

**ORDINANCE NO. 20-S-29**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING PART III, SCHERTZ CODE OF ORDINANCES, THE UNIFIED DEVELOPMENT CODE (UDC) ARTICLE 5, SECTION 21.5.8 PERMITTED USE TABLE; SPECIFICALLY FOR THE MAIN STREET MIXED USE (MSMU) ZONING DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Ordinance No. 10-S-06, the City of Schertz, Texas (the “City”) adopted as Amended and Restated Unified Development Code on April 13, 2010, as further amended (the “Current UDC”); and

**WHEREAS**, City Staff has reviewed the Current UDC and have recommended certain revision and updates to, and reorganization of, the Current UDC;

**WHEREAS**, on August 26, 2020 the Planning and Zoning Commission conducted a public hearing and thereafter recommended approval; and

**WHEREAS**, on September 22, 2020 the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the proposed amendments are appropriate and in the interest of the public safety, health and welfare;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:  
THAT:**

Section 1. The current UDC is hereby amended as set forth on Exhibit A hereto.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Approved on first reading the 22<sup>nd</sup> day of September, 2020.

PASSED, APPROVED AND ADOPTED on final reading the 27<sup>th</sup> day of October, 2020.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary  
(SEAL OF THE CITY)

Exhibit A

Unified Development Code  
Article 5 Section 21.5.8 Permitted Use Table

See Attached

**Changes to Permitted Use Table for the Main Street Mixed Use (MSMU) zoning district:**

MSMU	Permitted Uses
<b>SP</b>	Restaurant or Cafeteria
<b>P</b>	Tavern

**Proposed Full Permitted Use Table for Main Street Mixed Use:**

MSMU	Permitted Uses	
<b>P</b>	Accessory Building, Residential	
	Agricultural/Field Crops	
	Airport, Heliport or Landing Field	
	Alcohol Package Sales	
	Antenna and/or Antenna Support Structure, Commercial	
<b>P</b>	Antique Shop	
	Appliances, Furniture and Home Furnishings Store	
<b>P</b>	Art Gallery/Library/Museum	
	Assisted Care or Living Facility	
	Athletic Stadium, Private	
	Athletic Stadium, Public	
	Automobile Parking Structure/Garage	
	Automobile Parts Sales	
	Automobile Repairs & Service, Major	
	Automobile Repairs & Service, Minor	
	Automobile Sales	
	<b>P</b>	Bakery
	<b>P</b>	Bank, Saving and Loan, Credit Union
	<b>P</b>	Beauty Salon/Barber Shop
	<b>P</b>	Bed and Breakfast Inn
<b>P</b>	Book Store	
	Bottling Works	
	Building Material and Hardware Sales	
	Cabinet or Upholstery Shop	
	Car Wash, Automated	
	Car Wash, Self Serve	
	Cemetery or Mausoleum	
	<b>S</b>	Church, Temple, Synagogue, Mosque, or Other Place of Worship
		Civic/Convention Center
		College, University, Trade, or Private Boarding School
		Commercial Amusement, Indoor
		Commercial Amusement, Outdoor
		Community Center
		Concrete/Asphalt Batching Plant
		Convenience Store w/o Gas Pumps
	Convenience Store w/ Gas Pumps	

	Dance Hall/Night Club
<b>P</b>	Day Care Center
	Department Store
	Dry Cleaning, Major
<b>P</b>	Dry Cleaning, Minor
	Family or Group Home
<b>P</b>	Farmers Market
	Flea Market, Inside
	Flea Market, Outside
<b>P</b>	Florist
	Fraternity, Sorority, Civic Club or Lodge
<b>P</b>	Furniture Sales
	Gasoline Station/Fuel Pumps
	Gated Community
	General Manufacturing/Industrial Use
	Golf Course and/or Country Club
<b>P</b>	Governmental Facilities
<b>P</b>	Gymnastics/Dance Studio
	Hazardous Waste
<b>P</b>	Health/Fitness Center
	Heavy Equipment Sales, Service or Rental
	Home Improvement Center
	Hospital
	Hotel/Motel
	Household Appliance Service and Repair
<b>S</b>	In-Home Day Care
	Landfill
	Laundromat
	Livestock
<b>P</b>	Locksmith/Security System Company
<b>P</b>	Medical, Dental or Professional Office/Clinic
	Mini-Warehouse/Public Storage
	Manufactured/Mobile Homes
	Manufacturing
	Mortuary/Funeral Home
	Multi-Family Apartment Dwelling
	Municipal Uses Operated by the City of Schertz
<b>P</b>	Museum
	Nursery, Major
	Nursery, Minor
	Office Showroom
	Office-Warehouse/Distribution Center
	One-Family Dwelling Attached
<b>P</b>	One-Family Dwelling Detached
<b>P</b>	Packaging/Mailing Store
<b>P</b>	Park/Playground/Similar Public Site

	Pawn Shop
	Pet Store
<b>P</b>	Pharmacy
	Portable Building Sales
<b>P</b>	Post Office
	Print Shop, Major
<b>P</b>	Print Shop, Minor
	Private Club
	Railroad/Bus Passenger Station
	Recreational Vehicle Park
	Recreational Vehicle Sales and Service
	Recycling Collection Center
	Recycling Collection Point
	Recycling Facility
	Rehabilitation Care Facility
	Restaurant, Drive-In
<b>S P</b>	Restaurant or Cafeteria
<b>P</b>	Retail Stores and Shops
<b>P</b>	School, Public or Private
	Sexually Oriented Business (See Ordinance No. 02-L-16)
	Stable, Commercial
	Storage or Wholesale Warehouse
	Tattoo Parlors/Studios
<b>P</b>	Tavern
	Taxidermist
	Theater, Outdoor
	Theater, Indoor
	Tool Rental
	Trailer/Manufactured Homes Sales
	Truck Sales, Heavy Equipment
	Truck Terminal
	Two-Family Dwelling
	Veterinarian Clinic/Kennel, Indoor
	Veterinarian Clinic/Kennel, Outdoor
	Welding/Machine Shop
	Wrecking or Salvage Yard
<b>S</b>	New and Unlisted Uses