



MEETING AGENDA
Planning & Zoning Commission
REGULAR SESSION PLANNING & ZONING COMMISSION
January 10, 2024

HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154

CITY OF SCHERTZ CORE VALUES

Do the right thing

Do the best you can

Treat others the way you want to be treated

Work cooperatively as a team

AGENDA
WEDNESDAY, JANUARY 10, 2024 at 6:00 p.m.

The Planning and Zoning Commission will hold the regularly scheduled meeting at 6:00p.m., Wednesday, January 10, 2024, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

1. CALL TO ORDER

2. SEAT ALTERNATE TO ACT IF REQUIRED

3. HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

4. CONSENT AGENDA:

A. Corrected minutes for the November 15, 2023 Regular Meeting.

B. Minutes for the December 13, 2023 Regular Meeting.

5. PUBLIC HEARING:

*The Planning and Zoning Commission will hold a public hearing related to **Unified Development Code Amendments** within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.*

- A. PLUDC20230276 - Hold a public hearing, workshop and discussion and possible action to make a recommendation on amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5 - Zoning Districts, Article 9 - Site Design Standards, and Article 14 - Transportation.
6. **REQUESTS AND ANNOUNCEMENTS:**
- A. Requests by Commissioners to place items on a future Planning and Zoning Agenda
- B. Announcements by Commissioners
- City and community events attended and to be attended
 - Continuing education events attended and to be attended
- C. Announcements by City Staff.
- City and community events attended and to be attended.
7. **INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION PACKETS- NO DISCUSSION TO OCCUR**
- A. Current Projects and City Council Status Update
8. **ADJOURNMENT OF THE REGULAR MEETING**

CERTIFICATION

I, Samuel Haas, Senior Planner, of the City of Schertz, Texas, do hereby certify that the above agenda was posted on the official bulletin boards on this the 5th day of January, 2024 at 5:00 p.m., which is a place readily accessible to the public at all times and that said notice was posted in accordance with chapter 551, Texas Government Code.

Samuel Haas

Samuel Haas, Senior Planner

I certify that the attached notice and agenda of items to be considered by the Schertz Planning & Zoning Commission was removed from the official bulletin board on ____ day of _____, 2024. _____ title: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services please call 619-1030 at least 24 hours in advance of meeting.

The Planning and Zoning Commission for the City of Schertz reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

PLANNING AND ZONING COMMISSION MEETING: 01/10/2024
Agenda Item 4 A

TO: Planning and Zoning Commission
PREPARED BY: Daisy Marquez, Planner
SUBJECT: Corrected minutes for the November 15, 2023 Regular Meeting.

BACKGROUND

The November 15, 2023 Planning and Zoning Commission meeting minutes were previously approved at the December 13, 2023 Planning and Zoning Commission meeting. After the approval of the minutes, it was determined that additional clarity on the motion language / actions taken at the November 15, 2023 meeting were needed. For clarity, the motions that were recommended for approval by the Planning and Zoning Commission were corrected to clearly state that they were recommended for approval to City Council. In addition to adding clarity on agenda items that were recommended for approval with specific conditions. Staff wants to ensure that everyone has a clear understanding that the Planning and Zoning Commission makes recommendations to City Council on Specific Use Permits and Zone Changes and which items had conditions made within the recommendation.

Attachments

Minutes of the November 15, 2023 Regular Meeting Corrected

CORRECTED/DRAFT

PLANNING AND ZONING MINUTES

November 15, 2023

The Schertz Planning and Zoning Commission convened on November 15, 2023 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building #4, Schertz, Texas.

Present: Glen Outlaw, Chairman; Richard Braud, Vice Chairman; Gordon Rae, Commissioner; Judy Goldick, Commissioner; Tamara Brown, Commissioner; John Carbon, Commissioner

Absent: Roderick Hector, Commissioner; Danielle Craig, Commissioner; Patrick McMaster, Commissioner

Staff present: Lesa Wood, Director of Planning & Community Development; Brian James, Deputy City Manager; Emily Delgado, Planning Manager; Tiffany Danhof, Administrative Assistant; Ameriz Gamez, Planner; Daisy Marquez, Planner; Samuel Haas, Senior Planner

1. CALL TO ORDER

Chairman Mr. Outlaw called the meeting to order at 6:04 P.M.

2. SEAT ALTERNATE TO ACT IF REQUIRED

No one was seated as the alternate.

3. HEARING OF RESIDENTS

Residents who choose to watch the meeting via live stream, but who would like to participate in Hearing of Residents, should email their comments to the Planning Division, at planning@schertz.com by 5:00p.m. on Tuesday, November 14, so that the Planning Division may read the public comments into the record under the hearing of residents. In the body of the email please include your name, your address, phone number, agenda item number if applicable or subject of discussion, and your comments.

This time is set aside for any person who wishes to address the Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

No one spoke.

4. CONSENT AGENDA:

A. Minutes for the October 25, 2023 Regular Meeting.

Motioned by Vice Chairman Richard Braud to approve, seconded by Commissioner Gordon Rae

Vote: 6 - 0 Passed

5. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests and replats within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

- A.** PLSPU20230206 - Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 1.61 acres of land, located at the intersection of Schaefer Road and FM 1518, also known as: 11786 Schaefer Road, City of Schertz, Bexar County, Texas.

Mr. Haas and the applicant provided a presentation.

Mr. Outlaw opened the public hearing at 6:18 P.M.

Carlos Trenda-10516 Pecan Branch

Alex Smith-11708 Cypress Barn

Todd Vician-8926 Green Grant

Denise Torres-11705 Cypress Barn

Sarah Smith-11708 Cypress Barn

Diana Raina-10413 Pecan Branch

Mr. Outlaw closed the public hearing at 6:33 P.M.

Motioned by Commissioner John Carbon to recommend approval with staff-recommended condition to City Council, seconded by Vice Chairman Richard Braud. Commissioner Carbon withdrew the motion before a vote was published.

Motioned by Commissioner John Carbon to recommend approval of the staff and commissioners' conditions with conceptual site plan to City Council, seconded by Vice Chairman Richard Braud

Vote: 4 - 2 Passed

NAY: Chairman Glen Outlaw

Vice Chairman Richard Braud

- B.** PLPDD20220214 - Hold a public hearing and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Mr. Haas and the applicant provided a presentation.

Mr. Outlaw opened the public hearing at 7:14 P.M.

Lauren Hall- Cypress Point HOA 6020 Cypress Point

Richard Cads-5523 Cypress Point

James Bedwell-5497 Cypress Point

Brian Matthews-5036 Forest Oak Dr.

Nathan Thompson-5287 Top Ridge Lane

Steve Aune-5462 Cypress Point

Irene O'Neal-5299 Top Ridge Ln.

Jeff Baity-4646 Tall Oak

Sandra Linrode-6521 Crocket Rd.

Melissa Reyes-5384 Kingwood St.
Lenoy Woolridge-4638 Pecos Point
Sheri Thompson-5287 Top Ridge Ln.
Barbara Wright-7260 Green Valley Rd.
Richard King-1605 Scwab Rd.
Lindy Wright-849 Wetz Rd. Marion, owner of property 24550 IH35
Ken Sturgis-5175 Top Ridge Rd.
Rebecca Mockerman-5222 Nature Path
Ruben Vasquez-5295 Top Ridge Ln.
Tammy Matthews-5036 Forest Oak Dr.
Ted Capra-5491 Devonwood St.
Michael Mockerman-5222 Nature Path
Robert Nash-4851 Park Leaf
Tony O'Neal-5299 Top Ridge Ln.
Grover Wright-7260 Green Valley Rd.
Mr. Outlaw closed the public hearing at 8:12 P.M.

Motioned by Vice Chairman Richard Braud to recommend approval with the conditions of using the base Multi-Family Residential District (R-4) setbacks in Area III along with a greater side building setback abutting the Cypress Point Subdivision to City Council , seconded by Commissioner Judy Goldick

Vote: 5 - 1 Passed

NAY: Chairman Glen Outlaw

- C.** PLSPU20230153 - Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Comal and Guadalupe County, Texas.

Mrs. Marquez provided a presentation.
Mr. Outlaw opened the public hearing at 9:24 P.M.
No one spoke.
Mr. Outlaw closed the public hearing at 9:24 P.M.

Motioned by Commissioner Tamara Brown to recommend approval to City Council, seconded by Commissioner Judy Goldick

Vote: 6 - 0 Passed

- D.** PLSPU20230247 - Hold a public hearing and make a recommendation on a Specific Use Permit to allow a Truck Terminal on approximately 4 acres of land, located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal Property Identification Number 464879, City of Schertz, Comal County, Texas.

Mrs. Marquez provided a presentation.
Mr. Outlaw opened the public hearing at 9:35 P.M.
No one spoke.
Mr. Outlaw closed the public hearing at 9:36 P.M.

Motioned by Commissioner John Carbon to recommend approval to City Council,
seconded by Commissioner Judy Goldick

Vote: 6 - 0 Passed

6. REQUESTS AND ANNOUNCEMENTS:

A. Requests by Commissioners to place items on a future Planning and Zoning Agenda

There were no requests by Commissioners.

B. Announcements by Commissioners

- City and community events attended and to be attended
- Continuing education events attended and to be attended

There were announcements by Chairman Mr. Outlaw.

C. Announcements by City Staff.

- City and community events attended and to be attended.

There were no announcements by City staff.

**7. INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION
PACKETS- NO DISCUSSION TO OCCUR**

A. Current Projects and City Council Status Update

8. ADJOURNMENT OF THE REGULAR MEETING

Chairman Mr. Outlaw adjourned the regular meeting at 9:40 P.M.

Chairman, Planning and Zoning Commission

Recording Secretary, City of Schertz

PLANNING AND ZONING COMMISSION MEETING: 01/10/2024
Agenda Item 4 B

TO: Planning and Zoning Commission
PREPARED BY: Tiffany Danhof, Administrative Assistant
SUBJECT: Minutes for the December 13, 2023 Regular Meeting.

Attachments

Draft Minutes for the December 13,2023 Regular Meeting

DRAFT

PLANNING AND ZONING MINUTES

December 13, 2023

The Schertz Planning and Zoning Commission convened on December 13, 2023 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building #4, Schertz, Texas.

Present: Glen Outlaw, Chairman; Richard Braud, Vice Chairman; Gordon Rae, Commissioner; Roderick Hector, Commissioner; Danielle Craig, Commissioner- Not seated; Judy Goldick, Commissioner; Tamara Brown, Commissioner; John Carbon, Commissioner; Patrick McMaster, Commissioner- Not seated

Staff present: Lesa Wood, Director of Planning & Community Development; Brian James, Deputy City Manager; Tiffany Danhof, Administrative Assistant; Ameriz Gamez, Planner; Daisy Marquez, Planner; Samuel Haas, Senior Planner

1. CALL TO ORDER

Chairman Mr. Outlaw called the meeting to order at 6:00 P.M.

2. SEAT ALTERNATE TO ACT IF REQUIRED

No one was seated as the alternate.

3. HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

Ted Duigon- 1112 Antler Dr.

Barbara Mansfield Gonzales- 1012 Antler Dr.

Kathy Krnavek- 1201 Antler Dr.

4. CONSENT AGENDA:

A. Minutes for the November 15, 2023 Regular Meeting.

Motioned by Commissioner Roderick Hector to approve, seconded by Commissioner Tamara Brown

Vote: 7 - 0 Passed

5. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests and replats within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

- A.** PLZC20230186 Hold a public hearing, consider and make a recommendation on a request to rezone approximately 1.3 acres of land from Single- Family Residential District (R-1) to General Business District (GB) generally located southeast of the intersection of Fawn Drive and FM 3009, Parcel ID: 20377 and 20378, City of Schertz, Guadalupe County, Texas.

Ms. Gamez and the applicant provided a presentation.

Mr. Outlaw opened the public hearing at 6:31 P.M.

William Sommers- 1016 Antler Dr.

Jody Baker- 1208 Fawn Dr.

Cody Watson- 916 Fawn Dr

Mary Hammond- 1213 Fawn Dr.

Bobby Jones- 1101 Fawn Dr.

Randy Pots for Lisa Cherry- 1105 Fawn Dr.

Stephen Phillips

Jeremah Nasiatka- 1105 Antler Dr.

Barbara Mansfield Gonzales- 1012 Antler Dr.

Bill Marciniak- 908 Antler Dr.

Veronica Cardnas- 1205 Antler Dr.

Jason Penny- 1005 Antler Dr.

Frank Morales- 1109 Antler Dr.

Jonathan Rowe- 1109 Fawn Dr.

Robin Geiger Kamacho- 1100 Fawn Dr.

Dana Sommers- 1016 Antler Dr.

Amy White- 909 Antler Dr.

Mike Graves- 913 Fawn Dr.

Paul Kowalski- 1121 Antler Dr.

Marjorie Brody- 4201 Deer Run

Melissa Duffield Smith

Mr. Outlaw closed the public hearing at 7:25 P.M.

Motioned by Commissioner Judy Goldick to recommend disapproval to City Council,
seconded by Commissioner John Carbon

Vote: 7 - 0 Passed

6. WORKSHOP AND DISCUSSION:

- A.** Workshop, Discussion, and Possible Action regarding the Planning and Zoning Commission Bylaws

Motioned by Commissioner Roderick Hector to recommend approval to City Council,
seconded by Commissioner Judy Goldick

Vote: 7 - 0 Passed

7. REQUESTS AND ANNOUNCEMENTS:

- A.** Requests by Commissioners to place items on a future Planning and Zoning Agenda
There were no requests by the commissioners.

There were no requests by Commissioners.

- B.** Announcements by Commissioners
- City and community events attended and to be attended
 - Continuing education events attended and to be attended
- There were announcements by Mr. Rae.

- C.** Announcements by City Staff.
- City and community events attended and to be attended.
- There were no announcements by City staff.

**8. INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION
PACKETS- NO DISCUSSION TO OCCUR**

- A.** Current Projects and City Council Status Update

9. ADJOURNMENT OF THE REGULAR MEETING

Chairman Mr. Outlaw adjourned the regular meeting at 8:07 P.M.

Chairman, Planning and Zoning Commission

Recording Secretary, City of Schertz

PLANNING AND ZONING COMMISSION MEETING: 01/10/2024
Agenda Item 5 A

TO: Planning and Zoning Commission

PREPARED BY: Samuel Haas, Senior Planner

CASE: PLUDC20230276

SUBJECT: PLUDC20230276 - Hold a public hearing, workshop and discussion and possible action to make a recommendation on amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC) to Article 5 - Zoning Districts, Article 9 - Site Design Standards, and Article 14 - Transportation.

GENERAL INFORMATION:

As stated in the Unified Development Code (UDC), City Council from time to time, on its own motion, or at the recommendation of City staff amend, change, or modify text in any portion of the UDC to establish and maintain stable and desirable development. It is generally considered good practice to periodically review and update the development regulations due to changing conditions, community goals, and/or State and Federal regulations.

PROPOSED AMENDMENTS

Background:

Main Street has a grant program along with exemptions from certain development and impact fees from the city. Despite these incentives, development activity along the corridor has been relatively slow. Within the Main Street corridor there are two Main Street-specific zoning districts, Main Street Mixed Use (MSMU) and Main Street Mixed Use - New Development (MSMU-ND). The Main Street Committee has expressed interest in adjusting some of the requirements and regulations in the Unified Development Code in order to provide both Main Street Zoning Districts with greater flexibility. The purpose of PLUDC20230276 is to provide the greater flexibility desired.

PLUDC20230276 will also provide further revisions to Article 5 in order to clean-up unused sections in the UDC. These sections pertain to certain zoning districts that are not used in Schertz. These districts were based off of components in the 2013 Schertz Sector Plan and no applicant has elected to use them since. The Comprehensive Plan update is currently underway and once it is adopted, these zoning districts will no longer be applicable. These proposed amendments will help eliminate clutter and confusion in the UDC.

Proposed Amendments:

Article 5 - Zoning Districts	
Sec. 21.5.2 - Zoning Districts Established	Adding MSMU-ND to established zoning districts, while eliminating unused districts.
Sec. 21.5.5 - Statement of Purpose and Intent for Residential	Updating the description of the Main Street Districts to match the proposed new permitted uses (see below)
Sec. 21.5.6 - Statement of Purpose and Intent for Nonresidential	Removing the Golf Course District as this zoning district is not used in the city, and it is not defined in the UDC.
Sec. 21.5.7 - Dimensional and Developmental Standards	Modifying parking minimums for Main Street districts (only 2 per lot now in MSMU and proposing the same for MSMU-ND), reduction of rear setbacks for MSMU, allowing our Engineering Department flexibility when establishing side yard setbacks on corner lots. There will also be some UDC clean-up as the parking note in the table (note b) does not currently match Section 21.10.4.

Sec. 21.5.8 - Permitted Use Table	<p>Permitting the following uses in the Main Street Districts:</p> <ul style="list-style-type: none"> • Tattoo Parlor/Studio (with limited use) • Multi-Family/Apartment Dwelling • One-Family Dwelling Attached • Private Club • Theater, Indoor • Two-Family Dwelling • Automobile Parking Structure/Garage • Microbrewery/Brewpub (adding the definition below in Article 16 with upcoming separate amendment) <p><i>"Microbrewery/Brewpub:</i> A facility for the production and packaging of malt beverages for distribution, retail, or wholesale, on or off premise. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district."</p> <ul style="list-style-type: none"> • Pet Store (already permitted in MSMU-ND, proposing MSMU to match) • Municipal Uses Operated by the City of Schertz • Dance Hall/Night Club
Sec. 21.5.12 - Agricultural Conservation Planned Development District (ACPDD)	Removing this zoning district as it is not used in the city, and staff believes that it is highly unlikely applicants will select this specific PDD. This district was based off of components in the 2013 Schertz Sector Plan and will no longer be applicable with the Comprehensive Plan Update.
Sec. 21.5.14 - Mixed Use Planned Development District (MUPDD)	Removing this zoning district as it is not used in the city, and staff believes that it is highly unlikely applicants will select this specific PDD. This district was based off of components in the 2013 Schertz Sector Plan and will no longer be applicable with the Comprehensive Plan Update.
Sec. 21.5.15 - Design Overlay District (DO)	Removing these overlay districts as they have never been implemented, nor does staff believe they will be implemented. Also, certain items in this section are no longer in conformance with state law.
Article 9 - Site Design Standards	
Sec. 21.9.7 - Landscaping	MSMU and MSMU-ND will be exempt from a 20-foot landscape buffer adjacent to the public right of way, interior parking lot requirements, landscape buffers with an 8-foot masonry fence, and the landscape buffer between residential and nonresidential has been reduced from 20-feet to 5-feet.
Article 14 - Transportation	
Sec. 21.14.3 - Additional Design Requirements	Exempting both Main Street zoning districts (MSMU and MSMU-ND) from some additional setbacks as well as screening and buffering requirements in this section.

STAFF ANALYSIS AND RECOMMENDATION:

Many parcels along Main Street are small or unusual in layout; this may be due to the fact that the areas around Main Street are some of the oldest in Schertz. This is an important factor as properties have had ample time to be bought, sold, and/or subdivided even prior to Schertz incorporating as a municipality. Development patterns and building codes have also changed in that time, necessitating different property requirements than from those in the early 20th century. Geographic constraints are present as well, such as the prevalence of flood zones and the Union Pacific Railroad that essentially abuts the entire southern portion of Main Street.

The requirements in the UDC are there to promote the health and welfare of the city as a whole; however, certain regulations make more sense for newer developments, such as buffering commercial and residential activity, or greater building setbacks. Much of the history and identity of Schertz stems from Main Street, which makes this corridor unique. The distinctive quality of Main Street would be better served if the Unified Development Code (UDC) reflected this.

The proposed amendments will help to make Main Street a cohesive district. These amendments will provide more opportunities for the corridor as well as more seamless transitions between commercial and residential uses, establishing a truly mixed use area. This will generate the potential for Main Street to recapture its historical form and function to create a destination for the citizens of Schertz and the surrounding communities. Finally, these amendments will clean-up unused items from the UDC, allowing for easier understanding and use. For these reasons, staff is recommending approval of PLUDC20230276.

COMMISSIONERS CRITERIA FOR CONSIDERATION:

The Planning and Zoning Commission in making a recommendation to City Council on the proposed Unified Development Code Amendment. In considering action on a UDC Amendment, the Commission should consider the criteria within UDC, Section 21.4.7 D.

Attachments

UDC Main Street Amendments (redlines)

UDC Main Street Amendments (clean)

Proposed UDC Amendments- Redlines

Sec. 21.5.2. Zoning Districts Established.

The City is hereby geographically divided into zoning districts and the boundaries of those districts herein are delineated upon the Official Zoning Map of the City. The use and dimensional regulations as set out in this Article are uniform in each district. Zoning districts are established in compliance with adopted Comprehensive Land Plan and Master Thoroughfare Plan. The districts established shall be known as follows:

Table 21.5.2	
Symbol	Zoning District Name
PRE	Predevelopment District
R-1	Single-Family Residential District
R-2	Single-Family Residential District
R-3	Two-Family Residential District
R-4	Apartment/Multi-Family Residential District
R-6	Single-Family Residential District
R-7	Single-Family Residential District
R-A	Single-Family Residential/Agricultural District
GH	Garden Home Residential District
TH	Townhome District
MHS	Manufactured Home Subdivision District
MHP	Manufactured Home Park District
OP	Office and Professional District
NS	Neighborhood Services District
GB	General Business District
GB-2	General Business District-2
M-1	Manufacturing District (Light)
M-2	Manufacturing District (Heavy)
GC	Golf Course District
PUB	Public Use District
PDD	Planned Development District
AD	Agricultural District
AC	Agricultural Conservation District
EN	Estate Neighborhood PDD
MU	Mixed-Use District
HCOD	Highway Commercial Design Overlay District
CCOD	Campus Commercial Overlay District
IOD	Industrial Overlay District
DO	Downtown Overlay Districts
MSMU	Main Street Mixed-Use District
<u>MSMU-ND</u>	<u>Main Street Mixed-Use New Development District</u>

(Ord. No. 13-S-22 , § 1, 7-16-2013; Ord. No. 14-S-47 , § 1, 11-18-2014; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

Sec. 21.5.5. Statement of Purpose and Intent for Residential Districts.

- A. *Predevelopment District (PRE)*. Intended for use for undeveloped land in the City or as a temporary designation for existing uses for newly annexed property. This zoning is also suitable for areas where development is premature due to lack of utilities, capacity or service and for areas that are unsuitable for development because of physical constraints or potential health or safety hazards. No improvements, construction or structures may be undertaken without obtaining a building permit and no occupancy of such improvements and structures without obtaining a certificate of occupancy.
- B. *Single-Family Residential District (R-1)*. Comprised of single-family detached residential dwellings on a minimum lot size of 9,600 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units.
- C. *Single-Family Residential District (R-2)*. Comprised of single-family detached residential dwellings with a minimum lot size of 8,400 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units.
- D. *Two-Family Residential District (R-3)*. Comprised of two (2) single-family attached residential dwellings with a minimum lot size of 9,000 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units.
- E. *Apartment/Multi-Family Residential District (R-4)*. Intended for apartment and multi-family developments including, but not limited to apartment buildings, duplex, garden apartments, condominium units, assisted living centers, nursing homes and other similar uses. Due to the infrastructure requirements for such districts, the City may require the applicant seeking such zoning classification to establish (i) the adequacy of available access and utility facilities, (ii) sufficiency of drainage, and (iii) provision of sufficient open space. The minimum lot size in such district is 10,000 square feet for three (3) units and 1,800 square feet for each additional dwelling unit. The maximum density shall be twenty-four (24) units per acre. Apartment/Multi-Family Residential Districts should not be located in areas where they would increase traffic through single-family neighborhoods and should be located adjacent to arterial streets with sufficient capacity to carry the increased traffic generated. Multi-family developments are suitable buffers between single-family districts and commercial uses. Multi-family districts should be buffered from non-residential land uses and from pollution sources and environmental hazards. Twenty percent (20%) of the total platted area shall be provided as common, usable open space.
- F. *Single-Family Residential District (R-6)*. Comprised of single-family detached residential dwellings that are on a minimum lot size of 7,200 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units. This district is intended to be developed using the more contemporary building styles and allowing those dwellings to be constructed on relatively small lots. The maximum size tract that can be zoned R-6 is 30 acres.
- G. *Single-Family Residential District (R-7)*. Comprised of single-family detached residential dwellings on a minimum lot size of 6,600 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units. This district is intended to be developed using the more contemporary building styles and allowing those dwellings to be constructed on relatively small lots. The maximum size tract that can be zoned R-7 is 40 acres.
- H. *Single-Family Residential/Agricultural District (RA)*. Intended to provide for areas in which agricultural land may be held in such use for as long as is practical and reasonable. Residences in this District are intended to be on a minimum lot size of 21,780 square feet (one-half acre). This District is suitable for areas where development is premature due to lack of utilities, capacity or service, and for areas that are unsuitable for development because of physical restraints or potential health or safety hazards.

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- I. *Garden Homes Residential District (GH)*. Comprised of single-family detached residential dwellings on a minimum lot size of 5,000 square feet together with the schools, churches, and parks necessary to create basic neighborhood units. This District allows the main structure to be constructed coincident with one (1) of the side property lines, and requires only one (1) side yard setback in order to maximize lot usage and yet maintain a neighborhood character consistent with conventional single-family detached homes.

No area shall be designated GH that contains less than five (5) adjoining lots on a street. Zero lot line homes shall have no windows on the side of the house, which abuts the property line. Entire frontage of one (1) side of the street in the block must be included in the GH designation. Exception may be made where an alley breaks the block on that side of the street. Homes will be uniformly located on the same side of the lot within a street block.

- J. *Townhome District (TH)*. Comprised of an attached residential dwelling unit in structures built to accommodate three (3) to six (6) units per structure. Density shall not exceed twelve (12) units per gross acre. Townhome units shall be constructed on a single lot, or on adjacent individual lots. Individual ownership of the townhome units is encouraged. Minimum lot area shall not be less than 2,500 square feet per dwelling unit. Ten percent (10%) of the total platted area shall be provided as common, usable open space. This District should not be located in areas where it would increase traffic through single-family neighborhoods and should be adjacent to arterial streets with sufficient capacity to carry the increased traffic generated.
- K. *Manufactured Home Subdivision District (MHS)*. Intended to recognize that certain areas of the City are suitable for a mixture of single-family dwelling units and HUD-Code manufactured homes, to provide adequate space and site diversification for residential purposes designed to accommodate the peculiarities and design criteria of manufactured homes, along with single-family residences, to promote the most desirable use of land and direction of building development, to promote stability of development, to protect the character of the district, to conserve the value of land and buildings, and to protect the City's tax base. This District provides for the creation and/or subdivision of any lot, tract or parcel of land used for the placement of manufactured homes. This District is not intended to prohibit or unduly restrict any type of housing but to ensure compatibility in housing types between manufactured home subdivisions and surrounding single family residential subdivisions and recognizing their inherent differences.
- L. *Manufactured Home Park District (MHP)*. Intended to provide adequate space and site diversification for residential purposes designed to accommodate the peculiarities and design criteria of manufactured homes, to promote the most desirable use of land and direction of building development, to promote stability of development, to protect the character of the district, to conserve the value of land and buildings, and to protect the City's tax base. This District provides for the creation of tracts of land used for the placement of multiple manufactured homes on a single lot, tract or parcel of land and utilized for rent or lease. This District is not intended to prohibit or unduly restrict any type of housing but to ensure compatibility between manufactured home parks and surrounding properties and recognizing the inherent differences in housing types between manufactured home parks and other residential districts.
- M. *Agricultural District (AD)*. Intended to provide as a base zoning district in areas designated as agricultural conservation on the North and South Schertz Framework Plans. Residences in this District are intended to be on a minimum lot size of 217,800 square feet (five acres). Clustering of up to two homes may be allowed on the same lot subject to setback requirements. This District is suitable for areas where development is premature due to lack of utilities, capacity or service, and for areas that are unsuitable for development because of physical restraints or potential health or safety hazards.
- N. *Main Street Mixed-Use District (MSMU)*. Intended to provide a base zoning district in the area along Main Street. In light of the history of the area and variety of land uses that exist, this zoning district allows for both single-family and multi-family residential uses, and low intensity commercial uses. Reduced setbacks and parking requirements are provided as part of this district due to physical restraints.

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- O. *Main Street Mixed-Use New Development District (MSMU-ND)*. Intended to provide a base zoning district in the area along Main Street, specifically for new development of existing properties. This district is intended to mirror The Main Street Mixed-Use District (MSMU), allowing for ~~both~~ single-family and multi-family residential uses, and low intensity commercial uses. Reduced setbacks, parking requirements, along with reduced landscape buffers are provided as part of this district due to physical restraints of the existing properties.

(Ord. No. 13-S-22, § 2, 7-16-2013 ; Ord. No. 14-S-47 , § 2, 11-18-2014; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

Sec. 21.5.6. Statement of Purpose and Intent for Nonresidential Districts.

- A. *Office and Professional District (OP)*. Intended to provide suitable areas for the development of office structures as well as office park developments on appropriately designed and attractively landscaped sites. It is also intended to provide ancillary retail service (restaurants, coffee shops, newsstands, etc.) for such office developments. Due to the intensity of these developments, this District should be generally located along major transportation corridors, and be properly buffered from less intensive residential uses.
- B. *Neighborhood Services District (NS)*. Intended to provide suitable areas for the development of certain limited service and retail uses in proximity to residential neighborhoods in order to more conveniently accommodate the basic everyday retail and service needs of nearby residents. Such uses occur most often on the periphery of established neighborhoods at the intersection of collectors and minor arterials, and are generally on sites of approximately one (1) to three (3) acres in size. These developments are to have generous landscaping and contain non-residential uses, which do not attract long distance traffic trips. This District should be properly buffered from residential uses and protected from pollution and/or environmental hazards.
- C. *General Business District (GB)*. Intended to provide suitable areas for the development of non-residential uses which offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community. These businesses are usually located on appropriately designed and attractively landscaped sites and along principal transportation corridors.
- D. *General Business District-2 (GB-2)*. Intended to provide suitable areas for the development of non-residential and light industrial uses that offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community. These businesses are usually located on appropriately designed and attractively landscaped sites and along principal transportation corridors. These facilities should not emit dust, odor, smoke, gas or fumes, or any other hazardous elements, which are detectable beyond the boundary of the property. Due to the traffic generated by such uses, these districts should be located on arterial streets. In reviewing the proposed development, other infrastructure considerations such as water, electric, sewer, gas and fire line pressure should be taken into account. Where several lots are to be jointly developed as a light manufacturing area, restrictive covenants and development restrictions encouraging high-level design and maintenance are encouraged.
- E. *Manufacturing District-Light (M-1)*. Intended to provide a suitable area for the development of light industrial, assembly and manufacturing, warehouse and distribution facilities. These facilities should not emit dust, odor, smoke, gas or fumes, or any other hazardous elements, which are detectable beyond the boundary of the property. Due to the traffic generated by such uses, these districts should be located on arterial streets. In reviewing the proposed development, other infrastructure considerations such as water, electric, sewer, gas and fire line pressure should be taken into account. Where several lots are to be jointly developed as a light manufacturing area, restrictive covenants and development restrictions encouraging high-level design and maintenance are encouraged.
- F. *Manufacturing District—Heavy (M-2)*. Intended to provide a suitable park-like area for the development of intensive industrial/manufacturing activities, which tend to emit certain offensive features such as odor, noise, dust, smoke and/or vibrations, but under controlled conditions. Specific Use Permit will be required by all activities locating in this area. Uses shall also recognize the need for increased water pressure and capacity in order to provide adequate fire protection.
- G. *Public Use District (PUB)*. Intended to identify and provide a zoning classification for land that is owned or may be owned by the City, County, State, or Federal Government or the School District; land that has been dedicated to the City for public use such as parks and recreation, and land designated and dedicated to the City as a greenbelt.

H. ~~*Golf Course District (GC)*~~. Intended to identify and provide a zoning classification to accommodate the peculiarities and design criteria for land that is publicly or privately owned for use as public or private golf courses and any supporting or related club houses, utility buildings and related amenities (including but not limited to pro shops, swimming pools, tennis courts, restaurants, and bars).

Sec. 21.5.7. Dimensional and Developmental Standards.

- A. *General.* All projects or developments shall comply with all of the applicable dimensional and development standards of this Article. Additional requirements may also apply as required in other sections of this UDC. All area requirements and lot sizes shall be calculated based on gross acres.

Table 21.5.7.A DIMENSIONAL REQUIREMENTS RESIDENTIAL ZONING DISTRICTS											
		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)				Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Imperv Cover	Key
R-1	Single-Family Residential District-1	9,600	80	120	25	10	20	2	35	50%	h,j,k,l,m,o
R-2	Single-Family Residential District-2	8,400	70	120	25	10	20	2	35	50%	h,j,k,l,m,o
R-3	Two-Family Residential District	9,000	75	120	25	10	20	2	35	60%	h,j,k,l,m,o
R-4	Apartment/Multi-Family Residential District	10,000	100	100	25	10	20	2	35	75%	a,b,j,k,l,m
R-6	Single-Family Residential District-6	7,200	60	120	25	10	20	2	35	50%	h,k,l,m,n,o
R-7	Single-Family Residential District-7	6,600	60	110	25	10	20	2	35	50%	h,k,l,m,n,o
R-A	Single-Family-Residential/Agriculture	21,780	-	-	25	25	25	2	35	50%	h,k,l,m,n
GH	Garden Home Residential District	5,000	50	100	10	10	10	2	35	75%	c,d,e,f,g,k,l,m
TH	Townhome District	2,500	25	100	25	10	20	2	35	75%	h,j,k,l,m
MHS	Manufactured Home Subdivision District	6,600	60	110	25	10	20	2	35	50%	j,k,l,m,o
MHP	Manufactured Home Park District	43,560	-	-	25	12.5	25	-	35	50%	j,k,l,m
AD	Agricultural District	217,800	100	100	25	25	25	2	35	30%	h,k,o
MSMU	Main Street Mixed Use	5,000	50	100	10	5	2 10	2	35	80%	h,j,k,m,n,p
MSMU-ND	Main Street Mixed Use-New Development	5,000	50	100	10	5	10	<u>2</u> Parking Spaces are	35	80%	j,k,m, <u>p</u>

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								determined based on the square footage of the structure. 0 sq. ft.—1,500 sq. ft. requires 2 parking spaces. 1,501 sq. ft.— 5,000 sq. ft., requires 5 parking spaces; unless the proposed land use would require less. 5,001 sq. ft.— 10,000 sq. ft., requires 10 parking spaces; unless the proposed land use would require less. Over 10,000 sq. ft. requires 20 parking spaces; unless the proposed land use would require less.			
Key:											
a.	Add 1,800 square feet of area for each unit after the first 3 units. Maximum density shall not exceed 24 units per acre.										
b.	1.52 parking spaces per bedroom plus 5%.										

c.	Zero lot line Garden Homes.
d.	20-foot paved alley for ingress/egress to all rear garages.
e.	5-foot shall be designated maintenance easement.
f.	Corner lot shall have 10-foot side yard setback from street right-of-way.
g.	25-foot set back to property line adjoining public street.
h.	Corner lot shall have minimum 15-foot side yard setback from street right-of-way. <u>For properties on Main Street, the City Engineer may authorize a reduction to no less than 10' if there are no sight distance issues.</u>
i.	Minimum lot area for each unit.
j.	Site Plan approval required.
k.	Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
l.	No variances may be permitted to exceed the maximum impervious cover limitations
m.	Refer to Article 14, section 21.14.3 for additional design requirements
n.	All single family residential dwelling units constructed within this district shall be constructed with an enclosed garage.
o.	Side yard setback of 7.5 ft. for R-1, R-2, R-3, R-6, R-7, and MHS continues in effect for all subdivisions vested on the date of adoption of Ordinance No. 11-S-15.
p.	<u>Not subject to the requirements in section 21.10.4</u>

Table 21.5.7.B DIMENSIONAL REQUIREMENTS NON-RESIDENTIAL ZONING DISTRICTS (d)												
		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)					Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Rear Adj Non- Res Zone	Rear Adj. Res Zone	Side Adj Non- Res Zone	Side Adj Res Zone	Max Ht. Ft.	Max Imperv Cover	Key
OP	Office/ Professional	6,000	60	100	25	0	25	0	25	35	70%	a, b, c, d
NS	Neighborhood Services	10,000	100	100	25a	0	25	0	25	35	80%	a, b, c, d

GB	General Business	10,000	100	100	25	0	25	0	25	120	80%	a, b, c, d
GB-2	General Business-2	10,000	100	100	25	0	25	0	25	120	80%	a, b, c, d
M-1	Light Manufacturing	10,000	100	100	25	0	50c	0	25b	120	80%	a, b, c, d
M-2	Heavy Manufacturing	10,000	100	100	25	0	50c	0	25b	120	80%	a, b, c, d
PUB	Public Use District	10,000	100	100	25	0	15	0	25	35	70%	a, c, d
Key:												
a.	See Article 10 for parking requirements.											
b.	Uses may require a Specific Use Permit. The City of Schertz will follow the guidelines outlined in the Air Installation Compatible Use Zone (AICUZ) study for Randolph Air Force Base.											
c.	No variances may be permitted to exceed the maximum impervious cover limitations.											
d.	Refer to Article 14, Sec. 21.14.3 for additional design requirements.											

B. *Additional Dimensional and Development Standards.*

1. All lots developed for residential purposes shall comply with the lot area, minimum setbacks and height requirements established in table 21.5.7A for the zoning district(s) in which the lot(s) is/are located. All lots developed for allowed non-residential purposes, within residential zoning districts, shall comply with lot, area and height requirements established in table 21.5.7A for the zoning district(s) in which the lot(s) is/are located.
2. All lots developed for non-residential purposes shall comply with lot, area, minimum setbacks, and maximum height requirements established for the zoning district(s) in which the lot(s) is located, as established in table 21.5.7B.
3. All lots shall have at least the minimum area, width and depth as indicated in the tables 21.5.7A and 21.5.7B in this section.
4. Platted subdivisions established by a duly approved plat filed prior to adoption of this UDC shall be exempt from meeting any new lot width, depth, and/or square footage requirements.
5. No lot existing at the time of passage of this UDC shall be reduced in size below the minimum area requirements set forth in tables 21.5.7A and 21.5.7B.
6. Minimum lot size requirements shall not apply to previously platted lots that are annexed into the City, but shall apply in the event of a vacation and replat of such property. All other requirements of this UDC shall nevertheless apply.
7. No portion of any building on a residential lot may be located on any lot closer to any lot line or to the street right-of-way line than is authorized in table 21.5.7A set forth in this section unless otherwise listed below:
 - a. Where the frontage on one (1) side of a street is divided by two (2) or more zoning districts, the front yard setback shall comply with the requirements of most restrictive district for the entire frontage between the nearest intersecting streets.
 - b. Where the building setback line has been established by plat and exceeds the requirements of this UDC, the more restrictive setback line shall apply.
 - c. The front yard setback shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard, not to exceed two (2) feet.
 - d. *Side Yards:* Every part of a required side yard shall be open and unobstructed except for accessory buildings as permitted herein and the ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed twenty-four (24) inches into the required side yard.
 - e. *Rear Yards:* Every part of a required rear yard shall be open and unobstructed, except for accessory buildings, uses and structures as permitted and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed twenty-four (24) inches into the required rear yard.
 - f. Where lots have double frontage, running from one street to another, a required front yard setback shall be provided on both streets.
 - g. *Mixed Use Building:* In a building serving dwelling and other uses, in any district, the height and area regulations applicable to non-residential buildings shall apply.

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- h. There shall not be more than one (1) residential dwelling on a platted lot of a duly recorded plat of a single-family residential use.

(Ord. No. 13-S-22 , § 3, 7-16-2013; Ord. No. 14-S-47 , § 3, 11-18-2014; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021)

Sec. 21.5.8. Permitted Use Table.

- A. *Use of Land and Buildings.* Structures, land or premises shall be used only in accordance with the use permitted in the following use table subject to compliance with the dimensional and development standards for the applicable zoning district and all other applicable requirements of this UDC.
- B. *Permitted Principal Uses.* No principal use shall be permitted in any district unless it appears in the following permitted use table.

[Permitted Use Table Here]

C. *New and Unlisted Uses.*

1. It is recognized that new or unlisted types of land use may seek to locate in the City. In order to provide for such contingencies, a determination of any new or unlisted form of land use shall be made in accordance with this section.
2. For uses in which an applicant requests a Specific Use Permit, the City Manager or his/her designee shall follow the procedures for granting an SUP in accordance with section 21.5.11 of this UDC.
3. It is recognized that the permitted use chart may require amendment, from time to time, to allow for uses that were otherwise not permitted. In the event an amendment to the permitted use chart is required, the procedure for the amendment shall be the same as required for an amendment to the text of the UDC in accordance with section 21.4.7 of this UDC.

D. Limited Uses.

1. Tattoo Parlors/Studios in the Main Street Mixed Use District and the Main Street Mixed Use – New Development District shall have the following limited uses:

- a. No tattoo studio shall be within 900 feet of another tattoo studio (property line to property line).

(Ord. No. 13-S-22 , § 4, 7-16-2013; Ord. No. 14-S-47 , § 4, 11-18-2014; Ord. No. 20-S-29, § 1(Exh. A), 10-27-2020; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 21-S-44 , § 1(Exh. A), 10-26-2021)

Proposed UDC Amendment

Article 5 – Permitted Use Table

Proposed changes to Article 5 – Permitted Use Table to add uses to Main Street Zoning Districts

Zoning District	P=Permitted/ S= Specific Use Permit	Permitted Uses
Main Street Mixed Use District (MSMU)	P	Tattoo Parlor/Studio
Main Street Mixed Use District (MSMU)	P	Multi-Family Apartment Dwelling
Main Street Mixed Use District (MSMU)	P	One-Family Dwelling Attached
Main Street Mixed Use District (MSMU)	P	Private Club
Main Street Mixed Use District (MSMU)	P	Theater, Indoor
Main Street Mixed Use District (MSMU)	P	Two-Family Dwelling
Main Street Mixed Use District (MSMU)	P	Automobile Parking Structure/Garage
Main Street Mixed Use District (MSMU)	P	Microbrewery/Brewpub
Main Street Mixed Use District (MSMU)	P	Dance Hall/Night Club
Main Street Mixed Use District (MSMU)	P	Municipal Uses Operated by the City of Schertz
Main Street Mixed Use District (MSMU)	P	Pet Store
Main Street Mixed Use – New Development District (MSMU-ND)	P	Tattoo Parlor/Studio
Main Street Mixed Use – New Development District (MSMU-ND)	P	Multi-Family Apartment Dwelling
Main Street Mixed Use – New Development District (MSMU-ND)	P	One-Family Dwelling Attached
Main Street Mixed Use – New Development District (MSMU-ND)	P	Private Club
Main Street Mixed Use – New Development District (MSMU-ND)	P	Theater, Indoor

Main Street Mixed Use – New Development District (MSMU-ND)	P	Two-Family Dwelling
Main Street Mixed Use – New Development District (MSMU-ND)	P	Automobile Parking Structure/Garage
Main Street Mixed Use – New Development District (MSMU-ND)	P	Microbrewery/Brewpub
Main Street Mixed Use – New Development District (MSMU-ND)	P	Dance Hall/Night Club
Main Street Mixed Use – New Development District (MSMU-ND)	P	Municipal Uses Operated by the City of Schertz

No other changes are proposed.

Sec. 21.5.12. Agricultural Conservation Planned Development District (ACPDD). - Reserved

A. Intent and Purpose.

1. The Agricultural Conservation (AC) District is intended to provide an alternative development option that supports the sustainable development goals of Schertz, protects open space and natural resources, and retains the predominantly rural character in the areas designated as agricultural conservation on the South and North Schertz Framework Plans. It is not the intent of Schertz to create a zone for future expansion of urban services through this ordinance.
2. The purposes of the AC District are:
 - a. To implement the goals of the Schertz Comprehensive Plan and Framework Plans for agricultural conservation;
 - b. To allow development that permanently preserves the open space, agricultural lands, woodlands, wetlands, critical views and other natural features of rural Schertz;
 - c. To allow limited development in rural areas that do not contain natural resources, such as agricultural and forest lands, and significant natural areas;
 - d. To connect open space, trails, and recreation sites within the conservation subdivision district and to the integrated open space and recreation system of Schertz per the Framework Plan and Parks and Open Space Plan;
 - e. To allow flexibility in the placement and type of dwelling units within the subdivision;
 - f. To promote the use of shared septic, drinking water and low-impact stormwater systems that prevent the degradation of water quality;
 - g. To reduce the amount of new roads and to allow flexibility in road specifications for roads serving residences in the district; and
 - h. To reduce the amount of impervious surfaces in subdivisions, including driveways.

B. Definitions. The following definitions shall apply to the terms used in this section of the UDC only. For terms not specifically defined under this subsection, article 16, definitions shall apply.

Active recreation uses: Shall include playgrounds, ball fields, indoor or outdoor pool/recreation facilities, any recreational area that includes significant infrastructure or physical improvements for the purposes of active sports or organized events (such as ball fields, basketball courts, tennis courts, golf courses, and similar facilities).

Agricultural conservation subdivision (ACS): Any subdivision of land per the standards in this section of the UDC.

Agricultural land: Land whose primary use is devoted to agriculture as defined in article 16.

Conservation easement: A conservation easement is a written agreement between a landowner and the "holder" of the conservation easement under which a landowner voluntarily restricts certain uses of the property to protect its natural, productive or cultural features. The holder of the conservation easement must be a governmental entity or a qualified conservation organization. With a conservation easement, the landowner retains legal title to the property and determines the types of land uses to continue and those to restrict. As part of the arrangement, the landowner grants the holder of the conservation easement the right to periodically assess the condition of the property to ensure that it is maintained according to the terms of the legal agreement.

Designated open space: Open space that is designated within an ACS to be placed under a conservation easement permanently restricting future development or other similar legal mechanism.

Developable area: All land in a proposed ACS that are not defined as undevelopable due to environmental conditions or in ordinances adopted by Schertz.

Gross density: A residential density standard establishing the maximum number of dwelling units allowed to be built in an ACS based on the gross acreage of the site that includes all areas designated for streets, infrastructure, and open space.

Undevelopable area: Those lands in a proposed ACS that are restricted from development due to environmental conditions such as steep slopes, the presence of wetlands or waterways, or are restricted from development under ordinances adopted by Schertz.

C. *Application Requirements.*

1. *Application Required.* Any request for an AC District shall be accompanied by an application prepared in accordance with the Development Manual.
2. *Accompanying applications.* A request for an AC District may be accompanied by an application for amendment of the future land use map or by a Subdivision Master Plan. Approval of an AC District shall require all subsequent development applications to be consistent with the approved development regulations.
3. *Tax Certificate Required.* All applications made as a request for an AC District shall be accompanied by a copy of a tax certificate.
4. *Minimum AC District Size.* No AC District may be established on any area less than the following in size:
 - a. Forty (40) contiguous acres (under single or multiple ownership subject to joint submission);
 - b. Any area that is contiguous with an existing AC District that results in a total area of at least fifty (50) acres.

D. *Processing of Application and Decision.* All applications for an AC District shall meet the standards for the processing of application and decision of a PDD in subsection 21.5.10.C. as amended.

E. *Permitted Uses.* Uses permitted by right and by Special Use Permit in the AC District shall be the same as the ones permitted by right and Special Use Permit in the Residential/Agricultural (RA) District.

F. *Development Standards.* Development in the AC District shall meet the standards in this section in addition to other standards set forth in an ordinance granting the AC District. Other development standards may include density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the City Council may deem appropriate.

1. *Residential density.* The maximum gross density established in AC District shall be 0.2 dwelling units per acre.
2. *Open Space Requirement.*
 - a. Conservation subdivisions shall identify a conservation theme. Conservation themes may include, but are not limited to: forest preservation, water quality preservation, creek preservation, farmland preservation, or view shed preservation. The conservation theme and the North and South Schertz Framework Plans should guide the location and use of the designated open space.
 - b. A minimum of seventy percent (70%) of the gross total acreage in the application, including developable and undevelopable land, shall be designated as open space for natural habitat, passive recreation, and/or conservation or preservation, including conservation for agricultural and forestry uses. Active recreation uses may be permitted, but the area designated for such active recreation uses shall not exceed twenty percent (20%) of the total required open space. The design criteria for such open space shall be as follows:

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- i. ~~Where possible, designated open space shall be contiguous with open space uses on adjacent parcels in order to provide large expanses of open space.~~
 - ii. ~~Open space in AC Districts shall be physically connected, whenever possible, to the Schertz Open Space System outlined in the Schertz Parks Master Plan and North and South Schertz Framework Plans. Designated public trail systems which abut an AC District shall be connected through the subdivision.~~
 - iii. ~~Access shall be provided to designated active or passive recreation areas or open space or natural areas from one or more streets in the subdivision.~~
 - iv. ~~Access will not be required if the open space is to remain in active agriculture or forestry or if the natural areas contain habitat where public access should be limited.~~
 - c. ~~*Open Space Ownership and Management.* All lands and improvements in designated open space shall be established, managed and maintained in accordance with the following guidelines:~~
 - i. ~~Designated open space shall be surveyed and subdivided as a separate parcel or parcels.~~
 - ii. ~~Designated open space must be restricted from further development by a permanent conservation easement running with the land or other similar legal instrument. The permanent conservation easement must be submitted with the application for an AC District and approved by City Council.~~
 - iii. ~~The permanent conservation easement may be held by the following entities, but in no case may the holder of the conservation easement be the same as the owner of the underlying fee:~~
 - (a) ~~A common ownership association which owns other land within the subdivision and in which membership in the association by all property owners in the subdivision shall be mandatory;~~
 - (b) ~~An individual who will use the land in accordance with the permanent conservation easement;~~
 - (c) ~~City of Schertz, or other governmental agency;~~
 - (d) ~~A private, nonprofit organization that has been designated by the Internal Revenue Service as qualifying under section 501(c)(3) of the Internal Revenue Code; or~~
 - (e) ~~A combination of the entities in subsection (a)–(d) above.~~
 - iv. ~~The permanent conservation easement must specify:~~
 - (a) ~~what entity will maintain the designated open space;~~
 - (b) ~~the purposes of the conservation easement and the conservation values of the property;~~
 - (c) ~~the legal description of the land under the easement;~~
 - (d) ~~the restrictions on the use of the land;~~
 - (e) ~~the restriction from future development of the land;~~
 - (f) ~~to what standards the open space will be maintained; and~~
 - (g) ~~who will have access to the open space.~~

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- v. ~~The owner of the underlying fee shall be responsible for the payment of taxes and assessments on any designated open space parcel.~~
3. ~~*Utilities.* Individual well and septic systems are allowed in AC subdivisions, however, common utilities (shared water and/or sewer or septic systems) are encouraged. Common utilities shall meet the City's standards for sewage treatment systems.~~
4. ~~*Streets.* Streets within the conservation subdivision shall be developed according to the following standards that promote road safety, minimize visual impacts, and minimize impervious surfaces:~~
- a. ~~Street design, widths and construction shall conform to the width and standards contained in the street cross section without curb and gutters (or low speed rural cross section) and as recommended in the North and South Schertz Sector Plans.~~
- b. ~~The number of local street intersections with collector and arterial roads should be minimized, however, the applicant must demonstrate that such intersections are adequate, have the capacity to handle traffic generated by the proposed project, and will not endanger the safety of the general public.~~
- c. ~~If AC subdivisions abut one another or existing development, direct links should be made to emphasize the connection between existing and new development.~~
- G. ~~*Conceptual and Development Plan.* All applications for an AC District shall meet the standards for conceptual and development plan established for a PDD in Sec. 21.5.10(E) to the extent they are not in conflict with the intent or text of the AC District.~~
- H. ~~*Criteria for Approval.* All applications for an AC District shall meet the criteria for approval established for a PDD in Sec. 21.5.10(F) to the extent they are not in conflict with the intent or text of the AC District.~~
- I. ~~*Amendments.* All applications for an AC District shall meet the standards for conceptual amendments established for a PDD in Sec. 21.5.10(G) to the extent they are not in conflict with the intent or text of the AC District.~~
- (Ord. No. 13-S-22, § 6, 7-16-2013 ; Ord. No. 18-S-04, § 1(Exh. A), 1-23-2018)

Sec. 21.5.14. Mixed Use Planned Development District (MUPDD). -Reserved

A. *Purpose & Intent.* The purpose and intent of the Mixed Use Zoning District (MU) is to implement the Mixed Use land use category guidelines established in the City's Sector Plan. The MU Zoning District is intended to:

1. allow a mixture of complementary land uses that include housing, retail, offices, commercial services, and civic uses to create economic vitality and a potential rail-ready development context;
2. emphasize vehicular and pedestrian connectivity to adjacent land uses that balance neighborhood integrity with the transportation benefits of connectivity;
3. establish a high level of development standards to create development of exemplary and enduring quality;
4. encourage the development of vertical and horizontal mixed-use areas that are safe, comfortable and attractive to pedestrians while protecting significant environmentally sensitive areas;
5. provide flexibility in the siting and design of new developments and redevelopment to anticipate changes in the marketplace while establishing human-scaled residential and non-residential buildings;
6. leverage any significant environmental features on the site and treat them as "features" and not constraints;
7. create a variety of connected community gathering places and entertainment opportunities of differing scales and character to make walking easy from one place to another;
8. include a range of residential options that reflect changing lifestyles while balancing market demand and community preferences;
9. provide appropriate transitions to protect any existing adjacent neighborhoods and to promote sustained value; and
10. encourage efficient uses of land by facilitating compact development and minimizing the amount of land that is needed for surface parking.

B. *Relationship to the City of Schertz Sector Plan and Comprehensive Plan.* The MU Zoning District implements the following goals of the sector plan:

1. Encourage Mixed Use within a rail-ready development context at the potential Lone Star Rail Station North Schertz.
2. Support an orderly transition of development from IH-35 to rail-ready development.
3. Encourage Mixed Use in a Neighborhood Center setting at FM 1518 and Lower Seguin with a well designed neighborhood context around existing schools and amenities in South Schertz.

C. *Applicability.* The MU Zoning District shall be applicable to all properties that are designated as Mixed Use Core and Mixed Use Neighborhood in the City of Schertz's Framework and Sector Plan.

D. *Definitions.* The following definitions shall apply to uses and category of uses listed in the MU schedule of uses and to other terms used in this section only. For terms not specifically defined under this subsection, Article 16 Definitions shall apply.

Buffer Areas Along Creeks and Flood Plains. These are areas of land parallel to each side of existing creeks and flood plains, set aside to protect riparian vegetation and filter waterborne pollutants.

Building Step-Back. Building step-back is the setting back of the front building façade away from the street at a specific floor or height in order to maintain a consistent street wall.

Civic Uses. These are uses that are related to non-profit organizations dedicated to arts, culture, education, and government functions.

Comprehensive Land Plan. The Comprehensive Land Plan, as amended, serves as the community's blueprint for future development by providing guidelines for the appropriate location, concentration, and intensity of future development by land use categories.

Conservation Easement. A conservation easement is a voluntary and permanent, legally binding, deed restriction that limits development of property for the purpose of protecting and preserving a portion of the City's environmentally sensitive and natural resources, including agricultural and ranching areas. The landowner retains title to the property and the easement applies to all subsequent owners. The easement must be held by a qualifying party approved by the City.

Continuous Planters. Continuous planters are tree wells between the vehicle lane/parking lane and the sidewalk. These planters run parallel along the sidewalk with a few breaks for pedestrian access from the parking lane to the sidewalk. The planters may be used for street trees and other landscaping including shrubs and ground cover to soften the edge of the pavement.

Environmental Preserve. An environmental preserve is natural open space reserved for land that is under permanent conservation. It consists of areas in the flood plain, woodlands to be preserved, creeks, water bodies, steep grades, and other environmentally sensitive lands. Activities in the environmental preserve shall be limited to natural trails, paths, and equestrian trails. If significant water access is available, canoe put-ins or other passive water recreation activities may be permitted. The size of an environmental preserve may vary depending upon the environmental element being preserved. Environmental preserves may also be in conservation easements.

Façade. Façade(s) is the front of the building facing or oriented toward a street or roadway, excluding alleyways.

Green. A green is an open space available for unstructured recreation. A green may be defined by landscaping rather than buildings. Its landscape consists of land and trees in a natural arrangement, requiring minimal maintenance. The size of a green shall range from 1 acre to 10 acres.

Horizontal Mixed Use. Horizontal mixed use is the location of different land uses, including commercial, retail, office, residential, public, and other uses in proximity to one another in separate buildings but in the same development or block.

Human Scale or Pedestrian Scale. Human scale is the proportional relationship of a particular building structure, or streetscape element to the human form and function. Human scale relates the size, design, orientation, and/or height of a structure to the height and mass of a pedestrian traveling along the sidewalk or street adjacent to that structure. Generally human scale buildings are oriented towards the street with appropriate design elements and amenities on the building façades fronting sidewalks to making it inviting for pedestrians.

Landscape Concept Plan. A landscape concept plan is a series of drawings that includes design direction and general schematics for all proposed public and private landscaping. Drawings do not have to detail every element but provide images that convey the important landscape design themes.

Live-work Unit. A live-work unit is a dwelling unit that is also used for work purposes, provided that the "work" component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is located on the street level. The "live" component may be located on the street level (behind the work component) or any other level of the building.

Mixed Use Development. Mixed use development is any development that proposes either vertical mixed use or horizontal mixed use in the same development of one or multiple buildings.

Mixed Use Core. Mixed Use Core is a component area of a MU District and is intended to be the area of highest intensity of land uses and buildings within the overall Mixed Use Development. The Mixed Use Core may

include retail, entertainment, office, institutional, arts, and other uses. Residential uses may be included if they are located in upper floors of mixed-use buildings.

Mixed-Use Transition. Mixed-Use Transition is a component area of a MU and is intended to be an area of transition from the Mixed-Use Core or Neighborhood to any adjoining land uses. Based on site-specific adjacency conditions, a Mixed-Use Transition zone may be classified as one of the following:

- *Neighborhood Transition Zone*—The area between an existing residential neighborhood and a Mixed-Use Core or Neighborhood.
- *Major Roadway Transition zone*—The area between the Mixed-Use Core or Neighborhood and a major roadway corridor.
- *Environmental transition zone*—The area between the Mixed-Use Core or Neighborhood and a major environmental feature.

Mixed-Use Neighborhood. A Mixed-Use Neighborhood is a component area of a MU with predominantly residential uses and open spaces. A Mixed-Use Neighborhood may also contain small-scaled civic uses at key locations.

Park. A park is a natural preserve available mainly for unstructured recreation. Any structured recreation shall be limited to less than ten percent (10%) of the park. A park is usually independent of surrounding building frontages. Its landscape consists of natural paths, trails, meadows, woodlands, and open shelters. Its size shall range from 5—10 acres.

Parks & Open Space Master Plan. The City's adopted Parks & Open Space Master Plan which establishes a comprehensive parks and trail system for the community.

Plaza. A plaza is an open space available for civic purposes and limited commercial activities. A plaza is spatially defined by buildings and its landscape shall consist primarily of pavement with trees being optional. Plazas are to be located in the Mixed-Use Core or Transition areas and shall be under a ¼ acre in size. Plazas can be extensions of sidewalks for the purpose of providing outdoor seating for restaurants and cafes.

Primary or Principal Building. The primary building on a lot is also known as the principal building and is the largest building on any lot that has more than one building.

Primary Entrance. The primary entrance is the main or principal pedestrian entrance of all buildings (except outbuildings). The primary entrance is the entrance designed for access by pedestrians from the sidewalk, or street if a sidewalk is not present. This is the principal architectural entrance even though day-to-day residential access may be via a secondary entrance associated with a garage, driveway or other vehicular use area.

Primary Street. A primary street(s) is a street that provides the main point(s) of access from an arterial or collector roadway to the Mixed-Use District's interior street network.

Public Buildings. Public buildings are buildings used for government or related functions, including public administration, courts, libraries, community centers, and public safety functions.

Public Realm. The public realm is the area from building façade to building façade. This includes the street, sidewalks and pedestrian amenities, any landscaping strips or medians, parks, common yards, etc.

Public Street, Type A. Type A Public Streets are the primary pedestrian-oriented streets and require a higher quality design environment and minimal accommodation of auto-oriented ancillary uses (driveways and parking) with respect to streetscape and building design.

Public Street, Type B. Type B Public Streets form the secondary street network providing access to pedestrian oriented streets (Type A Streets) and may accommodate automobile access to properties and uses.

Residential Loft. Residential loft is typically a residential unit designed to commercial standards (with high ceilings, open plans, and large windows) located above street-level commercial space.

Sector Plan. The City of Schertz Sector Plan, as amended, consisting of multiple elements, as adopted by the City Council.

Square. A square is generally a geometrically symmetrical open space of ½ to 2 acres, available for unstructured recreation and civic purposes. A square is spatially defined by streets and buildings, at least on three sides. Its landscape consists of paths, lawns, and trees, all formally arranged.

Street Tree. A street tree is a tree or group of trees that line the edge of a street or roadway and includes trees inside and outside the street right-of-way.

Streetscape Treatments. Streetscape treatments include all improvements in a right-of-way and adjacent to it that create an attractive and safe pedestrian environment. Treatments shall include street trees, street light standards, street furniture, and trash receptacles. Streetscape treatments may also include a range of features such as paving materials, street/pedestrian/wayfinding signs, media boxes, parking meters, utility boxes, seating, public art/water features, bike racks, bollards, information kiosks, and similar features.

Thoroughfare Plan. The Thoroughfare, as amended, serves as the community's blueprint for the City's future transportation network based on the future land use allocation and intensity.

Vertical Mixed Use. Vertical mixed use is a building or structure in which at least one of the upper floors of a commercial building has residential uses (live-work units or lofts) with retail or office uses at the other levels.

E. —GENERAL DISTRICT STANDARDS.

1. — *Generally.* A Mixed Use Zoning District shall consist of a minimum of two of the following three distinct components designated in the ordinance creating the district: a Mixed Use Core, Neighborhood, and Mixed Use Transition. Land uses in the district shall be established based upon the overall character and design of the district. All MU districts shall be a minimum of 40 acres in size or can be created by adding a minimum of 10 acres contiguous to an existing MU district. All MU districts shall contain appropriately designed and scaled open spaces to preserve existing wooded areas, stream corridors and views, and invite passive recreational activities. All MU districts shall contain appropriate transitions to adjacent land uses. These components shall be established through a Conceptual Plan and/or Development Plan at the time of rezoning.
2. — *Mixed Use Core Area.* The Mixed Use Core Area shall be the primary location of the highest intensity of commercial, professional, retail and residential uses.
3. — *Neighborhood.* The Neighborhood is a component area of any MU Zoning District that is predominantly residential in nature. Limited retail and civic uses may be located at key points within the neighborhood. The location of the neighborhood shall be determined based upon the overall character and design of the proposed MU district and the following criteria:
 - a. — The neighborhood component is to be located adjacent to the Mixed Use Core and any Mixed Use Transitions;
 - b. — The neighborhood shall be well integrated with proposed open space and other civic uses to create a sense of place;
 - c. — The neighborhood shall also be integrated with proposed Mixed Use Core and/or Mixed Use Transitions in a manner that provides automobile and pedestrian access within the proposed MU Zoning District; and
 - d. — Uses in the neighborhood shall be to the density and scale that is appropriate based on the context and character of the proposed district.
4. — *Mixed Use Transition.* MU Zoning Districts may, at the election of the applicant and based on the development context, also include appropriate Mixed Use Transition components which are the areas between the Mixed Use Core and/or Neighborhood to adjoining conditions.

5. ~~Open Space.~~ The open space component shall be integrated into the overall design of the Mixed Use Zoning District.

a. ~~The type, scale, location, and design of the open space component shall depend on the context and location of the other components of the MU district.~~

b. ~~Square, parks, greens, and environmental preserves are encouraged in all components. Plazas may serve as open spaces and shall only be appropriate in the Mixed Use Core.~~

F. ~~SCHEDULE OF USES:~~

1. ~~Uses within the MU shall be in accordance with the following schedule of uses (Table 1).~~

P	Use is permitted in the district indicated
S	Use is permitted in the district indicated upon approval of Specific Use Permit
P/D	Use is permitted in the district indicated with additional Design Criteria
	Use is prohibited in the district indicated

Table 1: Schedule of Uses				
	MIXED-USE			
	MU-C	MU-N	MU-T	
PERMITTED USES	Mixed Use—Core	Mixed Use—Neighborhood	Mixed Use—Transition	Design Criteria for uses designated as P/D
Accessory Building, Residential		P	P	
Agricultural/Field Crops				
Airport, Heliport or Landing Field				
Alcohol Package Sales	S			
Antenna and/or Antenna Support Structure, Commercial				
Antique Shop	P		P/D	In buildings 10,000 sq.ft. or less
Appliances, Furniture and Home Furnishings Store	P		P/D	In buildings 10,000 sq.ft. or less
Art Gallery/Library/Museum	P		P/D	In buildings 10,000 sq.ft. or less
Assisted Care or Living Facility	P		S	
Athletic Stadium, Private				
Athletic Stadium, Public				
Automobile Parking Structure/Garage	P			
Automobile Parts Sales	P			
Automobile Repairs & Service, Major				

Automobile Repairs & Service, Minor				
Automobile Sales				
Bakery	P		P/D	In buildings 10,000 sq.ft. or less
Bank, Saving and Loan, Credit Union	P		P/D	In buildings 10,000 sq.ft. or less
Beauty Salon/Barber Shop	P		P/D	In buildings 10,000 sq.ft. or less
Bed and Breakfast Inn	P	S	S	
Book Store	P		P/D	In buildings 10,000 sq.ft. or less
Bottling Works				
Building Material and Hardware Sales	P			
Cabinet or Upholstery Shop	P			
Car Wash, Automated				
Car Wash, Self Serve				
Cemetery or Mausoleum				
Church, Temple, Synagogue, Mosque, or Other Place of Worship	P		S	
Civic/Convention Center	P			
College, University, Trade, or Private Boarding School	P			
Commercial Amusement, Indoor	S			
Commercial Amusement, Outdoor				
Community Center	P		S	
Concrete/Asphalt Batching Plant				
Convenience Store w/o Gas Pumps	P		P/D	In buildings 10,000 sq.ft. or less
Convenience Store w/ Gas Pumps	P/D			Gas pumps and canopy design per Section 8(g)
Dance Hall/Night Club	P			
Day Care Center	P		P	
Department Store	P			
Drive-thru service (for any use)	P/D			Drive-thru service design per Section 8(g)
Dry Cleaning, Major	S			
Dry Cleaning, Minor	P		P/D	In buildings 10,000 sq.ft. or less

Family or Group Home	P	S	P	
Farmers Market	P			
Flea Market, Inside				
Flea Market, Outside				
Florist	P		P/D	In buildings 10,000 sq.ft. or less
Fraternity, Sorority, Civic Club or Lodge	P		P/D	In buildings 10,000 sq.ft. or less
Furniture Sales	P			
Gasoline Station/Fuel Pumps				
Gated Community				
General Manufacturing/Industrial Use				
Golf Course and/or Country Club	S	S	S	
Governmental Facilities	P		P/D	In buildings 10,000 sq.ft. or less
Gymnastics/Dance Studio	P		P/D	In buildings 10,000 sq.ft. or less
Hazardous Waste				
Health/Fitness Center	P			
Heavy Equipment Sales, Service or Rental				
Home Improvement Center	P			
Hospital	P			
Hotel/Motel	P			
Household Appliance Service and Repair	P			
In-Home Day Care	P	S	S	
Landfill				
Laundromat	P			
Livestock				
Locksmith/Security System Company	P		S	
Medical, Dental or Professional Office/Clinic	P		P	
Mini-Warehouse/Public Storage				
Manufactured/Mobile Homes				
Manufacturing				
Mortuary/Funeral Home				
Multi-Family Apartment Dwelling	P		P	

Municipal Uses Operated by the City	P	P	P	
Museum	P			
Neighborhood store/restaurant	P	P/D	P/D	In buildings 10,000 sq. ft. or less
Nursery, Major				
Nursery, Minor	P		S	
Office Showroom	P			
Office- Warehouse/Distribution Center				
One-Family Dwelling Attached		P	P	
One-Family Dwelling Detached		P	P	
Packaging/Mailing Store	P			
Park/Playground/Similar Public Site	P	P	P	
Pawn Shop				
Pet Store	P			
Pharmacy	P			
Portable Building Sales				
Post Office	P			
Print Shop, Major				
Print Shop, Minor	P			
Private Club	P			
Railroad/Bus Passenger Station	P		P/D	In buildings 10,000 sq. ft. or less
Recreational Vehicle Park				
Recreational Vehicle Sales and Service				
Recycling Collection Center				
Recycling Collection Point			P	
Recycling Facility				
Rehabilitation Care Facility				
Restaurant, Drive-In				
Restaurant or Cafeteria	P		P/D	In buildings 10,000 sq. ft. or less
Retail Stores and Shops	P		P/D	In buildings 10,000 sq. ft. or less
School, Public or Private	P	S	S	
Sexually Oriented Business				
Stable, Commercial				

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Storage or Wholesale Warehouse				
Tattoo Parlors/Studios				
Tavern	P			
Taxidermist				
Theater, Outdoor	S			
Theater, Indoor	P			
Tool Rental				
Trailer/Manufactured Homes Sales				
Truck Sales, Heavy Equipment				
Truck Terminal				
Two-Family Dwelling		S	P	
Veterinarian Clinic/Kennel, Indoor	P			
Veterinarian Clinic/Kennel, Outdoor				
Welding/Machine Shop				
Wrecking or Salvage Yard				
New and Unlisted Uses	S	S	S	

2. Table 2 shows the proportions of components required to create a MU district. A minimum of two out of three MU Zoning District components (in addition to the minimum required open space) must be combined for a total of one hundred percent (100%) within the MU district. The City Council may vary percentages within the limits indicated based upon site specific conditions in the ordinance establishing the district. The percentages shall be calculated based upon the gross area of the MU district being proposed.

TABLE 2— MU Component Proportion Required		
Core	20%	+ 30%; -20%
Neighborhood	60%	± 30%
Transition	5%	+ 20%; -5%
Open space	10% (min.)	+10%

G. Development standards.

1. Standards in the MU district are intended to facilitate the development of unique and pedestrian-friendly environments. To this end, design and development standards are intended to be tailored to create such an environment. In order to provide flexibility in use with prescription of the building form, all applicable development standards for each development project in the MU, including listing any applicable sections of the City of Schertz Unified Development Code that the particular development project may be exempt from, shall be established via the ordinance rezoning the property. If there are any conflicts between standards in Table 3 below and any other standards in the UDC, then standards in Table 3 below shall prevail.

2. ~~Accessory Buildings, Uses, and Structures.~~ Standards in Section 21.8.2. shall apply unless other standards are proposed by the applicant and approved by City Council.
3. ~~The following standards shall apply to development in the Mixed Use Zoning District. Most standards have a numerical range and few have a specific numerical value. Due to the inapplicability of one development standard across all Mixed Use Districts and to encourage a diversity of development proposals, the developer shall propose the standards indicated as "Flexible" or "Permitted/Flexible" on the following table for the proposed development at the time of conceptual plan application submittal. However the proposed standards shall be based on the Purpose and Intent and Performance and Design Standards of the Mixed Use Zoning District.~~

TABLE 3			
Mixed Use Development Standard	Core	Neighborhood	Transition
1.0 Street Design Standards (This standard applies only to new streets located in the Mixed Use District)			
Street design standards in the MU District shall be based upon creating a safe and inviting walking environment through an interconnected network of roads with sidewalks, street trees, street furniture, and amenities. Cul-de-sacs are prohibited unless natural features such as topography or stream corridors prevent a street connection. The right-of-way widths for streets in the MU shall depend on the street typology and streetscape standards proposed and approved in the ordinance creating the district. Applicant shall establish a network of both Type A and Type B Public Streets. The North and South Schertz Sector Plan shall be used as a guide for street design standards within the MU. The ITE Manual for Context Sensitive Solutions in Designing Major Thoroughfares (referenced as ITE Manual) may also be used in lieu of the Sector Plan to develop alternative street design standards within the MU, subject to the approval of the City.			
a. Design speed	≤25 mph (except new collector or arterial streets)	<25 mph	≤25 mph (except new collector or arterial streets)
b. Street types allowed (see Sector Plan for recommended R-O-W and cross-sections or ITE Manual)	Boulevards: 4-lane divided Avenues: 3-lane divided Main streets Residential streets: 2-lane undivided Commercial Alleys	Avenues: 3-lane divided Residential streets: 2-lane undivided Residential Alleys	Boulevards: 4-lane divided Avenues: 3-lane divided Main streets Residential streets: 2-lane undivided Commercial and/or Residential Alleys
c. Travel lane widths	ITE Manual standards shall apply		
d. Turning radii			
e. On-street Parking (along all streets except arterials and alleys)			
—• Parallel	Permitted	Permitted	Permitted
—• Angled (only if vehicles per day are projected to be less than 8,000)	Permitted	Not permitted	Not permitted
—• Head-in	Not permitted	Not permitted	Not permitted
f. Parking lane width			
—• Parallel	8 feet	7—8 feet	8 feet
—• Angled	18 feet	N/A	18 feet

g. Alleys ¹	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
2.0 Streetscape Standards			
a. Sidewalks/Trails/ Walkways	6 feet (minimum)	5 feet (minimum)	5 feet (minimum)
b. Planter/Planting Strip Type ²	Tree wells or Planters/Planting strips	Planters/Planting strips	Planters/Planting strips
c. Planter/Planting Strip width	6' X 6' tree well or 6 feet—8 feet wide planting strip	6 feet—8 feet wide planting strip	6 feet—8 feet wide planting strip
d. Street trees	Required/Flexible	Required/Flexible	Required/Flexible
The applicant shall submit a proposed street tree planting plan, including a tree palette and spacing as a part of the Landscape Concept Plan, which shall be reviewed by the City and must be approved by the City Council at the time of Concept Plan and zoning change. The requirements for the landscape concept plan are outlined in Section H (10).			
3. Open/Civic Space Standards			
a. Open/Civic Space	Required/Flexible Squares and plazas are appropriate	Required/Flexible, Squares and greens are appropriate	Required/Flexible, squares and greens are appropriate
<i>*Overall open/civic space allocations in the MU district shall be a minimum of ten percent (10%) of the gross area of the entire site included in the MU concept plan and shall be distributed appropriately between the MU components. The location and design of appropriate open spaces shall be based on Section H (9) of this section.</i>			
4. Block and Lot Standards			
a. Block Type	Regular (square or rectangular) Irregular blocks may be permitted only if natural topography and/or vegetation prevents a rectilinear grid	Regular or irregular (square, rectangular, or curvilinear based on topography and vegetation)	Regular or irregular (square, rectangular, or curvilinear based on topography and vegetation)
b. Block Perimeter	Max. block perimeter = 1,600'	Max. block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)	Max. block perimeter = 2,000' (unless limited by unique site conditions such as topography and vegetation)
c. Lot Area	Flexible	Flexible	Flexible
d. Lot Width and Depth	Flexible	Flexible	Flexible
e. Maximum Lot Coverage	Flexible	Flexible	Flexible
f. Maximum Impervious Cover	Flexible	Flexible	Flexible
5.0 Building Standards			
a. Principal Building Height*	1 story (minimum) 8 stories (maximum)	1 story (minimum) 3 stories (maximum)	1 story (minimum) 4 stories (maximum)

¹Alleys may be required for all development with lots 60 feet or less in width.

²Planters or planting strips are required for all public streets in the MU (with the exception of alleys).

<i>* Building height shall be measured in number of stories. Attics and mezzanines shall be excluded from the height calculation as long as they do not exceed fifty percent (50%) of the floor area of a typical floor in the same building.</i>			
b. Setbacks**			
—● Front	15 feet (maximum)	Flexible	Flexible
—● Side	Flexible	Flexible	Flexible
—● Rear	Flexible	Flexible	Flexible
<i>**Minimum and/or maximum setback standards are to be proposed by the applicant for each component area based on the Purpose and Intent of the MU district and Performance and Design Standards established in Section H of this Code.</i>			
c. Accessory buildings	Permitted/Flexible	Permitted/Flexible	Permitted/Flexible
<i>Standards for accessory uses and structures shall be provided by the applicant. The standards shall result in accessory buildings being subordinate in size and scale to the principal building. Standards in Sec. 21.8.2, Accessory Buildings shall apply if the applicant does not specifically provide regulations for accessory uses and structures.</i>			
d. Principal building orientation	Buildings shall be oriented to a Type A street or toward another focal point such as a park, plaza, square, other open space or environmental feature. See subsection I for additional requirements.		
e. Building façade & architectural design standards	The applicant shall propose appropriate building façade and architectural design standards for all the MU components in the development with the application for zoning change/concept plan. They shall be based on the criteria established in subsections I of this ordinance.		
6. Site Design Standards			
a. Off-street parking	The applicant shall propose off-street parking standards appropriate to serve the proposed uses in the MU. Standards in Sec. 21.10.4 shall be used as a guide to establish parking standards but parking standards unique to the MU shall be established in the ordinance creating the MU. Section H (6) shall regulate the location and design of all proposed off-street parking including any structured parking proposed.		
<i>Parking standards in the MU are intended to be flexible due to the mixed-use nature, shared parking opportunities, and availability of on-street parking.</i>			
b. Off-street loading	Section 21.10.8 applies unless alternative standards are provided	N/A	Section 21.10.8 applies for non-residential uses only unless alternative standards are provided
c. Screening			
—1. Trash/recycling receptacles	Required/Flexible	Required for non-residential uses Flexible for residential uses (along alleys if alleys are provided)	
—2. Other utility equipment	See Sec. 21.9.9		
—3. Loading spaces	Required for non-residential uses. Section 21.9.9 applies for non-residential uses only unless alternative standards are provided		
—4. Surface parking areas	Required/Flexible (Standards in Article 9 of the UDC shall apply to any surface parking located along any public street with the exception of alleys unless the applicant proposes alternative screening standards at the time of concept plan/zoning change application.)		
d. Landscaping#			

1. Landscape buffer between surface parking and sidewalks/trails and streets (except alleys)	Required/Flexible	N/A	Required only for non-residential uses
2. Parking lot minimum interior landscaping	Flexible	N/A	Flexible
<i>"The applicant shall provide a landscape concept plan per Section H (10) with the concept plan application that identifies landscape themes and general design approach addressing street tree planting, streetscape treatments, any required screening, parking lot landscaping, and landscaping proposed in all the identified open space areas. Information provided at the concept plan phase may be schematic meeting the design intent of the proposed development. Detailed landscaping plans shall be required at the Site Plan stage for all non-residential development."</i>			
e. Lighting	Required/Flexible (As a part of the concept plan application, the applicant shall propose lighting standards that includes street light standards and other amenities as a part of the streetscape treatment plan. The landscape concept plan may be combined with a concept plan for lighting.)		
—— 1. Building entrances			
—— 2. Parking areas, trails, and streets			
f. Signs	Flexible (Flexible signage in the mixed use district may be proposed by the applicant to City Council. Signage in the MU shall integrate the streetscape and architectural design of the district through a palette of signs that enhance the pedestrian environment and create a unique identity.)		

~~H. — PERFORMANCE AND DESIGN STANDARDS.~~

~~1. — General Layout Standards.~~

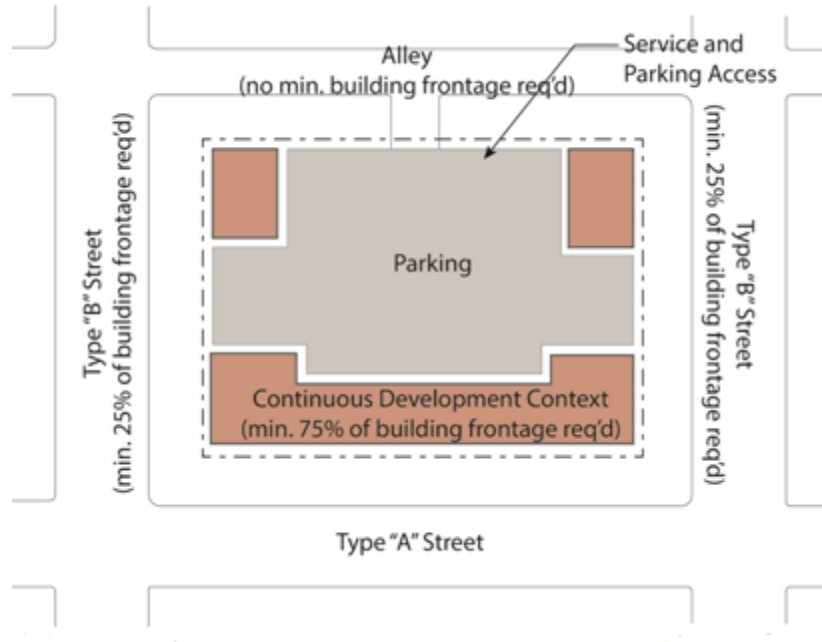
- ~~a. — The proposed district shall contain a network of connected streets and walkways that provide a variety of transportation routes and disperse traffic. Streets shall be designed to create a pleasant walking environment with on-street parking and streetscape treatments.~~
- ~~b. — The proposed district shall contain designated sites for civic, institutional, or religious buildings. Buildings such as schools, libraries, meeting halls, places of worship, and day care facilities shall occupy prominent places in the MU and be planned in coordination with open spaces.~~
- ~~c. — The proposed district shall contain many separate and human-scaled buildings:

 - ~~i. — The lots and a variety of buildings shall generate a cohesive pattern that allows streets to be civic places.~~
 - ~~ii. — Building heights shall vary, with one to six story structures typical in the Core, one to four story structures in Transition area and one to three story structures in the Neighborhood area. Buildings shall help define the sidewalks and streets.~~
 - ~~iii. — Driveway sizes and locations shall minimize the impact of the automobile on the public realm and shall be located along Type "B" public streets or along alleys.~~~~

~~2. — Building orientation.~~

- ~~a. — Non-residential and mixed-use buildings shall have a minimum of twenty-five percent (25%) of their building frontage oriented along a Type "B" public street, arterial, highway frontage, or collector streets and a minimum of 65% of their building frontage oriented along Type "A" public streets (with the exception of alleys which shall have no minimum building frontage requirement) (see illustration below applicability of minimum building frontage requirement along a block).~~

- b. Residential buildings shall have a minimum of twenty-five percent (25%) of their building frontage oriented along a Type "B" Public street, arterial, highway frontage, or collector streets and a minimum of fifty (50%) of their building frontage oriented along Type "A" public streets (with the exception of alleys which shall have no minimum building frontage requirement).



Minimum Building Frontage Required for Non-Residential and Mixed Use Buildings

3. ~~Building Entrances.~~

- a. ~~Primary facades along Type "A" Public Streets shall contain the main entrance of any principal building.~~
- b. ~~All principal buildings in the MU located on a Type "A" Public Street serving the development shall also have doors, windows, and other architectural features facing that street. Non-residential or mixed use corner buildings shall have at least one customer entrance facing each street or a corner entrance instead of two entrances.~~

4. ~~Building Façade Standards.~~

- a. ~~The minimum ground floor height as measured from the finished sidewalk to the second floor for all vertical mixed use, commercial, and live-work buildings shall be 12 feet. The minimum finished floor height for all upper floors of vertical mixed use, commercial, and live-work buildings shall be 9 feet. The minimum floor to floor height for all other buildings shall be 9 feet.~~
- b. ~~The ground floor elevation of all residential buildings (attached, detached, and stacked) shall be raised a minimum of two (2) feet above the finished level of the public sidewalk/trail in front of the residential structures unless the building is setback more than 10 feet from the public sidewalk.~~
- c. ~~All development shall provide ground floor windows on the building façade facing and adjacent to a street (with the exception of alleys) or facing onto a park, plaza, or other civic space. The required area of windows and doors on each street façade fronting a Type "A" street, park, square, green, plaza, or other civic space as a percentage of that façade shall be established in~~

Table 4. The required minimum area of windows and doors on all other street facades (Type "B" public streets with the exception of alleys) may be reduced by twenty percent (20%) of the corresponding requirement along a Type "A" Public street façade.

Table 4				
Building and Façade		Core	Neighborhood	Transition
All principal building facades				
Ground floor facade Windows and doors	Minimum	40%	30%	30%
	Maximum	90%	60%	60%
Upper floor facade Windows and doors	Minimum	25%	30%	30%
	Maximum	60%	60%	60%

- d. — Darkly tinted windows and mirrored windows that block two-way visibility shall not be permitted along ground floor facades.
- e. — All vertical mixed use and non-residential buildings shall have door openings spaced at no greater than 60 feet on the ground floor along all Type "A" streets, plazas, squares, or other civic spaces within the Mixed Use Core zone.

5. — *Architectural Design Standards.*

- a. — To ensure compatibility of building types and to relate new buildings to the building traditions of the region, architectural design shall be regulated, governed, and enforced through architectural design standards proposed by the applicant. The applicant shall submit the proposed standards as a part of the concept plan application for all development in the MU. The Planning and Zoning Commission shall make a recommendation and is subject to the approval of the City Council at the time of Concept Plan.
- b. — Architectural design standards for a proposed MU shall:
 - i. — specify the materials and configurations permitted for walls, roofs, openings, street furniture, and other elements;
 - ii. — be based on traditional building precedents from the region;
 - iii. — include the following:
 - architectural compatibility among structures within the neighborhood;
 - human scale design;
 - pedestrian use of the entire district;
 - relationship to the street, to surrounding buildings, and to adjoining land uses; and
 - special architectural treatment of gateways/civic buildings.
- c. — All building frontages along public and private streets (with the exception of alleys) shall break any flat, monolithic facades by including architectural elements such as bay windows, recessed entrances, or other articulations (vertical and horizontal) so as to provide pedestrian interest along the street level façade including discernible and architecturally appropriate features such as, but not limited to, porches, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas, plazas, courts, or other treatments to create visual interest, community character, and promote a sense of pedestrian scale. Expanses of blank walls

exceeding 30 continuous feet are prohibited along all Type "A" streets and 50 continuous feet along all other streets except alleys.

- d. All buildings in the MU Zoning District shall be constructed with exterior building materials and finishes of a quality to convey an impression of permanence and durability. Materials such as masonry, stucco, stone, terra cotta, ceramic tiles, and similar durable architectural materials are allowed and shall be approved with the Concept Plan for the district.
- e. Non-residential buildings and sites shall be organized to group the utilitarian functions away from the public view of any street (with the exception of alleys). Delivery and loading operations, HVAC equipment, trash compacting and collection, and other utility and service functions shall be incorporated into the overall design of the buildings and landscaping. The visual and acoustic impacts of all mechanical, electrical, and communications equipments (ground and roof-mounted) shall not be visible from adjacent properties and public streets, and screening materials and landscape screens shall be architecturally compatible with and similar to the building materials of the principal structures on the lot.

6. *Location and Design of Off-Street Parking.*

- a. The applicant shall provide standards for the quantity of off-street parking proposed in the district based on an analysis of the parking demand for the mix of uses proposed and availability of on-street parking in the district. Section 21.10.4 shall be used as a guide to establish the amount of parking required for uses proposed in the MU if the applicant does not specifically provide alternative standards. The City Council may establish the alternative parking standards proposed by the applicant in the ordinance establishing the district.
- b. Off-street parking (within surface parking lots) for all non-residential and mixed uses located along Type "A" streets shall be limited to thirty-five percent (35%) or less of the block frontage and seventy-five percent (75%) or less on Type B streets, arterial, collector, and highway frontage streets (see corresponding building frontage requirement).
- c. Any off-street surface parking area located adjacent to a street or a residential use shall be screened in the form of a landscape fence which is at least four feet (4') in height.
- d. A surface parking lot may not be adjacent to a street intersection or square, or occupy a lot that terminates a street vista.
- e. Shared parking facilities are encouraged for non-residential uses in the MU.
- f. Bicycle parking shall be provided for non-residential uses, especially for schools, parks, trails, and other recreational facilities. Bicycle parking shall be provided at a rate of five percent (5%) of all off-street automobile parking spaces provided for non-residential and mixed uses in the district. Bicycle parking may be shared between uses and shall be centrally located, easily accessible, and visible from streets or parking lots. They may be located between the roadway and the building facades as long as their location does not impede pedestrian walkways.
- g. Any off-street parking provided for residential uses shall be located in such a manner as to minimize the impact of garages and driveways along the residential street. All residential lots that are less than 60 feet in width shall have off-street parking and/or garages accessed from alleys. All lots 60 feet and wider may have front loaded garages (pull-through garages), but in no case shall the width of the garage exceed forty percent (40%) of the front façade width of the entire building. In addition, the garage shall be set back at least three feet (3') from the front façade of the home.

7. *Design of automobile related site elements (Drive Throughs, Gas Canopies, etc.).*

- a. Drive-through lanes, drive up windows, service bays, and other auto-related site elements shall not be located along or be visible from any Type "A" Public Street.
- b. Along Type "B" streets, no more than two drive-through lanes shall be permitted along that lot's street frontage. In addition, no more than sixty percent (60%) of the lot's frontage along a Type "B" street shall be dedicated to auto-related site elements (see illustration below).
- c. Drive-through lanes shall be hidden behind a screening device (min. 4' in height) along the Type "B" street frontage. There shall be no limit to the number or frontage of drive-through lanes located along alleys.

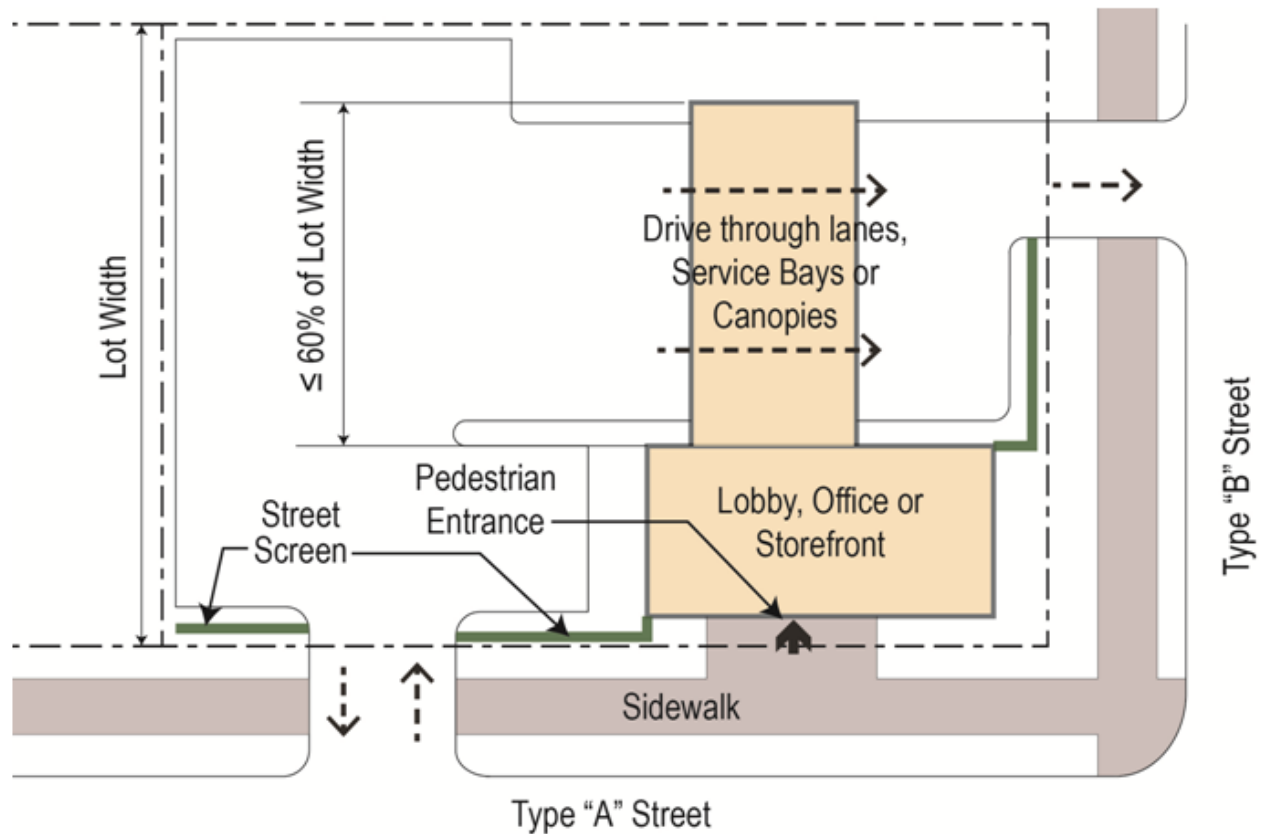


Image showing appropriate design of auto-related site elements

- d. All off-street loading, unloading, and trash pick-up areas shall be located along alleys only. Such uses may be located along Type "B" streets only if the lot has no access to an alley. Any off-street loading, unloading, or trash pick-up areas shall be screened in accordance with Section 21.9.7.
8. *Design of Parking Structures.*
- a. All frontages of parking structures located on Type "A" Streets shall be lined by active commercial uses on the ground floor to a minimum depth of 25'.
 - b. Parking structure facades on all public streets (except alleys) shall be designed with both vertical (façade rhythm of 20'—30') and horizontal (aligning with horizontal elements in the block) articulation.



Images showing appropriate design of parking structures

- c. — Where above ground structured parking is located at the perimeter of a building, it shall be screened in such a way that cars on all parking levels are not visible from adjacent buildings or the street. Parking garage ramps shall not be visible from any public street. Ideally, ramps shall not be located along the perimeter of the parking structure. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield lighting.

9. — *Civic/Open-Space Standards:*

- a. — The provision of adequate and appropriate civic/open space areas shall be integral to all development in the district. The minimum requirement for civic/open space in the district is ten percent (10%) of the gross area of the property(ies) proposed for rezoning under a single Conceptual or Development Plan which shall be dedicated open space and shall be included in the zoning change/development plan application for a proposed MU zoning district.
- b. — The civic/open space provided shall be appropriately designed and scaled in each of the district components.
- c. — The following criteria shall be used to evaluate the merits of proposed civic/open spaces in the MU:
 - i. — The extent to which environmental elements preserved are considered as "features" or "focal points" and integrated into and prominently located as "front yards" in the development; adding value to the development;
 - ii. — The extent to which emphasis has been placed on preservation of existing wooded areas, view sheds, water bodies, topography, and stream corridors in a natural and contiguous state;
 - iii. — The extent to which pedestrian connectivity in the form of sidewalks, natural walking paths along stream and creek corridors has been addressed; and

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- iv. — The extent to which a range of open spaces have been provided to be contiguous with existing open spaces and to invite passive recreational uses from plazas and squares to playgrounds, parks and environmental preserves, appropriately organized within the respective MU component.
 - d. — Open spaces may be in the form of pocket parks, children's play areas, squares, linear greens, and environmental preserves. Active sports fields and structured recreational activities shall be limited to less than ten percent (10%) of any parks located in the district.

10. — *Landscaping Standards.*

- a. — The purpose of landscaping in the MU is to enhance pedestrian and open space areas, to help delineate active areas from passive areas, to provide a screening buffer between pedestrians and vehicular circulation, utility functions, and incompatible adjacent developments.
- b. — The applicant shall submit a landscape concept plan in conjunction with the zoning change and concept plan application. The landscape concept plan establishes the design direction and general schematics for all proposed landscaping including all aspects of the public realm such as street trees, plant/tree palette, streetscape treatments, pavement details, front yards, and medians; proposals for required parking lot landscaping, screening, design concepts for all open spaces, and lighting.
- c. — Proposed landscaping shall meet the following standards:
 - i. — Be pedestrian oriented.
 - ii. — Designed in such a way to not create a security or physical hazard to pedestrians, bicyclists or motorists.
 - iii. — Enhance or complement the architectural design of the mixed-use development.
 - iv. — Provide visual interest year-round. Utilize water conservation methods and drought tolerant planting where possible.
 - v. — Shall be provided between parking lots and all adjacent sidewalks.
 - vi. — Meet the standards for Installation and maintenance in section 21.9.7(C).
 - vii. — Propose a plant/tree palette that mostly includes native species.

I. — *APPLICATIONS AND DEVELOPMENT REVIEW PROCESS.*

- 1. — An applicant requesting a rezoning to the MU shall submit an application that meets the requirements of this Section and Section 21.5.10(B). Application Requirements for a Planned Development District (PDD).
- 2. — Processing of Application and Decision: shall meet the requirements of Section 21.5.10(C) for a Planned Development District (PDD).
- 3. — The application shall submit a Conceptual and Development Plan that meets the requirements of Section 21.5.10(E) for a Planned Development District (PDD). In addition to the requirements of Section 21.5.10(E), the applicant shall also adequately demonstrate the compliance with the Development Standards within this Section.
- 4. — The application for MU shall meet the standards in Section 21.5.10(F) Criteria for Approval and Section 21.5.10(G) Amendments for a Planned Development District (PDD).

J. — *MODIFICATIONS.* The City Council may approve modifications to any established standards in the MU after a recommendation by the Planning and Zoning Commission based on unique site conditions and development context at the time of the application. In granting a modification, the City Council may impose any conditions

that it deems necessary or desirable to protect the public interest and implement the goals of the City's Sector Plan with respect to mixed use.

Sec. 21.5.15. Design Overlay Districts (DO). -Reserved

- A. — *Purpose and Intent.* The purpose of this section is to provide a set of Design Overlay Districts that correspond with existing zoning and establish a coherent character and encourage enduring and attractive development.
- B. — *Applicability.* Standards in this section apply in addition to standards in Article 9 Site Design Standards to the extent that the standards in Article 9 are not in conflict with standards in this section. In case of any conflicts, the stricter of the 2 standards shall apply.
- C. — *Overlay Districts Established.* Four (4) Overlay Districts shall be established per this Section.

1. — *Purpose and Applicability.*

- a. — *Highway Commercial Overlay District (DOHC).* The Highway Commercial Overlay District maintains land uses in the underlying current zoning. The Highway Commercial Overlay District is to be placed over I-10 and I-35 frontage where the underlying zoning is General Business (GB) zone. In addition, the Highway Commercial Overlay District shall apply to all properties with frontage on FM 78 as designated on Exhibit A. Development standards in this Overlay District are intended to take advantage of the visibility along the highway for more auto-oriented development while transitioning towards a more pedestrian oriented frontage along the interior roads. Generally, this frontage type may accommodate large-format retail or office sites with surface parking along the site's highway frontage. The goal is to minimize the impact of large, surface parking lots and discourage the "big-box" look. In addition, the site shall be planned in such a manner as to facilitate a more urban block infill development pattern with respect to building pads, parking, driveways and service areas.
- b. — *Campus Commercial Overlay District (DOCC).* The Campus Commercial Overlay District shall maintain the land uses in the current underlying zoning. However, the development standards for this Overlay District are intended to address development in areas marked as campus commercial in the North and South Schertz Framework Plans. Development standards in this district are intended to take advantage of the large and underutilized parcels with access to regional connectors. Generally, this district may accommodate large-format office sites with surface parking within the interior of the lot/block and screened from public view along internal streets. The goal is to minimize the impact of large, surface parking lots and encourage the "office park" look. In addition, the site shall be planned in such a manner as to facilitate a more urban block infill development pattern with respect to building pads, parking, driveways, and service areas, when the market can accommodate it.
- c. — *Industrial Overlay District (DOI).* The Industrial Overlay District maintains underlying uses from current zoning. The Industrial Overlay standards are intended to allow both small incremental redevelopment and large redevelopment of industrial uses. In addition, the site shall be planned in such a manner as to locate buildings at corners of intersections to anchor that intersection with mid-block screened surface parking along the corridor.
- d. — *Downtown Overlay District (DOD).* The Downtown Overlay District is intended to implement the recommendations of the Schertz Downtown Revitalization Plan by establishing alternative development standards to facilitate adaptive reuse of existing structures.

D. — *Standards in the Highway Commercial Overlay District.*

1. — *Building Design Standards.*

- a. — The Building Design Standards and Guidelines for the Overlay Districts in North and South Sectors shall establish a coherent urban character and encourage enduring and attractive development. Development plans shall be reviewed by the Planning and Development Director or designee for

compliance with the standards below. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scaled spaces. The following standards apply:

- i. — Buildings shall be oriented towards Primary Streets, where the lot has frontage along a Primary Street. All other buildings shall be oriented towards the Secondary streets or Civic Spaces. If the lot does not front a Secondary street or the Primary then it may front a Tertiary street.
- ii. — Primary entrance to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.
- iii. — All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.
- iv. — *Facade Composition.*
 - a) — Building facades with Highway and Primary street frontages shall be designed and built in tripartite architecture so that they have a distinct Base, Middle and Cap.
 - b) — Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage and lighting fixtures.
 - c) — Building entrances shall be defined and articulated by using at least one of the following architectural elements: lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate.
 - d) — At least one of the following shall be used on Primary and Highway frontage building facades: corner-emphasizing architectural features, pedimented gabled parapets, cornices, awnings, blade signs, arcades, or colonnades and balconies.
- v. — *Design of Automobile-Related Building Site Elements.*
 - a) — Drive-through lanes for commercial uses shall not be located along any Primary street. Drive-through lanes shall be hidden behind a Street Screen along the Secondary Street Frontage.
 - b) — No more than seventy-five (75%) of a lot's frontage along the Secondary Street frontage shall be occupied by gas pumps, canopies, and/or service bays.
 - c) — Any buildings associated with any automobile-related use shall also have a pedestrian entrance at a Primary Street and/or a Secondary Street.
 - d) — Outdoor storage of vehicles or other products sold shall not be permitted along Primary Streets. Along a Secondary Street, outdoor storage of vehicles or other products sold shall not exceed seventy-five (75%) of a lot's frontage along that street. There shall be no such limitation along the Highway Frontage. However, any Highway Frontage with outdoor storage of vehicles or other products sold shall be screened with a 3' min. high Street Screen. The Street Screen shall be made up of:
 - (i) — the same material as the principal building or
 - (ii) — a living screen or
 - (iii) — a combination of the two.

e) — All off-street loading, unloading, and trash pickup areas shall be located along Secondary Streets. Any off-street loading, unloading, or trash pickup areas shall be screened using a Street Screen that is at least as tall as the trash containers and/or service equipment it is screening at the property line. The Street Screen shall be made up of:

- (i) — the same material as the principal building or
- (ii) — a living screen or
- (iii) — a combination of the two.

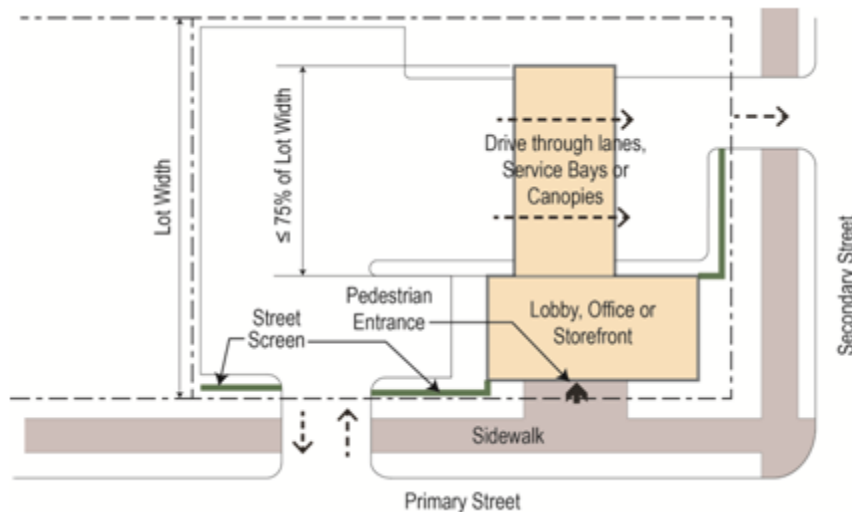


Illustration showing the application of standards for automobile-related site elements

2. — *Streetscape Standards.*

- a. — A landscaped yard of a minimum width of 20' shall be required on all lots with frontage along I-35 and I-10. A landscaped yard of a minimum width of 15' shall be required on all lots with frontage along FM-78.
- b. — Landscaping required: Shade trees required per this section may be credited towards the shade trees required per Section 21.9.7(E)(2). The following plantings shall be required within the required yard per every 100' of linear frontage along the specific roadway:
 - i. — 3 shade trees,
 - ii. — 6 ornamental trees,
 - iii. — 8 shrubs (shrubs may be waived if Perimeter Landscaping is provided per Section 21.9.7(H)(2)), and
 - iv. — Ground cover, ornamental grasses, or turf grasses for the remaining unpaved areas.
- c. — A six (6) foot sidewalk shall be required along the specified frontages unless a greater width facility (sidewalk or hike and bike trail) is required per Section 21.14.6. Such a facility may be placed within the required 20' yard.

E. — *Standards in the Campus Commercial and Industrial Overlay Districts.*

1. — *Building Form, Orientation, and Massing.*

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- a. ~~Buildings shall be oriented towards Primary Streets with primary entrances along such streets if the building has frontage along a Primary Street.~~
 - b. ~~Building entrances shall be defined and articulated by at least one of the following architectural elements: lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate.~~
 - c. ~~Roof forms shall be simple, flat roofs with a continuous parapet. Roof mounted equipment shall be screened from view of any adjacent public street with an enclosure of the same material and color as the primary building material.~~
2. ~~Design of automobile-related building site elements.~~
- a. ~~Drive-through lanes for commercial uses shall not be located along any primary street. Drive-through lanes shall be hidden behind a Street Screen along the Secondary Street frontage.~~
 - b. ~~No more than seventy-five (75%) of a lot's frontage along the Secondary Street frontage shall be occupied by gas pumps, canopies, and/or service bays.~~
 - c. ~~Any buildings associated with any automobile related use shall also have a pedestrian entrance at a Primary Street and/or a Secondary Street.~~
 - d. ~~Outdoor storage of vehicles or other products sold shall not be permitted along Primary Streets. Along a Secondary Street, outdoor storage of vehicles or other products sold shall not exceed seventy-five (75%) of a lot's frontage along that street. There shall be no such limitation along the Highway Frontage. However, any Highway Frontage with outdoor storage of vehicles or other products sold shall be screened with a 3' (min.) high Street Screen. The Street Screen shall be made up of:
 - (i) ~~the same material as the principal building or~~
 - (ii) ~~a living screen or~~
 - (iii) ~~a combination of the two.~~~~
 - e. ~~All off-street loading, unloading, and trash pickup areas shall be located along Secondary Streets. Any off-street loading, unloading, or trash pickup areas shall be screened using a Street Screen that is at least as tall as the trash containers and/or service equipment it is screening at the property line. The Street Screen shall be made up of:
 - (a) ~~the same material as the principal building or~~
 - (b) ~~a living screen or~~
 - (c) ~~a combination of the two.~~~~

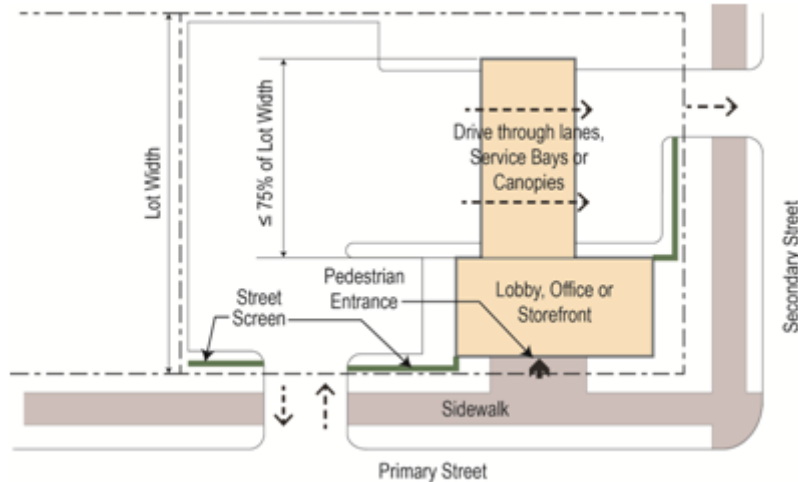


Illustration showing the application of standards for automobile-related site elements

4. *Streetscape Standards.*

- a. A landscaped yard of a minimum width of 20' shall be required on all lots with frontage along I-35 and I-10.
- b. Landscaping required: Shade trees required per this section may be credited towards the shade trees required per Section 21.9.7(E)(2). The following plantings shall be required within the required yard per every 100' of linear frontage along the specific roadway:
 - i. 3 shade trees,
 - ii. 6 ornamental trees,
 - iii. 8 shrubs (shrubs may be waived if Perimeter Landscaping is provided per Section 21.9.7(H)(2), and
 - iv. Ground cover, ornamental grasses, or turf grasses for the remaining unpaved areas.
- c. A six (6) foot sidewalk shall be required along the specified frontages unless a greater width facility (sidewalk or hike and bike trail) is required per Section 21.14.6. Such a facility may be placed within the required 20' yard.

F. *Downtown Overlay District.* Downtown Schertz, specifically Main Street, has an existing character that should be preserved by rehabilitation of existing buildings. In addition, new and infill construction in the district shall reflect the character of the district during its period of significance.

The key design principles establish essential goals for development in the Downtown Schertz to ensure the preservation, sustainability, and visual quality of this special environment. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scaled spaces. The key design principles are:

- Building facades must include appropriate architectural details and ornament to create variety and interest.
- Buildings shall be built to, or close to, the sidewalk to define and enhance the pedestrian environment of Main Street between Schertz Parkway and E. Aviation Blvd.
- Open space(s) and civic spaces shall be incorporated to provide usable public areas integral to the downtown environment.

1. *Applicability.* The standards in this section (Downtown Overlay District) shall apply to properties zoned GB and R-2 as delineated in Exhibit A. The standards in Highway Commercial Overlay District shall apply to the properties located along FM 78 and as delineated in Exhibit A. For existing buildings, the following standards shall apply only to the extent that exterior modifications can be feasible made without triggering compliance with all City ordinances. Nothing in this section shall prevent existing residential structures from being adaptively reused to accommodate commercial uses provided the use is permitted in the underlying zoning district.



Exhibit A: Downtown-Overlay-District-Boundaries

2. *Development standards.*

- a. *Dimensional and Development Standards:* The Dimensional and Development Standards in Table 21.9.15A shall apply in lieu of the Standards established in Sec. 21.5.7 for the GB and R-2 zones within the Downtown-Overlay-District:

Table 21.9.15A-DIMENSIONAL REQUIREMENTS										
	Mini- mum Lot Size Dimensions	Yard Setback (ft)						Misc. Lot Req's		
Zoning District	Area, Lot Width, & Lot Depth	Front	Rear (NR)	Rear (R)	Side (NR)	Side (R)	P'king (min.)	Max. Ht (ft.)	Max. Imperv. Cover	Key

GB- General Business	None	5 (min.) 25 (max.)	0 (min.)	10 (min.)	10 (min.)	0 (min.)	1-per 500 sq.ft. for all uses	120	80%	b, c, d, e
R-2 Single Family Residential -2	None	5 (min.) 25 (max.)	10 (min.)	10 (min.)	10 (min.)	10 (min.)		35	80%	b, c, d
b.	Uses may require a Specific Use Permit. The City of Schertz will follow the guidelines outlined in the Air Installation Compatible Use Zone (AICUZ) study for Randolph Air Force Base.									
c.	No variances may be permitted to exceed the maximum impervious cover limitations.									
d.	Refer to Sec 21.9.15 for additional design requirements.									
e.	Zero foot (0') minimum setbacks shall also meet fire separation requirements.									

3. ~~Design Standards.~~ The following design standards shall provide property owners, developers, City staff, and decision makers adequate design guidance for retrofitting existing buildings and for new commercial and mixed use buildings.



Existing residential buildings converted to accommodate commercial uses

a. ~~Location and Orientation on the lot.~~

- i. ~~To the extent possible, buildings shall be oriented towards Main Street with the primary entrance located on that street. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access.~~



Image showing primary and secondary entrances to buildings on Main Street.

b. — *Façade Composition.*

- i. — A building's massing shall serve to define entry points and help orient pedestrians.
- ii. — Non-residential and mixed use buildings, to the extent practicable, shall maintain twenty-five feet (25') to thirty-five feet (35') building facade widths or multiples thereof.
- iii. — Variations in the rhythms within individual building facades shall be achieved within any block of building facades with architectural elements such as bays, columns, doors, windows, etc.
- iv. — Breaks in the predominant rhythm may also be used to reinforce changes in massing and important elements such as building entrances, terminated vistas, or corner sites.
- v. — Porches, stoops, eaves, awnings, blade signs, arcades, colonnades and balconies should be used along buildings and they may protrude beyond the setback line provided that they do not inhibit pedestrian movement within the public right-of-way. Balconies shall have external bottom supports.

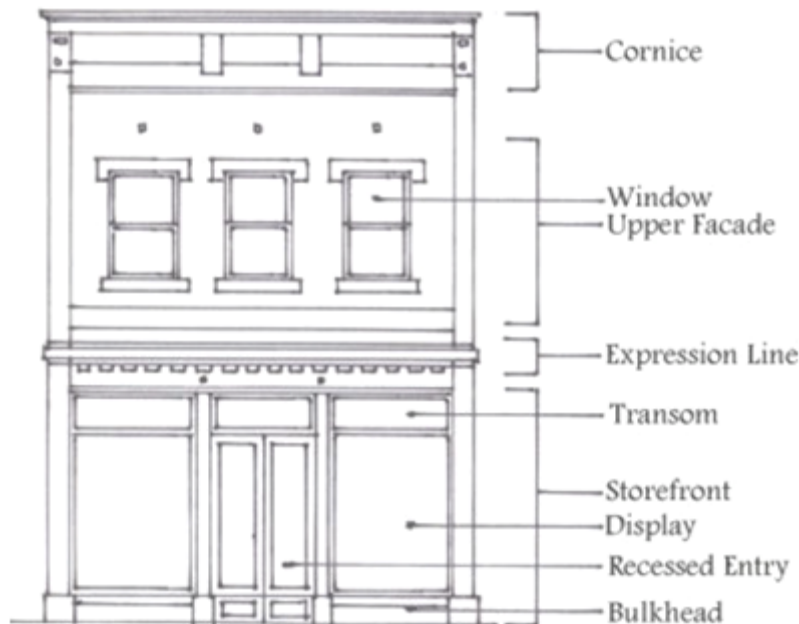
<p>Variations in building rhythm using architectural features</p>	<p>Building massing used to emphasize entrances</p>



Allowed encroachments into the setback line

c. *Architectural Elements and Storefronts.*

- i. An expression line or equivalent architectural element shall delineate divisions between floors of all buildings, and a cornice shall delineate the tops of facades that do not utilize a pitched roof. For retail storefronts, a transom, display window area and bulkhead at the base shall be utilized.



- ii. Building entrances may be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper level uses may be defined and integrated into the design of the overall building facade.
- iii. *Roofs.* Flat roofs enclosed by parapets or sloped roofs shall be used to screen rooftop mechanical equipment. Mansard roofs and flat membrane-type roofs that are visible are prohibited.
- iv. *Doors and Windows.* Generally, windows shall be oriented vertically, and bay windows shall have external bottom supports. Dormer windows shall also be vertically proportioned and

slightly shorter than the windows below. In order to provide clear views of merchandise and perceived connections.

- v. ~~Transparency Required.~~ For all new buildings, the street-level floor along Main Street shall have transparent storefront windows covering no less than fifty percent (50%) of the façade area. Each floor of all building façades facing a street or plaza shall contain transparent windows covering at least fifteen percent (15%) of the façade area.
- vi. ~~Ground floor retail building plate heights shall be at least fifteen feet (15') in height.~~
- vii. ~~Storefronts.~~ Retailers located at the street level shall primarily use storefronts to orient and advertise merchandise to customers. Retail buildings shall provide street-level pedestrian-oriented uses at the ground floor level. Storefronts on facade treatments that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.

Sec. 21.9.7. Landscaping.

- A. *Purpose.* The purpose of this section is to establish landscaping requirements to enhance the community's ecological, environmental, and beautification efforts as well as its aesthetic qualities. It is the intent of this section to reduce the negative effects of glare, noise, erosion, and sedimentation caused by expanses of impervious and un-vegetated surfaces within the urban environment. It is the intent of this section to preserve and improve the natural and urban environment by recognizing that the use of landscaping elements can contribute to the processes of air purification, oxygen, regeneration, groundwater recharge, noise abatement, glare and heat, provision of habitats for wildlife, and enhance the overall beauty of the City.
- B. *Enforcement.* If at any time after the issuance of a Certificate of Occupancy, the approved landscaping is found to be in nonconformance with standards and criteria of this section, notice by the City may be issued to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant or agent shall have forty-five (45) days after the date of said notice to restore landscaping as required. The City may extend the time of compliance based on weather conditions. If the landscaping is not restored within the allotted time, such person shall be in violation of this UDC.
- C. *Single Family and Duplex Residential*
Installation and Maintenance.
1. Prior to issuance of a Certificate of Occupancy sod shall be in place in full front and rear yards, except for landscape beds and gardens. On property containing a minimum of one-half (½) acre or greater, sod in front and rear yards shall be planted adjacent to the slab for a distance of fifty feet (50') and for a distance of twenty feet (20') in side yards.
 2. All landscaped areas shall be irrigated with an approved automatic underground irrigation system unless the landscaped area has been designed utilizing xeriscaping methods. All irrigation systems shall be designed and sealed in accordance with the Texas Commission on Environmental Quality (TCEQ) and shall be professionally installed. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
 3. Vegetation other than grasses or ground cover under six inches (6") in height is prohibited in any City right-of-way unless specifically authorized in writing by the City Manager or his/her designee.
 4. Landscape planting shall not be erected or installed in such a manner as to interfere with traffic view or impose a safety hazard.
 5. New landscaped areas shall be prepared so as to achieve a soil depth of at least two inches (2").
 6. Every single family residential lot shall provide a minimum of two (2) shade trees which are a minimum of two and one-half inches (2.5") caliper measured at four feet (4') above ground level at the time of planting.
- D. *Nonresidential and Multi-Family.* The provisions of this section apply to new construction except public water and wastewater facilities for which only subsections 14 and 16 below apply.

Existing developments where all structures are not being demolished, do not have to comply with all of these requirements. Rather they cannot decrease compliance with an individual requirement to the point that they no longer comply with that individual requirement.

Installation and Maintenance.

1. Prior to issuance of a Certificate of Occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan approved as part of the Site Plan.

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2. In any case in which a Certificate of Occupancy is sought at a season of the year in which the City determines that it would be impractical to plant trees, shrubs or grass, or to lay turf, a Temporary Certificate of Occupancy may be issued for up to four (4) months.
 3. All landscaped areas shall be irrigated with an approved automatic underground irrigation system unless the landscaped area has been designed utilizing xeriscaping methods. All irrigation systems shall be designed and sealed in accordance with the Texas Commission on Environmental Quality (TCEQ) and shall be professionally installed. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
 4. Vegetation other than approved grasses or ground cover under six inches (6") in height is prohibited in any City right-of-way unless specifically authorized in writing by the City Manager or his/her designee, after consultation with the Director of Public Works or his/her designee.
 5. Trees planted shall be a minimum of two and one-half inches (2.5") caliper measured at four feet (4') above ground level at the time of planting. All trees planted to meet the minimum landscaping requirements of this section shall be planted so as to provide for no impervious material within the drip line of the tree. For the purposes of determining the drip line to meet the requirements of this section, the drip line radius shall be measured as being ten (10) times the caliper of the tree. For example, a two and one-half inch (2.5") tree will have a twenty-five inch (25") radius or fifty inch (50") diameter. Tree wells or tree grates may be utilized to meet the requirements of this section. The City may, at its option, require certification by a registered arborist that adequate space has been provided for pervious cover beneath the drip line of a tree.
 6. New landscaped areas shall be prepared so as to achieve a soil depth of at least two inches (2").
 7. The use of architectural planters in nonresidential districts may be permitted in fulfillment of landscape requirements subject to approval of the Planning and Zoning Commission at the time of Site Plan approval.
 8. Landscape planting shall not be erected or installed in such a manner as to interfere with traffic view or impose a safety hazard.
 9. A minimum twenty foot (20') wide landscape buffer shall be provided adjacent to any public right-of-way. Trees shall be planted at an average density of one (1) tree per twenty linear feet (20') of street frontage except for public schools. The landscape buffer shall require an irrigation system and shall be maintained by the property owner. The requirements of this section are not applicable to properties zoned [Main Street Mixed Use \(MSMU\) or](#) Main Street Mixed-Use - New Development (MSMU-ND).
 10. A minimum of twenty percent (20%) of the total land area of any proposed multifamily or nonresidential development shall be landscaped and shall be comprised of trees, shrubs, sod or other ground cover. In the event of the construction of a phased development, the minimum twenty percent (20%) requirement shall apply to each phase as it is developed.
 11. All commercial and multi-family properties shall provide shade trees at a ratio of nine (9) trees per acre. Industrial property shall provide shade trees at a ratio of six (6) trees per acre. Public schools shall provide shade trees at a ratio of at least four (4) trees per acre. Existing trees may be counted toward meeting the requirements of this section.
 12. Interior Landscaping. A minimum of ten percent (10%) of the gross parking areas shall be devoted to living landscaping which includes grass, ground covers, plants, shrubs and trees. Gross parking area is to be measured from the edge of the parking and/or driveway and sidewalks. Interior landscaping requirements do not apply to public water and wastewater facilities if an eight feet (8') masonry fence is provide[d] at or near the property boundary.

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13. Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every twenty (20) parking spaces and at the terminus of all rows of parking. Such islands shall be a minimum of 162 square feet or nine feet by eighteen feet (9' x 18') in size. Planter islands shall contain a combination of trees, shrubs, lawn, ground cover and other appropriate materials provided such landscaping does not cause visual interference within the parking area. This subsection does not apply to public schools or properties zoned Main Street Mixed Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).
14. Perimeter Landscape Area — Perimeter landscaping shall be required in the following scenarios:
- a) Where a nonresidential or multifamily use adjacent to a nonresidential or multifamily use that is zoned for nonresidential or multifamily uses shall provide a minimum five-foot (5') landscape buffer adjacent to those uses except where the building extends into that five foot (5') landscape buffer.
- i. A minimum of one (1) shade tree shall be planted for each one-hundred linear feet (100') of landscape buffer except where the entire five-foot (5') wide landscape buffer is encumbered by an easement that does not allow the planting of trees.
- b) A nonresidential or multifamily use adjacent to a single family or duplex residential use or single family or duplex residentially zoned property shall provide a minimum twenty-foot (20') landscape buffer adjacent to the proper line of the residential use or residentially zoned property. If this scenario is in the Main Street Mixed Use District (MSMU) or the Main Street Mixed Use – New Development District (MSMU-ND) then the landscape buffer shall be a minimum of five feet (5').
- i. A minimum of one (1) shade tree [s]hall be planted for each thirty (30) linear feet of landscape buffer. The landscape buffer shall be covered with grass or another solid vegetative cover.
- ii. The landscape buffer shall include a masonry wall which shall be eight feet (8') in height unless in the Main Street Mixed Use District (MSMU) or the Main Street Mixed Use – New Development District (MSMU-ND).
- c) The requirement of this subsection doe[s] not apply to public water and wastewater facilities if an eight foot (8') masonry wall is provided at or near the property boundary.

- F. *Landscape Plan Required.* A landscape plan shall be submitted to the City for approval. The landscape plan may be submitted as a part of the Site Plan. The landscape plan shall contain the following information:
1. location of all existing trees with indication as to those to be preserved;
 2. location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscaping features;
 3. species of all plant material to be used;
 4. size of all plant material to be used;
 5. spacing of plant material where appropriate;
 6. type of watering system and location of watering source, irrigation, sprinkler, or water system, including placement of water sources;
 7. description of maintenance provisions of the landscaping plan; and
 8. persons responsible for the preparation of the landscape plan.

(Ord. No. 16-S-27 , §§ 3, 4, 8-30-2016; Ord. No. 18-S-04 , § 1(Exh. A), 1-23-2018; Ord. No. 18-S-24 , § 1(Exh. A), 8-7-2018; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

Sec. 21.14.3. Additional Design Requirements.

A. *Purpose and Applicability.*

1. The purpose of this Section is to establish additional development standards applicable to certain streets within the City to ensure uniform and quality development resulting in an attractive environment compatible with businesses and residential dwellings which does the following:
 - a. provides an environment and living conditions favorable to the public;
 - b. provides a creative approach to land use and related physical development;
 - c. creates a pattern of development which preserves trees and outstanding natural topography and prevents soil erosion and pollution;
 - d. encourages mixed use development through innovative uses of modern development concepts; and
 - e. produces open space and recreation areas.
2. The requirements of this section shall be applicable to all roadways classified as Principal Arterials or Secondary Arterials in accordance with section 21.14.1 including, but not limited to, Schertz Parkway, FM 3009, Old Wiederstein Road, Country Club Blvd, FM 78, FM 1518, FM 482, and Wiederstein Road.

B. *Permitted Uses.* Buildings, structures and land shall be used in accordance with the uses permitted in the applicable zoning district and shall comply with the dimensional requirements of that district in accordance with Article 5 of this UDC.

C. *Building Setback Line.* A minimum fifty foot (50') building setback shall be required adjacent to all rights-of-way. A waiver may be granted by the Planning and Zoning Commission which would allow for a reduction in the minimum required setback when an alternative site layout and design provides for additional open space or landscaping and off-street parking will be located entirely at the rear of the building or lot. In no case shall the minimum building setback be reduced less than the minimum required setback for the applicable zoning district. The requirements of this section are not applicable to properties zoned Main Street Mixed-Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).

D. *Driveways and Access (Connectivity).* Access shall be limited to provide for safe traffic flow and the design shall provide interior drives to limit the number of accesses to the public right-of-way. Access easement should be utilized to limit the number of driveway accesses. Accesses should be planned to match existing driveways or street intersections on the opposite side of the street. All driveways shall have a minimum sight distance of 240 feet.

E. *Screening and Buffering.* A masonry screening wall a minimum of eight foot (8') in height shall be provided where the rear yard of any residential or nonresidential lot abuts a Principal or Secondary Arterial. Any masonry screening wall constructed as part of a new residential subdivision shall be constructed of a like and similar material and color as screening walls in adjacent subdivisions to provide a consistent streetscape. Where the rear yard of any residential lot abuts right-of-way, a minimum twenty foot (20') wide landscape buffer shall be provided adjacent to the right-of-way. Additionally, trees shall be planted at an average density of one (1) tree per twenty linear feet (20') of street frontage except for public schools. The landscape buffer shall require an irrigation system and shall be maintained by the property owner. The requirements of this section are not applicable to properties zoned Main Street Mixed-Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).

(Ord. No. 16-S-27 , § 9, 8-30-2016; Ord. No. 17-S-40 , § 1(Exh. A), 10-24-2017; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

Proposed UDC Amendments- Clean

Sec. 21.5.2. Zoning Districts Established.

The City is hereby geographically divided into zoning districts and the boundaries of those districts herein are delineated upon the Official Zoning Map of the City. The use and dimensional regulations as set out in this Article are uniform in each district. Zoning districts are established in compliance with adopted Comprehensive Land Plan and Master Thoroughfare Plan. The districts established shall be known as follows:

Table 21.5.2	
Symbol	Zoning District Name
PRE	Predevelopment District
R-1	Single-Family Residential District
R-2	Single-Family Residential District
R-3	Two-Family Residential District
R-4	Apartment/Multi-Family Residential District
R-6	Single-Family Residential District
R-7	Single-Family Residential District
R-A	Single-Family Residential/Agricultural District
GH	Garden Home Residential District
TH	Townhome District
MHS	Manufactured Home Subdivision District
MHP	Manufactured Home Park District
OP	Office and Professional District
NS	Neighborhood Services District
GB	General Business District
GB-2	General Business District-2
M-1	Manufacturing District (Light)
M-2	Manufacturing District (Heavy)
PUB	Public Use District
PDD	Planned Development District
AD	Agricultural District
EN	Estate Neighborhood PDD
MSMU	Main Street Mixed-Use District
MSMU-ND	Main Street Mixed-Use New Development District

(Ord. No. 13-S-22 , § 1, 7-16-2013; Ord. No. 14-S-47 , § 1, 11-18-2014; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

Sec. 21.5.5. Statement of Purpose and Intent for Residential Districts.

- A. *Predevelopment District (PRE)*. Intended for use for undeveloped land in the City or as a temporary designation for existing uses for newly annexed property. This zoning is also suitable for areas where development is premature due to lack of utilities, capacity or service and for areas that are unsuitable for development because of physical constraints or potential health or safety hazards. No improvements, construction or structures may be undertaken without obtaining a building permit and no occupancy of such improvements and structures without obtaining a certificate of occupancy.
- B. *Single-Family Residential District (R-1)*. Comprised of single-family detached residential dwellings on a minimum lot size of 9,600 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units.
- C. *Single-Family Residential District (R-2)*. Comprised of single-family detached residential dwellings with a minimum lot size of 8,400 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units.
- D. *Two-Family Residential District (R-3)*. Comprised of two (2) single-family attached residential dwellings with a minimum lot size of 9,000 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units.
- E. *Apartment/Multi-Family Residential District (R-4)*. Intended for apartment and multi-family developments including, but not limited to apartment buildings, duplex, garden apartments, condominium units, assisted living centers, nursing homes and other similar uses. Due to the infrastructure requirements for such districts, the City may require the applicant seeking such zoning classification to establish (i) the adequacy of available access and utility facilities, (ii) sufficiency of drainage, and (iii) provision of sufficient open space. The minimum lot size in such district is 10,000 square feet for three (3) units and 1,800 square feet for each additional dwelling unit. The maximum density shall be twenty-four (24) units per acre. Apartment/Multi-Family Residential Districts should not be located in areas where they would increase traffic through single-family neighborhoods and should be located adjacent to arterial streets with sufficient capacity to carry the increased traffic generated. Multi-family developments are suitable buffers between single-family districts and commercial uses. Multi-family districts should be buffered from non-residential land uses and from pollution sources and environmental hazards. Twenty percent (20%) of the total platted area shall be provided as common, usable open space.
- F. *Single-Family Residential District (R-6)*. Comprised of single-family detached residential dwellings that are on a minimum lot size of 7,200 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units. This district is intended to be developed using the more contemporary building styles and allowing those dwellings to be constructed on relatively small lots. The maximum size tract that can be zoned R-6 is 30 acres.
- G. *Single-Family Residential District (R-7)*. Comprised of single-family detached residential dwellings on a minimum lot size of 6,600 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units. This district is intended to be developed using the more contemporary building styles and allowing those dwellings to be constructed on relatively small lots. The maximum size tract that can be zoned R-7 is 40 acres.
- H. *Single-Family Residential/Agricultural District (RA)*. Intended to provide for areas in which agricultural land may be held in such use for as long as is practical and reasonable. Residences in this District are intended to be on a minimum lot size of 21,780 square feet (one-half acre). This District is suitable for areas where development is premature due to lack of utilities, capacity or service, and for areas that are unsuitable for development because of physical restraints or potential health or safety hazards.

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- I. *Garden Homes Residential District (GH)*. Comprised of single-family detached residential dwellings on a minimum lot size of 5,000 square feet together with the schools, churches, and parks necessary to create basic neighborhood units. This District allows the main structure to be constructed coincident with one (1) of the side property lines, and requires only one (1) side yard setback in order to maximize lot usage and yet maintain a neighborhood character consistent with conventional single-family detached homes.

No area shall be designated GH that contains less than five (5) adjoining lots on a street. Zero lot line homes shall have no windows on the side of the house, which abuts the property line. Entire frontage of one (1) side of the street in the block must be included in the GH designation. Exception may be made where an alley breaks the block on that side of the street. Homes will be uniformly located on the same side of the lot within a street block.

- J. *Townhome District (TH)*. Comprised of an attached residential dwelling unit in structures built to accommodate three (3) to six (6) units per structure. Density shall not exceed twelve (12) units per gross acre. Townhome units shall be constructed on a single lot, or on adjacent individual lots. Individual ownership of the townhome units is encouraged. Minimum lot area shall not be less than 2,500 square feet per dwelling unit. Ten percent (10%) of the total platted area shall be provided as common, usable open space. This District should not be located in areas where it would increase traffic through single-family neighborhoods and should be adjacent to arterial streets with sufficient capacity to carry the increased traffic generated.
- K. *Manufactured Home Subdivision District (MHS)*. Intended to recognize that certain areas of the City are suitable for a mixture of single-family dwelling units and HUD-Code manufactured homes, to provide adequate space and site diversification for residential purposes designed to accommodate the peculiarities and design criteria of manufactured homes, along with single-family residences, to promote the most desirable use of land and direction of building development, to promote stability of development, to protect the character of the district, to conserve the value of land and buildings, and to protect the City's tax base. This District provides for the creation and/or subdivision of any lot, tract or parcel of land used for the placement of manufactured homes. This District is not intended to prohibit or unduly restrict any type of housing but to ensure compatibility in housing types between manufactured home subdivisions and surrounding single family residential subdivisions and recognizing their inherent differences.
- L. *Manufactured Home Park District (MHP)*. Intended to provide adequate space and site diversification for residential purposes designed to accommodate the peculiarities and design criteria of manufactured homes, to promote the most desirable use of land and direction of building development, to promote stability of development, to protect the character of the district, to conserve the value of land and buildings, and to protect the City's tax base. This District provides for the creation of tracts of land used for the placement of multiple manufactured homes on a single lot, tract or parcel of land and utilized for rent or lease. This District is not intended to prohibit or unduly restrict any type of housing but to ensure compatibility between manufactured home parks and surrounding properties and recognizing the inherent differences in housing types between manufactured home parks and other residential districts.
- M. *Agricultural District (AD)*. Intended to provide as a base zoning district in areas designated as agricultural conservation on the North and South Schertz Framework Plans. Residences in this District are intended to be on a minimum lot size of 217,800 square feet (five acres). Clustering of up to two homes may be allowed on the same lot subject to setback requirements. This District is suitable for areas where development is premature due to lack of utilities, capacity or service, and for areas that are unsuitable for development because of physical restraints or potential health or safety hazards.
- N. *Main Street Mixed-Use District (MSMU)*. Intended to provide a base zoning district in the area along Main Street. In light of the history of the area and variety of land uses that exist, this zoning district allows for single-family and multi-family residential uses, and low intensity commercial uses. Reduced setbacks and parking requirements are provided as part of this district due to physical restraints.

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- O. *Main Street Mixed-Use New Development District (MSMU-ND)*. Intended to provide a base zoning district in the area along Main Street, specifically for new development of existing properties. This district is intended to mirror The Main Street Mixed-Use District (MSMU), allowing for single-family and multi-family residential uses, and low intensity commercial uses. Reduced setbacks, parking requirements, along with reduced landscape buffers are provided as part of this district due to physical restraints of the existing properties.

(Ord. No. 13-S-22, § 2, 7-16-2013 ; Ord. No. 14-S-47 , § 2, 11-18-2014; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

Sec. 21.5.6. Statement of Purpose and Intent for Nonresidential Districts.

- A. *Office and Professional District (OP)*. Intended to provide suitable areas for the development of office structures as well as office park developments on appropriately designed and attractively landscaped sites. It is also intended to provide ancillary retail service (restaurants, coffee shops, newsstands, etc.) for such office developments. Due to the intensity of these developments, this District should be generally located along major transportation corridors, and be properly buffered from less intensive residential uses.
- B. *Neighborhood Services District (NS)*. Intended to provide suitable areas for the development of certain limited service and retail uses in proximity to residential neighborhoods in order to more conveniently accommodate the basic everyday retail and service needs of nearby residents. Such uses occur most often on the periphery of established neighborhoods at the intersection of collectors and minor arterials, and are generally on sites of approximately one (1) to three (3) acres in size. These developments are to have generous landscaping and contain non-residential uses, which do not attract long distance traffic trips. This District should be properly buffered from residential uses and protected from pollution and/or environmental hazards.
- C. *General Business District (GB)*. Intended to provide suitable areas for the development of non-residential uses which offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community. These businesses are usually located on appropriately designed and attractively landscaped sites and along principal transportation corridors.
- D. *General Business District-2 (GB-2)*. Intended to provide suitable areas for the development of non-residential and light industrial uses that offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community. These businesses are usually located on appropriately designed and attractively landscaped sites and along principal transportation corridors. These facilities should not emit dust, odor, smoke, gas or fumes, or any other hazardous elements, which are detectable beyond the boundary of the property. Due to the traffic generated by such uses, these districts should be located on arterial streets. In reviewing the proposed development, other infrastructure considerations such as water, electric, sewer, gas and fire line pressure should be taken into account. Where several lots are to be jointly developed as a light manufacturing area, restrictive covenants and development restrictions encouraging high-level design and maintenance are encouraged.
- E. *Manufacturing District-Light (M-1)*. Intended to provide a suitable area for the development of light industrial, assembly and manufacturing, warehouse and distribution facilities. These facilities should not emit dust, odor, smoke, gas or fumes, or any other hazardous elements, which are detectable beyond the boundary of the property. Due to the traffic generated by such uses, these districts should be located on arterial streets. In reviewing the proposed development, other infrastructure considerations such as water, electric, sewer, gas and fire line pressure should be taken into account. Where several lots are to be jointly developed as a light manufacturing area, restrictive covenants and development restrictions encouraging high-level design and maintenance are encouraged.
- F. *Manufacturing District—Heavy (M-2)*. Intended to provide a suitable park-like area for the development of intensive industrial/manufacturing activities, which tend to emit certain offensive features such as odor, noise, dust, smoke and/or vibrations, but under controlled conditions. Specific Use Permit will be required by all activities locating in this area. Uses shall also recognize the need for increased water pressure and capacity in order to provide adequate fire protection.
- G. *Public Use District (PUB)*. Intended to identify and provide a zoning classification for land that is owned or may be owned by the City, County, State, or Federal Government or the School District; land that has been dedicated to the City for public use such as parks and recreation, and land designated and dedicated to the City as a greenbelt.

Sec. 21.5.7. Dimensional and Developmental Standards.

- A. *General.* All projects or developments shall comply with all of the applicable dimensional and development standards of this Article. Additional requirements may also apply as required in other sections of this UDC. All area requirements and lot sizes shall be calculated based on gross acres.

Table 21.5.7.A DIMENSIONAL REQUIREMENTS RESIDENTIAL ZONING DISTRICTS											
		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)				Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Imperv Cover	Key
R-1	Single-Family Residential District-1	9,600	80	120	25	10	20	2	35	50%	h,j,k,l,m,o
R-2	Single-Family Residential District-2	8,400	70	120	25	10	20	2	35	50%	h,j,k,l,m,o
R-3	Two-Family Residential District	9,000	75	120	25	10	20	2	35	60%	h,j,k,l,m,o
R-4	Apartment/Multi-Family Residential District	10,000	100	100	25	10	20	2	35	75%	a,b,j,k,l,m
R-6	Single-Family Residential District-6	7,200	60	120	25	10	20	2	35	50%	h,k,l,m,n,o
R-7	Single-Family Residential District-7	6,600	60	110	25	10	20	2	35	50%	h,k,l,m,n,o
R-A	Single-Family-Residential/Agriculture	21,780	-	-	25	25	25	2	35	50%	h,k,l,m,n
GH	Garden Home Residential District	5,000	50	100	10	10	10	2	35	75%	c,d,e,f,g,k,l,m
TH	Townhome District	2,500	25	100	25	10	20	2	35	75%	h,j,k,l,m
MHS	Manufactured Home Subdivision District	6,600	60	110	25	10	20	2	35	50%	j,k,l,m,o
MHP	Manufactured Home Park District	43,560	-	-	25	12.5	25	-	35	50%	j,k,l,m
AD	Agricultural District	217,800	100	100	25	25	25	2	35	30%	h,k,o
MSMU	Main Street Mixed Use	5,000	50	100	10	5	10	2	35	80%	h,j,k,m,n,p
MSMU-ND	Main Street Mixed Use-New Development	5,000	50	100	10	5	10	2	35	80%	j,k,m,p

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Key:	
a.	Add 1,800 square feet of area for each unit after the first 3 units. Maximum density shall not exceed 24 units per acre.
b.	2 parking spaces per bedroom plus 5%.
c.	Zero lot line Garden Homes.
d.	20-foot paved alley for ingress/egress to all rear garages.
e.	5-foot shall be designated maintenance easement.
f.	Corner lot shall have 10-foot side yard setback from street right-of-way.
g.	25-foot set back to property line adjoining public street.
h.	Corner lot shall have minimum 15-foot side yard setback from street right-of-way. For properties on Main Street, the City Engineer may authorize a reduction to no less than 10' if there are no sight distance issues.
i.	Minimum lot area for each unit.
j.	Site Plan approval required.
k.	Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
l.	No variances may be permitted to exceed the maximum impervious cover limitations
m.	Refer to Article 14, section 21.14.3 for additional design requirements
n.	All single family residential dwelling units constructed within this district shall be constructed with an enclosed garage.
o.	Side yard setback of 7.5 ft. for R-1, R-2, R-3, R-6, R-7, and MHS continues in effect for all subdivisions vested on the date of adoption of Ordinance No. 11-S-15.
p.	Not subject to the requirements in section 21.10.4

Table 21.5.7.B DIMENSIONAL REQUIREMENTS NON-RESIDENTIAL ZONING DISTRICTS (d)												
		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)					Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Rear Adj Non- Res Zone	Rear Adj. Res Zone	Side Adj Non- Res Zone	Side Adj Res Zone	Max Ht. Ft.	Max Imperv Cover	Key
OP	Office/ Professional	6,000	60	100	25	0	25	0	25	35	70%	a, b, c, d

NS	Neighborhood Services	10,000	100	100	25a	0	25	0	25	35	80%	a, b, c, d
GB	General Business	10,000	100	100	25	0	25	0	25	120	80%	a, b, c, d
GB-2	General Business-2	10,000	100	100	25	0	25	0	25	120	80%	a, b, c, d
M-1	Light Manufacturing	10,000	100	100	25	0	50c	0	25b	120	80%	a, b, c, d
M-2	Heavy Manufacturing	10,000	100	100	25	0	50c	0	25b	120	80%	a, b, c, d
PUB	Public Use District	10,000	100	100	25	0	15	0	25	35	70%	a, c, d
Key:												
a.	See Article 10 for parking requirements.											
b.	Uses may require a Specific Use Permit. The City of Schertz will follow the guidelines outlined in the Air Installation Compatible Use Zone (AICUZ) study for Randolph Air Force Base.											
c.	No variances may be permitted to exceed the maximum impervious cover limitations.											
d.	Refer to Article 14, Sec. 21.14.3 for additional design requirements.											

B. *Additional Dimensional and Development Standards.*

1. All lots developed for residential purposes shall comply with the lot area, minimum setbacks and height requirements established in table 21.5.7A for the zoning district(s) in which the lot(s) is/are located. All lots developed for allowed non-residential purposes, within residential zoning districts, shall comply with lot, area and height requirements established in table 21.5.7A for the zoning district(s) in which the lot(s) is/are located.
2. All lots developed for non-residential purposes shall comply with lot, area, minimum setbacks, and maximum height requirements established for the zoning district(s) in which the lot(s) is located, as established in table 21.5.7B.
3. All lots shall have at least the minimum area, width and depth as indicated in the tables 21.5.7A and 21.5.7B in this section.
4. Platted subdivisions established by a duly approved plat filed prior to adoption of this UDC shall be exempt from meeting any new lot width, depth, and/or square footage requirements.
5. No lot existing at the time of passage of this UDC shall be reduced in size below the minimum area requirements set forth in tables 21.5.7A and 21.5.7B.
6. Minimum lot size requirements shall not apply to previously platted lots that are annexed into the City, but shall apply in the event of a vacation and replat of such property. All other requirements of this UDC shall nevertheless apply.
7. No portion of any building on a residential lot may be located on any lot closer to any lot line or to the street right-of-way line than is authorized in table 21.5.7A set forth in this section unless otherwise listed below:
 - a. Where the frontage on one (1) side of a street is divided by two (2) or more zoning districts, the front yard setback shall comply with the requirements of most restrictive district for the entire frontage between the nearest intersecting streets.
 - b. Where the building setback line has been established by plat and exceeds the requirements of this UDC, the more restrictive setback line shall apply.
 - c. The front yard setback shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard, not to exceed two (2) feet.
 - d. *Side Yards:* Every part of a required side yard shall be open and unobstructed except for accessory buildings as permitted herein and the ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed twenty-four (24) inches into the required side yard.
 - e. *Rear Yards:* Every part of a required rear yard shall be open and unobstructed, except for accessory buildings, uses and structures as permitted and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed twenty-four (24) inches into the required rear yard.
 - f. Where lots have double frontage, running from one street to another, a required front yard setback shall be provided on both streets.
 - g. *Mixed Use Building:* In a building serving dwelling and other uses, in any district, the height and area regulations applicable to non-residential buildings shall apply.

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- h. There shall not be more than one (1) residential dwelling on a platted lot of a duly recorded plat of a single-family residential use.

(Ord. No. 13-S-22 , § 3, 7-16-2013; Ord. No. 14-S-47 , § 3, 11-18-2014; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021)

Sec. 21.5.8. Permitted Use Table.

- A. *Use of Land and Buildings.* Structures, land or premises shall be used only in accordance with the use permitted in the following use table subject to compliance with the dimensional and development standards for the applicable zoning district and all other applicable requirements of this UDC.
- B. *Permitted Principal Uses.* No principal use shall be permitted in any district unless it appears in the following permitted use table.

[Permitted Use Table Here]

C. *New and Unlisted Uses.*

1. It is recognized that new or unlisted types of land use may seek to locate in the City. In order to provide for such contingencies, a determination of any new or unlisted form of land use shall be made in accordance with this section.
2. For uses in which an applicant requests a Specific Use Permit, the City Manager or his/her designee shall follow the procedures for granting an SUP in accordance with section 21.5.11 of this UDC.
3. It is recognized that the permitted use chart may require amendment, from time to time, to allow for uses that were otherwise not permitted. In the event an amendment to the permitted use chart is required, the procedure for the amendment shall be the same as required for an amendment to the text of the UDC in accordance with section 21.4.7 of this UDC.

D. *Limited Uses.*

1. Tattoo Parlors/Studios in the Main Street Mixed Use District and the Main Street Mixed Use – New Development District shall have the following limited uses:
 - a. No tattoo studio shall be within 900 feet of another tattoo studio (property line to property line).

(Ord. No. 13-S-22 , § 4, 7-16-2013; Ord. No. 14-S-47 , § 4, 11-18-2014; Ord. No. 20-S-29, § 1(Exh. A), 10-27-2020; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 21-S-44 , § 1(Exh. A), 10-26-2021)

Proposed UDC Amendment

Article 5 – Permitted Use Table

Proposed changes to Article 5 – Permitted Use Table to add uses to Main Street Zoning Districts

Zoning District	P=Permitted/ S= Specific Use Permit	Permitted Uses
Main Street Mixed Use District (MSMU)	P	Tattoo Parlor/Studio
Main Street Mixed Use District (MSMU)	P	Multi-Family Apartment Dwelling
Main Street Mixed Use District (MSMU)	P	One-Family Dwelling Attached
Main Street Mixed Use District (MSMU)	P	Private Club
Main Street Mixed Use District (MSMU)	P	Theater, Indoor
Main Street Mixed Use District (MSMU)	P	Two-Family Dwelling
Main Street Mixed Use District (MSMU)	P	Automobile Parking Structure/Garage
Main Street Mixed Use District (MSMU)	P	Microbrewery/Brewpub
Main Street Mixed Use District (MSMU)	P	Dance Hall/Night Club
Main Street Mixed Use District (MSMU)	P	Municipal Uses Operated by the City of Schertz
Main Street Mixed Use District (MSMU)	P	Pet Store
Main Street Mixed Use – New Development District (MSMU-ND)	P	Tattoo Parlor/Studio
Main Street Mixed Use – New Development District (MSMU-ND)	P	Multi-Family Apartment Dwelling
Main Street Mixed Use – New Development District (MSMU-ND)	P	One-Family Dwelling Attached
Main Street Mixed Use – New Development District (MSMU-ND)	P	Private Club
Main Street Mixed Use – New Development District (MSMU-ND)	P	Theater, Indoor

Main Street Mixed Use – New Development District (MSMU-ND)	P	Two-Family Dwelling
Main Street Mixed Use – New Development District (MSMU-ND)	P	Automobile Parking Structure/Garage
Main Street Mixed Use – New Development District (MSMU-ND)	P	Microbrewery/Brewpub
Main Street Mixed Use – New Development District (MSMU-ND)	P	Dance Hall/Night Club
Main Street Mixed Use – New Development District (MSMU-ND)	P	Municipal Uses Operated by the City of Schertz

No other changes are proposed.

Sec. 21.5.12. - Reserved

Sec. 21.5.14. - Reserved

Sec. 21.5.15. - Reserved

Sec. 21.9.7. Landscaping.

- A. *Purpose.* The purpose of this section is to establish landscaping requirements to enhance the community's ecological, environmental, and beautification efforts as well as its aesthetic qualities. It is the intent of this section to reduce the negative effects of glare, noise, erosion, and sedimentation caused by expanses of impervious and un-vegetated surfaces within the urban environment. It is the intent of this section to preserve and improve the natural and urban environment by recognizing that the use of landscaping elements can contribute to the processes of air purification, oxygen, regeneration, groundwater recharge, noise abatement, glare and heat, provision of habitats for wildlife, and enhance the overall beauty of the City.
- B. *Enforcement.* If at any time after the issuance of a Certificate of Occupancy, the approved landscaping is found to be in nonconformance with standards and criteria of this section, notice by the City may be issued to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant or agent shall have forty-five (45) days after the date of said notice to restore landscaping as required. The City may extend the time of compliance based on weather conditions. If the landscaping is not restored within the allotted time, such person shall be in violation of this UDC.
- C. *Single Family and Duplex Residential*
Installation and Maintenance.
1. Prior to issuance of a Certificate of Occupancy sod shall be in place in full front and rear yards, except for landscape beds and gardens. On property containing a minimum of one-half (½) acre or greater, sod in front and rear yards shall be planted adjacent to the slab for a distance of fifty feet (50') and for a distance of twenty feet (20') in side yards.
 2. All landscaped areas shall be irrigated with an approved automatic underground irrigation system unless the landscaped area has been designed utilizing xeriscaping methods. All irrigation systems shall be designed and sealed in accordance with the Texas Commission on Environmental Quality (TCEQ) and shall be professionally installed. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
 3. Vegetation other than grasses or ground cover under six inches (6") in height is prohibited in any City right-of-way unless specifically authorized in writing by the City Manager or his/her designee.
 4. Landscape planting shall not be erected or installed in such a manner as to interfere with traffic view or impose a safety hazard.
 5. New landscaped areas shall be prepared so as to achieve a soil depth of at least two inches (2").
 6. Every single family residential lot shall provide a minimum of two (2) shade trees which are a minimum of two and one-half inches (2.5") caliper measured at four feet (4') above ground level at the time of planting.
- D. *Nonresidential and Multi-Family.* The provisions of this section apply to new construction except public water and wastewater facilities for which only subsections 14 and 16 below apply.

Existing developments where all structures are not being demolished, do not have to comply with all of these requirements. Rather they cannot decrease compliance with an individual requirement to the point that they no longer comply with that individual requirement.

Installation and Maintenance.

1. Prior to issuance of a Certificate of Occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan approved as part of the Site Plan.

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2. In any case in which a Certificate of Occupancy is sought at a season of the year in which the City determines that it would be impractical to plant trees, shrubs or grass, or to lay turf, a Temporary Certificate of Occupancy may be issued for up to four (4) months.
 3. All landscaped areas shall be irrigated with an approved automatic underground irrigation system unless the landscaped area has been designed utilizing xeriscaping methods. All irrigation systems shall be designed and sealed in accordance with the Texas Commission on Environmental Quality (TCEQ) and shall be professionally installed. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
 4. Vegetation other than approved grasses or ground cover under six inches (6") in height is prohibited in any City right-of-way unless specifically authorized in writing by the City Manager or his/her designee, after consultation with the Director of Public Works or his/her designee.
 5. Trees planted shall be a minimum of two and one-half inches (2.5") caliper measured at four feet (4') above ground level at the time of planting. All trees planted to meet the minimum landscaping requirements of this section shall be planted so as to provide for no impervious material within the drip line of the tree. For the purposes of determining the drip line to meet the requirements of this section, the drip line radius shall be measured as being ten (10) times the caliper of the tree. For example, a two and one-half inch (2.5") tree will have a twenty-five inch (25") radius or fifty inch (50") diameter. Tree wells or tree grates may be utilized to meet the requirements of this section. The City may, at its option, require certification by a registered arborist that adequate space has been provided for pervious cover beneath the drip line of a tree.
 6. New landscaped areas shall be prepared so as to achieve a soil depth of at least two inches (2").
 7. The use of architectural planters in nonresidential districts may be permitted in fulfillment of landscape requirements subject to approval of the Planning and Zoning Commission at the time of Site Plan approval.
 8. Landscape planting shall not be erected or installed in such a manner as to interfere with traffic view or impose a safety hazard.
 9. A minimum twenty foot (20') wide landscape buffer shall be provided adjacent to any public right-of-way. Trees shall be planted at an average density of one (1) tree per twenty linear feet (20') of street frontage except for public schools. The landscape buffer shall require an irrigation system and shall be maintained by the property owner. The requirements of this section are not applicable to properties zoned Main Street Mixed Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).
 10. A minimum of twenty percent (20%) of the total land area of any proposed multifamily or nonresidential development shall be landscaped and shall be comprised of trees, shrubs, sod or other ground cover. In the event of the construction of a phased development, the minimum twenty percent (20%) requirement shall apply to each phase as it is developed.
 11. All commercial and multi-family properties shall provide shade trees at a ratio of nine (9) trees per acre. Industrial property shall provide shade trees at a ratio of six (6) trees per acre. Public schools shall provide shade trees at a ratio of at least four (4) trees per acre. Existing trees may be counted toward meeting the requirements of this section.
 12. Interior Landscaping. A minimum of ten percent (10%) of the gross parking areas shall be devoted to living landscaping which includes grass, ground covers, plants, shrubs and trees. Gross parking area is to be measured from the edge of the parking and/or driveway and sidewalks. Interior landscaping requirements do not apply to public water and wastewater facilities if an eight feet (8') masonry fence is provide[d] at or near the property boundary.

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13. Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every twenty (20) parking spaces and at the terminus of all rows of parking. Such islands shall be a minimum of 162 square feet or nine feet by eighteen feet (9' x 18') in size. Planter islands shall contain a combination of trees, shrubs, lawn, ground cover and other appropriate materials provided such landscaping does not cause visual interference within the parking area. This subsection does not apply to public schools or properties zoned Main Street Mixed Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).
 14. Perimeter Landscape Area – Perimeter landscaping shall be required in the following scenarios:
 - a) Where a nonresidential or multifamily use adjacent to a nonresidential or multifamily use that is zoned for nonresidential or multifamily uses shall provide a minimum five-foot (5') landscape buffer adjacent to those uses except where the building extends into that five foot (5') landscape buffer.
 - i. A minimum of one (1) shade tree shall be planted for each one-hundred linear feet (100') of landscape buffer except where the entire five-foot (5') wide landscape buffer is encumbered by an easement that does not allow the planting of trees.
 - b) A nonresidential or multifamily use adjacent to a single family or duplex residential use or single family or duplex residentially zoned property shall provide a minimum twenty-foot (20') landscape buffer adjacent to the proper line of the residential use or residentially zoned property. If this scenario is in the Main Street Mixed Use District (MSMU) or the Main Street Mixed Use – New Development District (MSMU-ND) then the landscape buffer shall be a minimum of five feet (5').
 - i. A minimum of one (1) shade tree [s]hall be planted for each thirty (30) linear feet of landscape buffer. The landscape buffer shall be covered with grass or another solid vegetative cover.
 - ii. The landscape buffer shall include a masonry wall which shall be eight feet (8') in height unless in the Main Street Mixed Use District (MSMU) or the Main Street Mixed Use – New Development District (MSMU-ND).
 - c) The requirement of this subsection doe[s] not apply to public water and wastewater facilities if an eight foot (8') masonry wall is provided at or near the property boundary.
 - F. *Landscape Plan Required.* A landscape plan shall be submitted to the City for approval. The landscape plan may be submitted as a part of the Site Plan. The landscape plan shall contain the following information:
 1. location of all existing trees with indication as to those to be preserved;
 2. location of all plants and landscaping material to be used including paving, benches, screens, fountains, statues, or other landscaping features;
 3. species of all plant material to be used;
 4. size of all plant material to be used;
 5. spacing of plant material where appropriate;
 6. type of watering system and location of watering source, irrigation, sprinkler, or water system, including placement of water sources;
 7. description of maintenance provisions of the landscaping plan; and
 8. persons responsible for the preparation of the landscape plan.

(Ord. No. 16-S-27 , §§ 3, 4, 8-30-2016; Ord. No. 18-S-04 , § 1(Exh. A), 1-23-2018; Ord. No. 18-S-24 , § 1(Exh. A), 8-7-2018; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

Sec. 21.14.3. Additional Design Requirements.

A. *Purpose and Applicability.*

1. The purpose of this Section is to establish additional development standards applicable to certain streets within the City to ensure uniform and quality development resulting in an attractive environment compatible with businesses and residential dwellings which does the following:
 - a. provides an environment and living conditions favorable to the public;
 - b. provides a creative approach to land use and related physical development;
 - c. creates a pattern of development which preserves trees and outstanding natural topography and prevents soil erosion and pollution;
 - d. encourages mixed use development through innovative uses of modern development concepts; and
 - e. produces open space and recreation areas.
2. The requirements of this section shall be applicable to all roadways classified as Principal Arterials or Secondary Arterials in accordance with section 21.14.1 including, but not limited to, Schertz Parkway, FM 3009, Old Wiederstein Road, Country Club Blvd, FM 78, FM 1518, FM 482, and Wiederstein Road.

B. *Permitted Uses.* Buildings, structures and land shall be used in accordance with the uses permitted in the applicable zoning district and shall comply with the dimensional requirements of that district in accordance with Article 5 of this UDC.

C. *Building Setback Line.* A minimum fifty foot (50') building setback shall be required adjacent to all rights-of-way. A waiver may be granted by the Planning and Zoning Commission which would allow for a reduction in the minimum required setback when an alternative site layout and design provides for additional open space or landscaping and off-street parking will be located entirely at the rear of the building or lot. In no case shall the minimum building setback be reduced less than the minimum required setback for the applicable zoning district. The requirements of this section are not applicable to properties zoned Main Street Mixed-Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).

D. *Driveways and Access (Connectivity).* Access shall be limited to provide for safe traffic flow and the design shall provide interior drives to limit the number of accesses to the public right-of-way. Access easement should be utilized to limit the number of driveway accesses. Accesses should be planned to match existing driveways or street intersections on the opposite side of the street. All driveways shall have a minimum sight distance of 240 feet.

E. *Screening and Buffering.* A masonry screening wall a minimum of eight foot (8') in height shall be provided where the rear yard of any residential or nonresidential lot abuts a Principal or Secondary Arterial. Any masonry screening wall constructed as part of a new residential subdivision shall be constructed of a like and similar material and color as screening walls in adjacent subdivisions to provide a consistent streetscape. Where the rear yard of any residential lot abuts right-of-way, a minimum twenty foot (20') wide landscape buffer shall be provided adjacent to the right-of-way. Additionally, trees shall be planted at an average density of one (1) tree per twenty linear feet (20') of street frontage except for public schools. The landscape buffer shall require an irrigation system and shall be maintained by the property owner. The requirements of this section are not applicable to properties zoned Main Street Mixed-Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).

(Ord. No. 16-S-27 , § 9, 8-30-2016; Ord. No. 17-S-40 , § 1(Exh. A), 10-24-2017; Ord. No. 21-S-26 , § 1(Exh. A), 7-6-2021; Ord. No. 23-S-07 , § 1(Exh. A), 3-14-2023)

PLANNING AND ZONING COMMISSION MEETING: 01/10/2024
Agenda Item 7 A

TO: Planning and Zoning Commission
PREPARED BY: Emily Delgado, Planning Manager
SUBJECT: Current Projects and City Council Status Update

BACKGROUND

DEVELOPMENT INFORMATION

The following is being provided for information purposes only so that the Planning and Zoning Commission is aware of the current status of new site plan applications, status of applications heard by the Commission and recommended for final action by the City Council, and the status of administratively approved applications.

NEW SITE PLAN APPLICATIONS: The following site plan development application was submitted between December 9, 2023, and January 5, 2024

- Verde Enterprise Business Park Unit 10-B, lot 5, block 12 (5700 Schertz Parkway)
 - Site Plan for a proposed parking lot expansion

CITY COUNCIL RESULTS: The following development applications were recommended for final action to the City Council:

- **Ord. 23-S-32** – Conduct a public hearing and consider a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Guadalupe and Comal County, Texas.
 - Recommended for approval with conditions at the November 15, 2023 P&Z Meeting (6-0)
 - Approved via first reading at the December 19, 2023 CC Meeting
 - Scheduled for final reading at the January 9, 2024 CC Meeting
- **Ord. 23-S-33** – Conduct a public hearing and consider a request for a Specific Use Permit to allow a truck terminal on approximately 4 acres of land located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal Property Identification Number 464879, City of Schertz, Comal County, Texas.
 - Recommended for approval with conditions at the November 15, 2023 P&Z Meeting (6-0)
 - Approved via first reading at the December 19, 2023 CC Meeting
 - Scheduled for final reading at the January 9, 2024 CC Meeting
- **Ord. 23-S-34** – Conduct a public hearing and consider a Specific Use Permit to allow a convenience store with gas pumps on approximately 1.61 acres of land, located at the intersection of Schaefer Road and FM 1518, also known as: 11786 Schaefer Road, City of Schertz, Bexar County, Texas.
 - Recommended for approval with conditions at the November 15, 2023 P&Z Meeting (4-2)
 - Motion of approval failed at first reading at the December 19, 2023 CC Meeting (3-4)
- **Ord. 23-S-35** - Conduct a public hearing and consider a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.
 - Recommend for approval at the November 15, 2023 P&Z Meeting (5-1)
 - Scheduled for first reading at the January 9, 2024 CC meeting

ADMINISTRATIVELY APPROVED PROJECTS:

- The following applications were administratively approved between December 9, 2023, and January 5, 2024.
 - Carrillo Subdivision, Preliminary Plat
 - Establishing Lot 1, Block 1, a 11.723 acre General Business District (GB) zoned property
 - Address: 18780 Ih 35 / Comal County Property Ids 78053 and 116266 and Guadalupe County Property Ids 68327, 68329, 114080 and 114082.
 - Approved December 19, 2023
 - Cal Stone Subdivision, Replat
 - Subdividing previously established Lot 4, block 1 to create Lot 5, Block 1 (2.7860 acres) and Lot 6, Block 1 (0.9847 acres) a Neighborhood Services District (NS) zoned property.
 - Address: 3701 FM 30098 / Guadalupe county Property ID 180274
 - Approved December 21, 2023
 - Palapas - John Subdivision, Final Plat
 - Establishing Lot 1, Block 1 (2.4 acres) and Lot 2, Block 1 (0.960 acres) a General Business District (GB) zoned property
 - Address: 16846 Ih 35 / Guadalupe County 64689 and 64687
 - Approved December 14, 2023
-