200
R-5, RM-5	3,500
R-4, RM-4	2,800

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Table 360-2
(Bonus Density Chart)

(A) Incentive Item	(B) Criteria	(C) Bonus Calculation
Parks and Open Space	Establishment of Active or Passive Open Space in excess of the minimum acreage requirements of the Parks and Open Space Standards. The area dedicated to open space shall comprise at least one (1) acre and shall comply with Parks and Open Space Standards (§ 35-503) to receive bonus credit.	(A) For Conventional Subdivisions: BD = [(NA ÷ MLS) + (AOS x 4)] < [(NA÷ MLS) x C] where: BD = total permissible dwelling units with bonus, NA = net acreage (adjusted for right-of-way but not open space), MLS = minimum lot size, AOS = additional open space (in acres) multiplied by maximum permitted density, C = cap on density from Table 360-2 (B) For Conservation Subdivisions: BD = [(GA x MD) + (AOS x 4)] < [(GA x MD) x C] where: BD = total permissible dwelling units with bonus, NA = net acreage (adjusted for right-of-way but not open space), MLS = minimum lot size, AOS = additional open space multiplied by maximum permitted density, C = cap on density from Table 360-2
Commercial Retrofit	Commercial Retrofit of existing strip centers in accordance with the provisions of the Redevelopment Standards of this ordinance and Section 35-206.	For each 100 spaces of surface parking converted to structured parking on an area not exceeding 20% of the site area, an additional 20,000 feet of non-residential space may be constructed. Height standards of the underlying zoning district may be waived by the director of development services with the consultation of the director of planning to accommodate the additional floor space.
Retail Site Design	Superstores, shopping centers, or other Retail uses located in zoning districts "C-1", C-2 or C-3 which comply with all of the following may obtain a density bonus pursuant to column (C) herein where the proposed development complies with the commercial center design criteria (§ 35-203(o) of this chapter).	A 30% increase in permitted height (permitted height x 1.3) may be granted.
Affordable Housing: Very Low Income	At least 5% of all dwelling units must be restricted as very-low income housing through a deed restriction or an enforceable contract with a public housing authority or community development corporation.	BD = TD x Y, where: BD = Total permitted dwelling units, with bonus density TD = base calculation of total permitted dwelling units pursuant to § 35-310 Y = 1.20. The factor "Y" shall increase by 0.05 for every additional 15% of units restricted as very-low income housing, up to the maximum set forth in this Section.
Affordable Housing: Low Income	At least 15% of all dwelling units must be restricted as low income housing through a deed restriction or an enforceable contract with a public housing authority or community development corporation.	BD = TD x Y, where: BD = Total permitted dwelling units, with bonus density TD = base calculation of total permitted dwelling units pursuant to § 35-310 Y = 1.10. The factor "Y" shall increase by 0.05 for every additional 5% of units restricted as low income housing, up to the maximum set forth in this Section.

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Example:

An applicant subdivides a 50-acre parcel zoned “R-6” as a Conventional Subdivision. “R-6” requires a minimum lot size of 6,000 square feet. Assuming that 30% of the parcel (15 acres) is devoted to rights-of-way, the zoning permits a total of 254 dwelling units before open space is taken into consideration (35 acres or 1,524,600 square feet ÷ 6,000 square feet). The minimum open space required pursuant to § 35-503 is 1 acre per 114 units, or 2.2 acres. The applicant proposes to set aside an additional 2 acres for open space, for a total of 4.2 acres. The additional bonus units are 56 (2 acres x 7 units/acre maximum density in “R-6” x 4). The number of permitted units (without the bonus units) added to the bonus units yields 310 dwelling units. The 20% cap on the bonus units yields 305 dwelling units. The applicant can subdivide 305 lots, with a minimum lot size of 3,500 square feet. See Figure 1, below, for a summary of how this example applies to the other zoning districts.

Example of Parks/Open Space Density Bonus

bonus per acre	**4**
Subdivision Size in acres	**50**
right-of-way (30% assumed)	**15**
net acres (prior to open space dedication)	**35**

Conventional Subdivision Formula:

BD = [(NA ÷ MLS) + (AOS x 4)] ≤ [(NA÷ MLS) x C]

where: BD = total permissible dwelling units with bonus, NA = net acreage, NA = net acreage, MLS = min. lot size (adjusted for ROW but not open space), AOS = additional open space x permitted density, C = cap on density from Table 360-2

Zoning	min lot size	total permitted dwelling units	min open space dedication (acres)	additional open space dedication (acres)	Permitted Density	earned bonus units	Total + Bonus Dwelling Units	allowed units with 20% cap	Adjusted net acreage	effective lot size	% of district min lot size	effective gross density
RE	43,560	35	0.3	2	1	8	43	42	33	33,907	78%	0.8
R-20	20,000	76	0.7	2	1.4	11	87	91	32	15,396	77%	1.8
R-6	6,000	254	2.2	2	7	56	310	305	31	4,396	73%	6.1
R-5	5,000	305	2.7	2	9	72	377	366	30	3,610	72%	7.3
R-4	4,000	381	3.3	2	11	88	469	457	30	2,824	71%	9.1

Figure 24

(Ord. No. 96564 § 3)

35-361 Transfer Of Development Rights

PURPOSE AND AUTHORITY. It is the policy of the city that landowners subject to development restrictions in the sending zones, or as the result of regulations protecting Critical Areas, should be provided regulatory incentives to permanently restrict such lands from urbanization. VTCA Local Government Code § 211.003 authorizes the city to control the density of population through zoning. While such regulations may be legally imposed where they further a legitimate public purpose and are reasonable, the transfer of development rights provides a vehicle to enable the private market to allocate economic benefits to landowners in the restricted areas, thereby enhancing the viability of businesses in the sending areas and avoiding potential legal disputes between the private landowners and the city. This Section establishes procedures for transferring densities from sending to receiving parcels. At the voluntary request of the landowners in the sending areas and the receiving areas, the city may increase densities in the receiving areas and reduce densities in the sending areas.

The TDR system is based on the theory of carrying capacity. In other words, a finite amount of development is permitted in the areas within the sending and receiving zones. The city is indifferent as to who does the development. Instead, it lets the market decide the price. A purchase of Transfer Development Rights does not increase the total amount of development possible in these areas. Accordingly, the accumulation of transfer rights is related to the overall purpose of preserving resources in the area.

(a) Sending Areas Created

(1) Severable development rights are hereby created in the sending areas designated below. Sending areas may be located in the unincorporated areas of Bexar County or another municipality within Bexar County if the landowner has recorded a conservation easement, or reserved rights-of-way, in accordance with the provisions of this Section. All aending areas are assigned development rights at the following ratios:

A. CRITICAL AREAS. Fifty percent (50%) of the development potential of Critical Areas, as defined in subsection (3), below, may be transferred.

B. AGRICULTURAL PRESERVATION. One hundred percent (100%) of the development potential of Agricultural Areas, as defined in subsection (4), below, may be transferred.

C. TRANSPORTATION CORRIDORS. Any land area within a designated right-of-way.

(2) For purposes of this subsection, “development potential” means: (1) for areas within the incorporated boundaries of the city, the density permitted by the underlying zoning district, and (2) for areas within the extraterritorial jurisdiction of the city, one dwelling

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unit per five (5) gross acres, and (3) for areas within the unincorporated areas of Bexar County, one dwelling unit per ten (10) acres.

(3) For purposes of this Subsection, a "critical area" means any natural resource or environmentally sensitive area which is:

A. subject to the standards set forth in Article 5, Division 4 of this chapter in order to protect the public health, safety and general welfare, and

B. protected by a conservation easement; and

C. physically developable at the development potential described in subsection (2), above, as certified by a registered professional engineer.

(4) For purposes of this subsection, and "Agricultural Area" means any tract or parcel:

A. Which has a valid, unexpired agricultural appraisal approved by the chief appraiser of the Bexar Appraisal District pursuant to the "Assessments of Lands Designated for Agricultural use" authorized by the Texas Constitution, Article VIII, Section 1-d and described in §§ 23.41 through 23.47 of the Texas Tax Code; or Which has a valid, unexpired agricultural appraisal approved by the chief appraiser of the Bexar Appraisal District pursuant to the "Open-Space Land" methods authorized by Texas Constitution, Article VIII, Section 1-d-1 and further described in §§ 23.51 through 23.59 of the Texas Tax Code; and

B. Is protected by a conservation easement; and

C. Is not used as a concentrated animal feeding operation, as defined in 40 C.F.R. part 122, which contains more than one-thousand (1,000) animal units.

Commentary: for useful descriptions of the agricultural tax appraisal methods, see Texas Real Estate Center Publication 1361, "Ag use Exemption: Fact or Fiction", and Bexar Appraisal district, "Agricultural & Livestock Guidelines" (June 10, 1998).

(5) For purposes of this subsection, a "transportation corridor" means any proposed right-of-way for an arterial street, Thoroughfare, or light rail line as designated in the Thoroughfare Plan, and which is dedicated to and accepted by the city, TXDOT, or VIA.

(6) Documentation of compliance with the requirements for eligibility as a Sending Area shall be submitted with the application for development approval requesting an increase in density in the receiving area provided, however, that the proposed development in the sending area may be approved subject to completion of such requirements including, but not limited to, recordation of a conservation easement or approval of an agricultural or open space land tax appraisal, as a condition of development approval.

35-361 continued

(7) Flood plains and other un-buildable areas shall not qualify as TDR sending areas.

(b) Receiving Districts Designated

No severable development rights shall be exercised in conjunction with the development of subdivision of any parcel of land that is not located in a receiving district. A parcel of land which receives developments rights pursuant to this Section shall be referred to as a "receiver site." The following districts are hereby designed as receiving districts for purposes of transferring severable development rights:

TND	traditional neighborhood development district
"TOD"	Transit-oriented development district
"IDZ"	Infill development zone

(c) Timing

Development rights allotted to a sending area may be transferred to any person at any time and shall be deemed, for taxation and all other purposes, to be appurtenant to the land from which the rights are transferred until a development order is issued authorizing use of the development rights at a receiver site, at which time they shall attach to the receiver site for all purposes.

(d) Recordation Of Transfer Of Development Rights

(1) **Conditional Zoning District.**

No development rights shall be used on the receiving site until a conditional zoning district has been approved as provided herein. The conditional zoning district shall include a condition requiring recordation of a deed in accordance with the requirements of subsection (2), below.

(2) Right-of-Way Dedication.

Prior to issuance of a building permit, the owner of the transferor parcel has recorded a deed in the chain of title of the transferor parcel expressly restricting the use of the land in perpetuity to open space, agricultural lands (excluding feedlots/concentrated animal feeding operations) or street/road right-of-way. The deed restriction shall be expressly enforceable by the city council and the director, and a boundary plat for the transferor parcel shall be recorded reflecting the restriction. Within 10 days after the approval of the subdivision plat or issuance of the building permit, the director shall convey to the dedicator a deed for the severable development rights that are attributable to the right-of-way area dedicated. If the deed for the severable development rights conveyed to the dedicator is not recorded in the office of the register of deeds within 15 days of its receipt, the deed shall be null and void.

(e) Evidence Of Restriction Required For Development Approval

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A developer of a receiver site must submit, in conjunction with his application for development approval, evidence that the transferor parcel has been restricted to non-development uses and that a boundary plat has been recorded in accordance with the above provisions. No plat for a subdivision in conjunction with which severable development rights are exercised shall be recorded by the register of deeds, and no new building, or part thereof, or addition to or enlargement of an existing building, that is part of a development project in conjunction with which severable development rights are exercised shall be occupied, until documents have been recorded in the office of the register of deeds transferring title from the owner of the severable development rights to the city council and providing for their subsequent extinguishment.

(f) Severable Development Treated Interest In Real Property

Once a deed for severable development rights has been transferred by a city or county to the dedicator and recorded, the severable development rights shall vest and become freely alienable.

(g) Notice And Hearing Requirements

Any proposed transfer of development rights from the sending property or to the receiving property shall be subject to the notice and hearing requirements of VTCA §§ 211.006 (Procedures Governing Adoption of zoning Regulations and district Boundaries), and 211.007(planning commission) for rezoning (see § 35-403 of this Code).

(h) Preceding Transfer Of Development Rights

Prior to any transfer of development rights, the city council shall adopt an ordinance providing for:

(1) The issuance and recordation of the instruments necessary to sever development rights from the sending property and to affix development rights to the receiving property. These instruments shall be executed by the affected property owners and lien holders.

(2) The preservation of the character of the sending property and assurance that the prohibitions against the use and development of the sending property shall bind the landowner and every successor in interest to the landowner.

(3) The severance of transferable development rights from the sending property and the delayed transfer of development rights to a receiving property.

(4) The purchase, sale, exchange or other conveyance of transferable development rights prior to the rights being affixed to a receiving property.

(5) A system for monitoring the severance, ownership, assignment and transfer of transferable development rights.

35-361 continued

(6) The right of the city council to purchase development rights and to hold them for resale.

(Ord. No. 96564 § 3)

35-362 to 35-369 Reserved

DIVISION 7 SUPPLEMENTAL USE REGULATIONS

35-370 Accessory use Regulations

(a) Accessory structures exceeding thirty (30) inches in height shall be located a minimum distance of five (5) feet from any side or rear property line. In residential districts, however, if an accessory structure has no sills, belt courses, cornices, buttresses, eaves, or similar projecting architectural features, then the minimum distance from any side or rear property line may be reduced to three (3) feet.

(b) Accessory structures on reverse corner lots shall maintain a minimum distance from the side street lot line equal to the depth of the front Setback required on the lot to the rear.

(c) The maximum lot coverage of all accessory structures shall not exceed fifty (50) percent of the total area of the side and rear yards, provided that in residential districts the total floor area does not exceed a maximum of twenty-five hundred (2,500) square feet.

(d) Within nonresidential districts, accessory structures, except for carports, are prohibited within the side and rear Setback areas of lots adjacent to residential district. The total floor area of all accessory structures shall not exceed 2,500 square feet.

35-371 Accessory Dwellings

Accessory (left) and Principal (right) Dwellings

Purpose: Affordable housing and neighborhood stability are important public objectives in the city of San Antonio. In recent years, accessory dwellings have become an important method to permit families to remain in their homes by securing rental income, while at the same time providing affordable housing for the elderly, single-person households, students, and other needy populations. Accessory dwellings are also known as "carriage houses," "granny flats," or "echo homes" (an acronym for "elder cottage housing opportunities").

The provisions of this section implement Policy 4i (Neighborhoods) of the Master Plan, which requires the city to permit carefully controlled accessory housing in single-family residential zoning districts.

(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

35-371 continued

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 leases 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.

(5) The accessory dwelling shall not exceed eight-hundred (800) square feet of gross floor area in any single family residential zoning district other than the “FR” zoning district, 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.

(b) Accessory Detached Dwelling Units

Where permitted pursuant to § 35-311 of this chapter, an accessory detached dwelling unit (ADDU) shall not be established except in accordance with the following criteria:

(1) The building footprint for the ADDU shall not exceed 40 percent (40%) of the building footprint of the principal residence. The “building footprint” shall include porches, but shall not include patios.

(2) Total floor area of the ADDU shall not exceed 800 square feet or be less than 300 square feet.

(3) An ADDU shall not contain more than one (1) bedroom.

(4) Only one (1) accessory unit shall be permitted per lot.

35-371 continued

(5) Parking areas shall be located behind the front yard.

(6) In order to maintain the architectural design, style, appearance and character of the main building as a single-family residence, the ADDU shall have a roof pitch, siding and window proportions identical to that of the principal residence.

(7) Accessory detached dwelling Units shall require a minimum setback from the rear and side property lines of (5) five feet.

(c) Attached Accessory Dwelling Units

(1) The gross floor area of the accessory apartment shall not exceed thirty-five percent (35%) of the total living area of the principal dwelling Unit.

(2) Occupancy of the accessory apartment shall not exceed one person per two hundred (200) square feet of gross floor area.

(3) Attached accessory dwelling Units shall be in compliance with the required setbacks of the primary structure required by the underlying zoning district.

(Ord. No. 96564 § 3, Ord. No. 97568 § 2, Ord. No. 100126)

35-372 Affordable Dwelling Units

The purpose of this section is:

- *to provide affordable shelter for all residents of the city;*
- *to address housing needs,*
- *to promote a full range of housing choices,*
- *to encourage the construction and continued existence of moderately priced housing by providing for optional increases in density in order to reduce land costs for such affordable housing.*

This section implements the following provisions of the Master Plan:

- *Neighborhoods, Policy 4a: Require affordable housing providers to complement the architectural design and character of the neighborhood in which new housing is being constructed.*

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- *Neighborhoods, Policy 4e: Facilitate the provision of affordable housing by the private sector.*
- *Neighborhoods, Policy 4e: Provide incentives for private housing providers who provide affordable housing designed to meet the goals set forth in the five-year housing master policy.*
- *Neighborhoods, Policy 4e: Review zoning, subdivision ordinances, building codes, and related development-control ordinances and administrative procedures, to identify and overcome barriers to affordable housing.*
- *Urban Design, Policy 1c: Support and promote mixed-use residential development that will include a mix of multi-family units and single family homes in varying sizes, types and price ranges.*

(a) Applicability

(1) Generally.

The provisions of this section shall apply to any application for development approval, as set forth in subsection (2) below, which include affordable dwelling units with the maximum ratio specified in column (B) of Table 372-1, below. For purposes of this section, an "affordable dwelling unit" means any dwelling unit restricted as low income housing or very low income housing.

(2) Qualifying Applications.

The provisions of this section apply to a site, or a portion thereof, which is the subject of an application for a rezoning, master development plan, or subdivision plat.

(b) Architectural Design and Character

Affordable dwelling units shall comply with the residential urban design criteria (§ 35-372) of this ordinance.

(c) Density Bonus And Set-Aside Requirements

(1) A qualifying application (as defined in subsection (a) of this section) may be approved with an increase in the density of the site as set forth in Table 372-1. The applicant shall consent to a voluntary and enforceable condition in which the specified percentage of the developable density of the site, as specified in column (B) of Table 372-1, is reserved as affordable dwelling units as defined in subsection (a) of this section.

(2) *Table 372-1* shall be construed as follows:

35-372 continued

A. Determine the category of housing as set forth in column (A).

B. Determine the required set-aside for the application xategory by referring to column (B). For purposes of this subsection, the number of affordable dwelling units required is determined by multiplying the total number of dwelling units permissible on the site as set forth in Table 310-1 by the percentage prescribed in column (B) of Table 372-1, below.

C. Determine the density increase that may be awarded by referring to column (C). For purposes of this subsection, the additional density that may be awarded is determined by multiplying the total number of dwelling units permissible for the site as set forth in Table 310-1 by the percentage prescribed in column (C) of Table 372-1, below. The city shall not require the additional dwelling units to be restricted as to income.

Example: A 20-acre parcel is zoned R-6 (6 dwelling units per acre in Table 310-1). 30% of the parcel is devoted to right-of-way and open space, leaving 14 acres developable for lots. The developer can subdivide the tract into 101 lots as a Conventional Subdivision (14 acres ÷ 6,000 square feet per lot). The applicant agrees to restrict 10% of the units, or 10 units (101 units x 10% (column (B) of Table 372-1, below), as Low Income Housing. The developer may construct an additional 20 dwelling units (101 x 20% (column (C)), or a total of 121 dwelling units.

(3) In some instances, developers will not be able to provide the number of dwelling units permissible after applying Table 372-1. In such cases, the applicant may reduce the number of affordable dwelling units. However, the number of affordable dwelling units provided in such cases must at least equal the ratio. To the additional units which result from dividing column (B) by column (C) and multiplying the dividend by the number of affordable dwelling units required under subsection (2), above.

Example: In the 20-acre parcel discussed in the example under subsection (2), above, the developer is able to construct only 10 additional dwelling units because of floodplain restrictions. In Table 372-1, column (B) (10%) ÷ column (C) (20%) is 50%. 10 affordable dwelling units were required by subsection (2), above. The applicant may reduce the number of affordable dwelling units provided by 50%, or by 5 units.

TABLE 372-1

(A)	(B)	(C)
APPLICATION CATEGORY	**SET-ASIDE**	**DENSITY BONUS**
Low Income Housing	10%	20%
Very-low Income Housing	5%	10%

(d) Project Phasing

No qualifying application shall be approved unless the applicant consents to a condition that building permits for the dwelling units that are not affordable dwelling units (hereinafter “market rate units”) shall be issued as follows:

(1) Building permits may be issued for the first fifty percent (50%) of the market rate units prior to the construction and offering for sale or rental of any affordable Dwelling Unit.

(2) No building permits may be issued for the next twenty-five percent (25%) of the market rate units (i.e., from 51% up to 75% of the approved market rate units) prior to the construction and offering for sale or rental of at least twenty-five percent (25%) of the approved affordable dwelling units.

(3) No building permits may be issued for the next fifteen percent (15%) of the market rate units (i.e., from 76% up to 90% of the approved market rate units) prior to the construction and offering for sale or rental of at least seventy-five percent (75%) of the approved affordable dwelling units.

(4) No building permits may be issued for the remainder of the market rate units (i.e., from 91% to 100% of the approved market rate units) prior to the construction and offering for sale or rental of 100% percent (100%) of the approved affordable dwelling units.

(e) Enforcement

The city council or its designee may enforce compliance with the standards of this Section and may impose penalties for noncompliance as set forth in Article IV of this chapter.

(f) Administration

(1) Affordable dwelling units shall be offered for sale or rent exclusively to persons, households or families who meet the income criteria for “low income housing” or “very-low income Housing,” as defined in Appendix “A” of this chapter, hereinafter target households.

(2) The provisions of this section may be administered by the neighborhood action department of the city of San Antonio (“NAD”). The NAD or a community housing development organization (CHDO) shall have an exclusive right to purchase any units be offered for sale to Target Households but not purchased or rented within a time period mutually agreed upon between the Applicant and NAD or a CHDO.

(3) Affordable dwelling unit sales prices throughout the city shall be established by NAD initially and shall be adjusted semiannually, based on a determination of all ordinary, necessary and reasonable costs required to construct the affordable dwelling unit prototype dwellings by private industry, and other information such as the area's current general market and economic conditions, provided that sales prices not include the cost of land, on-site sales commissions and marketing expenses, but may include, among other costs, builder-paid permanent mortgage placement costs and buy-down fees and closing costs except prepaid expenses required at settlement.

(4) Affordable dwelling unit rental prices shall be established by NAD initially and shall be adjusted semiannually, based on a determination of all ordinary, necessary and reasonable costs required to construct and market the required number of affordable dwelling rental units by private industry in the area, and other information such as the area’s current general market and economic conditions.

(5) Prices for re-sales and re-rentals shall be controlled by NAD or a CHDO designated by the Applicant for a period of fifty (50) years after the initial sale or rental transaction for each affordable dwelling unit.

(6) The sales and rental price for affordable dwelling units within a development shall be established such that the owner/applicant shall not suffer economic loss as a result of providing the required affordable dwelling units. "economic loss" for sales units means that result when the owner or applicant of a development fails to recoup the cost of construction and certain allowances as may be determined by NAD for the affordable dwelling units, exclusive of the cost of land acquisition and costs voluntarily incurred but not authorized by this Section, upon the sale of an affordable dwelling unit.

35-373 Attached Dwellings (Duplexes, Rowhouses, and Townhouses, Zero-Lot Line, Cottages, and Housing for Older Persons

(a) Applicability

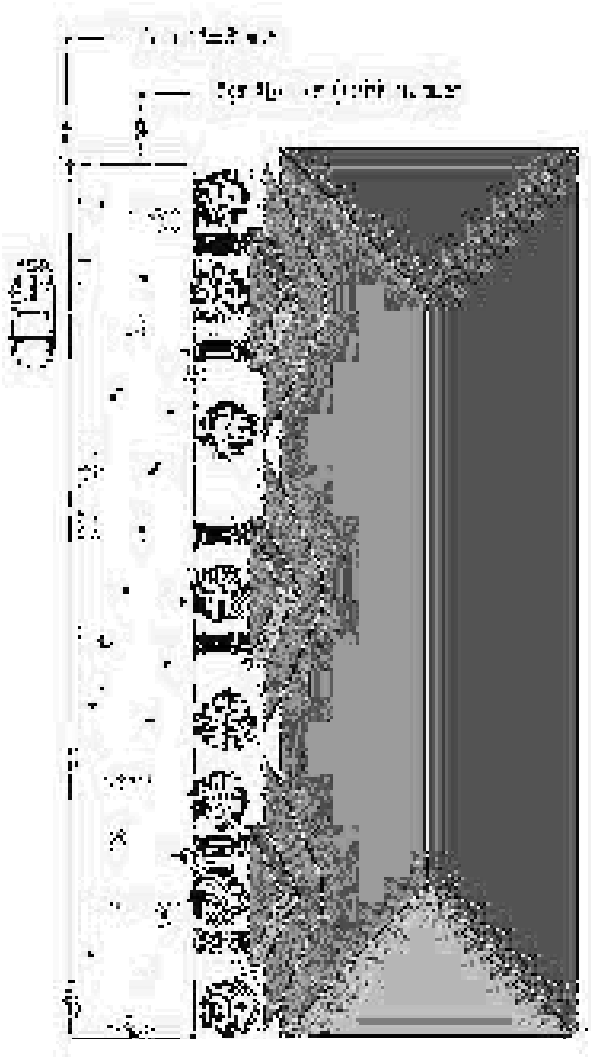
The provisions of this section apply to any single-damily attached dwelling, duplex, rowhouse, townhouse, zero-lot line house, cottage, or housing facility for older persons.

(b) General Criteria

(1) No front yard or side yard is required.

(2) A rear yard setback shall not be required when the townhouse lot abuts an alley or driveway having a minimum right-of-way width of twenty-four (24) feet which is used to provide ingress and egress to such townhouse development.

(3) On townhouse lots that do not abut, at the rear, an alley or driveway having a minimum width of twenty-four (24) feet, a twelve foot rear yard setback shall be required. At least six hundred (600) square feet of contiguous open area shall



Contiguous open space (35-373(b)(3))

be provided behind the front setback. The "contiguous open area" may consist of lawns and/or landscaped areas, but shall not include parking, driveways, or other impervious surfaces other than walkways from the front entrance to the street or parking areas.

(4) The minimum lot depth shall be eighty (80) feet.

(5) Attached dwelling units shall not be subject to the minimum lot size.

(g) Townhouse or Rowhouse Development

(1) Except in the "TOD" district, no townhouse development shall exceed a density of more than twenty (20) units per gross acre.

(2) The total dwelling units in any single townhouse structure shall not exceed ten (10) nor be less than two (2).

(d) Cottage Housing Developments

The following regulations apply to cottages and cottage housing developments (CHDs). For purposes of this subsection (d), a "cottage" means a single-family detached dwelling which meets the requirements of this section, and a "cottage housing development" means a lot, parcel, or contiguous development site on which one or more cottages are located.

(1) Density and Minimum Lot Area.

A. In CHDs the permitted density shall be as follows:

Zoning District	Lot or Parcel Square Footage per Unit	Dwelling Units per Acre
Infill Development Zone "IDZ"	2,900	15
Residential Mixed ("RM-4")	3,300	13
Residential Mixed ("RM-5")	3,900	11
Residential Mixed ("RM-6")	4,800	9

B. The minimum lot area for a CHD shall be eleven thousand six hundred (11,600) square feet.

C. On a lot to be used for a CHD, an existing detached single-family residential or duplex, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased.

(2) Height Limit and Roof Pitch.

A. Cottages shall not exceed eighteen (18) feet or one and one-half (1½) stories in height

B. The ridge of pitched roofs with a minimum slope of six to twelve may extend up to 25 feet. All parts of the roof above eighteen feet shall be pitched.

(3) Lot Coverage and Floor Area.

A. The maximum lot coverage permitted for principal and accessory structures in a CHD shall not exceed forty percent (40%).

B. The maximum first floor or principal floor area for an individual principal structure in a CHD shall not exceed eight hundred (800) square feet.

C. The total floor area of each cottage shall not exceed either 1.5 times the area of the principal floor area, or nine hundred seventy-five (975) square feet, whichever is less.

(4) Yards.

A. Front yards. The front yard shall be an average of ten (10) feet and at no point shall be less than five (5) feet.

B. Rear yards. The minimum rear yard shall be ten (10) feet.

C. Side yards. The minimum required side yard shall be five (5) feet.

(5) Required Open Space.

A. In lieu of the requirements of § 35-503(b) of this chapter, a minimum of four hundred (400) square feet per unit of common open space is required. A fee pursuant to § 35-503(c) shall not be paid in lieu of this open space.

B. At least 50% of the cottages shall abut the common open space.

C. All of the cottage units shall be within 60 feet walking distance of the common open space.

D. The common open space shall have cottages abutting at least two sides.

E. The open space shall in all other respects conform to the parks and open space standards (§ 35-503) of this chapter.

(6) Parking.

A. The amount of parking spaces shall be as provided in § 35-526(b).

B. Parking may be in or under a structure or outside a structure, provided that:

1. The parking is screened from direct street view by one or more street facades, by garage doors, or by a fence and landscaping.

2. Parking between structures is only allowed when it is located to the rear of the principal structure and is served by an alley or private driveway.

3. Parking may not be located in the front yard.

Parking may be located between any structure and the rear lot line of the lot or between any structure and a side lot line, which is not a street side lot line.

(e) Housing Facilities for Older Persons

(1) For purposes of this subsection (e), a "housing facility for older persons" (hereinafter "HFOP") means any Apartment which complies with the provisions of 24 C.F.R. §§ 100.3 04 – 100.307.

(2) An HFOP shall be permitted as of right:

A. in any "RM-4", "RM-5", or "RM-6" zoning district subject to the requirements of this section, or

B. in any "MF-25", "MF-33", "MF-40", or "MF-50" subject to the standards generally applicable to other uses within such districts.

(3) Prior to issuance of an Application for Development Approval authorizing construction or establishment of an HFOP, the Applicant shall provide to the director of development services:

A. a copy of the policies and procedures required by 24 C.F.R. § 100.306, and

B. a copy of the verification of occupancy required by 24 C.F.R. § 100.307.

(4) An HFOP permitted within the "RM-4", "RM-5", or "RM-6" zoning districts shall comply with the following:

A. The building shall not exceed two (2) stories in height; and

B. The building shall conform to the setback standards generally applicable within the zoning district; and

C. The building shall comply with the minimum and maximum parking standards applicable to multi-family dwellings; and

D. The proposed development shall comply with all applicable standards of Article 5 of this chapter.

(Ord. No. 98697 § 4, Ord. No. 101816)

35-374 Bed and Breakfast

The purpose of this section is to regulate bed and breakfast establishments within the city. Such establishments as specified by zoning district are subject to the conditions of this section.

(a) Applicability

The provisions of this section shall apply to the establishment of any bed and breakfast in the city.

(b) Definitions

Definitions which appear below apply only to this section and shall prevail if in conflict with definitions found elsewhere within this code.

(1) "Distressed structure" means a structure which has been certified by the historic preservation officer as being more than fifty-one (51) percent uninhabitable or vacant, and/or in disrepair for more than two (2) years.

(2) "Owner of the property" means a natural person directly owning at least fifty (50) percent fee simple interest in the property and who shall also occupy the premises as his place of residence.

(c) Number of Guest Rooms per Structure

The maximum number of permitted guest rooms per bed and breakfast establishment within each zoning district shall be as indicated in the following table. Any bed and breakfast establishment with more than twelve (12) guests rooms shall be considered a hotel and shall be required to comply with the zoning provisions for such uses.

Zoning District	Number of Guest Rooms
RE, R-20, NP-15, NP-10, NP-8, R-6, RM-6	2
R-4, R-5, RM-5	1
, RM-4, MH	3
, "MF-25",	5
"MF-33", "MF-40", "MF-50", O-1, O-2	10
"NC", "C-1", C-2, D	12

(d) Certificate of Occupancy

A certificate of occupancy shall be required for all bed and breakfast establishments.

(e) Guest Register Required

The owner/operator shall maintain a current guest register to include names, addresses, fees collected and dates of occupancy of all guests.

(f) Signage Requirements

No signs shall be permitted within residential districts except for a nameplate not exceeding one (1) square foot in size and consisting of the name of the establishment only. This nameplate may

be attached to the building, gatepost, gate, or other permanent fixture to allow visibility from the street.

(g) Parking Space Requirements

One (1) off-street parking space per guest room shall be provided in addition to the required off street parking for the owner/operator. Tandem parking is allowed; however, except for the driveway, the front yard shall not be used for parking.

(h) Cleaning Requirements

The owner/operator shall provide clean linens and towels as necessary, as well as adequate heating, ventilation, water, and sewage disposal. The owner/operator shall maintain the outside area in a clean and sanitary manner and shall properly clean the premises and facilities during the guest's stay and after each guest has departed.

(i) Regulations Pertaining to Bed and Breakfast Establishments Within Any Zoning District

Except as provided for by subsection (3) of this section, no bed and breakfast establishments within these zoning districts may be permitted within three hundred (300) feet laterally and one hundred fifty (150) feet perpendicularly (as below) of any other property authorized for a bed and breakfast use within any zoning district. Such measurements shall be made from the property line of the proposed bed and breakfast to the nearest property line of the existing bed and breakfast. (See Figure 374-1)

Measurement for the location of a proposed bed and breakfast establishment shall be in a straight line (without regard to intervening structures or objects) in three (3) directions. The first measurement shall be from the nearest front property line of the proposed bed and breakfast establishment one hundred fifty (150) feet outward towards the street. The second and third measurements shall be from the two (2) side property lines of the proposed bed and breakfast three hundred (300) feet laterally to the side lot line(s) of adjacent properties.

Specific use permit approval to operate a bed and breakfast establishment within the above measurement formula of one hundred fifty (150) feet and three hundred (300) feet of another bed and breakfast establishment as defined in

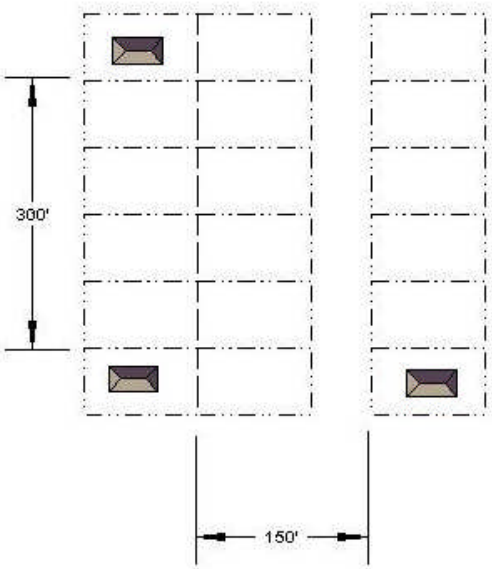


Figure 374- 1

subsection (b) above may be granted for the following structures:

(1) Distressed Structure.

The applicant must demonstrate, and the city council must find:

- The restoration of an historic landmark or structure is a valuable addition to the quality and the character of the city; or
- There is proof that a bed and breakfast use is the only economically feasible way to finance the preservation of the structure; and
- The granting of a special city council approval will not adversely impact the residential quality of the neighborhood in which the structure is located.

***(2)* Non-Distressed Structure.**

The applicant must demonstrate, and the city council must find:

- The public welfare and convenience will be served, as demonstrated by subsections (1) and (2), below.

(3) That nearby streets will not be substantially impacted by the proposed bed and breakfast. To make this determination, the city council shall consider input from the city Traffic Engineer.

(4) The residential character of the neighborhood will not be disrupted in a manner to prevent the adjacent owners from the quiet enjoyment of their property.

- The neighboring property will not be substantially injured by such proposed use.

(j) Regulations Pertaining to Bed and Breakfast Establishments Within The Residential Zoning districts

Bed and breakfast establishments within residential zoning districts shall be managed and occupied by the owner of the property. Permission shall be granted by the director of development services for an on-site manager to be employed by the owner for a time not to exceed one hundred twenty days (120) of a calendar year. If circumstances require the absence of the owner for a period exceeding one hundred twenty (120) days, the director of development services may grant an extension for good cause.

(k) Nonconforming Rights

Properties which are used as bed and breakfast establishments as of May 6, 1999, as well as properties properly zoned for use as bed and breakfast establishments, may be registered as nonconforming uses at the department of development services and upon such registration shall continue as long as the establishment remains in operation as per Article 7 of this chapter. Any

property currently zoned for use as a bed and breakfast, but not used as such, shall within one (1) year from the May 6, 1999 begin to be used as a bed and breakfast for this subsection to apply.

(Ord. No. 95573 § 6, Amendment “F”, Ord. No. 98697 § 4 & 5)

35-376 Day-Care Facilities

The following requirements apply to registered family homes, group day-care homes, nursery schools, and day-care centers.

(a) License and Registration

All group daycare homes, nursery schools, and day-care centers shall have a current license issued by the Texas Department of Human Resources. Registered family homes shall maintain a current registration with the Texas Department of Human Resources.

(b) Standards within Residential Districts

Day-care facilities shall comply with the following conditions within residential zoning districts:

(1) Outdoor play space shall not be permitted within the front yard area.

(2) No signs shall be permitted except for a name plate not exceeding one (1) square foot in size and attached flat to the main structure.

(c) Outdoor Play Areas

The outdoor play space for day-care centers, group day-care homes, and nursery which abut or are located within a residential zoning district shall be enclosed by a six-foot solid (opaque) fence.

(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.

(Ord. No. 100126)

35-377 Family Homes

Family homes are permitted in all residential zones and the “C-1” district, subject to the following conditions:

(a) Not more than six (6) disabled persons, regardless of their legal relationship to one another, and two (2) supervisory personnel may reside in a family home at the same time.

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(b) A family home must provide to the disabled residents the following services: food and shelter, personal guidance, care, habilitation services, and supervision.

(c) The residents of a family home may not keep, on the premise of the home or on the public rights-of-way adjacent to the home, more than one (1) motor vehicle per bedroom for the use of the residents of the home.

(d) A family home must meet all applicable licensing requirements.

(e) A family home may not be established within one-half (1/2) mile of a previously existing family home.

(f) No certificate of occupancy is required for a family home.

35-378 Reserved

35-379 Head shops

(a) Spacing

Notwithstanding any other provisions of this chapter, no head shop shall be established or maintained within one thousand (1,000) feet of any of the following uses:

(1) Property which is temporarily or permanently zoned residential.

(2) Churches.

(3) Hospitals.

(4) Community centers.

(5) Museums.

(6) Parks.

(7) Schools.

(b) Measurement of Spacing

Measurement shall be made in a straight line from the nearest boundary of property so zoned to the nearest part of the building in which such use is made, if the same commercial activity occupies an entire building; provided, that the case of a building which is divided into separate rental or ownership spaces devoted to different uses or enterprises, measurement shall be made to such space or unit of the building in which such use is made.

(c) Registration and Amortization of Nonconforming Uses

Any properties devoted to such use which are so located due to zoning, rezoning, or annexation may be registered as nonconforming uses at the development services department within sixty (60) days from the date of becoming nonconforming with this chapter, by the owners or any other interested party and upon such registration, such use may thereafter be continued for a period not to exceed three (3) years. After termination of the three-year period, such operation and use must cease.

(Ord. No. 98697 § 5)

35-380 Home Occupations

(a) General Requirements

Home occupations are permitted in any dwelling unit subject to the following provisions:

(1) The appearance of the dwelling unit shall not be altered nor shall the home occupation be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, increased traffic or the emission of odors, sounds, or vibrations. The city's noise and nuisance regulations are also applicable.

(2) No outdoor display of goods or outdoor storage of equipment or materials used in the home occupation shall be permitted.

(3) The home occupation shall not involve the use of advertising signs on the premises or any other advertising media which calls attention to the fact that the dwelling unit is being used for a home occupation, with the exception of a telephone number listing. One (1) nameplate not exceeding one (1) square foot in area shall be allowed provided the nameplate is nonilluminated and attached flat to the dwelling unit or visible through a window.

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(4) The home occupation shall be conducted solely by resident occupants of the dwelling unit. No person not permanently residing on the premises shall be employed for hire or as a volunteer.

(5) The home occupation shall be conducted entirely within the dwelling unit except for those necessary outdoor activities related to the care of children. No more than twenty-five (25) percent of the gross area of the dwelling unit shall be used for the home occupation. Use of accessory buildings, garages, or carports for a home occupation is prohibited.

(6) The use of electrical or mechanical equipment that would change the fire rating of the dwelling or create visible or audible interference in radio or television receivers or cause fluctuations in line voltage outside the dwelling unit is prohibited.

(7) The home occupation shall not involve the use of commercial vehicles for delivery of materials to and from the premises.

(8) No direct on-premises selling of goods shall be allowed; however, telephone soliciting is permitted.

(9) No certificate of occupancy is required for a home occupation.

(b) Prohibited Uses

The following uses are prohibited as home occupations:

(1) Vehicle painting, service, or repair.

(2) Barber and beauty shops; however, both beauty shops and barber shops are permitted as a specific use permit.

(3) Animal hospitals, kennels, stables, hospitals, or obedience/training schools.

(4) Restaurants, catering, or the preparation of food for resale.

(5) Furniture repair or upholstering.

(6) Teaching of music, art, dance, or exercise classes to more than two (2) students at any one time.

(Ord. No. 98697 § 6)

35-381 Manufactured Home And Recreational Vehicle Parks

(a) Purpose

The purpose of this division is to achieve orderly development of manufactured home and recreational vehicle parks, to promote and develop the use of land to assure the best possible community environment in accordance with the master plan of the city, and to protect and promote the health, safety and general welfare. Adequate protection shall be provided against any undesirable off-site conditions or any adverse influence from adjoining streets or areas. Throughout this division references and provisions relating to manufactured home parks shall also apply to recreational vehicle parks unless specifically noted.

(b) Procedures

See § 35-424(g) of this chapter.

(c) Arrangement of Building and Facilities

(1) The site including manufactured home stands, patios, buildings and all site improvements shall be harmoniously and efficiently organized in relation to topography, the shape of the parcel, the shape, size and position of buildings and common facilities and with full regard to use and appearance.

(2) Stand Requirements.

The objective of the manufactured home stand requirements set forth in this division is to provide for the following:

A. Practical placement of a manufactured home on its stand by means of a car or conveyor truck.

B. Retention of the manufactured home on the stand in a stable condition and a satisfactory relationship to its surroundings.

C. Practical removal of the manufactured from the lot by means of a car, conveyor truck, or other customary moving equipment.

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(d) Density

(1) A manufactured home park shall be designed with a maximum density of ten (10) units per acre.

(2) Recreational vehicle parks may be designed with a maximum density of twenty (20) units per acre.

(e) Required Recreation Areas

(1) In all recreational vehicle parks there shall be one or more recreation areas which shall be accessible to all park residents. The size of the recreation areas shall be based upon a minimum of one hundred (100) square feet for each lot. No recreational area shall contain less than two thousand five hundred (2,500) square feet.

(2) Manufactured home parks shall provide parks and/or open space consistent with the requirements of § 35-504 of this chapter.

(f) Yards and Distances Between Stands and Buildings

The objectives of yard requirements are:

- *To obtain sufficient distances between the manufactured home stand on its lot and obstructions on adjoining land to assure privacy, adequate natural light and air, and convenient access to the unit.*
- *To provide for circulation around the unit for such uses of the yard spaces as are considered essential to the manufactured home.*

(1) Determination of Yards.

Yard width shall be measured from the required manufactured home stand to the individual manufactured home lot line. At every point it shall be at least equal to the required minimum. Patios, carports and individual storage lockers shall be disregarded in determining yard widths.

***(2)* Yard Requirements.**

Manufactured home stands shall be separated from each manufactured home site line a distance of not less than ten (10) feet on the entry side and five (5) feet on all other sides. Detached accessory structures shall be located no nearer than three (3) feet from any required site line. In no case, however, shall the accessory structure occupy more than thirty (30) percent of the required yard area of the entry side. Accessory structures attached to a manufactured home shall be construed to be a part of that structure and

shall adhere to the yard requirements of same.

(3) **Yards Abutting Common Areas.**

The distance from any manufactured home stand to a street right-of-way shall be eight (8) feet minimum.

(4) Distance to Park Boundaries.

The distance from the line or corner of any manufactured home stand to a boundary line of the manufactured home park shall be as specified for the zoning district.

(g) Streets

(1) Generally.

Streets shall be provided within manufactured home parks to provide convenient circulation by means of local streets and properly located collector streets. Streets within a manufactured home park shall be private streets and shall be maintained by the manufactured home park owner or licensee.

(2) **Design Standards and Construction Specifications.**

The street system shall comply with the standards for private streets as specified in the transportation standards of this chapter.

(h) Driveways

The minimum width of driveways to manufactured home stands and other facilities shall be twelve (12) feet, plus any extra width necessary for maneuvering a manufactured home on a curve.

(i) Drainage Structures

Provision for the collection and disposal of surface and subsurface water to protect buildings and manufactured home stands, and to provide safe and convenient use of streets, lot areas and other improvements shall be required in all manufactured home parks in accordance with the stormwater management standards of this chapter.

(j) Water Supply

Every manufactured home park shall be provided by the park licensee with an ample supply of water under pressure and approved by the director of health. Individual water lines from service outlets to manufactured homes shall comply with the utilities dtandards of this chapter.

35-381 continued

(k) Sewage Disposal

All the sewer lines shall be connected to the public sewage system or a private sewage disposal system approved by the director of health. Individual sewage drains from manufactured homes to the park service connections shall comply with the Utilities Standards of this chapter.

(l) Electrical Power Lines

Electrical facilities shall comply with the rules and regulations regarding placement, installation, operation, and maintenance of electrical facilities as included in, but not limited to, the National Electrical Code and the National Electrical Safety Code.

(m) Fire Hydrants

Standard fire hydrants, in workable condition, shall be located within five hundred (500) feet of each manufactured home. All such fire hydrants shall be connected to not less than a six-inch diameter water line.

(n) Floodplains

Every manufactured home park shall comply with the provisions of the floodplain standards of this chapter, as applicable.

(o) Recreational Vehicles

Any area provided for the use of recreational vehicles shall comply with all provisions of this chapter except as follows:

(1) Density.

Being consistent with good planning practice, the area so designated shall be designed within a maximum density of twenty (20) units per acre.

(2) Distance to Park Boundaries.

The distance from the line or corner of any recreational vehicle stand to a boundary line of the recreational vehicle park shall be adequate to protect the residential use in the park and shall not be less than twenty-five (25) feet where abutting a public street. Yard requirements along other property lines shall be ten (10) feet. However, where the side lot line property abuts a residence district, a minimum side Yard of fifteen (15) feet shall be provided. Where the rear lot line abuts a residence district, a minimum rear Yard of twenty (20) feet shall be provided.

(Ord. No. 98697 § 6)

35-382 Miniwarehouses

Miniwarehouses may be permitted in the zoning districts designated in the use Matrix (Table 311-2), subject to the following limitations, conditions, and restrictions:

(a) A plan of development shall be submitted to the director of development services indicating location of buildings, lot area, number of storage units, type and size of signs, height of buildings, parking layout with points of ingress and egress, and location and type of visual screening and landscaping being proposed.

(b) The development shall be exclusively limited to storage and those activities necessary for the operation, safety and maintenance of the development, in addition to those uses authorized in the applicable districts.

(c) Within the authorized zoning districts, the development shall be permitted by right on sites not exceeding two and one-half (2½) acres unless the site is zoned “L”, “I-1”, or “I-2”. On sites exceeding two and one-half (2½) acres a specific use permit shall be required.

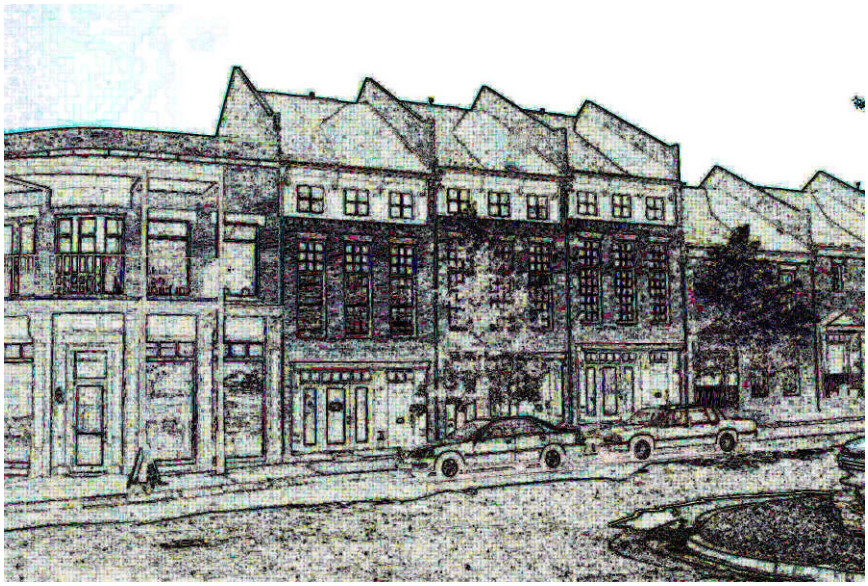
(d) Screening shall be provided adequate to protect adjacent properties in a more restrictive district (all residential districts, “NC”, “C-1”, “O-1” or “O-2” districts) from the environmental impacts of the miniwarehouses such as visual blight, parking or roadway illumination, headlights, noise, blowing papers and dust, and service areas.

(e) No advertising signs will be permitted on the property other than identifying signage of the miniwarehouses facility itself.

(f) All building elevations shall be of finished quality.

(Ord. No. 98697 § 4)

35-383 Mixed Use Buildings and Live-Work Units



Live-Work Units

(a) Mixed-use Buildings or Live-Work Units shall be subject to the following criteria:

(A) Development Standards	(B) Mixed-use Building	(C) Live-Work Units
Locational Criteria	➢ Where permitted by the use Matrix ➢ In any PUD, MPCD, or "MXD"D district ➢ In any TND, "TOD" or Commercial Retrofit use Pattern ➢ In any "IDZ" Zone where at least one adjoining lot is devoted to non-residential uses.	➢ Where permitted by the use Matrix ➢ In any PUD, MPCD, or "MXD"D district ➢ In any TND, "TOD" or Commercial Retrofit use Pattern ➢ In any "IDZ" Zone where at least one adjoining lot is devoted to non-residential uses.
Types of land uses allowed	Residential, Retail, Office, Industrial	Residential, Retail, Office
permitted density or intensity	No density restrictions apply. The building is subject to the setback and dimensional requirements of the Dimensional Matrix.	See subsection (b), below. The building is subject to the setback and dimensional requirements of the Dimensional Matrix.
Distribution of uses	By floor (see below)	By floor (see below)
• uses permitted on first floor	Retail, Office, Industrial	Commercial or office only
• uses permitted on second floor	Residential, Retail, Office, Industrial	Residential only
• uses permitted above second floor	Residential, Office	Residential only

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(b) The density of mixed-use buildings or live-work units shall not exceed the following, at locations where the building is listed as a permitted use in the non-residential use matrix (Table 311-2 – see listing under category "dwelling" and permitted use "dwelling – attached apartments"):

Maximum Density (dwelling units per gross acre)	Ratio of Residential Floor Space to Non-Residential Floor Space (square footage)	Zoning Districts
6	1:1	"C-1", C-2, C-3, D, ERZD
10	1:1	C-2, C-3, D, ERZD
20	2:1	C-3, D, ERZD
50	4:1	D, ERZD

35-384 Nurseries

Nurseries are permitted in all districts provided that in residential districts:

(a) they have no on-premises sales (either retail or wholesale),

(b) they display no advertising signs on the property,

(c) accessory structures do not exceed a total of six hundred (600) square feet in size,

(d) no accessory structure or greenhouse is closer than fifty (50) feet to the front property line or to any adjacent residential zone, and

(e) there is no outdoor storage of equipment or other materials except for Nurseries permitted pursuant to § 35-384 of this Article.

35-385 Oversized Vehicles

(a) License and Inspection Requirement

All oversized vehicles must have a current license and inspection sticker if required by the state in which the vehicle is registered.

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(b) Vehicle Use

Oversized vehicles shall not be used for dwelling, sleeping, or business purposes upon any street, alley, or other public place, or upon any private property except as otherwise specifically allowed in this Code or as follows:

(1) Within a lawfully established recreational vehicle or manufactured home park, a campground, or other like facility which is designed and equipped to provide temporary or permanent accommodations for such vehicles.

(2) An oversized vehicle owned by and registered to a person residing outside Bexar County who is visiting San Antonio may be parked behind the restricted parking area of a property owned by or leased to the host. If the oversized vehicle is designed for occupancy, it may be occupied by the guest, provided, however, such occupancy may not exceed ten (10) days per visit, with a limit of three (3) visits per year for each vehicle. Oversized vehicles shall not discharge any litter, sewage effluent, or other matter except into sanitary facilities designed to dispose of such materials.

(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:

(d) Residential Parking Exceptions

Oversized vehicles may be parked in a driveway or other permanently maintained parking area as specified by section 19-194 of this Code within the restricted parking area in the residential districts specified in subsection (c) above under the following conditions:

(1) Loading.

An oversized vehicle of any type may be temporarily parked in the restricted parking areas for such time as is actually necessary to load or unload passengers, freight, or merchandise.

***(2)* Trip Preparation.**

An oversized vehicle, other than one that is also defined as a truck-tractor, road-tractor, semi-trailer, trailer or commercial motor vehicle with three (3) or more axles, may be

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parked within the restricted parking area for such time as is actually necessary for trip preparation. Trip preparation time shall be limited to a maximum of forty-eight (48) hours prior to use and twenty-four (24) after use twice within any calendar month.

(3) Handicapped Areas.

An oversized vehicle of any type may be parked in the restricted parking area at any time if it bears a special handicapped parking permit (decal) issued by the handicapped access officer of the city of San Antonio.

A. A disabled person who owns an oversized vehicle may apply to the city's handicapped access officer for such a permit if the person has a mobility impairment, uses the vehicle as a primary means of transportation or livelihood, and the vehicle is specially equipped or modified to accommodate the disability.

B. The handicapped access officer may issue such a permit after inquiring into the facts and giving the applicant an opportunity to be heard, if the officer finds that (1) without the vehicle the applicant would be substantially limited in life's activities, (2) the physical handicap is permanent or long term in duration, (3) use of the oversized vehicle is necessary to provide reasonable mobility, (4) parking within the restricted parking area facilitates mobility, and (5) the vehicle has a disabled license plate issued by the State.

C. A permit issued by the handicapped access officer shall be valid for a period of two (2) years. Renewal of the permit shall require re-examination of the facts.

D. If a permit is denied by the handicapped access officer, the applicant may appeal to the board of adjustment in accordance with § 35-482 of this chapter. The board shall have the authority to reverse or affirm, in whole or in part, the decision of the handicapped access officer.

E. It shall be a violation hereof for the holder of a permit issued hereunder to transfer title to the oversized vehicle without contacting the handicapped access officer for cancellation and removing the permit from the vehicle.

(e) Definitions

In this section, the terms truck-tractor, road-tractor, semi-trailer, trailer and commercial motor vehicle shall have the same definitions as set out in Tex. Transportation Code Ann. . 502.001 (Vernon's Pam. 1996). However, such terms shall not mean "recreational vehicle" as that term is defined in Tex. Transportation Code Ann. § 522.004(b) (Vernon's Pam. 1996).

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(f) Penalties

The penalty for violation of any portion of this section is hereby established so that the minimum fine shall be one hundred dollars ($100.00) and the maximum fine shall be two thousand dollars ($2,000.00), provided, however, in the event a defendant has once previously been convicted under this ordinance Number 84874, the defendant, upon conviction, shall be fined an amount no less than two hundred dollars ($200.00) and not more than two thousand dollars ($2,000.00) and upon third and subsequent convictions, the penalty shall be a fine of not less than three hundred dollars ($300.00) nor more than two thousand dollars ($2,000.00).

(Ord. No. 98697 § 6)

35-386 Parking Lots as a Primary Use

Purpose: Parking structures require unique design considerations due to the fact that they can significantly contribute to the building bulk on a site. The provisions of this Section implement the following provisions of the Master Plan:

- *Neighborhoods, Policy 1f: Amend zoning regulations to require special city council approval for parking facilities that displace residences.*
- *Neighborhoods, Policy 5i: Encourage the construction of parking facilities in the downtown area to promote mixed-use and commercial activity centers and to be compatible in use, scale and material with the surrounding natural and built environment.*
- *Neighborhoods, Policy 5i: Encourage placement of parking facilities in locations which will support residential development downtown.*
- *Neighborhoods, Policy 5i: Discourage development of parking garages adjacent to the River Walk, and the city's plazas and parks.*
- *Neighborhoods, Policy 5i: Focus on preserving the housing stock and integrity of neighborhoods when selecting sites for parking facilities.*
- *Neighborhoods, Policy 5i: Analyze downtown's existing and potential growth and activity centers, and strategically construct parking facilities to accommodate maximum parking availability and efficiency.*

(a) Where Permitted

All parking lots shall be permitted as designated in the use Matrix (§ 35-311, Tables 311-1 and 311-2), except as provided in subsection (b), below.

(b) Parking Lots Requiring Demolition of Dwelling Units

Notwithstanding any provision of this chapter to the contrary, the construction of any parking lot

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which involves the replacement, demolition, or destruction of a dwelling unit shall not be undertaken unless and until a specific use permit is approved. The specific use permit shall be approved only if the following standards are met:

(1) The proposed conversion is located within an area classified as commercial, office, industrial, or similar classification in a land use plan adopted pursuant to § 35-420 of this code; or

(2) The structure proposed to be removed cannot reasonably be used or restored to habitable condition; or

(3) The proposed parking is needed and there are no reasonable alternatives for the proposed parking lot for which the demolition is required; or

(4) The proposed parking area will not promote residential disinvestment or promote further conversions of residences to non-residential purposes.

(c) Parking Structure Design Standards

(1) Buffer.

A type C buffer yard as required in the landscaping standards shall be provided in yards adjacent to a residential zoning district.

(2) Frontage.

The maximum frontage of any parking facility shall be restricted to the following unless ground floor retail uses are provided as set forth below:

“D”, “NC”, TND:	35 feet
“O-1”, “C-1”:	50 feet

Parking structures which exceed the frontage requirements as set forth above shall be designed so that a minimum of fifty (50) percent of the length of the exterior ground floor frontages, excluding vehicle entrances and exits, includes ground floor area either built out as, or convertible to, retail, commercial, or service uses. The applicable ground floor area shall extend in depth a minimum of twenty (20) feet from the exterior parking structure facade, provided that the minimum required may be averaged, with no depth less than fifteen (15) feet. The clear interior ceiling height standard for the retail/commercial or service use portion of parking structures shall be a minimum of ten (10) feet. Parking structures with frontages exceeding one hundred fifty (150) feet in length shall incorporate vertical and/or horizontal variation in Setback, material or fenestration design along the length of the applicable facade, in at least one of the following ways:

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A. Vertical Facades shall be designed to incorporate intervals of architectural variation at least every sixty (60) feet over the length of the applicable facade including one or more of the following: (1) Varying the arrangement, proportioning and/or design of garage floor openings; (2) Incorporating changes in architectural materials, including texture and color; and/or (3) Projecting forward or recessing back portions or elements of the parking structure façade.

B. Horizontal Facades shall be designed to differentiate the ground floor from upper floors including one or more of the following: (1) Stepping back the upper floors from the ground floor parking structure facade; (2) Changing materials between the parking structure base and upper floors; and/or (3) Including a continuous cornice line or pedestrian weather protection element between the ground floor and upper floors.

(3) Slopes.

Parking decks shall be flat. At a minimum, a majority of both the ground floor and top parking decks shall be required to be flat, as opposed to continuously ramping.

(4) Top Floor Wall.

Parking structure top floor wall designs must conform to one or more of the following options:

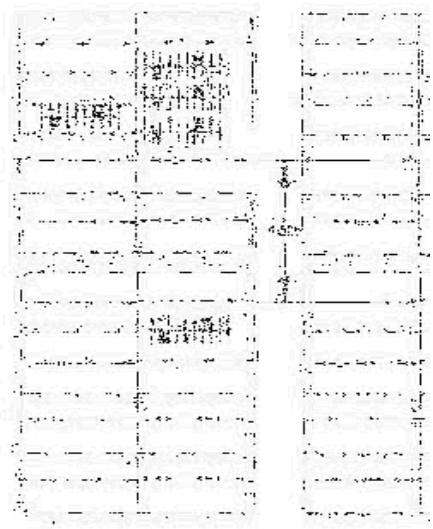
A. Architectural focal point: A prominent edge feature such as a glazed elevator and/or stair tower, or top floor line trellis structure.

B. Projecting Cornice: Top floor wall line articulated through a variation or step in cornice height or detail. Cornices must be located at or near the top of the wall or parapet.

C. Articulated Parapet: Top floor wall line parapets shall incorporate angled, curved or stepped detail elements.

(d) Surface Parking Design Standards

(1) Commercial surface parking areas which are the primary use and which exceed the frontage standards set forth above shall comply with one of the following:



Parking Lot Distancing

35-386 continued

A. Retail uses which comply with the Commercial Design Standards (§ 35-206(m) of this chapter) shall be provided on at least sixty percent (60%) of their frontage.

B. A Class C Buffer shall be installed and maintained on at least eighty percent (80%) of the frontage.

(2) In order to disperse parking facilities throughout commercial areas and to maintain easy walking distances between pedestrian destinations, no parking facility shall be located closer than one-hundred feet (100') to another parking facility. This distance shall be measured along the street frontage on the same side of the street.

35-388 Radio, Television Antenna, and Wireless Communication Systems

(a) Applicability

The provisions established in this section shall apply to the development of wireless communications systems in the "NC", "C", "O", "L", "I-1" and "I-2" districts.

(b) Radio and Television Antenna

Radio and television antenna, limited to those used by the federal licensed amateur radio operators, unlicensed citizens band radio operators, and private citizens receiving television signals, including satellite dish antennae, shall be considered as permissible accessory uses in all zoning districts.

(1) **Height.**

The height of an antennae shall be the total maximum to which it is capable of being raised and shall be measured from the finished grade adjacent to the antenna or antenna support structure if ground-mounted or from the peak of the roof if roof-mounted. Antennae within nonresidential districts shall comply with the height and setback requirements for the particular district. Further, All antenna and antenna support structures shall comply with the height restrictions of the joint airport and airport hazard zoning regulations, of this Article. All antenna and antenna support structures shall comply with the height restrictions of the joint airport and airport hazard zoning regulations, Division 4 this chapter, (35-331 Airport Hazard Overlay District (AHOD)).

(2) **Building Permit.**

A building permit from the Development services department shall be required for the installation of any roof-mounted antenna or antenna support structure over twelve (12) feet above the peak of the roof and any ground mounted antenna or antenna support structure over twenty-five (25) feet in height. A permit shall be issued only when there is full compliance with this section and the applicable provisions of the International Building Code. Applications for a permit shall be accompanied by the following in duplicate:

A. Construction drawings showing the proposed method of installation.

B. The manufacturer' s recommended installations, if any.

C. A diagram to scale showing the location of the antenna, property and Setbacks, easements, power lines, and all structures.

D. Certification by a structural or civil engineer registered by the State of Texas that the proposed installation complies with the structural requirements of the International Building Code.

(3) Maintenance.

All antennas shall be maintained in good condition and in accordance with the requirements of this section. No additions or modifications shall be made to an antenna, unless it is in conformity with the International Building Code and this section.

(4) Historic Landmarks or Historic districts.

The installation of any antenna or antenna support structure within the property of an historic landmark or in an historic district shall require the approval of the historic review board.

(5) Uses Not Permitted.

Antenna not otherwise permitted under these regulations may be permitted as a specific use permit if the applicant is able to present clear and convincing evidence to the board that the effect of the regulations on the applicant precludes effective communication.

(c) Radio and Television Antenna in Residential Zoning Districts

In addition to the regulations in the (b) of this Section, the following shall apply to radio and television antenna in residential districts.

Antenna in residential zoning districts shall be located, designed, constructed and maintained in accordance with the following standards.

(1) Categories Permitted.

Antenna may be roof or ground mounted, free standing or supported by guy wires, buildings or other structures in compliance with the manufacturer's structural specifications. A ground-mounted antennae shall be any antennae with its base mounted directly in the ground even if such an antennae is supported or attached to the wall of a building.

***(2)* Roof Mounted Antenna.**

A. The antenna, including support structure, shall not extend higher than fifteen (15) feet above the peak of the roof, except a single vertical pole antennae may extend up to twenty (20) feet above the peak of the roof.

B. The antenna or antenna support structure shall be located on the roof portion sloping away from the front of the lot if possible. Otherwise the antenna or antenna support structure shall be located on the rear half of the roof.

3. Ground Mounted Antenna.

A. The antenna, including support structure, shall not exceed seventy (70) feet in height

B. The antenna or antenna support structure shall not be located in any required front yard Setback or anywhere in the front yard between the principal building and the front Setback.

(d) Wireless Communication Systems

Wireless communication systems shall be a specific use permit. Prior to filing a request for a zone change with the zoning commission the following requirements must be met:

(1) Building Permit.

A building permit from the development services department shall be required for the installation of any antenna support structure or unmanned equipment shelter developed for a wireless communication system. A permit shall be issued only when there is full compliance with this section and the applicable provisions of the International Building Code. Applications for a permit shall be accompanied by the following in duplicate:

A. Construction drawings showing the proposed method of installation.

B. The manufacturer's recommended installations, if any.

C. A diagram to scale showing the location of the antenna, property and Setbacks, easements, power lines, and all structures.

D. Certification by a structural or civil engineer registered by the State of Texas that the proposed installation complies with the structural requirements of the International Building Code.

E. All antennae shall be maintained in good condition and in accordance with the requirements of this section. No additions or modifications shall be made to an antenna, unless it is in conformity with the International Building Code and this section.

F. All antennae and antenna support structures shall comply with the height restrictions of the joint airport and airport hazard zoning regulations, this Code, as applicable.

No provision within this part exempts requirements for compliance with the landscape ordinance.

(2) Spacing of antenna support structures from residential zoning districts.

Antenna support structures shall be spaced two hundred (200) feet from all residential zoning districts, measured from the base of the antenna support structure to the nearest residential zoning district boundary. Spacing requirements for antenna support structures on property zoned residential shall not apply if the property is vacant, undeveloped, and or unplatted and is located at least two hundred (200) feet, measured from the base of the antenna support structure to the nearest residential land use.

(3) Equipment Buildings.

The wireless communication system unmanned equipment buildings shall not have more than seven hundred fifty (750) square feet of gross floor area and shall not be more than twelve (12) feet in height.

(4) Design in Residential Zoning Districts.

Antenna support structures developed after the adoption of these regulations located in residential zoning districts must be monopole design. The height of antenna support structures in all districts may not exceed one hundred ninety-nine (199) feet. If the city council approves a height of an antenna support structure which exceeds one hundred ninety-nine (199) feet, the spacing of the antenna support structure to the nearest residential district must be at a minimum equal to one hundred ten (110) percent of the height of the antenna support structure.

(5) HDRC Review.

Antenna support structure towers are prohibited if they are: within two hundred (200) feet of the San Antonio River; or within two hundred (200) feet of a historic landmark; or within two hundred (200) feet of a historic district or River overlay district; or within a historic district or River overlay district. . In conjunction with consideration by the zoning commission the application for city council approval may be presented to the Historic Design and Review Commission (HDRC) if the antenna support structure is located within two hundred (200) feet of the Riverwalk or within a historic district.

(e) Wireless Communications Systems permitted by Right

Wireless communication systems shall be a use permitted by right in all zoning districts and not subject to the requirements of § 35-311, permitted uses, if:

(1) The requirements set forth in subsections (d)(1) through (d)(5) of this Section are met; and,

(2) The antenna support structures must be constructed to support a minimum of two (2) antenna arrays from two (2) separate wireless communication system providers or users.

(3) No provision within this part exempts requirements for compliance with the Landscaping Standards of this chapter.

(4) The historic preservation officer shall review the permit request if the proposed wireless communication system is located within two hundred feet (200) of the Riverwalk or within a historic district. The permit request may be presented to the Historic Design and Review Commission (HDRC) for a recommendation if the antenna support structure is located within two hundred (200) feet of the Riverwalk or a historic landmark or within a historic district.

(f) Wireless Communication Systems in Public Right-of-Way

Wireless communication systems shall be a use permitted by right in all zoning classifications if the land, structures, rights-of-way or easements are owned, leased or used by the city of San Antonio, San Antonio Water System, or city Public Service Energy ; if:

(1) Generally.

A. City Public Service Energy electrical substations and power generation plants shall be reviewed by the historic and design review commission if they are within two hundred (200) feet of the river overlay district, or if they are two hundred (200) feet of a historic landmark, if they are within two hundred (200) feet of a historic district, or if they are within a historic district.

B. The requirements set forth in subsections (d)(1), (d)(3), and (d)(5) of this part are met, subsection (d)(6) shall not apply to City Public Service Energy electrical substations and power generation plants.

***(2)* Spacing of Antenna Support Structures From Residential Structures.**

Subject to provisions set forth in subsection (5), antenna support structures shall be spaced from all residential structures, at a minimum equal to one hundred fifteen (115) percent of the height of the antenna support structure, measured from the base of the antenna support structure to the nearest residential structure. Spacing requirements for antenna support structures on property zoned residential shall not apply if the property is vacant, undeveloped, and or unplatted and is located at least two hundred (200) feet, measured from the base of the antenna support structure to the nearest residential structure. Spacing requirements for antenna support structures shall not apply to existing City Public Service Energy electrical substations and power generation plants.

***(3)* Co-Location.**

All antenna support structures must be constructed to support a minimum of two (2) wireless communication system antenna arrays from two (2) separate wireless communication system providers or users. Antenna support structures erected on City Public Service Energy electrical substations shall not be subject to construction standards that require design and construction to support two (2) or more antenna array.

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(4) Prohibitions Regarding the River Walk, Historic Landmarks, and Historic districts.

Wireless communication towers shall be prohibited in all zoning classifications if the land, structures, rights-of-way or easement s are owned, leased or used by the city of San Antonio, San Antonio Water system, or City Public Service Energy and are within two hundred (200) feet of the river overlay district, or are within two hundred (200) feet of a historic landmark, or are within two hundred (200) feet of a historic district, or are in a historic district. The historic preservation officer shall review the permit request and if the proposed wireless communication system is located within two hundred (200) feet of the Riverwalk or within a historic district.

(5) Spacing Exemptions.

Antenna array may be attached to existing antenna support structures, transmission towers, existing poles and water tanks and towers in all zoning districts, without spacing requirements; if,

- The pole replaced or modified is a functioning utility pole or light standard within a utility easement or public right-of-way, recreation facility light pole, or antenna support structure; and,
- The replaced or modified antenna support structure, including antenna array, does not exceed the height of the original utility, light standard, or recreation facility pole by more than twelve (12) feet, or the height of the original telecommunication tower and antenna array; and,
- The pole replaced with an antenna support structure does not obstruct a public sidewalk, public alley, or other public right-of-way; and, pole appearance and function, except for antenna, are not significantly altered.

***(6)* Building Permit Exemptions.**

No building permit shall be required for wireless communication systems developed on city Public Service Energy electrical substations and power generation plants.

(7) Landscaping Standards.

No provision within this part exempts requirements for compliance with the landscaping standards of this chapter

(Ord. No. 98697 § 5 & 6)

35-390 Sanitary Landfills, Solid Waste Facilities

Sanitary landfills and solid waste facilities are permitted in the “I-2” heavy industry district, subject to special approval by the city council and the following conditions:
(Ord. No. 98697 § 6)

(a) Separation Distance

A minimum separating distance of one hundred (100) feet shall be maintained between disposal operations and the perimeter of the site.

(b) Fencing

A chain-link fence with a minimum height of six (6) feet, shall be installed along the perimeter of the site.

(c) Buffering

A thirty (30) foot greenbelt shall be established and maintained adjacent to the fence along the site perimeter. The greenbelt shall be established prior to issuance of a certificate of occupancy and shall include, as a minimum, the following number of plants per one hundred (100) linear feet of greenbelt: Five (5) canopy trees, and fifteen (15) shrubs.

Existing trees and shrubs may be counted toward satisfying the greenbelt requirement. Newly planted vegetation shall meet the minimum size standards required by section 35-3168, "buffering techniques," and shall consist of native or naturalized low maintenance species. Once the zoning is approved by the city council, the applicant shall submit three (3) copies of a greenbelt plan, drawn to scale, to the director of environmental services for approval. The plan shall be prepared and signed by a registered landscape architect and shall include the following information:

(1) Location and type of existing vegetation, if any.

(2) General location and species of proposed canopy understory trees, and shrubs.

(3) Description of how the greenbelt will be maintained to include provision for adequate irrigation.

(4) Property lines.

The director of environmental services shall approve or disapprove the plan within twenty (20) working days of submittal. If approved, a copy of the plan shall be forwarded to the director of development services for use in issuing the certificate of occupancy.

(d) Land Use Plan

The zoning application shall be accompanied by a land use plan indicating the following information:

- Character of the surrounding land uses within one mile of the proposed facility.
- Proximity to residences and other uses (schools, churches, cemeteries, historic structures and sites, archaeologically significant sites, sites having exceptional aesthetic quality, etc.). Give the approximate number of residences and business establishments within one mile of the proposed facility including the distances and directions to the nearest residences and businesses.
- Availability and adequacy of access roadways, to include types of surfacing, pavement widths, complete details of upgrading required, any significant roadway limitations (structures, surfacing, sight distances, alignment, dust hazards, weight limits, etc.), and estimate the number, size, and maximum weight of vehicle expected to use the site daily.
- Volume of vehicular traffic on access roads, both existing and expected, during the life of the proposed facility.
- Existing and proposed elevations of the landfill and the area within one mile of the proposed facility.

(e) Monitoring System

A monitoring system approved by the director of environmental services shall be installed to detect any lateral migration of methane and other decomposition gases.

(Ord. No. 98697 § 1, 4 & 6)

35-391 Schools, Public

Consistent with Texas law, the provisions of this chapter shall not be construed to regulate the location of public schools. However, public schools shall be required to comply with the dimensional standards (§ 35-310) and the provisions of Article 5 of this chapter to the extent not preempted by state law.

35-392 Sexually Oriented Business Regulations

These regulations are authorized by VTCA Local Government Code Chapter 243.

(a) Applicability

These regulations shall apply to all sexually oriented businesses operating on or after the effective date of this ordinance. Further, any sexually oriented business annexed by the city after the effective date of this ordinance shall be subject to all the requirements of this section. Existing sexually oriented businesses shall refer to this section and to nonconforming use regulations (Article VII, Division 1 of this chapter) to determine their appropriate classification.

(b) Property Uses Requiring Separation

Notwithstanding any provision of this code to the contrary, it shall be a violation to use or occupy land or a building for the purpose of operating or maintaining a sexually oriented business within one thousand (1,000) feet from property (referenced within this section as protected property," "protected use" or "protected zone") that is described as follows:

(1) Another sexually oriented business;

(2) Any property located within a “RP” or a Residential zoning district, whether temporary or permanent, or devoted to a residential use, including any land zoned for one of the aforementioned residential uses which is also described as a planned unit development or traditional neighborhood development, but excluding airports;

(3) Any property devoted to church, synagogue, mosque, or other religious worship facility used primarily for religious worship;

(4) Any public or private elementary, secondary or high school; or

(5) Any public park.

(c) Method of Measurement and Survey Requirements

(1) Sole Tenant.

Measurements shall be in a straight line, without regard to intervening structures or objects, from the nearest property line of the lot on which the sexually oriented business is located, to the nearest property line of the protected properties described in the above subsection (a), which requires separation. This method of measurement shall apply to a sexually oriented business which is the sole tenant, within one building, located on one platted lot.

(2) Multiple Tenants.

Measurements shall be in a straight line, without regard to intervening structures or objects, from the nearest point of the occupied space of the sexually oriented business to the nearest property line of the protected property described in the above subsection (a) which requires separation. This method of measurement shall apply to a sexually oriented business which is a tenant within a multiple tenant building.

(3) Easements Excluded.

In calculating the distances described in subsection (b)(l) and (b)(2) immediately above easements (such as right-of-way, drainage and utility easements) that are zoned as, or abut, a protected property classification, shall not be considered as part of the protected property.

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(4) Surveyor.

A certified survey prepared by a licensed surveyor or licensed engineer showing distance measurements in accordance with (1) and (2) of this subsection shall be submitted to the director of development services for all sexually oriented businesses as part of the application for the certificate of occupancy. Any certificate of occupancy issued for a building or facility used to conduct a sexually oriented business without submission of the required survey shall be null and void.

(d) Downtown District Prohibition

In addition to the location restrictions of subsection (a), it shall be a violation to operate, own, manage, or maintain a sexually oriented business within the "D" Downtown district.

(e) Nonconforming Rights

See § 35-708 of this chapter.

(1) Annexation.

Any sexually oriented business annexed by the city after the effective date of this ordinance shall be subject to all the requirements of this section.

(f) Certificate of Occupancy

See § 35-424(c) for procedures for issuance of a certificate of occupancy for a sexually oriented business.

(g) Violations Subject to Criminal and Civil Penalties

See § 35-497 of this chapter.

(Ord. No. 98697 § 4 & 6)

35-393 Subdivision Sales Offices

(a) Permitted

Subdivision sales offices shall be permitted in any district on a temporary basis for a two-year period or until sales of ninety-five (95) percent of the houses in the subdivision have been consummated, whichever is greater.

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(b) Definition of Service Area

An official map of the addition to be served, along with the proposed office location, shall be furnished the director of development services at the time the permit for such office is requested.

(c) Occupancy Permit Required

Occupancy permits shall be reviewed at six (6) month intervals by application with the director of development services.

(d) Signs

Advertising signs, limited to four (4) in number, and restricted to identification of the land developer and to advertising of residences for sale will be permitted. Such signs shall be limited to two hundred eighty-eight (288) square feet in area and shall not be of neon or flashing type. Also, temporary signs advertising individual homes for sale will be permitted when limited to a maximum of twelve (12) square feet.

(e) Removal of Improvements

Any lighting, paved area, curb cuts, or signs erected or constructed for use of such office shall be removed and the property returned to complete residential character upon expiration of occupancy permit.

(f) Construction and Location

This operation shall be conducted for sales within the subdivision. The office shall be used for sale of houses within the applicable addition only and shall be used for no purpose other than that of conducting sales of residences or for residential use.

(Ord. No. 98697 § 4)

35-394 Transitional Homes

A transitional home established after November 17, 1997, shall not be located within one thousand five hundred (1,500) feet of any public/private elementary, middle or high school, public/private children's day care facility requiring a certificate of occupancy and/or public park.

(a) Method of Measurement and Survey Requirements

(1) Measurements shall be in a straight line, without regard to intervening structures or objects, from the nearest point of the platted property line of the lot on which the

transitional home is situated to the nearest point on the property line of a public/private elementary, middle or high school, a public/private children's day care facility requiring a certificate of occupancy, and/or public park.

(2) A certified survey prepared by a licensed surveyor or licensed engineer showing distance measurements in accordance with this subsection shall be submitted to the director of development services for all transitional homes as part of the application for the certificate of occupancy. Any certificate of occupancy issued for a building or facility used to conduct a transitional home without submission of the required survey shall be null and void.

(b) Signage

All structures used as a transitional home must have an all weather lighted sign of two (2) feet by four (4) feet message area identifying the facility as a transitional home for parolees.

(c) Building Standards

(1) No more than two (2) parolees may be assigned to a single bedroom.

(2) One bedroom with two (2) separate beds must be available twenty-four (24) hours a day for each two (2) paroles housed within the facility.

- A bedroom housing one (1) parolee shall have a minimum of one hundred (100) square foot of usable floor space exclusive of closets or other personal storage areas. A bedroom housing two (2) parolees shall have a minimum of one hundred fifty (150) square foot of usable floor space exclusive of closets or other personal storage areas.
- One bathroom consisting of a tub and/or shower and one toilet, and two (2) lavatories shall be provided for each four (4) parolees housed.
- A common room for leisure activities shall be provided at the rate of two hundred (200) square foot for the first two (2) parolees and an additional fifty (50) square foot for each additional two (2) parolees.
- A full kitchen must be maintained and will be subject to compliance with applicable codes and inspection by the San Antonio Metropolitan Health district.

(d) Lot Standards

A rear yard area of fifty (50) square foot per parolee housed shall be provided for the occupants.

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(e) Staffing

The transitional home shall be staffed twenty-four (24) hours a day with one attendant per fifteen (15) parolees.

(f) Parking

(1) All required parking shall be provided off-street.

(2) One space per attendant and one space per six (6) parolees shall be provided.

(g) Outdoor Activities

Outdoor activities shall be limited to the hours of 6:00 a.m. until 9:30 p.m. seven (7) days a week.

(h) Nuisance

The transitional home may be considered a public nuisance if any of the following occurs:

(1) More than two (2) police disturbance calls are recorded within a three-month period involving parolees housed at the transitional facility.

(2) A code violation notice goes uncorrected for more than thirty (30) days; or

(3) More than five (5) nuisance complaints from adjoining property owners are received and validated by the police department within a six-month period. If the director of code compliance determines that any of the three (3) provisions occur, he shall request that the city attorney take court action to abate the nuisance where appropriate under law.

(i) Permissible Tenants

(1) No tenant or parolee may occupy a transitional home in any capacity if previously convicted of a sex oriented crime, child molestation, and/or murder in any degree.

(2) No tenant or parolee may occupy a transitional home without first being screened for tuberculosis. The operator of the transitional home must demonstrate that any tenant or parolee testing positive for tuberculosis is of no danger to other tenants or parolees relative to possible transference or infection of said residents.

(j) Violations

Violation of any provision of this ordinance is a Class C misdemeanor and upon conviction violators are subject to the provisions of the city code of the city of San Antonio, Texas, entitled "Unified Development Code Section 55-1024." If the provisions herein are in conflict with preemptive state or federal law then the transitional home shall be required to comply with the applicable state or federal law rather than those provisions of this section to the extent of such conflict.

(Ord. No. 98697 § 4 & 6)

35-395 Temporary Uses

(a) General

The director of development services may authorize the temporary use of a structure or property for a purpose that is not specifically permitted by the regulations prescribed for the zoning district in which the property is located, provided that such use does not involve the erection of a substantial structure or substantial alteration of the premises and is in accordance with the regulations specified below. The director may require that traffic control and/or parking plans be approved by the Police and public works departments as a prerequisite for approving any temporary use. A certificate of occupancy for a temporary use may be granted for the period of time indicated, subject to such conditions as will safeguard the public health, safety, convenience, and welfare. All temporary uses shall comply with the noise limitations set out in chapter 21 of the city Code.

(b) Promotional Circuses and Carnivals

These uses may be permitted in nonresidential districts in accordance with the following criteria:

(1) No structure, tent, equipment, or mechanical ride shall be located within five hundred (500) feet of property used for residential purposes.

(2) The site shall be a minimum of one (1) acre in size.

(3) The maximum permitted time period shall be two (2) weeks.

(4) The hours of operation shall be limited from 9:00 a.m. to 10:00 p.m.

(5) The circus or carnival shall be in conjunction with an existing use on the same property.

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(c) Christmas Tree Sales

This use is permitted within nonresidential zoning districts for a period not to exceed forty-five (45) days. A site plan shall be submitted to the director of development services to ensure that setbacks and clear vision area requirements are met.

(d) Construction Offices and Equipment Sheds

These uses may be permitted in any zoning district incidental to a construction project. The office or shed shall not contain sleeping or cooking accommodations and shall be removed within ten (10) days after completion of the construction project.

(e) Religious meetings.

Tent and open air church revivals or meetings may be permitted in nonresidential districts for a maximum period of thirty (30) days between the hours of 8:00 a.m. and 10:00 p.m.

(f) Tents

Tents used for special events may be permitted for a period not to exceed one (1) week.

(g) Oversized Vehicles

The parking of oversized vehicles within nonresidential districts may be permitted for a maximum of fifteen (15) days in conjunction with conventions, trade shows, or other similar events sponsored by organized groups with the prior written approval of the director of development services. If the police chief, director of public works, and director of health determine that no health, safety, or traffic hazard or other potential nuisance will be created, approval by the director shall be granted. Oversized vehicles shall not discharge any litter, sewage effluent, or other matter except into sanitary facilities designed to dispose of such materials.

(Ord. No. 97568 § 2)(Ord. No. 98697 § 4 & 6)

35-396 Illumination of Uses

(a) Lighting facilities used to light signs, parking areas, or for other purposes shall be so arranged that the source of light is concealed from adjacent residential properties and does not interfere with traffic.

(b) Lights illuminating off-street parking or loading areas shall comply with the following standards as a protection against excessive glare and light spilling over to adjacent properties.

(c) When a light source has elements such as shields, reflectors, or refractor panels which direct and cut off the light at a cutoff angle that is less than ninety (90) degrees, the maximum permitted height shall be thirty (30) feet.

(d) When a light source has a cutoff angle of ninety (90) degrees or greater, the maximum permitted height shall be fifteen (15) feet.

35-397 Temporary Common Worker Employer

Temporary common worker employer shall comply with the following requirements.

(a) Hours of operation shall be limited to the period between 6:00 a.m. and 10:00 p.m.

(b) A sign shall be prominently displayed on the front of the establishment identifying the hours when workers may apply for jobs.

(c) The establishment shall provide an indoor waiting area large enough to accommodate the maximum number of workers congregating on the premises at any one time.

(d) The establishment shall provide indoor restroom facilities for the workers.

(e) The establishment shall not permit any loitering on the premises and shall maintain the outside yard area free of trash, litter, and graffiti.

35-398 to 35-399 Reserved

~~(xxx)~~

~~35-375~~ Beauty Shops and Barber Shops

Beauty shops and barber shops may be permitted in all residential zones established by this chapter subject to the following limitations, conditions and restrictions:

(a) A site plan shall be submitted indicating the size and location of all structures on the property. In addition, photographs of the structure in which the beauty shop or barber shop is to be located shall be submitted.

(b) The residential architectural appearance of the structure shall not be changed to that of commercial, although a separate entry for the beauty shop or barber shop shall be permitted.

(c) Signs advertising the beauty shop or barber shop are not permitted, but a name plate not exceeding one (1) square foot is permitted when attached flat to the main structure.

(d) The beauty shop or barber shop shall be located within the main structure on the lot and shall not utilize more than twenty-five (25) percent of the gross floor area of the first floor. In the case of a beauty shop in a duplex, the twenty-five (25) percent gross floor area shall be calculated on one (1) living unit of the duplex. In the case of a beauty shop in an apartment unit the board of adjustment shall determine the area to be used for said operation.

(e) The beauty shop or barber shop shall be limited to a one (1) operator shop.

(f) No person not residing on the premises may be employed in the operation of the beauty shop or barber shop.

(g) Hours of operation shall be regulated by the board of adjustment and shall be specified in the minutes of the case.

(h) That such use will not be contrary to the public interest.

(i) ***Granting of the permit for a beauty shop or barber shop in conjunction with a residential use is to be for a definite period of time not to exceed two (2) years and only after notice and hearings as provided in this chapter for appeals to the board of adjustment.***
(xxx)

~~35-387~~ Parking Lots (Noncommercial)

Surface parking lots for nonresidential uses may be permitted in residential zoning districts subject to the conditions listed below:

(a) ~~Specific Use Permit Required~~

Notwithstanding any provision of this chapter to the contrary, the construction of any Parking Lot which involves the replacement, demolition, or destruction of a dwelling unit shall not be undertaken unless and until a ~~specific use permit~~ is approved . All other parking lots shall be permitted as designated in the ~~use~~ Matrix.

(b) General Requirements

The following provisions are required regardless of whether a ~~specific use permit~~ is required pursuant to subsection (a) or the use matrix (Tables 311-1 and 311-2):

(1) The parking lot shall be used only for the noncommercial parking of private motor vehicles of customers and employees. All other uses, including but not limited to the following, are prohibited: (1) the sale, display, storage, repair, servicing, or dismantling of any vehicles, equipment, or merchandise; (2) the parking of vehicles awaiting repair or service; and (3) the parking of trucks over three-fourths (3/4) ton capacity.

(2) Within the single-family residential districts, noncommercial parking lots may be authorized by the board of adjustment for only those uses permitted by right or which have received special approval of the city council within these districts.

(3) The property on which the proposed parking lot is to be located shall be platted in accordance with Article 4, Division 4 of this chapter.

(4) The parking lot shall be properly graded for drainage; surfaced with concrete, asphaltic concrete, or asphalt; and maintained in good condition. The parking lot shall be kept free of weeds, litter, and debris.

(5) Individual parking spaces shall meet the minimum size requirements of the parking standards of this chapter.

(6) No advertising signs shall be permitted on the lot other than signs indicating the owner or lessee of the lot and providing parking instructions. Sign lettering shall be limited to a maximum height of six (6) inches.

(7) ~~The~~ parking lot shall ~~not~~ encroach within the front ~~yard~~ setback. ~~and~~ shall maintain a minimum ~~Setback~~ of ten (10) feet along all other perimeters adjacent to public streets or residential zones. The board of adjustment may vary the ~~Setback~~ as necessary to protect the residential neighborhood. Barriers shall be installed to prevent parking within the required setback areas.

(8) Parking lot driveways shall be located to minimize interference with residential traffic. If a parking lot abuts two streets of different classifications (e.g., collector versus local street), access shall be restricted to the street with the higher classification.

(9) Unless specifically authorized by the board of adjustment, the parking lot shall not be used between seven o'clock p.m. and seven o'clock a.m. If authorized to be used at night, the lot shall be properly and adequately lighted. The standards to which the lights are affixed shall not exceed fifteen (15) feet in height and the lighting shall be confined within the boundary lines of the parking lot. The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed.

(10) Landscaping. All required front, side, and rear setback areas shall be landscaped and attractively maintained. The minimum plant requirements per one hundred (100) linear feet of setback area shall include two (2) canopy trees, four (4) understory trees, and twenty (20) shrubs. In addition the setback areas shall be planted with lawn or evergreen ground cover. Plant requirements shall be applied proportionally to setback areas of less than one hundred (100) feet in length. Existing plants which meet the plant criteria may be counted toward satisfying the landscape requirement. In addition to the setback areas, an additional ten (10) square feet of landscaped area shall be provided and maintained for each parking space over twenty-five (25) spaces. This additional landscaped area shall be distributed in islands and medians throughout the interior of the parking lot and shall be protected with barriers to prevent damage from vehicles. Required landscaped areas shall be provided with either an underground irrigation system or a water connection within one hundred fifty (150) feet of all landscaping..

Should the landscaping provisions of this paragraph conflict with any other landscape provisions of the UDC, the more restrictive of the regulations shall apply.

(11) parking lot shall be provided with a masonry wall or other adequate screening not less than three (3) feet nor more than six (6) feet in height at all lot lines fronting upon or adjoining a residential district. However, the board of adjustment may require such masonry wall or other adequate screening at points other than the property line if it determines such location provides more protection to the neighborhood. The screening or masonry wall shall in all cases surround the parking lot. On a corner lot, the wall or screening shall be erected in back of the area designated by this chapter for corner visibility. Wheel guards shall be installed and maintained above ground at all such walls or screening to prevent vehicles from making contact with the walls or screening.

(12) Application for a noncommercial parking lot shall be filed by the owner, lessee, or authorized agent with the development services department. The application shall be accompanied by a site plan drawn to scale depicting the parking lot layout, proposed driveways, and all landscaping.

(13) Granting of a ~~specific use permit~~ for a noncommercial parking lot shall be for a definite period of time not to exceed four (4) years, and only after notice and a public hearing as provided in this article for appeals to the board of adjustment. In granting a , ~~specific use permit~~ the board of adjustment may require the noncommercial parking lot to conform to such other conditions as the board may deem necessary to protect the character of the zoning district in which the lot is located.

(14) Prior to actual use of a noncommercial parking lot, the owner or lessee shall obtain a certificate of occupancy from the development services department to verify compliance with the conditions of the . ~~specific use permit~~ If a certificate of occupancy is not secured within six (6) months of the date of approval, the ~~specific use permit~~ shall be null and void and have no force or effect.

(15) Noncommercial parking lots located in a historic district or landmark site shall conform to the regulations of Division 10, of this article and shall require approval of the parking lot plan from the board of review for historic districts and landmarks prior to construction.

~~**(16)** Noncommercial parking lots authorized prior to April 1, 1989 shall comply with the conditions imposed at the time of their approval; however, their certificates of occupancy shall expire on the date of their approval in 1993. The director of development services shall notify the owner/lessee of these previously authorized lots and advise them that their specific use permit must be renewed as required by subsection (a)(13) above.~~

(xxx)*35-389 Relocation of Buildings and Structures*

(a) To be granted a request for a special use permit to move or relocate a building or structure the request must meet the special exceptions contained in section 35-482 (h).

(b) The relocation of any building and structures, subject to the following conditions:

(1) Each house must be comparable in size and quality of construction and in condition to the average of the other homes in the area.

(2) The applicant shall comply with Article VI. (historic preservation and urban design) of this chapter and with all other applicable codes and ordinances.

(3) The use will comply to such other conditions, as the board may deem proper in harmony with section 801(g) of this chapter.

(4) Permits may be granted under this subsection for buildings, which the city's historic and design review commission has found to have historic and /or architectural significance and where said commission has made a favorable recommendation as to the relocation site. Such exception shall contain appropriate conditions as to repairs to be made. Provision of other codes of the city or of other chapters of this code shall not be waived.

(c) Certificates of Occupancy

In cases in which structure relocations are permissible, certificates of occupancy shall not be issued by the director of development services until all applicable provisions of (a) above and Chapter 6, Article VII of the City Code and all other applicable requirements for issuance of certificate of occupancy required by deferral, and state law and city charter and ordinances are complied with.

(Ord. No. 95573 § 2, Amendment "B", Ord. No. 101816)