

City Council: March 26, 2013
Planning and Zoning Commission: March 4, 2013
Staff Contact: Emily Barron, AICP
 Jeremy Frazzell
 Erin Sellers
E-mail: emilyb@pflugervilletx.gov
Phone: 512-990-6300

Subject: Minor Unified Development Code Amendments

As we work through the changes to the Unified Development Code (UDC) staff has identified some changes that are minor in nature but would be beneficial if changed in advance of the overall changes being made to the UDC. The proposed changes are outlined below. The text being changed for each section is shown in **red**. The text shown in **blue** provides staff commentary on each item. Text being removed from the UDC, in the subject sections, has not been shown.

SUBCHAPTER 4. ESTABLISHMENT OF DISTRICTS AND BOUNDARIES.

(C)(2) and (3) In an effort to clarify the permitted location of salvage yards and wrecker and tow yards the following amendments are proposed to the permitted use table. In addition these uses are being defined in Subchapter 20 Definitions.

C. INDUSTRIAL ZONING DISTRICTS.

(2) Permitted Uses.

Land and buildings in each of the residential zoning districts may be used for any of the uses allowed per the following table:

Automobile and Related Uses	LI	GI
Auto Parts Sales, Inside		
Auto Parts Sales, Outside		P
Automobile Parking Lot/Garage	P	P
Auto Salvage Yard		S
Car Wash		
Truck Sales, Heavy Trucks		P
Truck Terminal		P
Truck/Bus Repair	P	P
Vehicular Sales, Rental, Repair and Service	P	
Wrecker/Towing Services	7	7
P= Permitted, Blank = Not Permitted, S = Specific Use Permit, C(X) = Conditions as defined in Section 3. Conditions.		

(3) Conditions.

The uses indicated in the above table with numbers in one or more Districts must comply with the conditions as indicated by the reference number below. The use is permitted in the subject District or Districts provided the use or site complies with the conditions indicated for the use.

(7) Wrecker/Towing Services

- (a) Shall be screened in accordance with Subchapter 11, Section (K) Screening standards.
- (b) Shall satisfy the Accessory Use standards for Outdoor Storage.
- (c) All stored vehicles shall be on a paved surface in accordance with Subchapter 10, Section C. Off-Street Parking Requirements, (4) Surfacing.

(C)(4) Staff proposes this clarification in order to provide more consistency in zoning of certain areas without penalizing property owners that are located to non-conforming residential uses.

(4) General Regulations. The following General Regulations shall apply for all Industrial Zoning Districts:

General Regulations	LI	GI
Minimum Interior Side Yard (abutting SF-S, 2-F, SF-U, MF-S, MF-U zoning or existing conforming residential uses)	100'	200'
Minimum Rear Yard (abutting SF-S, 2-F, SF-U, MF-S, MF-U zoning or existing conforming residential uses)	100'	200'

SUBCHAPTER 5. ESTABLISHMENTS OF OVERLAYS AND SPECIAL DISTRICTS.

(B)(29)(b) The proposed amendments to the building materials required within the Corridor Overlay Districts is intended to provide clarity to the requirement. The proposed amendment intends to enforce a higher building standard in these districts while lessening the need of the developer to pursue an architectural waiver because the vagueness in the existing standard.

B. SITE DEVELOPMENT STANDARDS

29. Site Development Standards

(b) Building materials listed below apply to all office, retail, commercial, and industrial development in the Corridor Overlay Districts. Residential development in the Corridor Overlay Districts shall follow Subchapter 9, Site Development Requirements. Other materials are permitted as approved by the Zoning Administrator in keeping with the architectural style of the structure.

Table 15: Building Materials

Building Materials	Allowable Percentage
<u>Primary Masonry</u> <ul style="list-style-type: none"> • Clay Brick • Natural Stone • Manufactured Stone with a natural appearance (Does not include Concrete Masonry Unit (CMU)) • Tilt-Wall Concrete Panels • Stucco 	<p>Minimum 85% (Stucco shall not exceed 50%)</p>
<u>Accent Materials</u> <ul style="list-style-type: none"> • Architectural Concrete Block/Concrete Masonry Unit (CMU) • Exterior Insulation and Finish Systems (EIFS) – High Impact (Not permitted below nine (9) feet above finished grade) • Hardiplank or similar materials • Metal panels • Metal (for beams, lintels, trim elements, and ornaments) 	<p>Maximum 15%</p>

SUBCHAPTER 7. GENERAL REGULATIONS.

(F) and (G) In an effort to clarify outdoor display and outdoor storage the following amendments are being proposed. Currently the code differentiates between the requirements of outdoor display and storage for commercial zoned properties and industrial zoned properties. In order to simplify these regulations Sections (F) and (G) have been consolidated. Subsequently the associated definitions have been update/added.

F. OUTDOOR DISPLAY AND STORAGE ~~OFFICE, RETAIL AND COMMERCIAL ZONING DISTRICTS~~

The following requirements apply to all outdoor display and storage in all nonresidential zoning districts. **The following are not subject to these requirements: personal or recreational automotive sales (new or used), a florist, garden shop, landscape nursery or temporary uses as provided in Subchapter 7(E).**

- (1) Outdoor Display. Outdoor Display is display of items actively for sale and shall adhere to the following standards:
- (a) Outdoor Display of merchandise shall not occupy any required parking spaces, landscape area, pedestrian accessibility **or fire lane.**
 - (b) **Outdoor display shall not extend into public right-of-way or onto adjacent property and must be kept within 15 feet of the principle structure.**
 - (c) Outdoor Display shall be displayed in a neat and orderly manner and maintained in a clean, litter-free manner.
 - (d) **Outdoor display may not be located on the roof of any structure.**

- (e) The outdoor display area shall not exceed ten (10) percent of the square footage of the principle structure or 500 square feet whichever is less. Outdoor home accessory sales are exempt from this requirement.
 - (f) All sales of such merchandise shall be consummated indoors, and no cash register or package-wrapping counter shall be located out of doors.
 - (g) The maximum height of merchandise shall not exceed four (4) feet with the exception of vehicle rental which may not exceed fourteen (14) feet in height. For vehicle rental or sales in the Light Industrial (LI) or General Industrial (GI) zoning districts the height is restricted to twenty five (25) feet.
 - (h) Outdoor display is not required to be screened.
 - (i) Automotive parts and accessories shall not remain outdoors for more than 12 consecutive hours or will otherwise be required to follow the standards for outdoor storage.
- (2) Outdoor Storage. Outdoor storage is storage of products or goods on a temporary to permanent basis and shall adhere to the following standards:
- (a) Outdoor storage areas are allowed for the purpose of storing goods for a nonresidential enterprise. All outdoor storage areas shall meet each required district building setback lines.
 - (b) The location of outdoor storage areas shall be limited to the side or rear of the primary structure to which the facility belongs and a minimum 4' from the principle building. At no point should materials be located in front of any portion of the principle building.
 - (c) A six (6) foot masonry wall is required to screen outdoor storage when the property is located adjacent to property zoned more restrictive than the subject site. This requirement is in addition to the requirements of Subchapter 11 except where there is conflict this provision controls.
 - (d) Outdoor storage shall be prohibited on the roofs of structures.
 - (e) The outdoor storage area shall not encroach upon the required off street parking, pedestrian access, fire lanes and maneuvering areas of the site.
 - (f) The outdoor storage area is limited to a maximum 5% of the square footage of the principle structure or tenant space, whichever is less, within office, retail and commercial zoning districts.

G. — OUTDOOR DISPLAY AND STORAGE INDUSTRIAL ZONING DISTRICTS

SUBCHAPTER 10. PARKING, MOBILITY, AND CIRCULATION.

(C) Currently there are no parking requirements within the UDC listed for a Day Care Facility. Staff has reviewed several other cities within Texas, as well as across the country, and has found that the proposed parking requirements meet the national standard.

C. OFFSTREET PARKING REQUIREMENTS.

Table 1: Required Parking Ratio

Use Category	Specific Use	Parking Spaces	Additional Requirement
Day Care Facility	Day Care Facility	1 per 6 students	1 per employee

SUBCHAPTER 15. SUBDIVISION PROCESS.

(X)(3)(r) In order provide consistency between the UDC and the Fire Code the following amendment is proposed to the Subdivision Design Standards. This amendment provides clarity in the maximum number of lots permitted before a secondary access is required while maintaining the requirements outlined in the adopted Fire Code.

X. SUBDIVISION DESIGN STANDARDS

(3) STREETS.

(r) **In accordance with the adopted Fire Code** all preliminary plats with 30 lots or more must have at least two permanent access points with routes to a collector or arterial street network which do not duplicate any segment of the route of any other access point for the same preliminary plat **unless the preliminary plat provides phasing within the subdivision that will provide a secondary access point, meeting the aforementioned criteria, prior to the 100th lot.**

SUBCHAPTER 20. DEFINITIONS

Definitions have been added/updated that are associated with the proposed modifications.

WRECKER/TOWING SERVICES. An establishment engaged in the temporary outdoor storage of vehicles that have been towed, carried, hauled, or pushed from public or private property for impoundment licensed by the State of Texas; but does not include long-term vehicle storage or salvage yard operations. In the context of Wrecker/Towing Services temporary outdoor storage means storage of a motor vehicle not more than 60 days, unless a longer period is required by the Texas Occupation Code Ch. 2303, Subchapter D, as amended or recodified, for the disposition of a temporary stored vehicle.

AUTO SALVAGE YARD. An establishment engaged in the outdoor storage, sale, exchange, dismantling or other processing of used or waste materials intended for re-use or recycling, including but not limited to, used vehicular parts, scrap metals, mechanical parts, tires or other similar parts. This definition does not include a recycling center or wrecker and towing services.

OUTDOOR DISPLAY/SALES. The outdoor display or sale of finished products actively available for sale. This definition does not include products in shipping boxes, crates, on pallets, or other shipping containers, which shall be considered Outdoor Storage.

OUTDOOR STORAGE. The Outdoor Storage of products or goods that have a large size, mass, or volume that occur on site, such as but not limited to wrecker/towing service yards, salvage yards, heavy equipment, freight or commercial motor vehicles, trailers, construction materials, and raw, processed or packaged materials including any products on pallets, in shipping containers or in crates.

OUTDOOR HOME ACCESSORY SALES. Outdoor home accessory sales displays products or goods that may typically be found outside of a single family dwelling unit. This includes pergolas, sheds, pots, sprinklers, gnomes, playscapes, grills and other related items. For the purpose of this definition, at no time shall a pool or spa, either above or below ground, be considered an outdoor home accessory.