

Ord. 24-S-01

Main Street UDC Amendments & UDC Clean-up

Samuel Haas | SENIOR PLANNER

Background

- **Development on Main Street has been slow**
- **Main Street Committee has expressed desire for more flexibility**
- **Also, these amendments will clean-up unused sections of Article 5**
- **10 total sections in the UDC for proposed amendments**

Proposed Amendments

Article 5

- Sec. 21.5.2
- Sec. 21.5.5
- Sec. 21.5.6
- Sec. 21.5.7
- Sec. 21.5.8
- Sec. 21.5.12
- Sec. 21.5.14
- Sec. 21.5.15

Article 9

- Sec. 21.9.7

Article 14

- Sec. 21.14.3

UDC Clean-Up

Article 5

- Sec. 21.5.2
- Sec. 21.5.6
- Sec. 21.5.7
- Sec. 21.5.12
- Sec. 21.5.14
- Sec. 21.5.15

Sec. 21.5.2. Zoning Districts Established.

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

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

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



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

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Table 21.5.7.A DIMENSIONAL REQUIREMENTS
RESIDENTIAL ZONING DISTRICTS

		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)				Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Imperv Cover	Key
R-1	Single-Family Residential District-1	9,600	80	120	25	10	20	2	35	50%	h,j,k,l, m,o
R-2	Single-Family Residential District-2	8,400	70	120	25	10	20	2	35	50%	h,j,k,l, m,o
R-3	Two-Family Residential District	9,000	75	120	25	10	20	2	35	60%	h,j,k,l, m,o
R-4	Apartment/Multi-Family Residential District	10,000	100	100	25	10	20	2	35	75%	a,b,k,
Key:											
a.	Add 1,800 square feet of area for each unit after the first 3 units. Maximum density shall not exceed 24 units per acre.										
b.	1.5 parking spaces per bedroom.										
c.	Zero lot line Garden Homes.										

b. 1.52 parking spaces per bedroom plus 5%.

UDC Clean-Up

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

Sec. 21.5.13. - Estate Neighborhood Planned Development District (ENPDD).

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

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

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

A. Intent and Purpose.

1. The Agricultural Conservation (AC) District is intended to provide an alternative development option that supports the sustainable development goals of Schertz, protects open space and natural resources, and retains the predominantly rural character in the areas designated as agricultural conservation on the South and North Schertz Framework Plans. It is not the intent of Schertz to create a zone for future expansion of urban services through this ordinance.

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

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

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

A. Purpose and Intent. The purpose of this section is to provide a set of Design Overlay Districts that correspond with existing zoning and establish a coherent character and encourage enduring and attractive development.

Main Street Amendments

Article 5

- Sec. 21.5.5
- Sec. 21.5.7
- Sec. 21.5.8

Article 9

- Sec. 21.9.7

Article 14

- Sec. 21.14.3



 Main Street Incentive Area

City of Schertz

Schertz Main Street Area
Preservation Incentive Program



SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.



PUB

R-4

R-3

MSMU

MSMUND

M-2

RANDOLPH AVE

CURTISS AVE

LINDBERGH AVE

WILLIAMS

WILLIAMS

EXCHANGE AVE

MAIN ST

1ST ST

WEST ST

FM 78

HAYTON BLVD

MILL ST

Main Street Amendments

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

- N. *Main Street Mixed-Use District (MSMU)*. Intended to provide a base zoning district in the area along Main Street. In light of the history of the area and variety of land uses that exist, this zoning district allows for ~~both~~ single-family and multi-family residential uses, and low intensity commercial uses. Reduced setbacks and parking requirements are provided as part of this district due to physical restraints.

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

Multi-Family?



Multi-Family



Multi-Family



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Main Street Amendments

Table 21.5.7.A DIMENSIONAL REQUIREMENTS RESIDENTIAL ZONING DISTRICTS											
		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)				Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Imperv Cover	Key
MSMU	Main Street Mixed Use	5,000	50	100	10	5	2 10	2	35	80%	h,j,k,m, n,p
MSMU-ND	Main Street Mixed Use-New Development	5,000	50	100	10	5	10	<u>2 Parking Spaces are</u>	35	80%	j,k,m, <u>p</u>
h.	Corner lot shall have minimum 15-foot side yard setback from street right-of-way. <u>For properties on Main Street, the City Engineer may authorize a reduction to no less than 10' if there are no sight distance issues.</u>										
i.	Minimum lot area for each unit.										
j.	Site Plan approval required.										
k.	Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.										
l.	No variances may be permitted to exceed the maximum impervious cover limitations										
m.	Refer to Article 14, section 21.14.3 for additional design requirements										
n.	All single family residential dwelling units constructed within this district shall be constructed with an enclosed garage.										
o.	Side yard setback of 7.5 ft. for R-1, R-2, R-3, R-6, R-7, and MHS continues in effect for all subdivisions vested on the date of adoption of Ordinance No. 11-S-15.										
<u>p.</u>	<u>Not subject to the requirements in section 21.10.4</u>										

Main Street Amendments

New Permitted Uses (21.5.8)

- **Tattoo Parlor/Studio**
 - with limited use
- **Multi-Family/Apartment Dwelling**
- **One-Family Dwelling Attached**
- **Private Club**
- **Theater, Indoor**
- **Two-Family Dwelling**
- **Automobile Parking Structure/Garage**
 - *“An area or structure where the parking of motor vehicles serves as the primary use of the lot whether or not a fee is charged....”*
- **Microbrewery/Brewpub**
- **Pet Store**
 - (already permitted in MSMU-ND, proposing MSMU to match)
- **Municipal Uses Operated by the City of Schertz**
- **Dance Hall/Night Club**

Main Street Amendments

Section 21.5.8 (continued)

- **Tattoo Parlor/Studio (with limited use)**

D. Limited Uses.

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

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

- **Microbrewery/Brewpub
(adding the definition below in Article 16 with upcoming separate amendment)**

"Microbrewery/Brewpub: A facility authorized to manufacture, brew, bottle, can, package, and label beer; and sell or offer without charge, on the premise of the brew pub, beer produced by the holder, in or from lawful containers to the extent the sales or offers are allowed under the holder's primary Texas Alcoholic Beverage Commission license. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

Section 21.9.7 Landscaping

9. A minimum twenty foot (20') wide landscape buffer shall be provided adjacent to any public right-of-way. Trees shall be planted at an average density of one (1) tree per twenty linear feet (20') of street frontage except for public schools. The landscape buffer shall require an irrigation system and shall be maintained by the property owner. The requirements of this section are not applicable to properties zoned Main Street Mixed Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).

13. Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every twenty (20) parking spaces and at the terminus of all rows of parking. Such islands shall be a minimum of 162 square feet or nine feet by eighteen feet (9' x 18') in size. Planter islands shall contain a combination of trees, shrubs, lawn, ground cover and other appropriate materials provided such landscaping does not cause visual interference within the parking area. This subsection does not apply to public schools or properties zoned Main Street Mixed Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).

14. Perimeter Landscape Area — Perimeter landscaping shall be required in the following scenarios:
 - a) Where a nonresidential or multifamily use adjacent to a nonresidential or multifamily use that is zoned for nonresidential or multifamily uses shall provide a minimum five-foot (5') landscape buffer adjacent to those uses except where the building extends into that five foot (5') landscape buffer.
 - i. A minimum of one (1) shade tree shall be planted for each one-hundred linear feet (100') of landscape buffer except where the entire five-foot (5') wide landscape buffer is encumbered by an easement that does not allow the planting of trees.

 - b) -A nonresidential or multifamily use adjacent to a single family or duplex residential use or single family or duplex residentially zoned property shall provide a minimum twenty-foot (20') landscape buffer adjacent to the proper line of the residential use or residentially zoned property. If this scenario is in the Main Street Mixed Use District (MSMU) or the Main Street Mixed Use – New Development District (MSMU-ND) then the landscape buffer shall be a minimum of five feet (5').
 - i. A minimum of one (1) shade tree [s]hall be planted for each thirty (30) linear feet of landscape buffer. The landscape buffer shall be covered with grass or another solid vegetative cover.

 - ii. The landscape buffer shall include a masonry wall which shall be eight feet (8') in height unless in the Main Street Mixed Use District (MSMU) or the Main Street Mixed Use – New Development District (MSMU-ND).

 - c) The requirement of this subsection doe[s] not apply to public water and wastewater facilities if an eight foot (8') masonry wall is provided at or near the property boundary.

Section 21.14.3 Landscaping

- C. *Building Setback Line.* A minimum fifty foot (50') building setback shall be required adjacent to all rights-of-way. A waiver may be granted by the Planning and Zoning Commission which would allow for a reduction in the minimum required setback when an alternative site layout and design provides for additional open space or landscaping and off-street parking will be located entirely at the rear of the building or lot. In no case shall the minimum building setback be reduced less than the minimum required setback for the applicable zoning district. The requirements of this section are not applicable to properties zoned Main Street Mixed-Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).
- D. *Driveways and Access (Connectivity).* Access shall be limited to provide for safe traffic flow and the design shall provide interior drives to limit the number of accesses to the public right-of-way. Access easement should be utilized to limit the number of driveway accesses. Accesses should be planned to match existing driveways or street intersections on the opposite side of the street. All driveways shall have a minimum sight distance of 240 feet.
- E. *Screening and Buffering.* A masonry screening wall a minimum of eight foot (8') in height shall be provided where the rear yard of any residential or nonresidential lot abuts a Principal or Secondary Arterial. Any masonry screening wall constructed as part of a new residential subdivision shall be constructed of a like and similar material and color as screening walls in adjacent subdivisions to provide a consistent streetscape. Where the rear yard of any residential lot abuts right-of-way, a minimum twenty foot (20') wide landscape buffer shall be provided adjacent to the right-of-way. Additionally, trees shall be planted at an average density of one (1) tree per twenty linear feet (20') of street frontage except for public schools. The landscape buffer shall require an irrigation system and shall be maintained by the property owner. The requirements of this section are not applicable to properties zoned Main Street Mixed-Use (MSMU) or Main Street Mixed-Use - New Development (MSMU-ND).

Staff Recommendation

- **These amendments would provide flexibility for Main Street that would incentivize development.**
- **They would also help create a more cohesive and unique district.**
- **Staff recommends approval of the amendments to the Unified Development Code (UDC) as proposed and discussed.**
- **The Planning and Zoning Commission met on January 10, 2024 and made a recommendation of approval with a 6-0 vote.**
- **The Schertz City Council met on February 6, 2024 and voted to approve Ord. 24-S-01 with a 6-0 vote.**

COMMENTS & QUESTIONS