

City of Lubbock, Texas
Special City Council Meeting
July 25, 2024

Mark W. McBrayer, Mayor
Christy Martinez-Garcia, Mayor Pro Tem, District 1
Gordon Harris, Councilman, District 2
David Glasheen, Councilman, District 3
Brayden Rose, Councilman, District 4
Dr. Jennifer Wilson, Councilwoman, District 5
Tim Collins, Councilman, District 6



W. Jarrett Atkinson, City Manager
Matt Wade, City Attorney
Courtney Paz, City Secretary

<http://www.mylubbock.us>

City Council Chambers, Citizens Tower, 1314 Avenue K, Lubbock, Texas

City of Lubbock City Council Meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary's Office at (806)775-2061 or write to Post Office Box 2000, Lubbock, Texas 79457 at least 48 hours in advance of the meeting.

Note: On occasion the City Council may consider agenda items out of order.

6:00 p.m. - The City Council convenes in City Council Chambers in Open Session. This is a joint meeting with the Planning and Zoning Commission, and members of the Planning and Zoning Commission may participate in the discussion.

Regular Agenda

1. Call to Order - Welcome and Introductions

1. 1. Introductory remarks and Presentation by the City of Lubbock Planning Staff on the proposed Amendments to the Unified Development Code and Documentation to be submitted with Plat Applications.

2. Hold a Joint Planning and Zoning Commission Meeting and Public Hearing with the City Council and consider amending the Unified Development Code (Ordinance No. 2023-00054), and zoning map including but not limited to proposed amendments to Sections 39.02.018.c, related to Residential Limited Use Standards, Table 39.02.004.c-2, related to SF-2 Lot Density and Dimensions, Table 39.02.004.d-2, related to MDR Lot Density and Dimensions, Table 39.03.023-2, related to Base Public and Nonresidential Districts Sign Standards, Section 39.10.002, related to Definitions, Section 39.07.041, related to Final Plats, Section 39.07.040, related to Preliminary Plats, Section 39.02.013, related to the South Overton Overlay (SOO), Section 39.02.016 and Table 39.02.016-1, related to the Land Use Matrix, Tables 39.02.004.c-1, 39.02.004.d-1, 39.02.004.d-3, 39.02.004.e-1, 39.02.004.e-3, and 39.03.009-1, related to Duplexes and Townhouses, Sections 39.02.004.a.7, 39.02.004.b.7, 39.02.004.c.7, 39.02.004.d.7, 39.02.004.e.7, related to Signs in Residential Districts for Non-Residential Uses, Table 39.02.004.e-2, related to HDR Lot Density and Dimensions, Section 39.06.002, related to the Planning and Zoning Commission, Section 39.02.020.d.7.C, related to Nonresidential and Mixed-Use Accessory Uses and Structures, Section 39.02.020.c., related to Residential Accessory Uses, Section 39.07.044, related to Waiver of Improvements, Section 39.07.045, related to Delay of Improvements, Section

39.02.018.e, related to Civic and Institutional Uses Limited Use Standards, Table 39.03.002-1, related to Building and Site Design Applicability, Table 39.02.004.c-3, related to SF-2 Off-Street Parking and Loading Schedule, Section 39.03.023.b.8, related to Monuments Signs, Table 39.04.005-3, related to Minimum Driveway Throat Length, Section 39.04.021.b, related to Recording of Plat and Dedication of Improvements, Table 39.03.016-1, related to District Bufferyard Standards, Section 39.02.020.b, related to General Accessory Uses and Structures, Section 39.04.012, related to Public Water Systems, Section 39.04.013, related to Public Wastewater Systems, Section 39.02.023, related to Specific Allowances, Table 39.02.022-1, related to Measurements, Sections 39.02.004.a.4.A, 39.02.004.b.4.A, 39.02.004.c.4.A, 39.02.004.d.4.A, and 39.02.004.e.4.A, related to Lot Density and Dimensions, Table 39.02.006.b-2, related to Office (OF) Lot Intensity and Dimensions, Section 39.07.004.f, related to Plat Filing, and review and approve written lists of all documentation and other information the municipality requires to be submitted with a plat application, as required by TLGC Section 212.0081.

3. Discussion regarding timeline and procedures regarding adoption of amendments to the Unified Development Code (Ordinance No. 2023-O0054) and zoning map.
4. Adjourn



AI# 12701

Special City Council Meeting - Joint Meeting with P&Z

2.

07/25/2024:

Information

Agenda Item

Hold a Joint Planning and Zoning Commission Meeting and Public Hearing with the City Council and consider amending the Unified Development Code (Ordinance No. 2023-O0054), and zoning map including but not limited to proposed amendments to Sections 39.02.018.c, related to Residential Limited Use Standards, Table 39.02.004.c-2, related to SF-2 Lot Density and Dimensions, Table 39.02.004.d-2, related to MDR Lot Density and Dimensions, Table 39.03.023-2, related to Base Public and Nonresidential Districts Sign Standards, Section 39.10.002, related to Definitions, Section 39.07.041, related to Final Plats, Section 39.07.040, related to Preliminary Plats, Section 39.02.013, related to the South Overton Overlay (SOO), Section 39.02.016 and Table 39.02.016-1, related to the Land Use Matrix, Tables 39.02.004.c-1, 39.02.004.d-1, 39.02.004.d-3, 39.02.004.e-1, 39.02.004.e-3, and 39.03.009-1, related to Duplexes and Townhouses, Sections 39.02.004.a.7, 39.02.004.b.7, 39.02.004.c.7, 39.02.004.d.7, 39.02.004.e.7, related to Signs in Residential Districts for Non-Residential Uses, Table 39.02.004.e-2, related to HDR Lot Density and Dimensions, Section 39.06.002, related to the Planning and Zoning Commission, Section 39.02.020.d.7.C, related to Nonresidential and Mixed-Use Accessory Uses and Structures, Section 39.02.020.c., related to Residential Accessory Uses, Section 39.07.044, related to Waiver of Improvements, Section 39.07.045, related to Delay of Improvements, Section 39.02.018.e, related to Civic and Institutional Uses Limited Use Standards, Table 39.03.002-1, related to Building and Site Design Applicability, Table 39.02.004.c-3, related to SF-2 Off-Street Parking and Loading Schedule, Section 39.03.023.b.8, related to Monuments Signs, Table 39.04.005-3, related to Minimum Driveway Throat Length, Section 39.04.021.b, related to Recording of Plat and Dedication of Improvements, Table 39.03.016-1, related to District Bufferyard Standards, Section 39.02.020.b, related to General Accessory Uses and Structures, Section 39.04.012, related to Public Water Systems, Section 39.04.013, related to Public Wastewater Systems, Section 39.02.023, related to Specific Allowances, Table 39.02.022-1, related to Measurements, Sections 39.02.004.a.4.A, 39.02.004.b.4.A, 39.02.004.c.4.A, 39.02.004.d.4.A, and 39.02.004.e.4.A, related to Lot Density and Dimensions, Table 39.02.006.b-2, related to Office (OF) Lot Intensity and Dimensions, Section 39.07.004.f, related to Plat Filing, and review and approve written lists of all documentation and other information the municipality requires to be submitted with a plat application, as required by TLGC Section 212.0081.

Item Summary

On May 9, 2023, the City Council adopted the Unified Development Code with an effective date of October 1, 2023.

An electronic copy of the adopted Unified Development Code and the adopted Zoning Map, and pro can be found online at www.mylubbock.us/udc.

Fiscal Impact

None

Staff/Board Recommending

Erik Rejino, Assistant City Manager
Kristen Sager, Director of Planning
Planning and Zoning Commission

Attachments

Proposed Amendments

2024 Staff Recommended UDC Amendments

1. Section 39.02.018.c (1)(A) - Residential Uses in the SF-2, MDR, and HDR Districts.

- a. **Current Language:** *Housing Types.* Only a single permitted housing type (Single-Family Cottage, Single-Family Detached Dwelling (including industrialized housing), Single-Family Garden Home, Duplex, Multiplex, Apartment, and Townhouse) may occupy a given block face. Newly constructed Duplexes, Multiplexes, Apartments, and Townhouses shall not be permitted across the street from existing or proposed Single-Family Cottages, Single-Family Detached Dwellings, or Single-Family Garden Homes.
- b. **Proposed Revision:** *Housing Types.* **If a block face contains only one or more single-family housing types, Only a single permitted housing type** (Single-Family Cottage, Single-Family Detached Dwelling (including industrialized housing), Single-Family Garden Home, **and townhouses**), ~~Duplex, Multiplex, Apartment, and Townhouse~~ **then the block face shall only contain single-family housing. may occupy a given block face.** ~~Newly constructed~~ Duplexes, Multiplexes, **and** Apartments, ~~and Townhouses~~ shall not be permitted across the street from existing ~~or proposed~~ Single-Family Cottages, Single-Family Detached Dwellings, or Single-Family Garden Homes.

2. Table 39.02.004.c-2 – SF-2 Lot Density and Dimensions – Single-Family Cottage

- a. **Current Language:** Minimum lot area is 4,000 square feet.
- b. **Proposed Revision:** Change to **3,500 square feet.**

Standards	Conventional						Single-Family Detached Dwelling
	Single-Family Detached Dwelling	Single-Family Garden Home	Single-Family Cottage	Duplex	Townhouse	Multiplex	
Minimum Lot Area per Dwelling Unit (square feet)	5,000	3,500	4,000	2,500	2,000	1,500	3,000

3. Table 39.02.004.d-2 – MDR Lot Density and Dimensions - Duplex

- a. **Current Language:** Minimum side setback is 10 feet.
- b. **Proposed Revision:** Change to **5 feet.**

Standards	Single-Family Detached		Duplex	
	Garden Home	Cottage	Side by Side	Stacked
Minimum Lot Area (square feet)	2,200	2,200	2,000	1,800
Minimum Lot Width (feet)	35	35	40	40
Maximum Building Height (feet)	35	35	35	45
Minimum Front Setback (feet)	15	15	15	15
Minimum Front Setback (feet) (cul-de-sac)	5	5	5	5
Minimum Side Setback (feet) (Zero Setback Side / Non-Zero Setback Side)	0 / 10	5	10	10

4. Table 39.03.023-2 – Base Public and Nonresidential Districts Sign Standards – Canopy Signs

- a. **Current Language:** Limited to a maximum of 1 sign per canopy.
- b. **Proposed Revision:** Change to **No max.**

Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback or Placement (min)
	Canopy	Yes	1 per canopy	--	75% of canopy width	3 feet above roofline	--

5. Table 39.03.023-2 – Base Public and Nonresidential Districts Sign Standards – Canopy Signs

- a. **Current Language:** EMD Signs are prohibited.
- b. **Proposed Revision:** Change to **Yes.**

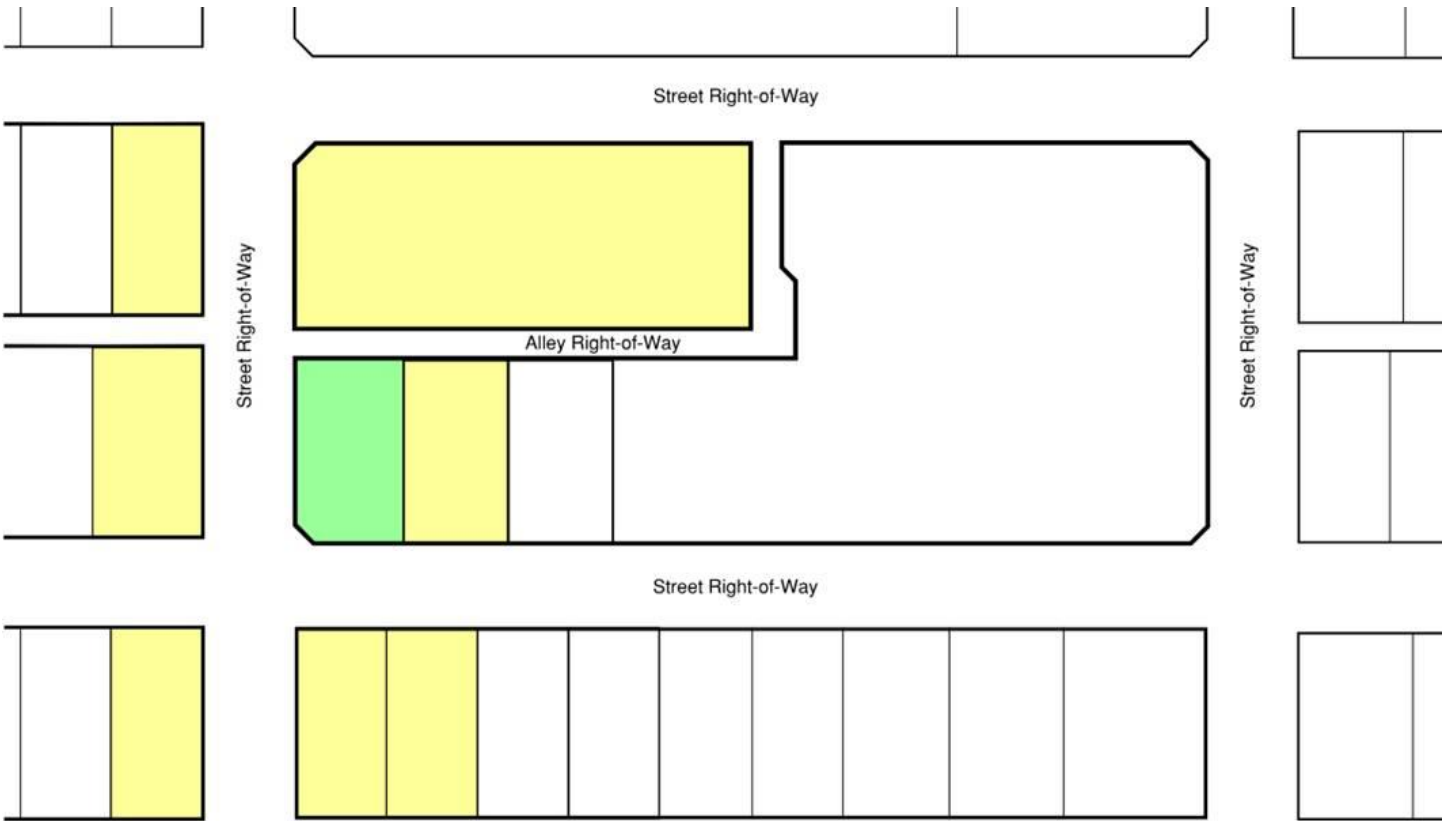
Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback or Placement (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
	Canopy	Yes	1 per canopy	--	75% of canopy width	3 feet above roofline	--	--	18 inches	No

6. Section 39.10.002 Definitions – Retail Sales

- a. **Current Language:** **Retail Sales** means the sale of goods, merchandise, services, and/or commodities to the general public. This definition includes:smoke shop;
- b. **Proposed Revision:** **Retail Sales** means the sale of goods, merchandise, services, and/or commodities to the general public. This definition includes:~~smoke shop~~;

7. Section 39.07.041 – Final Plat – Document Requirements

- a. **Current Language:** 11. Reference by name to recorded plats of adjacent and abutting properties;
- a. **Proposed Revision:** 11. ~~Reference by name to recorded plats of adjacent and abutting properties;~~ The following property information shall be shown on all property abutting the plat boundary and all properties located directly north, south, east, west, and diagonally opposite from the plat boundary, even if separated by a street or alley :
 - A. Subdivision name, Lot #, Block #, and recording information (if the property is platted);
 - B. Name of ownership with deed and recording information (if the property is not platted); and
 - C. Any recorded easements known to the surveyor at the time of submittal with recording information;



8. Section 39.07.040 – Preliminary Plat – Document Requirements

- a. **Current Language:** 12. The following adjoining and abutting property information shall be shown on all property adjoining and abutting the plat boundary:
- b. **Proposed Revision:** 12. The following ~~adjoining and abutting~~ property information shall be shown on all property ~~adjoining and~~ abutting the plat boundary and all properties located directly north, south, east, west, and diagonally opposite from the plat boundary, even if separated by a street or alley:



9. Section 39.07.040 – Preliminary Plat – Document Requirements

- a. **Current Language:** 21. All spelling on the plat shall be correct; and
- b. **Proposed Revision:** 21. All information and spelling on the plat shall be correct, current, and accurate at the time of submission; and

10. Section 39.07.041 – Final Plat – Document Requirements

- c. **Current Language:** None
- d. **Proposed Revision:** 27. All information and spelling on the plat shall be correct, current, and accurate at the time the Registered Professional Land Surveyor has sealed, signed, and dated the document to be recorded.

11. Section 39.10.002 Definitions

- a. **Current Language:** **Townhouse** means a house joined with other houses in a row, joined to its neighbors by party walls and covered by the same roof, while occupying separate lots. No townhouse structure shall have less than two dwelling units or an overall length exceeding 250 feet.
- b. **Proposed Revision:** **Townhouse** means a house joined with other houses in a row, joined to its neighbors by party walls and covered by the same roof, while occupying separate lots. No townhouse structure shall have less than ~~two~~ three dwelling units or an overall length exceeding ~~250~~ 300 feet.

12. Section 39.02.016 – Land Use Matrix, Table 39.02.004.c-1, Table 39.02.004.d-1, Table 39.02.004.d-3, Table 39.02.004.e-1, Table 39.02.004.e-3, Table 39.03.009-1 – Duplex and Townhouses

- a. **Current Language:** Number of dwelling units is defined
- b. **Proposed Revision:** Remove both references to dwelling units and let the definitions control

Single-Family	Duplex (2 du)	--	--	L	L	L	P	P	P	--	--	--	--	--	--	39.02.018.c
	Townhouse (2 to 10 du)	--	--	L	L	L	P	P	P	--	--	--	--	--	--	39.02.018.c

13. Section 39.07.040(c)(6) – Preliminary Plat – Applicant Responsibilities (and amend the checklist)

- a. **Current Language:** Water and sewer schematic layouts sufficient to demonstrate how the proposed lots will be served by public water and sewer.
- b. **Proposed Revision:** Water and sewer schematic layouts sufficient to demonstrate how the proposed lots will be served by public water and sewer, or an approved groundwater study as required by TLGC Section 212.0101.

14. Section 39.07.040(c) – Preliminary Plat – Applicant Responsibilities (and amend the checklist)

- a. **Current Language:** None.
- b. **Proposed Revision:** 7. Request for waiver, delay, or parallel construction of improvements, if applicable.

15. Section 39.07.041(e)(5) – Final Plat – Applicant Responsibilities (and amend the checklist)

- a. **Current Language:** 5. Any supplementary materials required for approval;
6. Dedication(s) by separate instrument (as indicated on the face of the final plat to be recorded), if applicable.
7. Easement or right-of-way closure ordinance, if applicable; and
8. Street island ordinance, if applicable.
- b. **Proposed Revision:** 5. ~~Any supplementary materials required for approval~~ Approved Groundwater Study (if applicable), as required by TLGC Section 212.0101
6. ~~Dedication(s) by separate instrument (as indicated on the face of the final plat to be recorded), if applicable.~~ Request for waiver, delay, or parallel construction of improvements, if applicable.
7. ~~Easement or right-of-way closure ordinance, if applicable; and~~
8. ~~Street island ordinance, if applicable.~~

16. Section 39.07.041(j) – Final Plat – Recording

- a. **Current Language:** Within 10 days of receipt and approval of the above documents, the Director of Planning shall record the approved Final Plat with the Lubbock County Clerk. After the plat has been recorded, the Director of Planning shall issue to the subdivider the necessary copies of the approved and signed Final Plat along with the Lubbock County filing number. Impact fees are determined in accordance with Section 41.03.003 of the Lubbock Code of Ordinances.
- b. **Proposed Revision:** Before a Final Plat can be recorded, the following documents must be submitted:
- A. Dedication Deed
 - B. Ownership Certificate
 - C. Tax Certificate
 - D. Easement or right-of-way closure ordinance, if not yet recorded,
 - E. Street island ordinance, if applicable.
 - F. Dedication(s) by separate instrument (as indicated on the face of the final plat to be recorded), if applicable.

Within 10 days of receipt and approval of the above documents, the Director of Planning shall record the approved Final Plat with the Lubbock County Clerk. After the plat has been recorded, the Director of Planning shall issue to the subdivider the necessary copies of the approved and signed Final Plat along with the Lubbock County filing number. Impact fees are determined in accordance with Section 41.03.003 of the Lubbock Code of Ordinances.

17. Section 39.07.041(k)(3) - Final Plat – Preliminary Plat Renewal – Renewal and Expiration

- a. **Current Language:** *Renewal and Expiration.* If a Final Plat of the remaining area has not been submitted within the two-year time period, the portion of the Preliminary Plat for which no Final Plat has been submitted shall be deemed null and void. However, if at least one phase of the Preliminary Plat has

received Final Plat approval, its public improvements have been completed, and it has been recorded with the Lubbock County Clerk, an extension to the two-year time limit shall be automatically granted for all phases.

- b. Proposed Revision: *Renewal and Expiration.*** If a Final Plat of the remaining area has not been submitted within the two-year time period, the portion of the Preliminary Plat for which no Final Plat has been submitted shall be deemed null and void. However, if at least one phase of the Preliminary Plat has received Final Plat approval, ~~its public improvements have been completed,~~ and it has been recorded with the Lubbock County Clerk, an extension to the two-year time limit shall be automatically granted for all **remaining** phases.

18. Section 39.07.040(b) – Preliminary Plat - Purpose

- a. Current Language:** The purpose of a Preliminary Plat is to provide sufficient information to evaluate and review the general design of a proposed subdivision to ensure compliance with the Master Development Plan, if applicable, and the requirements of this UDC prior to submittal of a Final Plat. If a Final Plat that includes all of an applicant's contiguous ownership is submitted to the City for approval, the Director of Planning shall have the option to not require a Preliminary Plat for the property.
- b. Proposed Revision:** The purpose of a Preliminary Plat is to provide sufficient information to evaluate and review the general design of a proposed subdivision to ensure compliance with the Master Development Plan, if applicable, and the requirements of this UDC prior to submittal of a Final Plat. If a Final Plat **contains four or fewer lots and tracts,** or ~~that~~ includes all of an applicant's contiguous ownership ~~is submitted to the City for approval, the Director of Planning shall have the option to not require~~ a Preliminary Plat for the property **shall not be required.**

19. Section 39.02.004(a)(7), (b)(7), (c)(7), (d)(7), (e)(7) – Signs in Residential Districts for Non-Residential Uses

- a. Current Language: Signs.** Table 39.02.004.a-5, *RE Permitted Sign Types*, denotes sign types permitted in the RE district. For more details and specific standards, refer to [Division 3.5, Signs](#). Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.a-5 and the provisions of [Division 3.5, Signs](#), the latter shall control.
- b. Proposed Revision: Signs.**
- A.** Table 39.02.004.a-5, *RE Permitted Sign Types*, denotes sign types permitted in the RE district. For more details and specific standards, refer to [Division 3.5, Signs](#). Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.a-5 and the provisions of [Division 3.5, Signs](#), the latter shall control.
- A.** Table 39.02.004.b-5, *SF-1 Permitted Sign Types*, denotes sign types permitted in the SF-1 district. For more details and specific standards, refer to [Division 3.5, Signs](#). Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.b-5 and the provisions of [Division 3.5, Signs](#), the latter shall control.

A. Table 39.02.004.c-5, *SF-2 Permitted Sign Types*, denotes sign types permitted in the SF-2 district. For more details and specific standards, refer to [Division 3.5, Signs](#). Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.c-5 and the provisions of [Division 3.5, Signs](#), the latter shall control.

A. Table 39.02.004.d-5, *MDR Permitted Sign Types*, denotes sign types permitted in the MDR district. For more details and specific standards, refer to [Division 3.5, Signs](#). Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.d-5 and the provisions of [Division 3.5, Signs](#), the latter shall control.

A. Table 39.02.004.e-5, *HDR Permitted Sign Types*, denotes sign types permitted in the HDR district. For more details and specific standards, refer to [Division 3.5, Signs](#). Signs not listed in this table are prohibited in this zoning district. In case of a conflict between Table 39.02.004.e-5 and the provisions of [Division 3.5, Signs](#), the latter shall control.

B. *Nonresidential*. For nonresidential developments, refer to Subsection [39.02.006.a, Neighborhood Commercial \(NC\)](#).

20. Table 39.02.004.e-2 HDR Lot Density and Dimensions – Single-Family, Duplex, and Townhouse

- a. **Current Language:** Requires a 20’ rear setback for adjacent to non-residential
- b. **Proposed Revision:** Change to **15 feet**.

Standards	Conventional		Village		Mixed-Use Only		
	Single-Family Detached, Cottage, or Garden Home	Duplex	Apartment or Multiplex	Townhouse	Single-Family Detached, Cottage, or Garden Home	Live-Work	Vertical Mixed-Use
Minimum Rear Setback (feet) (Adjacent to Residential Use / Adjacent to Nonresidential Use)	0 / 20	0 / 20	20 / 10	0 / 20	0 / 20	20 / 10	50 / 20

21. Table 39.02.016-1 – Outdoor Storage – Industrial Park District (IP)

- a. **Current Language:** Prohibited in the IP District.
- b. **Proposed Revision:** Change to **Permitted “P”**.

Table 39.02.016-1 Permitted Uses by District																	
P = Permitted L = Limited S = Specific "--" Prohibited																	
Use Category	Land Use	Base Residential				Base Mixed-Use				Base Public and Nonresidential Districts					Use-Specific Standards		
		RE	SF-1	SF-2	MDR	HDR	MU-1	MU-2	MU-3	MU-5	NC	OF	AC	HC		IP	LI

Nonresidential Accessory Uses	Drive-In or Drive-Through Facility	--	--	--	--	L	--	--	--	--	L	L	L	P	P	--	--	39.02.020.d
	Helipad (Hospital/Public Safety)	--	--	--	--	--	S	S	S	S	--	S	S	S	S	S	S	39.02.019
	Outdoor Display of Merchandise	--	--	--	--	--	L	L	L	L	L	--	L	L	--	L	--	39.02.020.d
	Outdoor Storage	--	--	--	--	--	L	L	L	L	L	--	L	L	--	P	P	39.02.020.d

22. Section 39.10.002 Definitions – Utilities and Power Generation, Transmission, and Distribution

a. Current Language:

Utilities means the conduits, pipes, wires, etc. and associated appurtenances used to provide various services to both residential and commercial uses. Water, wastewater, and stormwater service are primary utilities provided by the municipality and natural gas, electricity, and communication are primary utilities provided by public or private utilities.

Power Generation, Transmission, and Distribution means a large-scale creation of power which includes large solar collectors and windmills for nonresidential uses and more forms of utility power generation. This definition includes central power and lighting plant and public utility installations.

b. Proposed Revision:

Utilities means the conduits, pipes, wires, etc. and associated appurtenances used to provide various services to both residential and commercial uses. Water, wastewater, and stormwater service are primary utilities provided by the municipality and natural gas, electricity, and communication are primary utilities provided by public or private utilities. **This definition includes public utility installations.**

Power Generation, Transmission, and Distribution means a large-scale creation of power which includes large solar collectors and windmills for nonresidential uses and more forms of utility power generation. This definition includes central power and lighting plants. **and public utility installations.**

23. Section 39.06.002 – Planning and Zoning Commission

a. Current Language: None.

b. Proposed Revision:

c. Recommendations. If the planning and zoning commission recommends against a proposed amendment, supplement, change or modification, or if a proposed amendment, supplement, change or modification is protested in accordance with this subsection, the proposed amendment, supplement, change or modification must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the City Council. The protest must be written and signed by the owners of at least twenty (20) per cent of either:

- i. The area of the lots or land covered by the proposed change; or
- ii. The area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred (200) feet from that area.

In computing the percentage of land area under this subsection, the area of streets and alleys shall be included.

24. Section 39.02.020.d(7)(C) – Nonresidential and Mixed-Use Accessory Uses and Structures - Outdoor Storage

- a. **Current Language:** *Location.* An outdoor storage facility shall be located to the rear or side of the primary structure and as great of a distance as feasible from the public right-of-way and adjacent residentially zoned or used property.
- b. **Proposed Revision:** *Location.* An outdoor storage facility shall be located to the rear or side of the primary structure and ~~as great of a distance as feasible shall be screened on all sides the public right-of-way and adjacent residentially zoned or used property~~ by a minimum 6 foot solid wood or masonry screening fence.

25. Table 39.03.023-2 – Sign Regulations in the Base Public and Nonresidential and Base Mixed-Use Districts

- a. **Current Language:** Requires a 20’ clearance for Blade Signs.
- b. **Proposed Revision:** Change from 20’ to 10 feet.

Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback or Placement (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
	Projecting (Blade)	Yes	1 per building facade	24 sq. ft.	3 ft.	10 ft.	20 ft. clearance	--	48 inches	No

26. Section 39.02.020.c(6)(A)(ii) Residential Accessory Uses and Structures - Outdoor Swimming Pool, Spa, and Hot Tub.

- a. **Current Language:** For garden home housing types, where the structure is set with a zero-foot setback on one side property line, an outdoor pool shall have the same setback as the non-zero side setback of the residence.
- b. **Proposed Revision:** ~~For garden home housing types, where the structure is set with a zero-foot setback on one side property line, an outdoor pool shall have the same setback as the non-zero side setback of the residence.~~

27. Section 39.07.044(b) Waiver of Improvements

- a. **Current Language: Purpose.** Waiver of water, wastewater, or paving may be requested, subject to the requirements of this Section. The purpose of a Waiver of Improvements is to allow for an exemption to complying with the requirements of Sections 39.04.005, *Street Network and Design*, 39.04.012, *Public Water Systems*, and 39.04.013, *Public Wastewater Systems*, specifically as such Sections relate to extending new or improving existing water or wastewater lines or streets. A Waiver of

Improvements request may only be considered concurrently with a Preliminary Plat or Final Plat, or Replat. The subdivider shall include as part of the Plat application the reason(s) they should be eligible for a Waiver of Improvements in accordance with this Section. Failure to submit such information shall render the Plat application incomplete.

- b. **Proposed Revision: Purpose.** Waiver of water, wastewater, or paving may be requested, subject to the requirements of this Section. The purpose of a Waiver of Improvements is to allow for an exemption to complying with the requirements of Sections [39.04.005, Street Network and Design](#), [39.04.012, Public Water Systems](#), and [39.04.013, Public Wastewater Systems](#), specifically as such Sections relate to extending new or improving existing water or wastewater lines or streets. A Waiver of Improvements request may only be considered concurrently with a Preliminary Plat. **In the event a Preliminary Plat is not required, a Waiver of Improvements request may be considered concurrently with a ~~Final Plat~~, or Replat.** The subdivider shall include as part of the Plat application the reason(s) they should be eligible for a Waiver of Improvements in accordance with this Section. Failure to submit such information shall render the Plat application incomplete.

28. Section 39.07.045(b) Delay of Improvements

- c. **Current Language: Purpose.** Delay of water, wastewater, or paving may be requested, subject to the requirements of this Section. The purpose of a Delay of Improvements is to allow the subdivider to postpone the installation of infrastructure required in Sections [39.04.005, Street Network and Design](#), [39.04.012, Public Water Systems](#), and [39.04.013, Public Wastewater Systems](#), specifically as such Sections relate to extending new or improving existing water or wastewater lines or streets. A Delay of Improvements request may only be considered concurrently with a Preliminary Plat, or Final Plat, or Replat. The subdivider shall include as part of the Plat application the reason(s) they should be eligible for a Delay in accordance with this Section. Failure to submit such information shall render the Plat application incomplete.
- d. **Proposed Revision: Purpose.** Delay of water, wastewater, or paving may be requested, subject to the requirements of this Section. The purpose of a Delay of Improvements is to allow the subdivider to postpone the installation of infrastructure required in Sections [39.04.005, Street Network and Design](#), [39.04.012, Public Water Systems](#), and [39.04.013, Public Wastewater Systems](#), specifically as such Sections relate to extending new or improving existing water or wastewater lines or streets. A Delay of Improvements request may only be considered concurrently with a Preliminary Plat. **In the event a Preliminary Plat is not required, a Waiver of Improvements request may be considered concurrently with a ~~Final Plat~~, or Replat.** The subdivider shall include as part of the Plat application the reason(s) they should be eligible for a Delay in accordance with this Section. Failure to submit such information shall render the Plat application incomplete.

29. Section 39.02.018.e(9) Limited Use Standards - Civic and Institutional Uses

- a. **Current Language: Medical Office / Clinic.** The gross floor area shall not exceed 3,500 square feet.
- b. **Proposed Revision: Medical Office / Clinic.** The gross floor area shall not exceed ~~3,500~~ 15,000 square feet.

30. Section 39.07.040(c) Document Requirements(13) – Preliminary Plat – Applicant Responsibilities (and Checklist)

- a. **Current Language:** The location, name, and width of all streets, alleys, public and private easements, and rights-of-way existing or proposed within the subdivision limits, along with the proposed names of streets;
- b. **Proposed Revision:** The location, name, and width of all streets, alleys, public and private easements, and rights-of-way existing or proposed, ~~within the subdivision limits~~ shown on the face of the plat, both inside and outside the plat boundary , along with the proposed names of streets, as approved by City of Lubbock staff;

31. Table 39.03.002-1 Building and Site Design Applicability

- a. **Current Language:** Requires Landscaping and bufferyard requirements to be met when the increase in GFA is less than 50% and/or when a change in use requires additional parking.
- b. **Proposed Revision:** Remove this requirement.

Type of Development	Div. 3.2, Building Types and Design	Div. 3.3, Parking, Loading, Stacking, and Access	Div. 3.4, Trees, Landscaping, and Buffering ◆ = Division Applies	Div. 3.5, Signs	Div. 3.6, Outdoor Lighting
New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use	◆	◆	◆	◆	◆
Increase in <u>apartment units, manufactured home stands, GFA, or impervious surface</u> by 50 percent or more cumulatively over a 5-year period	◆	◆	◆	◆	◆
Increase in apartment units, manufactured home stands, GFA, or impervious surface by 25 to 49 percent cumulatively over a 5-year period	◆	◆	◆		◆
Change in use requiring additional parking, loading, or <u>stacking spaces</u>		◆	◆		◆
Increase in apartment units, manufactured home stands, GFA, or impervious surface by less than 25 percent cumulatively over a 5-year period		◆	◆		◆

32. Table 39.02.004.c-3 - SF-2 Off-Street Parking and Loading Schedule

- a. **Proposed Revision:** add the parking requirement for Multiplex

Use Category	Number of Required Parking Spaces	Required Bicycle Spaces in MU, NIO, and CIO	Required Loading
<u>Home Subdivision</u>			
<u>Multiplex (3 - 4 du)</u>	1.25 per DU with 1 bedroom 1.75 per DU with 2 bedrooms 2.25 per DU with 3+ bedrooms	2	--

33. Section 39.03.023.b.8 – Monuments Signs

- a. **Current Language:** *Separation*. Monument or pole signs are permitted on one street frontage when 400 feet of frontage is provided. The total area of both signs shall not exceed the maximum sign area listed in the table below and the minimum separation between signs is 200 feet.
- b. **Proposed Revision:** *Separation*. **Two** monument or pole signs are permitted on one street frontage when 400 feet of frontage is provided. The total area of both signs shall not exceed the maximum sign area listed in the table below and the minimum separation between signs is 200 feet.

34. Table 39.04.005-3 – Minimum Driveway Throat Length

- a. **Proposed Revision:** Add this table to an additional location in the UDC under Division 3.3 Parking, Loading, Stacking, and Access

Table 39.04.005-3 Minimum Driveway Throat Length	
Total Number of Parking Spaces	Minimum Throat Length (ft.)
20-49	25 ft.
50-199	50 ft.
200+	75 ft.

35. Section 39.07.040.c – Preliminary Plat – Document Requirements

- a. **Current Language:** The following notice shall be printed on the face of each Preliminary Plat submitted: "Preliminary Plat - for inspection purposes only and in no way official or approved for recording purposes";
- b. **Proposed Revision:** ~~The following notice shall be printed on the face of each Preliminary Plat submitted: "Preliminary Plat – for inspection purposes only and in no way official or approved for recording purposes";~~ A statement shall be placed on the plat clearly indicating it is for review purposes only and not for recording;

36. Section 39.07.040 – Preliminary Plat and 39.07.041 – Final Plat – Document Requirements

- a. **Current Language:** There is no section number for Document Requirements
- b. **Proposed Revision:** d. Document Requirements (and correct the labeling of the latter sections)
- c. **Proposed Revision:** f. Document Requirements (and correct the labeling of the latter sections)

37. Section 39.07.041.e – Final Plat – Document Requirements

- a. **Current Language:** 3. "Blanket solid waste collection easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted";
- b. **Proposed Revision:** 3. ~~"Blanket solid waste collection easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted";~~

38. Section 39.07.041.e – Final Plat – Document Requirements

- a. **Current Language:** 4. “Blanket [insert ‘underground’ if applicable] utility easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted to [insert name of public, private or franchise utility or certificated service provider of telecommunications]”; and
- b. **Proposed Revision:** 4. “Blanket [insert ‘underground’ if applicable] utility easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted to [insert name of public, private or franchise utility or certificated service provider of telecommunications]. **Blanket easements are herein granted exclusively to each individual tract for service to and within that tract**”; and

39. Section 39.07.041.e – Final Plat – Document Requirements

- a. **Current Language:** 5. “Public pedestrian access easement is herein granted for persons traversing along the public parkway and needing to enter onto private property for the purpose of crossing a driveway. The easement is limited to those portions of the as-constructed driveways and walks which may extend outside public right-of-way onto private property and are constructed for the continuance of the accessible routes across the back of the driveway. This easement applies to existing and any future drive entrances as constructed.”
- b. **Proposed Revision:** 5. “Public pedestrian access easement is herein granted **[within specific lot or tract designation, if applicable]** for persons traversing along the public parkway and needing to enter onto private property for the purpose of crossing a driveway. The easement is limited to those portions of the as-constructed driveways and walks which may extend outside public right-of-way onto private property and are constructed for the continuance of the accessible routes across the back of the driveway. This easement applies to existing and any future drive entrances as constructed.”

40. Section 39.07.041.e – Final Plat – Document Requirements

- a. **Current Language:** 14. Lots shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Tracts shall be lettered in alphabetical order. Such designation will be continuous in the order that Final Plats of portions of an approved Preliminary Plat are recorded with the County Clerk;
- b. **Proposed Revision:** 14. Lots shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Tracts shall be lettered in alphabetical order. Such designation will be continuous in the order that Final Plats of portions of an approved Preliminary Plat are recorded with the County Clerk; **however, if a different naming convention has been established for prior adjacent plats within that subdivision, then a naming convention consistent with the prior plats may be used.**

41. Section 39.07.041.e – Final Plat – Document Requirements

- a. **Current Language:** 15. Replatted lots will be designated alphanumerically (e.g. Lot 1-A), and further subdivision will alternate numbers and letters (e.g. Lot 1-A-1, Lot 1-A-1-A). The same alternating method will be used for tracts (e.g. Tract A-1, Tract A-1-A, Tract A-1-A-1);
- b. **Proposed Revision:** 15. Replatted lots will be designated alphanumerically (e.g. Lot 1-A), and further subdivision will alternate numbers and letters (e.g. Lot 1-A-1, Lot 1-A-1-A). The same alternating method

will be used for tracts (e.g. Tract A-1, Tract A-1-A, Tract A-1-A-1); However, if a different naming convention has been established for prior adjacent plats within that same subdivision, then a naming convention consistent with the prior plats may be used

42. Section 39.07.041.j – Final Plat – Document Requirements

- a. **Current Language:** Within 10 days of receipt and approval of the above documents, the Director of Planning shall record the approved Final Plat with the Lubbock County Clerk. After the plat has been recorded, the Director of Planning shall issue to the subdivider the necessary copies of the approved and signed Final Plat along with the Lubbock County filing number. Impact fees are determined in accordance with Section 41.03.003 of the Lubbock Code of Ordinances.
- b. **Proposed Revision:** Within 10 days of receipt and approval of the above documents, the Director of Planning shall record the approved Final Plat with the Lubbock County Clerk. Or in the case of plats located in the ETJ, the Director of Planning shall provide the plat and supporting documents to Lubbock County for Commissioners Court approval. After the plat has been recorded, the Director of Planning shall issue to the subdivider the necessary copies of the approved and signed Final Plat along with the Lubbock County filing number. Impact fees are determined in accordance with Section 41.03.003 of the Lubbock Code of Ordinances.

43. Section 39.10.002 – Definitions – Cul-de-sac

- a. **Current Language:** None
- b. **Proposed Revision:** Cul-de-sac a bulbous street or passage closed at one end, the design of which shall adhere to the City of Lubbock Engineering Minimum Design Standards and Specifications.

44. Section 39.04.021.b - Recording of Plat and Dedication of Improvements

- a. **Current Language:**
 - a. **Dedication Deed or Dedicatory Certificate.** A dedication deed or dedicatory certificate executed by all persons, firms, or corporations owning an interest in the property subdivided and platted and acknowledged in the manner prescribed by the laws of the state for conveyances of real property shall be submitted for each Final Plat. Two true copies shall be furnished with the original. The dedication deed shall include the following information:
 1. *Spouses and Homesteads.* The spouses of any married party executing such dedication deed shall join with their spouses therein unless satisfactory proof is provided showing that the property to be subdivided is the sole and separate property of the spouse signing such deed and that such property does not constitute any portion of such party's homestead, in which case the instrument of dedication shall state the fact that the property subdivided and platted does not constitute a part of such party's homestead.
 2. *Subordination Agreement.* The lienholder shall execute a subordination agreement subordinating their liens or enter into the dedication or granting, if any, of all public streets, alleys, parks, public easements, and any other public areas shown on the plat of such subdivision are being designated for public uses and purposes.
 3. *Dedication Deed.* The dedication deed shall, in addition to the above requirements, contain the following:

- A. An accurate description of the tract of land subdivided;
 - B. A statement and express representation that the parties joining in such dedication deed are the sole owners of such tract of land;
 - C. An express dedication, if any, to the public for public use forever of any streets, alleys, rights-of-way, stormwater drainage and impoundment easements, parks, public easements, or other public places shown on the plat; and
 - D. A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of the plat, and name of surveyor preparing the plat.
4. *Certificate of Ownership.* A certificate of ownership statement prepared by a qualified attorney or title insurance company licensed to do business in Texas shall be submitted with each Final Plat certifying that the title to the property has been examined and naming all owners, lienholders, and recorded encumbrances of said tract of land.
 5. *Tax Certificate.* A current tax certificate from the Lubbock Central Appraisal District is required with each Final Plat showing that all taxes have been paid on the tract to be subdivided and that no delinquent taxes exist against the property in accordance with [Texas Property Code Section 12.002 \(E\)](#).
 6. *Final Drainage Plan.* If required, a final drainage plan and analysis that meets the requirements of the Drainage Criteria Manual and Master Drainage Plan and has been approved by the City Engineer.
 7. *Other Documents.* Such other ordinances, protective covenants, certificates, affidavits, endorsements, dedications, and closures and abandonments as may be required for the enforcement of these regulations shall be provided as separate instruments to be recorded with the plat. Other plat-associated documents, such as subdivision deed restrictions, may be recorded with the plat if the subdivider chooses.

b. Proposed Revision:

- a. ~~Dedication Deed or Dedicatory Certificate. Required Documents. A dedication deed or dedicatory certificate executed by all persons, firms, or corporations owning an interest in the property subdivided and platted and acknowledged in the manner prescribed by the laws of the state for conveyances of real property shall be submitted for each Final Plat. Two true copies shall be furnished with the original. The dedication deed shall include the following information:~~
 1. *Dedication Deed or Dedicatory Certificate.* A dedication deed or dedicatory certificate executed by all persons, firms, or corporations owning an interest in the property subdivided and platted and acknowledged in the manner prescribed by the laws of the state for conveyances of real property shall be submitted for each Final Plat. Two true copies shall be furnished with the original. The dedication deed shall include the following information:
 - ~~1-~~ *A. Spouses and Homesteads.* The spouses of any married party executing such dedication deed shall join with their spouses therein unless satisfactory proof is provided showing that the property to be subdivided is the sole and separate property of the spouse signing such deed and that such property does not constitute any portion of such party's homestead, in which case the instrument of dedication shall state the fact that the property subdivided and platted does not constitute a part of such party's homestead.
 - ~~2-~~ *B. Subordination Agreement.* The lienholder shall execute a subordination agreement subordinating their liens or enter into the dedication or granting, if any, of all public streets, alleys, parks, public easements, and any other public areas

shown on the plat of such subdivision are being designated for public uses and purposes.

- ~~3.~~ C. An accurate description of the tract of land subdivided;
 - ~~4.~~ D. A statement and express representation that the parties joining in such dedication deed are the sole owners of such tract of land;
 - ~~5.~~ E. An express dedication, if any, to the public for public use forever of any streets, alleys, rights-of-way, stormwater drainage and impoundment easements, parks, public easements, or other public places shown ~~on the plat~~ within the proposed plat boundary; and
 - ~~6.~~ F. A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of the plat, and name of surveyor preparing the plat.
2. *Certificate of Ownership.* A certificate of ownership statement prepared by a qualified attorney or title insurance company licensed to do business in Texas shall be submitted with each Final Plat certifying that the title to the property has been examined and naming all owners, lienholders, and recorded encumbrances of said tract of land.
 3. *Tax Certificate.* A current tax certificate from the Lubbock Central Appraisal District is required with each Final Plat showing that all taxes have been paid on the tract to be subdivided and that no delinquent taxes exist against the property in accordance with [Texas Property Code Section 12.002 \(E\)](#).
 4. *Final Drainage Plan.* If required, a final drainage plan and analysis that meets the requirements of the Drainage Criteria Manual and Master Drainage Plan and has been approved by the City Engineer.
 5. *Other Documents.* Such other ordinances, protective covenants, certificates, affidavits, endorsements, dedications, [grants of use by separate instrument](#), and closures and abandonments as may be required for the enforcement of these regulations shall be provided as separate instruments to be recorded with the plat. Other plat-associated documents, such as subdivision deed restrictions, may be recorded with the plat if the subdivider chooses.

45. Table 39.03.016-1 – District Bufferyard Standards

- a. **Proposed Revision:** Change MU-6 to **MU-5**

Table 39.03.016-1 District Bufferyard Standards								
Zoning of Parcel Proposed for Development	Zoning of Adjoining District							
	RE	SF-1, SF-2, MU-1	MDR, HDR	MU-2 through MU-6	NC, OF	AC, HC, IP	LI	GI
RE	--	--	--	--	--	--	--	--
SF-1, SF-2, MU-1	A	--	--	--	--	--	--	--
MDR, HDR	B	A	--	--	--	--	--	--
MU-2 through MU-6	B	B	--	--	--	--	--	--
NC, OF	B	B	B	B	--	--	--	--

46. Section 39.10.002 – Definitions

- a. **Current Language:**

M

MU-4 means the Depot Mixed-Use zoning district.

M

MU-6 means the Arts Mixed-Use zoning district.

- b. **Proposed Revision:** Remove definitions for MU-4 and MU-6

47. Table 39.03.023-2 Base Public and Nonresidential Districts Sign Standards - Murals

- a. **Current Language:** Murals are limited to 50% of façade area/10% of façade area per tenant and 75% of façade or tenant space width in MU Districts. They are also limited to 750 sq. ft. and 35’ width in non-residential districts.
- b. **Proposed Revision:** Change Sign Area (max) and Sign Width (max) to **No max** and remove MU-4 and MU-6 from list.

Table 39.03.023-2 Base Public & Nonresidential Districts Sign Standards										
EMD = Electronic Message Display max = maximum allowed min = minimum required ft. = feet sq. ft. = square feet -- = not applicable										
Zoning District	Sign Type	Sign Permit Required	Number of Signs (max)	Sign Area (max)	Sign Width (max)	Sign Height (max)	Sign Setback or Placement (min)	On-Site Spacing (min)	Sign Projection (max)	EMD Allowed
MU-1, MU-2, MU-3, MU-4, MU-5, and MU-6	Mural	Yes	No max	50% of facade 10% per tenant – see e., <i>Mural</i> , above	75% of facade or tenant space	--	--	--	--	No
NC, AC, OF, LI, GI, HC and IP	Mural	Yes	No max	750 sq. ft.	35 ft.	--	Based on frontage: up to 99 ft. = 5 ft	Front: 10 ft.	--	No

48. Section 39.02.020.b.6.C – Nonresidential and Mixed-Use Fences

- a. **Current Language:** *Prohibited Fence Materials*. Residential fences not associated with the permitted keeping of livestock are prohibited from being composed of the following materials:
- b. **Proposed Revision:** *Prohibited Fence Materials*. **Nonresidential Residential** fences not associated with the permitted keeping of livestock are prohibited from being composed of the following materials:

49. Section 39.02.020.b.6.A.ii & D – Nonresidential and Mixed-Use Fences

- a. **Proposed Revision:** ~~ii. Fences and gates that exceed four feet in height shall not extend beyond the front facade of the building.~~
- b. **Current Language:** *Location.* Except as permitted in Paragraph F., *Hotel Fencing*, below, fences and gates that exceed four feet in height shall not extend beyond the front facade of the building.
- c. **Proposed Revision:** *Location.* Except **in the IP, LI, and GI districts, and** as permitted in Paragraph F., *Hotel Fencing*, below, fences and gates that exceed four feet in height shall not extend beyond the front facade of the building.

50. Section 39.04.012 - Public Water Systems

- a. **Current Language:** 2. City Limits. All lots in any subdivision platted within the City limits after the effective date of this UDC shall be served by public water systems prior to the issuance of a Building Permit in accordance with the provisions of this Section.
- b. **Proposed Revision:** 2. City Limits. All lots in any subdivision platted within the City limits after the effective date of this UDC shall be served by public water systems prior to the issuance of a Building Permit in accordance with the provisions of this Section. **Greenspaces maintained by a Public Improvement District (PID) or Homeowner's Association (HOA) may be serviced by a water well and utility extensions are not required.**

51. Section 39.04.013 Public Wastewater Systems

- a. **Current Language:** 2. City Limits. All lots in any subdivision platted within the City limits after the effective date of this UDC that are within 180 feet of an existing City wastewater main shall be served by public wastewater systems prior to the issuance of a Building Permit in accordance with the provisions of this Section. All lots outside the City limits in the ETJ shall be provided with an on-site sewage disposal system or cluster system approved by Lubbock County.
- b. **Proposed Revision:** 2. City Limits. All lots in any subdivision platted within the City limits after the effective date of this UDC that are within 180 feet of an existing City wastewater main shall be served by public wastewater systems prior to the issuance of a Building Permit in accordance with the provisions of this Section. **Utility extensions are not required to greenspaces maintained by a Public Improvement District (PID) or Homeowner's Association (HOA).** All lots outside the City limits in the ETJ shall be provided with an on-site sewage disposal system or cluster system approved by Lubbock County.

52. Section 39.02.023.b.3 - Specific Allowances – Height Requirements

- a. **Current Language:** 3. Setback Plane. As depicted in Figure 39.02.023-1, Setback Plane, where a multiplex, apartment, nonresidential, or mixed-use building (Letter "A" in Figure 39.02.023-1) adjoins a single-family or duplex property (Letter "B" in Figure 39.02.023-1), the building height may be increased beyond the maximum permitted if the setback nearest the adjoining residence is increased one foot for each one foot of height above the maximum permitted height (Letter "C" in Figure 39.02.023-1).
- b. **Proposed Revision:** 3. Setback Plane. As depicted in Figure 39.02.023-1, Setback Plane, ~~where a multiplex, apartment, nonresidential, or mixed-use building (Letter "A" in Figure 39.02.023-1) adjoins a single-family or duplex property (Letter "B" in Figure 39.02.023-1),~~ the building height may be increased beyond the maximum permitted if the setbacks ~~nearest the adjoining residence~~ **from all property lines is**

are increased one foot for each one foot of height above the maximum permitted height (Letter "C" in Figure 39.02.023-1).

53. Section 39.10.002 Definitions

- a. **Current Language: Single-Family Cottage** means a type of Single-Family Detached Dwelling that is located on its own lot, has narrower than typical side setbacks, and is used by a single family.
- b. **Proposed Revision: Single-Family Cottage** means a type of Single-Family Detached Dwelling that is located on its own lot, ~~has narrower than typical side setbacks, and~~ is used by a single family, ~~and does not exceed 1,300 square feet.~~

54. Table 39.02.022-1 (and Section 39.10.002, Definition of Setback) – Language for setback measurements:

- a. **Current Language: Setback** means the horizontal distance of a required open area at grade between the outer wall of a building or structure and the adjoining property lines, or, in the case of an abutting private street, the back-of-curb, unoccupied and unobstructed by any portion of a structure from the ground upward. The front and side setback lines span the entire width of the property. The interior side and exterior side setback lines extend from the required front setback line to the required rear setback line.
- b. **Proposed Revision:** “The horizontal distance of a required private open area at grade between the outer wall (**or exterior finish**) of a building or structure and the adjoining property lines”

55. Section 39.10.002 – Definition of Front Lot Line

- a. **Current Language: Front Lot Line** means the line at the front of a home where the public right-of-way ends, and a homeowner's property begins.
- b. **Proposed Revision: Front Lot Line** means the line ~~at the front of a home~~ on a parcel where the public street right-of-way ends, and the ~~homeowner's~~ owner's property begins. On parcels intended for multi-family, mixed-use, or non-residential development, the front lot line shall be the abutting dedicated street right-of-way of greatest designation or lot line of most narrow length that abuts a street right-of-way. On parcels intended for all other residential development, the front lot line shall be the abutting dedicated street right-of-way of least designation or lot line of most narrow length that abuts a street right-of-way.

56. Section 39.10.002 – Definition of Rear Lot Line

- a. **Current Language: Rear Lot Line** means the line at the rear of a home where the owner's property ends.
- b. **Proposed Revision: Rear Lot Line** means the line ~~at the rear of a home~~ opposite the established or assumed Front Lot Line of the same property where the owner's property ends, ~~abutting a dedicated right-of-way or separate parcel.~~

57. Section 39.07.041.e Document Requirements 19

- a. **Current Language:** Bearing, distances, and ties to the property boundary (including medians) shall be indicated;
- b. **Proposed Revision:** Bearings, distances, and ties to the proposed plat boundary, serviced lots or tracts, or an adjacent property boundary (including medians) shall be indicated for all easements to be dedicated or granted and proposed blocks or other contiguous groups of lots or tracts surrounded on all sides by rights-of-way. Proposed street islands and medians proposed by the plat shall be dimensioned such that each can be mathematically located directly from the information displayed on the plat;

58. Section 39.07.041.e Document Requirements 12

- a. **Current Language:** 12. Boundary lines of all lots, tracts, and parcels with accurate dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves. Such lines shall be shown in the same manner as required for Preliminary Plats in [Section 39.07.038.c.4](#), Contents;
- b. **Proposed Revision:** 12. Boundary lines of all lots, tracts, and parcels with accurate dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves. Such lines shall be shown in the same manner as required for Preliminary Plats in [Section 39.07.038.c.4](#) [39.07.040.c Document Requirements 8](#), ~~Contents~~;

59. Section 39.07.040.c Document Requirements 17

- a. **Current Language:** Proposed arrangement of lots. Property for residential use shall be platted as lots and shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Property platted for commercial use, public use, or private street use shall be platted as tracts and shall be lettered in alphabetical order;
- b. **Proposed Revision:** Proposed arrangement of lots. Property for residential use shall be platted as lots and shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Property platted for commercial use, public use, or private street use shall be platted as tracts and shall be lettered in alphabetical order. **If phased development results in lot or tract labels which differ from the approved Preliminary Plat and Drainage Analysis lot or tract labels, a revised or updated Finish Floor Table shall be submitted to Development Engineering staff;**

60. Section 39.07.041.e Document Requirements 28

- a. **Current Language:** N/A
- b. **Proposed Revision:** **28. The following certificate of approval by the Lubbock County Commissioners Court shall be placed on every Final Plat residing within (either in whole or in part) the City of Lubbock Extra-Territorial Jurisdiction (ETJ):**

Approved this _____ day of _____, 20__ ,

by the Commissioners Court of the County of Lubbock, Texas.

Approved _____ County Judge

Attest _____ County Clerk

61. Section 39.07.041.e Document Requirements – The following notices shall be stated on the face of the plat when they apply to that particular plat #2

- a. **Current Language:** “Any easements or rights-of-way shown as ‘to be dedicated by separate instrument’ are shown on the plat for information purposes only. This plat does not dedicate said easements”;

- b. **Proposed Revision:** “Any easements or rights-of-way shown as ‘to be dedicated by separate instrument’ or ‘to be granted by separate instrument’ are shown on the plat for information purposes only. This plat does not dedicate said easements”;

62. Section 39.10.002 – Definition of Educational Services –

- a. **Current Language:** **Educational Services** means any use devoted to learning, regardless of whether it is public, private, commercial or noncommercial or for children or adults. Playground equipment, athletic fields, athletic stadiums, cafeterias, gymnasiums, parking (including bus parking), and libraries are considered valid accessory uses of this land use. This definition also includes commercial school, including trade school; commercial schools, except mechanical or trade; nonprofit training center with retail sales as an incidental use; private schools having a curriculum equivalent to that of public schools, public schools; and schools, private or public, directly related to the medical profession.
- b. **Proposed Revision:** **Educational Services** means any use devoted to learning, regardless of whether it is public, private, commercial or noncommercial or for children or adults. Playground equipment, athletic fields, athletic stadiums, cafeterias, gymnasiums, parking (including bus parking), and libraries are considered valid accessory uses of this land use. This definition also includes commercial school, including trade or technical schools; ~~commercial schools~~, except mechanical ~~or trade~~; nonprofit training center with retail sales as an incidental use; private schools having a curriculum equivalent to that of public schools, public schools; and schools, private or public, directly related to the medical profession.

63. Section 39.02.023.d.3 – Contextual Rear Setbacks – (This would move current Sections d.3 (Appearance) and d.4 (Decision) to **d.4** and **d.5**)

- a. **Current Language:** N/A
- b. **Proposed Revision:**
 - A. Notwithstanding the minimum rear setback requirements of Section 39.02.004, *Base Residential Districts*, the applicant may apply a contextual rear setback to the primary structure, when existing rear setbacks differ from the rear setback required by the base zoning district. In such circumstances, a contextual rear setback may be at a point between the required rear setback and the rear setback that exists on the closest developed lots that are adjacent (to the left and right of the subject property) and oriented to the same alley right-of-way or rear facing lot or tract lines (where an alley right-of-way is not present) as the subject lot.
 - B. For example, if a zoning district requires a rear setback of 20 feet for the primary structure, but the primary structures on either side of the infill lot have rear setbacks of 10 and 20 feet, then the infill house may have a rear setback between 10 and 20 feet.
 - C. The contextual rear setback provisions shall not be used to reduce the required setback of a residential garage which is 20 feet from a typical right-of-way, access easement, or private drive that it fronts with an overhead door or similar oversized opening.

64. Section 39.02.004.a.4.A – Lot Density and Dimensions – Residential Estates

- a. **Current Language:** A. *Residential*. All residential developments in the RE district shall be in accordance with Table 39.02.004.a-2, *RE Lot Density and Dimensions*, based on subdivision type. Maximum building heights and minimum setbacks are for principal structures.
- b. **Proposed Revision:** A. *Residential*. All residential developments in the RE district shall be in accordance with Table 39.02.004.a-2, *RE Lot Density and Dimensions*, based on subdivision type. Maximum building heights and minimum setbacks are for principal structures. **For accessory structures, building heights and minimum setbacks in the RE district shall be in accordance with Table 39.02.004.b-2, SF-1 Lot Density and Dimensions, based on subdivision type. Where a minimum required setback is less than 20 feet, a front-loaded garage facing a public right-of-way, shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.**

65. Section 39.02.004.b.4.A – Lot Density and Dimensions – Very Low Density Single-Family

- a. **Current Language:** A. *Residential*. All residential developments in the SF-1 district shall be in accordance with Table 39.02.004.b-2, *SF-1 Lot Density and Dimensions*, based on subdivision type. Maximum building heights and minimum setbacks are for principal structures.
- b. **Proposed Revision:** A. *Residential*. All residential developments in the SF-1 district shall be in accordance with Table 39.02.004.b-2, *SF-1 Lot Density and Dimensions*, based on subdivision type. Maximum building heights and minimum setbacks are for principal structures. **Where a minimum required setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.**

66. Section 39.02.004.c.4.A – Lot Density and Dimensions – Low Density Single-Family

- a. **Current Language:** A. *Residential*. All residential developments in the SF-2 district shall be in accordance with Table 39.02.004.c-2, *SF-2 Lot Density and Dimensions*, based on the subdivision and building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum front setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.
- b. **Proposed Revision:** A. *Residential*. All residential developments in the SF-2 district shall be in accordance with Table 39.02.004.c-2, *SF-2 Lot Density and Dimensions*, based on the subdivision and building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum ~~front~~ **required** setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.

67. Section 39.02.004.d.4.A – Lot Density and Dimensions – Medium Density Residential

- a. **Current Language:** A. *Residential*. All residential developments in the MDR district shall be in accordance with Table 39.02.004.d-2 *MDR Lot Density and Dimensions*, based on building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum front setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.
- b. **Proposed Revision:** A. *Residential*. All residential developments in the MDR district shall be in accordance with Table 39.02.004.d-2 *MDR Lot Density and Dimensions*, based on building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum ~~front~~ **required** setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.

68. Section 39.02.004.e.4.A – Lot Density and Dimensions – High Density Residential

- a. **Current Language:** A. *Residential*. All residential and mixed-use developments in the HDR district shall be in accordance with Table 39.02.004.e-2, *HDR Lot Density and Dimensions*, based on subdivision and building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum front setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.
- b. **Proposed Revision:** A. *Residential*. All residential and mixed-use developments in the HDR district shall be in accordance with Table 39.02.004.e-2, *HDR Lot Density and Dimensions*, based on subdivision and building type. Maximum building heights and minimum setbacks are for principal structures. Where a minimum ~~front~~ **required** setback is less than 20 feet, a front-loaded garage shall have a minimum setback of 20 feet and the remainder of the building may meet the minimum setback that is less than 20 feet.

69. Section 39.02.020.c.2.B.iv – Residential Accessory Uses and Structures – Setbacks

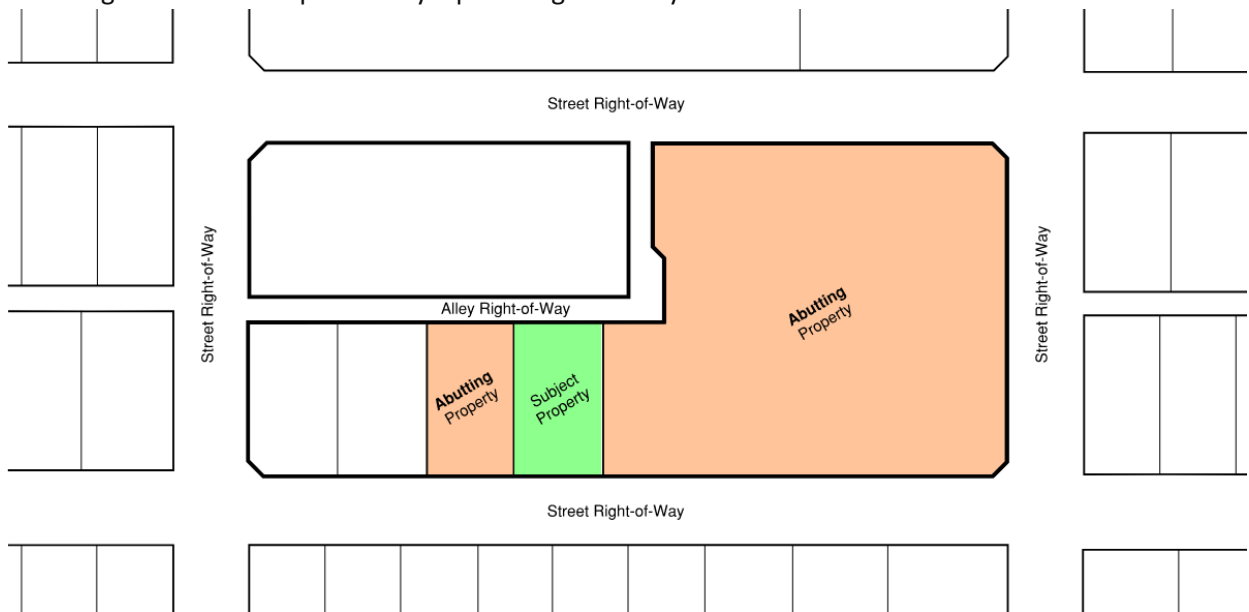
- a. **Current Language:** iv. In the RE, SF-1, SF-2, MDR and HDR districts, an accessory structure may be built to within 18 inches of the rear lot line if the property has paved alley access. However, if access to a garage or

one-story carport is facing an alley right-of-way or access easement, the minimum rear setback shall be 20 feet for garages, or five feet for one-story carports not having solid side walls. Setbacks shall be measured from the property line from an alley and/ or from the easement line if from an access easement.

- b. **Proposed Revision:** iv. In the RE, SF-1, SF-2, MDR and HDR districts, an accessory structure may be built to within 18 inches of the rear lot line if the property has paved alley access. However, if access to a garage or one-story carport is **parallel to facing an side street right-of-way**, alley right-of-way or access easement, the minimum ~~rear~~ setback shall be 20 feet for garages, or five feet for one-story carports not having solid side walls. Setbacks shall be measured from the **nearest** property line **parallel to the garage or carport access point** from ~~an alley~~ right-of-way and/ or from the easement line if from an access easement.

70. Section 39.10.002, Definition of Abutting) – Add graphic for definition of abutting:

- a. **Current Language:** **Abutting** means property where two adjoining lots have a common boundary, not including lots that are separated by a public right-of-way.
- b. **Proposed Revision:** **Abutting** means property where two adjoining lots have a common boundary, not including lots that are separated by a public right-of-way.



71. Table 39.02.006.b-2 Office (OF) Lot Intensity and Dimensions

- a. **Proposed Revision:** Amend the following:
 - a. Minimum lot width from ~~100 feet~~ to **60 feet**
 - b. Minimum front setback from ~~40/25 feet~~ to **25/10 feet**
 - c. Minimum street side setback from ~~30 feet~~ to 15 feet

72. Section 39.07.040.c Document Requirements – Preliminary Plat

- a. **Current Language:** 4. Location map, legibly illustrating the general position of the property relative to at least two intersecting City of Lubbock arterial streets or State highways and the location of the site with respect to the City (southeast, northwest, etc.);
- b. **Proposed Revision:** 4. Location map, legibly illustrating the general position of the property relative to **an intersection containing at least one arterial street or state highway** ~~at least two intersecting City of Lubbock~~

arterial streets or State highways and the location of the site with respect to the City (southeast, northwest, etc.);

73. Section 39.07.041.e Document Requirements – Final Plat

- a. **Current Language:** None.
- b. **Proposed Revision:** 29. Location map, legibly illustrating the general position of the property relative to an intersection containing at least one arterial street or state highway

74. Section 39.07.004.f – Plat Filing

- a. **Current Language:** A Final Plat, Preliminary Plat, or Replat is considered "filed" when the Director of Planning deems it complete in accordance with Subsection c., *Meaning of Complete Submittal*, above, when the Director of Planning completes the review process and finds that there are no more corrections to be made.
- b. **Proposed Revision:** A Final Plat, Preliminary Plat, or Replat is considered "filed" when the Director of Planning deems it complete in accordance with Subsection c., *Meaning of Complete Submittal*, ~~above, when the Director of Planning completes the review process and finds that there are no more corrections to be made.~~

75. Table 39.02.004.d-2 – MDR Lot Density and Dimensions

- a. **Proposed Revision:** Add “per dwelling unit” to the Duplex column.

Table 39.02.004.d-2 MDR Lot Density and Dimensions						
Standards	Single-Family Detached		Duplex		Townhouse	Apartment or Multiplex
	Garden Home	Cottage	Side by Side	Stacked		
Minimum Lot Area (square feet)	2,200	2,200	2,000	1,800	1,300	7,000

Please note – Amendment #76 addresses multiple sections of the UDC, which must be considered together.

76. Section 39.04.012.f – Public Water Systems – Building Permit

- a. **Current Language:** A Building Permit shall not be issued on a platted lot or tract, until such time as the City Engineer issues notification described in Section 39.07.020.d, Platting, or a Waiver or Delay of water improvements has been authorized by the City Engineer in accordance with Section 39.07.044, Waiver of Improvements, or Section 39.07.045, Delay of Improvements.
- b. **Proposed Revision:** A Building Permit shall not be issued on a platted lot or tract, until such time as the City Engineer issues notification described in Section 39.07.020.d, Platting, or a Waiver or Delay of water improvements has been authorized by the City Engineer in accordance with Section 39.07.044, Waiver of Improvements, or Section 39.07.045, Delay of Improvements, or Section 39.07.046, Parallel Construction Alternative.

Section 39.04.013.g – Public Wastewater Systems – Building Permit

- a. **Current Language:** A Building Permit shall not be issued on a platted lot or tract, until such time as the City Engineer issues notification described in Section [39.07.020.d, Platting](#), or a Waiver or Delay of wastewater improvements has been authorized by the City Engineer in accordance with Section [39.07.044, Waiver of Improvements](#), or Section [39.07.045, Delay of Improvements](#).
- b. **Proposed Revision:** A Building Permit shall not be issued on a platted lot or tract, until such time as the City Engineer issues notification described in Section [39.07.020.d, Platting](#), or a Waiver or Delay of wastewater improvements has been authorized by the City Engineer in accordance with Section [39.07.044, Waiver of Improvements](#), or Section [39.07.045, Delay of Improvements](#), or Section [39.07.046, Parallel Construction Alternative](#).

Section 39.07.020.d.3.D – Building Permit – Platting

a. **Current Language**

Platting. Unless an exception to platting is authorized by Section [39.04.002, Applicability](#), or unless a relief is granted in accordance with Section [39.07.044, Waiver of Improvements](#), or Section [39.07.045, Delay of Improvements](#), the Building Official shall not issue a Building Permit, as required by the City's Building Code, for any principal structure unless:

1. The subject property is part of a plat recorded with the Lubbock County Clerk;
2. The required impact fee has been paid; and
3. A notification from the City Engineer has been issued stating:
 - A. Water and wastewater infrastructure have been accepted by City for maintenance and the subdivider has submitted accurate as-built drawings of such infrastructure;
 - B. Curb and gutter have been constructed and completed according to the City's [Engineering Minimum Design Standards and Specifications](#);
 - C. An all-weather road has been constructed that meets the City's Fire Code; and
 - D. The applicant has provided a letter of credit to the City Engineer in an amount adequate to complete the required paving work, should the applicant fail to do so.

b. **Proposed Revision:**

Platting. Unless an exception to platting is authorized by Section [39.04.002, Applicability](#), or unless a relief is granted in accordance with Section [39.07.044, Waiver of Improvements](#), or Section [39.07.045, Delay of Improvements](#), or Section [39.07.046, Parallel Construction Alternative](#), the Building Official shall not issue a Building Permit, as required by the City's Building Code, for any principal structure unless:

1. The subject property is part of a plat recorded with the Lubbock County Clerk;
2. The required impact fee has been paid; and
3. A notification from the City Engineer has been issued stating:
 - A. Water and wastewater
 - i. [Water and Wastewater](#) infrastructure have been accepted by City for maintenance and the subdivider has submitted accurate as-built drawings of such infrastructure; or
 - ii. [A valid letter of credit or bond is on file for the required water and sewer infrastructure if a request for a Parallel Construction Alternative has been granted in accordance with Section 39.07.046, Parallel Construction Alternative; and](#)
 - B. [Curb and gutter](#)

~~B~~.i. Curb and gutter have been constructed and completed according to the City's Engineering Minimum Design Standards and Specifications; or

ii. A valid letter of credit or bond is on file for the required paving and drainage infrastructure if a request for a Parallel Construction Alternative has been granted in accordance with Section 39.07.046, Parallel Construction Alternative; and

C. An all-weather road has been constructed that meets the City's Fire Code; and

D. The applicant has provided a letter of credit to the City Engineer in an amount adequate to complete the required paving work, should the applicant fail to do so.

Section 39.07 – Development Review Procedures

a. **Current Language:** None

b. **Proposed Revision:**

39.07.046 Parallel Construction Alternative

a. **Generally.** In addition to the applicable required procedures in Division 7.1, Purpose, Applicability, and Common Review Procedures, the following shall apply to the Parallel Construction Alternative.

b. **Purpose.** Parallel construction of water, wastewater, or paving may be requested, subject to the requirements of this Section. The purpose of a Parallel Construction Alternative is to allow more efficient construction of infrastructure installation required in Sections 39.04.005, Street Network and Design, 39.04.012, Public Water Systems, and 39.04.013, Public Wastewater Systems, specifically as such Sections relate to extending new or improving existing water or wastewater lines or streets. A Parallel Construction Alternative request may only be considered concurrently with a Preliminary Plat, or Final Plat, or Replat. The subdivider shall include as part of the Plat application the reason(s) they should be eligible for the Alternative in accordance with this Section. Failure to submit such information shall render the Plat application incomplete.

c. **Eligibility.** A subdivider may only request the Parallel Construction Alternative for:

1. A Plat application that was filed on or after October 1, 2023; and
2. Plats that contain only commercial tracts, and only contain four commercial tracts or less; and
3. Granting of the Parallel Construction Alternative would not otherwise negatively impact the design of the subdivision or the ability to subdivide adjacent sites in the future.

d. **Bond-in-Lieu of Required Improvements.**

1. **Installation Guarantee.** If the subdivider receives approval of the Parallel Construction Alternative request, he or she shall provide an installation guarantee in the form of a letter of credit or bond for the amount of the improvement(s) and in a form approved by the City Attorney. The letter of credit or bond must be received and accepted by the City prior to issuance of Building Permit.

2. **Calling the Installation Guarantee.** If the subdivider does not install, or the City does not accept, the infrastructure that is the subject of the Parallel Construction Alternative within two years after approval of the Final Plat recording date, then the City Engineer may request the installation guarantee from the guarantor so that the improvements may be paid for and installed. An extension may be granted at the discretion of the City Engineer.

e. **Specific Decision Criteria.** In determining whether to approve or deny a request for the Parallel Construction Alternative, the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, Common Decision Criteria, and the following:

1. **Eligibility.** The subject property is eligible for a Parallel Construction Alternative based on the provisions in Subsection c., Eligibility, above.

2. **Negative Impact.** Granting of the Parallel Construction Alternative would not otherwise negatively impact the design of the subdivision or the ability to subdivide adjacent sites in the future.

f. **Affirmative Findings.** In order to approve a request for the Parallel Construction Alternative, the City Engineer shall make affirmative findings on all of the applicable decision criteria.

g. **Building Permit.** If a request for the Parallel Construction Alternative is granted, a building permit may be issued prior to the infrastructure being accepted by the City. If at any time the subdivider abandons work on infrastructure required in Sections 39.04.005, Street Network and Design, 39.04.012, Public Water Systems, and 39.04.013, Public Wastewater Systems, requests for Building Permit Inspections will be denied until the subdivider resumes work on infrastructure. Under no circumstances shall a Temporary or Final Certificate of Occupancy be granted until such time as all infrastructure required in Sections 39.04.005, Street Network and Design, 39.04.012, Public Water Systems, and 39.04.013, Public Wastewater Systems has been accepted by the City.

h. **Appeal.** Any party aggrieved by or alleging error in the final decision of a Parallel Construction Alternative request may appeal to the Planning and Zoning Commission.