



MEETING AGENDA
Planning & Zoning Commission
REGULAR SESSION PLANNING & ZONING COMMISSION
February 5, 2025

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

CITY OF SCHERTZ CORE VALUES
Do the right thing
Do the best you can
Treat others the way you want to be treated
Work cooperatively as a team

AGENDA
WEDNESDAY, FEBRUARY 5, 2025 at 6:00 p.m.

The Planning and Zoning Commission will hold the regularly scheduled meeting at 6:00p.m., Wednesday, February 5, 2025, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

1. CALL TO ORDER

2. SEAT ALTERNATE TO ACT IF REQUIRED

3. HEARING OF RESIDENTS

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

4. CONSENT AGENDA:

- A.** Minutes for the January 22, 2025, Special Planning and Zoning Commission Meeting.

5. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests, specific use permit requests, and Unified Development Code Amendments within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may

request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

- A. **PLSPU20240273** - Hold a public hearing and make a recommendation on a Specific Use Permit request to allow Automobile Repairs and Service, Major in General Business District (GB), on approximately 0.4 acres of land, more specifically known as a portion of Guadalupe County Property Identification Number 121092, generally located 1,092 feet southwest of the intersection of IH-35 N Access Road and FM 1103, City of Schertz, Guadalupe County, Texas.
 - B. **PLZC20240317** - Hold a public hearing and make a recommendation on a request to rezone approximately 4.3 acres of land from Manufacturing – Light District (M-1) and Single-Family Residential District (R-6) to General Business District (GB) known as Comal County Property Identification Number 75307, also known as 7444 FM 482, City of Schertz, Comal County, Texas
 - C. **PLSPU20240323** - Hold a public hearing and make a recommendation on a request for a Specific Use Permit to allow a Nursery, Major on approximately 4.3 acres of land known as Comal County Property Identification Number 75307, also known as 7444 FM 482, City of Schertz, Comal County, Texas
 - D. **PLUDC20250001** - Conduct a public hearing, workshop and discussion and possible action to make a recommendation on amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5, Section 21.5.4. - Zoning Change, and Article 5, Section 21.5.7. - Dimensional and Developmental Standards.
6. **REQUESTS AND ANNOUNCEMENTS:**
- A. Requests by Commissioners to place items on a future Planning and Zoning Agenda
 - B. Announcements by Commissioners
 - City and community events attended and to be attended
 - Continuing education events attended and to be attended
 - C. Announcements by City Staff.
 - City and community events attended and to be attended.
7. **INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION PACKETS- NO DISCUSSION TO OCCUR**
- A. Current Projects and City Council Status Update
8. **ADJOURNMENT OF THE REGULAR MEETING**

CERTIFICATION

I, Daisy Marquez, Planner, of the City of Schertz, Texas, do hereby certify that the above agenda was posted on the official bulletin boards on this the 30th day of January, 2025 at 1:00 p.m., which is a place readily accessible to the public at all times and that said notice was posted in accordance with chapter 551, Texas Government Code.



Daisy Marquez, Planner

I certify that the attached notice and agenda of items to be considered by the Schertz Planning & Zoning Commission was removed from the official bulletin board on ____ day of _____, 2025. _____ title: _____

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

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

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



PLANNING AND ZONING COMMISSION MEETING: 02/05/2025
Agenda Item 4 A

TO: Planning and Zoning Commission
PREPARED BY: Daisy Marquez, Planner
SUBJECT: Minutes for the January 22, 2025, Special Planning and Zoning Commission Meeting.

Attachments

Minutes for the January 22 2025 Special Meeting

DRAFT

PLANNING AND ZONING MINUTES January 22, 2025

The Schertz Planning and Zoning Commission convened on January 22, 2025 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building #4, Schertz, Texas.

Present: Glen Outlaw, Chairman; Richard Braud, Vice Chairman; Clayton Wallace, Commissioner; Tamara Brown, Commissioner; John Carbon, Commissioner

Absent: Roderick Hector, Commissioner; Judy Goldick, Commissioner; Patrick McMaster, Commissioner

Staff present: Brian James, Deputy City Manager
Lesa Wood, Director of Planning & Community Development
Larry Busch, Public Works Director
Kathryn Woodlee, City Engineer
Daisy Marquez, Planner
Sarah Rodriguez, Administrative Assistant

1. CALL TO ORDER / ROLL CALL THE SPECIAL SESSION PLANNING & ZONING COMMISSION MEETING

Chairman Outlaw called the meeting to order at 6:01 pm.

2. SEAT ALTERNATE TO ACT IF REQUIRED

Commissioner Wallace was seated as alternate.

3. HEARING OF RESIDENTS

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

No one spoke.

4. CONSENT AGENDA:

A. Minutes for the December 4, 2024 Regular Meeting.

There was no discussion.

Motioned by Commissioner Clayton Wallace, seconded by Commissioner John Carbon to approve the consent agenda

Vote: 5 - 0 Passed

5. PUBLIC HEARING:

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

- A. PLCPA20250006** - Hold a public hearing, consider and make a recommendation to City Council on an amendment to the Comprehensive Plan to incorporate updated Water and Wastewater Master Plans.

Mrs. Woodlee provided a presentation.

Chairman Outlaw opened the Public Hearing at 6:15 pm

No one spoke.

Chairman Outlaw closed the Public Hearing at 6:15 pm

Motioned by Commissioner Clayton Wallace, seconded by Commissioner John Carbon to recommend approval to City Council

Vote: 5 - 0 Passed

6. REQUESTS AND ANNOUNCEMENTS:

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

No requests were made.

- B.** Announcements by Commissioners

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

No announcements were made by commissioners.

- C.** Announcements by City Staff.

- City and community events attended and to be attended.

No announcements by staff.

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

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

8. ADJOURNMENT OF THE SPECIAL MEETING

Chairman Outlaw adjourned the special meeting at 6:21 pm.

Chairman, Planning and Zoning Commission

Recording Secretary, City of Schertz

PLANNING AND ZONING COMMISSION MEETING: 02/05/2025
Agenda Item 5 A

TO: Planning and Zoning Commission
 PREPARED BY: Daisy Marquez, Planner
 SUBJECT: **PLSPU20240273** - Hold a public hearing and make a recommendation on a Specific Use Permit request to allow Automobile Repairs and Service, Major in General Business District (GB), on approximately 0.4 acres of land, more specifically known as a portion of Guadalupe County Property Identification Number 121092, generally located 1,092 feet southwest of the intersection of IH-35 N Access Road and FM 1103, City of Schertz, Guadalupe County, Texas.

BACKGROUND

The applicant is requesting a Specific Use Permit to allow Automobile Repairs and Service, Major in General Business District (GB) on approximately 0.4 acres of land. The proposed use is currently operating at the Rancho Vista Campground located at FM 1103 and the applicant would like to come into full compliance and take the necessary steps to obtain a certificate of occupancy. As per UDC Article 16, Automobile Repair and Service, Major is defined as general repairs or reconditioning of engines, air-conditioning systems, and transmissions for motor vehicles; wrecker or towing service with on-site storage of vehicles; collision services including body, frame, or fender straightening or repair; customizing; painting; vehicle steam cleaning; tire retreading; muffler services; upholstery shop; insurance estimations with on-site storage; undercoating and rust proofing, and other similar uses.

On January 22, 2025, eighteen (18) public hearing notices were mailed to the surrounding properties within a 200-foot notification boundary of the subject property. At the time of the staff report, zero (0) responses in favor, zero (0) responses neutral, and zero (0) responses in opposition have been received. A public hearing notice will be published in the "San Antonio Express" prior to the City Council Meeting. Additionally, one (1) sign was placed on the subject property by the applicant.

The City of Schertz Fire, EMS, and Police Departments have been notified of the proposed zone change and did not provide objections.

Subject Property:

	Zoning	Land Use
Existing	General Business District (GB)	Automobile Repairs and Service, Major
Proposed	General Business District (GB) with SUP to allow Automobile Repairs and Service, Major	Automobile Repairs and Service, Major

Adjacent Properties:

	Zoning	Land Use
North	General Business District (GB)	Rio Vista Campground Recreational Vehicle Park
South	General Business District (GB) With Approved SUP to allow Automobile Repair, Major (Ordinance 19-S-15)	Total True Automotive (Automobile Repair, Major); Alamo Hanger & Supply
East	Right-Of-Way	FM1103 *(Principal Arterial 120'-130' ROW)
West	Single-Family Residential District (R-7)	Single-Family Residences (Riata Subdivision)

GOAL

The applicant is requesting a Specific Use Permit on approximately 0.4 acres of land to allow Automobile Repairs and Service, Major in General Business District (GB). As per the letter of intent, Alamo Food Trailers, the proposed business offers services which include custom design and construction, repair, and renovation of food trailers with the capacity to perform electrical, structural, and fabrication work.

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When evaluating Specific Use Permits, Staff uses the criteria listed in UDC Section 21.5.11.D. The criteria are listed below:

1. The proposed use at the specified location is consistent with the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans.

The proposed Specific Use Permit is consistent with the policies of the Comprehensive Land Plan. The subject property is designated as Local Corridor in the Comprehensive Land Use Plan- Future Land Use Map. Local Corridor is described as areas with locally oriented commercial and entertainment situated along medium to high-volume collector roads with neighborhoods at the perimeter. When considering zone changes in Local Corridor, the scale and intensity of the uses allowed within the proposed zoning shall be of scale and intensity that is compatible with the surrounding residential neighborhoods.

The proposed Specific Use Permit is consistent with the policies of the Comprehensive Plan as it meets the scale and intensity of the immediately surrounding area. The subject property is located along FM 1103, which is a Principal Arterial. To the north of the subject property is an existing Recreational Vehicle Park and to the South is a property with an approved Specific Use Permit to allow Automobile Repairs, Major in General Business District (GB).

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

General Business District (GB) is intended for 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 and that are located on appropriately designed principal transportation corridors. The proposed Specific Use Permit to allow Automobile Repairs and Service, Major is located along FM 1103, which is a major transportation corridor. Additional screening requirements will be required along the property line that is adjacent to residential zoning and uses.

		Minimum Lot Size Dimensions			Minimum Yard Setbacks					Miscellaneous Lot Requirements	
Code	Zoning District	Area Sq.Ft.	Width Ft.	Depth Ft.	Front Ft.	Rear Adjacent to Non-Residential	Rear Adjacent to Residential	Side Adjacent to Non-Residential	Side Adjacent to Residential	Maximum Height	Maximum Impervious Coverage
GB	General Business	10,000	100	100	25 Ft	0 Ft	25 Ft	0	25 Ft	120 Ft	80%

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods.

The proposed Specific Use Permit to allow Automobile Repairs and Service, Major, is compatible with the adjacent developments in the area as similar uses are operating along FM 1103. To the north of the subject property is an existing and operating Recreational Vehicle Park. To the south of the subject property, there is an existing and approved Specific Use Permit to allow Automobile Repairs, Major for the operating Total True Automotive FM1103.

4. The proposed use will not adversely affect the overall health, safety, or general welfare of the City.

The proposed use will not adversely affect the health, safety, or general welfare of the City. The Specific Use Permit is the first step for Alamo Food Trailers to come into compliance. If the Specific Use Permit is approved, the applicant will still need to submit and apply for the subsequent development applications to receive a certificate of occupancy. The subject property will need to meet all site design requirements and building code requirements. This includes but is not limited to the additional screening required adjacent to residential zoning and uses, asphalt or concrete parking, and meeting all building code standards. Additionally, the entrance for the subject property is located along FM 1103.

The subject property is located along FM 1103, which is a TXDOT road. FM 1103 is identified as a Principal Arterial in the Master Thoroughfare Plan with 120 to 130 feet of right-of-way.

5. Whether other factors are deemed relevant and important in the consideration of the Specific Use Permit.

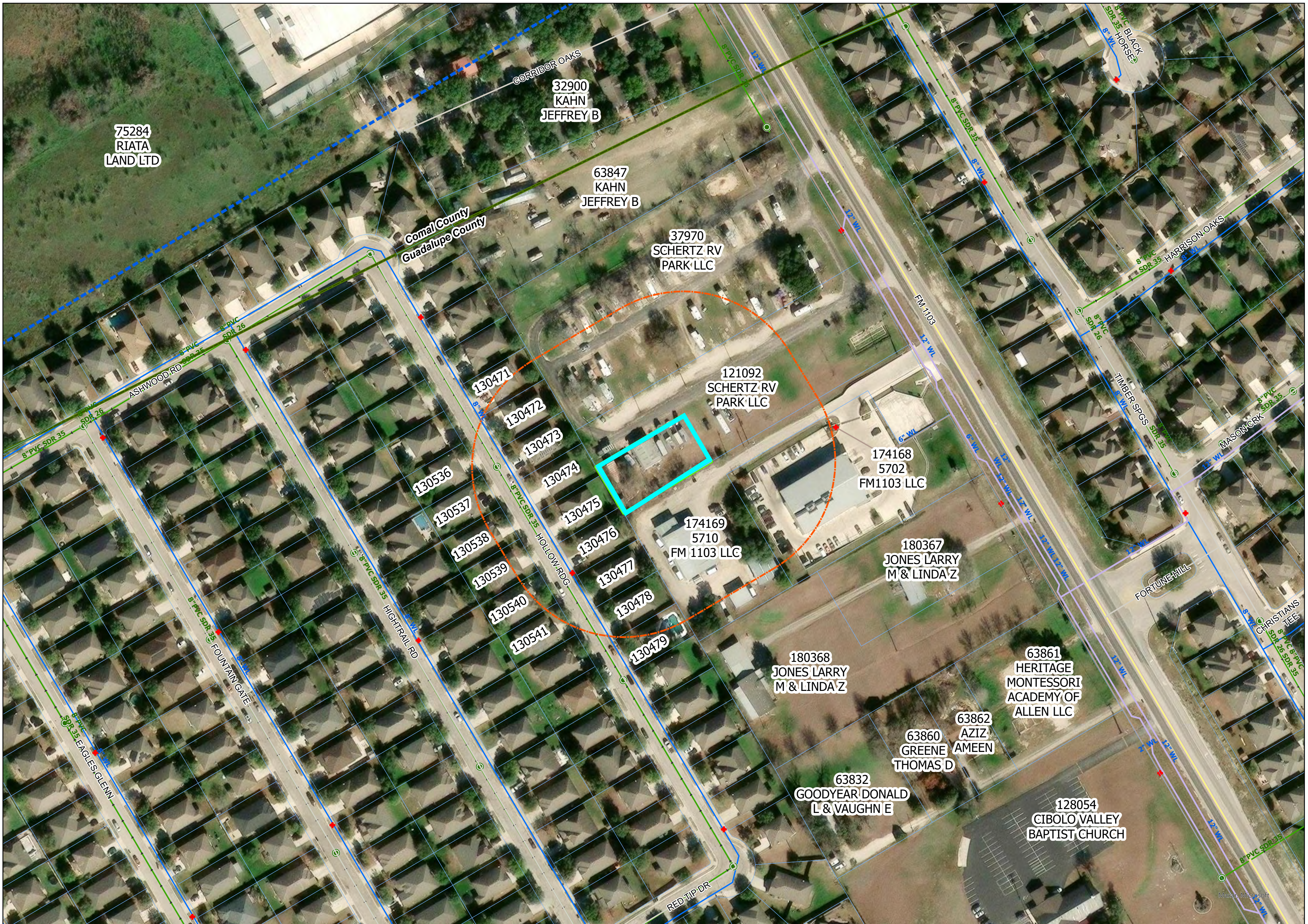
The Planning and Zoning Commission and City Council have not provided additional criteria for consideration of the Specific Use Permit. Alamo Food Trailers is a business that exists at the subject location, but an approved Specific Use Permit to allow Automobile Repairs and Service, Major is the first step in the process towards full compliance. The applicant would still need to submit the required development applications which include, but are not limited to site plan applications and building permit applications to obtain a certificate of occupancy.

RECOMMENDATION

Staff recommends approval of the requested Specific Use Permit to allow Automobile Repair and Service, Major in General Business District (GB), conditioned upon the following:

1. Prior to a Certificate of Occupancy being issued, the site will need to be brought into full compliance with the UDC Site Design requirements including but not limited to screening adjacent to residential zoning and uses and parking requirements.
2. A building permit is approved within (2) years of the adoption of the Specific Use Permit Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.

Notification Map
SUP Exhibit

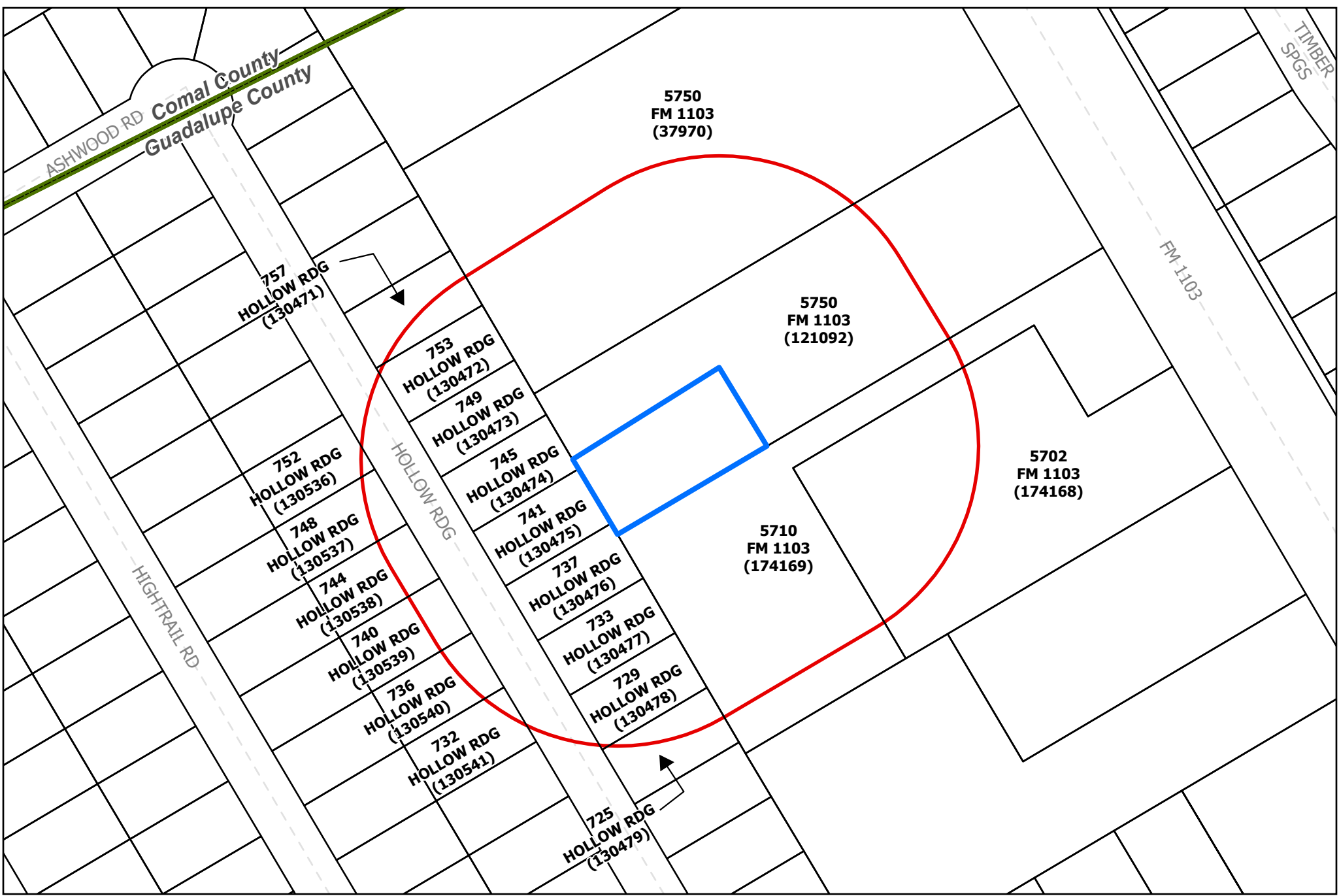


SCHERTZ
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Specific Use Permit for
Alamo Food Trailers
PLSPU20240273

- | | | | | | | | | | |
|--|--|--|---|---|---|--|--|--|---|
| <ul style="list-style-type: none"> County Boundaries Schertz Municipal Boundary ETJ Project Boundary | <ul style="list-style-type: none"> Highways Major Roads Minor Roads Freeway Principal Arterial | <ul style="list-style-type: none"> Planned Principal Arterial Planned Secondary Arterial Secondary Rural Arterial Planned Secondary Rural Arterial | <ul style="list-style-type: none"> Residential Collector Planned Residential Collector Planned Commercial Collector B Commercial Collector A Planned Commercial Collector A | <ul style="list-style-type: none"> 1" 2" 3" 4" 6" | <ul style="list-style-type: none"> 8" 10" 12" 16" 18" | <ul style="list-style-type: none"> 20" 24" 30" 36" Unknown | <ul style="list-style-type: none"> Hydrant Manholes CCMA Lift Station Private Lift Station | <ul style="list-style-type: none"> Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant | <ul style="list-style-type: none"> Sewer Main Schertz Gravity Schertz Pressure Neighboring Gravity Private Pressure |
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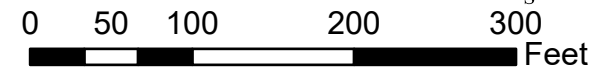
Last update: December 30, 2024
 City of Schertz, GIS Specialist: Bill Gardner, gis@schertz.com (210) 619-1185

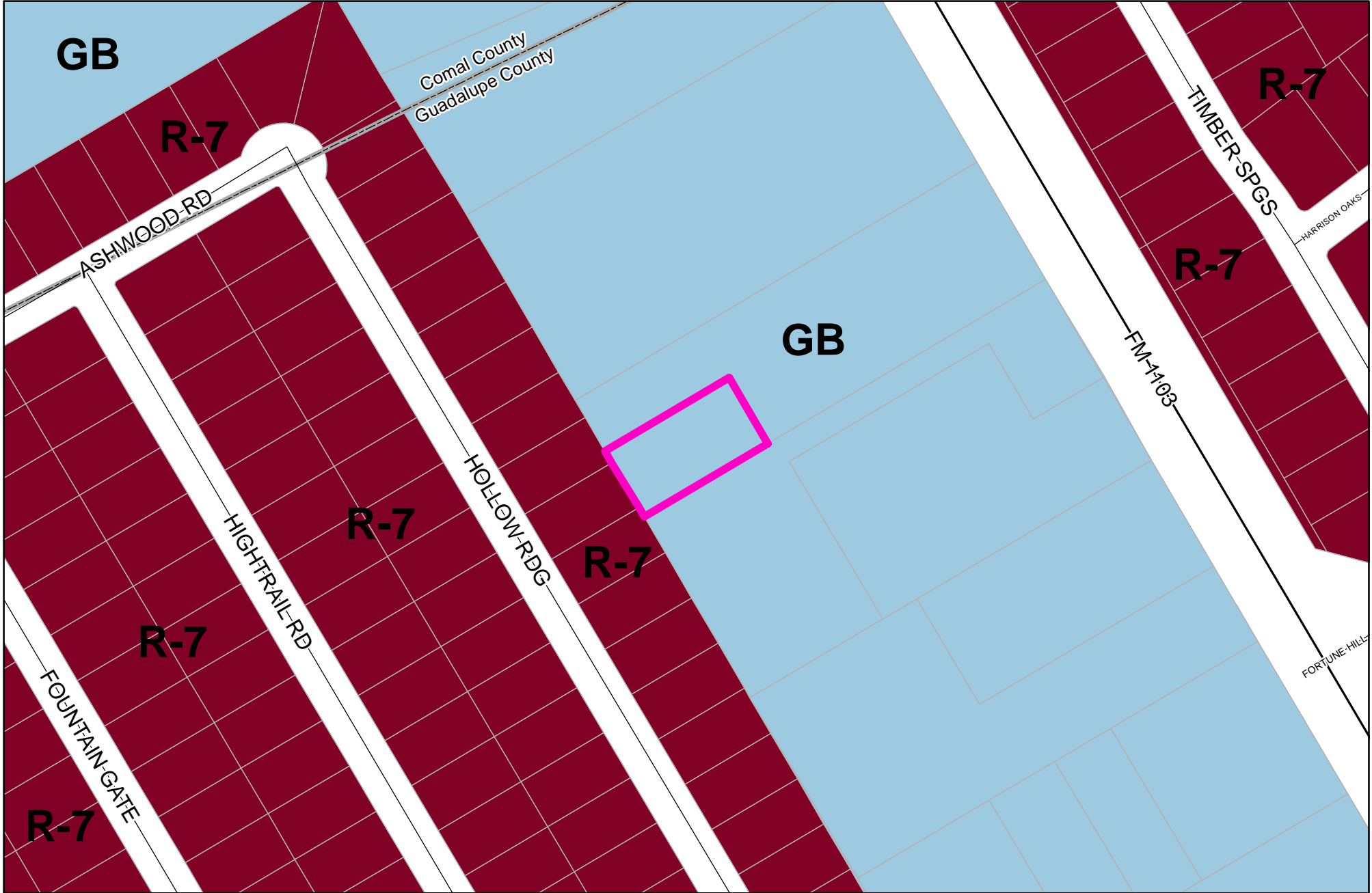
The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall The City of Schertz be liable for any special, indirect, or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

City of Schertz
 Special Use Permit for
 Alamo Food Trailers
 (PLSPU20240273)

Project Boundary
 200' Buffer

Parcels
 County Boundaries

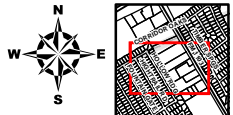




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ALAMO FOOD TRAILERS

Proposed Special Use
 Automobile Repairs & Service, Major



Last Update: December 30, 2024
 City of Schertz | gis@schertz.com

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





PLANNING AND ZONING COMMISSION MEETING: 02/05/2025
Agenda Item 5 B

TO: Planning and Zoning Commission
 PREPARED BY: Samuel Haas, Senior Planner
 SUBJECT: **PLZC20240317** - Hold a public hearing and make a recommendation on a request to rezone approximately 4.3 acres of land from Manufacturing – Light District (M-1) and Single-Family Residential District (R-6) to General Business District (GB) known as Comal County Property Identification Number 75307, also known as 7444 FM 482, City of Schertz, Comal County, Texas

BACKGROUND

The applicant is requesting to rezone approximately 4.3 acres of land from Manufacturing - Light District (M-1) and Single Family Residential District (R-6) to General Business District (GB).

This property was recently rezoned with Ord. 24-S-145. The timeline of which can be seen below:

- On July 3rd, 2024, the Planning and Zoning Commission held a public hearing and recommended approval with a 6-0 vote.
- On August 6, 2024, the Schertz City Council held a public hearing and voted to approve the request with a 6-0 vote.
- On August 20, 2024 the Schertz City Council adopted Ord. 24-S-145 on the second reading.

The reason for the initial rezone request with Ord. 24-S-145 was that the subject property had a permitted business that operates on the property with a non-conforming use of a residence as well. Both of which the current property owner owned. At the time, the applicant's intent was to build a larger home on the property but also keep the existing business. In order to accomplish this, the applicant had to zone change portions of the property to allow both residential uses, and allow for the existing business to continue as well.

The same applicant has applied for another rezone request. Per the applicant Letter of Intent, the applicant wishes to sell the property and has a potential buyer contingent on the zone change approval. This zone change request is for General Business District (GB). The potential buyer is a landscaping company that would like to open a Nursery, Major on the site. This will require a subsequent Specific Use Permit application.

On January 23, 2025, six (6) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of the staff report, zero (0) responses in favor, zero (0) responses neutral, and zero (0) responses in opposition have been received.

A public hearing notice will be published in the "San Antonio Express" prior to the City Council Meeting. Additionally, one (1) sign was placed on the property.

Subject Property:

	Zoning	Land Use
Existing	Manufacturing - Light District (M-1) and Single Family Residential District (R-6)	Paving Business and Residence
Proposed	General Business District (GB)	Nursery, Major with SUP

Adjacent Properties:

	Zoning	Land Use

North	Manufacturing - Light (M-1)	Residential
South	Right of Way	FM 482
East	Manufacturing - Light (M-1)	Residential
West	Manufacturing - Light (M-1)	Residential

GOAL

The applicant is requesting to rezone approximately 4.3 acres of land from Manufacturing - Light District (M-1) and Single Family Residential District (R-6) to General Business District (GB). Below are the dimensional and design requirements for both the proposed district and the existing districts.

<i>Table 21.5.7.A. Dimensional Requirements</i>											
		Minimum Lot Size Dimensions (Ft)			Minimum Yard Setbacks (Ft)			Misc. Lot Requirements			
	<i>Code</i>	<i>Zoning District</i>	<i>Area Sq ft</i>	<i>Width</i>	<i>Depth</i>	<i>Front</i>	<i>Side</i>	<i>Rear</i>	<i>Min. Off-Street Parking</i>	<i>Maximum Height</i>	<i>Max Imperv Cover</i>
Proposed	GB	General Business District	10,000	100	100	25	0,25(r)	0,25(r)	Sec. 21.10.4	120	80%
Existing	R-6	Single Family Residential	7,200	60	120	25	10	20	2	35	50%
Existing	M-1	Manufacturing Light	10,000	100	100	25	0,25(r)	0,50(r)	Sec. 21.10.4	120	80%

COMMUNITY BENEFIT

It is the City’s desire to promote safe, orderly, efficient development and ensure compliance with the City’s vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When evaluating Zone Change applications, staff uses the Criteria for Approval located in UDC Section 21.5.4.D.

1. Whether the proposed zoning change implements the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans;

The Comprehensive Plan designates this area as Mixed-Use Center, which is intended to integrate residential, commercial, and often entertainment spaces nearby, typically along significant transportation corridors. The rationale for designating this area Mixed-Use Center comes from the previous Comprehensive Plan, which had a similar designation further to the west that was intended to be a "new town center". This was a goal based on the potential that the IH35 corridor became more consolidated and integrated with passenger rail connections. While passenger rail is still a real possibility, it has been slow to take hold, and the properties that were once this designation have now started to develop as industrial/warehouse uses.

When the Comprehensive Plan update was underway, decision makers in the city saw the value of this vision and wished to continue this plan but in areas of Schertz further to the East, where the subject property is located. The area is mostly zoned Manufacturing - Light District (M-1), and while it does have some current industrial uses, most properties are either undeveloped or rural residences. The goal to create a Mixed-Use Center should be to encourage denser residential development and complementary commercial businesses. Rezoning this property to General Business District (GB) would more closely align with the intent of the Mixed Use Center designation.

2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.

The surrounding area consists of open space, residences, Danville Middle School, and property to the west zoned Apartment / Multifamily District (R-4). While this area is zoned for industrial uses, it is evolving to function more like a neighborhood. Also, it should be noted that the property abuts FM 482, which is classified in the Master Thoroughfare Plan as a "principal arterial". As part of promoting the health, safety, and general welfare of the city, it is important to mitigate the impact that zoning districts and adjacent land uses have on each other. The current split zoning of the property was approved as Ord. 24-S-145. This was an effort to help the current property owners come into compliance as they were previously non-conforming. However, the property owners' intent has since changed, and now they wish to sell. By making the entire property one consistent zoning designation helps align with the explicit goal of UDC goal to "minimize the conflicts among the uses of land and buildings".

The Unified Development Code defines General Business District (GB) as "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".

The proposed zone change aligns closely with the purpose and intent of the Unified Development Code, thus promoting the health, safety, and general welfare of the city.

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

The permitted uses within General Business District (GB) are as follows:

General Business District (GB) Permitted Uses	
Permitted by Right	Permitted with a Specific Use Permit
<ul style="list-style-type: none"> ● Alcohol Package Sales ● Antique Shop ● Appliances, Furniture and Home Furnishings Store ● Art Gallery/Library/Museum ● Assisted Care or Living Facility ● Automobile Parking Structure/Garage ● Automobile Parts Sales ● Automobile Repairs & Service, Minor ● Bakery ● Bank, Saving and Loan, Credit Union ● Beauty Salon/Barber Shop ● Bed and Breakfast Inn ● Book Store ● Building Material and Hardware Sales ● Car Wash, Automated ● Car Wash, Self Serve ● Church, Temple, Synagogue, Mosque, or Other Place of Worship ● Civic/Convention Center ● College, University, Trade, or Private Boarding School ● Commercial Amusement, Indoor ● Community Center ● Convenience Store w/o Gas Pumps ● Dance Hall/Night Club ● Day Care Center ● Department Store 	<ul style="list-style-type: none"> ● Airport, Heliport or Landing Field ● Antenna and/or Antenna Support Structure, Commercial ● Athletic Stadium, Private ● Automobile Repairs & Service, Major ● Cabinet or Upholstery Shop ● Commercial Amusement, Outdoor ● Convenience Store w/ Gas Pumps ● Dry Cleaning, Major ● Flea Market, Outside ● Gasoline Station/Fuel Pumps ● Mixed-Use Self-Storage ● Nursery, Major ● Railroad/Bus Passenger Station ● Rehabilitation Care Facility ● Storage or Wholesale Warehouse ● Truck Terminal ● Veterinarian Clinic/Kennel, Outdoor ● New and Unlisted Uses

- Dry Cleaning, Minor
- Family or Group Home
- Farmers Market
- Flea Market, Inside
- Florist
- Fraternity, Sorority, Civic Club or Lodge
- Furniture Sales
- Golf Course and/or Country Club
- Governmental Facilities
- Gymnastics/Dance Studio
- Health/Fitness Center
- Heavy Equipment Sales, Service or Rental
- Home Improvement Center
- Hospital
- Hotel/Motel
- Household Appliance Service and Repair
- Laundromat
- Livestock
- Locksmith/Security System Company
- Medical, Dental or Professional Office/Clinic
- Mortuary/Funeral Home
- Municipal Uses Operated by the City of Schertz
- Museum
- Nursery, Minor
- Office Showroom
- Packaging/Mailing Store
- Pawn Shop
- Pet Store
- Pharmacy
- Post Office
- Print Shop, Minor
- Private Club
- Recycling Collection Point
- Restaurant, Drive-In
- Restaurant or Cafeteria
- Retail Stores and Shops
- School, Public or Private
- Tavern
- Taxidermist
- Theater, Outdoor
- Theater, Indoor
- Tool Rental
- Trailer/Manufactured Homes Sales
- Veterinarian Clinic/Kennel, Indoor

General Business Districts (GB) are found in a variety of areas around Schertz, even abutting residential developments, as this district's uses are of a level of intensity that is considered appropriate abutting residential. In the subject property's immediate area are schools, residences, or open space. The proposed zone change and the uses within are consistent with what the current uses are in the vicinity.

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

Schertz Fire, EMS, and Police have been notified of the zone change requests and have provided no objection.

RECOMMENDATION

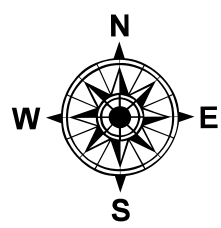
The proposed zone change aligns with the Comprehensive Plan, is consistent with the surrounding land uses, and promotes the health, safety, and general welfare of the city. Therefore, staff is recommending approval of PLZC20240317.

Attachments

Aerial Exhibit

Public Hearing Notice Map

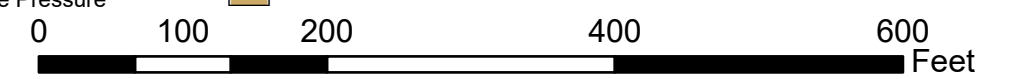
Zoning Exhibit



SCHIERTZ
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PARCEL ID:
75307
PLSPU20240323

<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Secondary Rural Arterial Residential Collector Planned Residential Collector Planned Commercial Collector B Commercial Collector A Planned Commercial Collector A 	<ul style="list-style-type: none"> 1" 2" 3" 4" 6" 	<ul style="list-style-type: none"> 8" 10" 12" 16" 18" 	<ul style="list-style-type: none"> 20" 24" 30" 36" Unknown 	<ul style="list-style-type: none"> Schertz Gravity Schertz Pressure Neighboring Gravity Private Pressure 	<ul style="list-style-type: none"> Hydrant Manholes CCMA Lift Station Private Lift Station 	<ul style="list-style-type: none"> Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant 	<ul style="list-style-type: none"> County Boundaries Schertz Municipal Boundary ETJ
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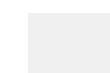


City of Schertz

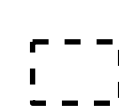
PARCEL ID:
75307



Project Boundary



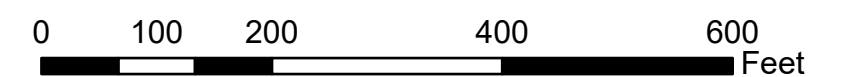
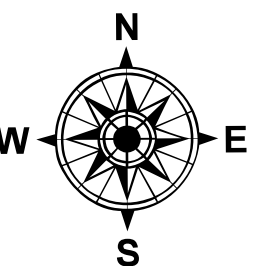
City Limits



Schertz ETJ
Boundary



200' Buffer



CURRENT



PROPOSED

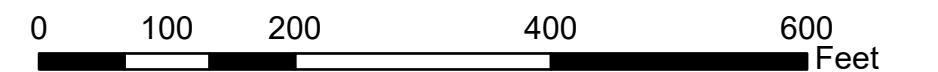


PROPOSED ZONING CHANGE

COMAL COUNTY
 PARCEL ID:
75307

Classification

- | | |
|--|--|
| (R-4) Apartment/Multi-Family Residential | (GB) General Business |
| (PRE) Pre-Development | (GB-2) General Business II |
| (PDD) Planned Development | (NS) Neighborhood Services |
| (PUB) Public Use | (OP) Office and Professional |
| (R-A) Single-family Residential/Agricultural | (MSMU) Main Street Mixed Use |
| (R-1) Single-Family Residential | (MSMU-ND) Main Street Mixed Use New Development |
| (R-2) Single-Family Residential | (M-1) Manufacturing (Light) |
| (R-3) Two-Family Residential | (M-2) Manufacturing (Heavy) |
| (R-5) Middle Density District | (DVL) Development Agreement (Delayed Annexation) |
| (R-6) Single-family Residential | |
| (R-7) Single-family Residential | |
| (AD) Agricultural District | |
| (GH) Garden Home/Single-Family Residential (Zero Lot Line) | |
| (TH) Townhome | |
| (MHS) Manufactured Home Subdivision | |
| (MHP) Manufactured Home Parks | |



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Last update: January 15th, 2025
 City of Schertz, GIS Specialist: Alexa Venezia, avenezia@schertz.com (210) 619-1174

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PLANNING AND ZONING COMMISSION MEETING: 02/05/2025
Agenda Item 5 C

TO: Planning and Zoning Commission
 PREPARED BY: Samuel Haas, Senior Planner
 SUBJECT: **PLSPU20240323** - Hold a public hearing and make a recommendation on a request for a Specific Use Permit to allow a Nursery, Major on approximately 4.3 acres of land known as Comal County Property Identification Number 75307, also known as 7444 FM 482, City of Schertz, Comal County, Texas

BACKGROUND

The applicant is the property owner who is requesting a Specific Use Permit for the property on behalf of a potential buyer. The buyer is a landscaping company that would like to open a Nursery, Major on the site.

On January 23, 2025, six (6) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of the staff report, zero (0) responses in favor, zero (0) responses neutral, and zero (0) responses in opposition have been received.

A public hearing notice will be published in the "San Antonio Express" prior to the City Council Meeting. Additionally, one (1) sign was placed on the property.

Subject Property:

	Zoning	Land Use
Existing	Manufacturing - Light District (M-1) and Single Family Residential District (R-6)	Paving Business and Residence
Proposed	General Business District (GB)	Nursery, Major with SUP

Adjacent Properties:

	Zoning	Land Use
North	Manufacturing - Light (M-1)	Residential
South	Right of Way	FM 482
East	Manufacturing - Light (M-1)	Residential
West	Manufacturing - Light (M-1)	Residential

GOAL

The applicant is the property owner who is requesting a Specific Use Permit for the property on behalf of a potential buyer. The buyer is a landscaping company that would like to open a Nursery, Major on the site.

Unified Development Code (UDC) Article 16 - Definitions defines Nursery, Major as:

"Nursery, Major: An establishment for the cultivation and propagation, display, storage, and sale (retail and wholesale) of large plants, shrubs, trees, and other materials used in indoor and outdoor plantings; and the contracting for installation and/or maintenance of landscape material as an accessory use. Outdoor display and storage is permitted"

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When evaluating specific use permit requests, staff considers the criteria listed in UDC Section 21.5.11.D. The criteria are listed below.

1. The proposed use at the specified location is consistent with the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans.

The Comprehensive Plan designates this area as Mixed-Use Center, which is intended to integrate residential, commercial, and often entertainment spaces nearby, typically along significant transportation corridors. The specific use of Nursery, Major is consistent with the desired commercial portions of the Mixed-Use Center.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

The Unified Development Code defines General Business District (GB) as "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".

Nursery, Major meets the intended use of the General Business District (GB) by offering that "retail and service" desired. Additionally, the property abuts FM 482, which is classified in the Master Thoroughfare Plan as a "principal arterial".

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods.

The surrounding area consists of open space, residences, Danville Middle School, a property to the west zoned Apartment / Multifamily District (R-4), and further to the west is Casa Verde Farms, similar to this proposed use. The rural-neighborhood character of the surrounding area, plus the presence of other nursery-like activities is consistent with this proposal of a Nursery, Major.

4. The proposed use will not adversely affect the overall health, safety, or general welfare of the City.

The specific use permit requirement for Nursery, Major in General Business District (GB) implies that there may be activities related to the use that require heightened scrutiny. This could be things such as the use of heavy machinery or potential land disturbance activities. However, there are similar uses in other parts of Schertz that directly abut dense residential subdivisions. This indicates that there is nothing inherently adverse about nursery uses. Additionally, Article 9 of the UDC is in place to help mitigate any potential conflicts. Finally, given the location of the subject property being in largely rural surroundings, the impacts of such uses are lower in this area, thus not affecting the overall health, safety, or general welfare of the City.

5. Whether other factors are deemed relevant and important in the consideration of the Specific Use Permit.

Schertz Fire, EMS, and Police have been notified of the zone change requests and have provided no objection.

RECOMMENDATION

The proposed Specific Use Permit is consistent with the Comprehensive Plan, meets the intent of the Zoning District, is consistent with the surrounding area, and does not adversely affect the overall health, safety, and general welfare of the city.

Therefore, Staff recommends approval of PLSPU20240323, the Specific Use Permit to allow Nursery, Major at the subject property, conditioned upon the following:

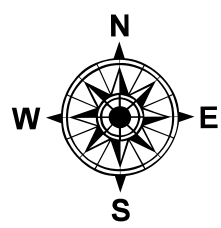
1. A building permit is approved within two (2) years of the adoption of the SUP ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.

Attachments

Aerial Exhibit

Public Hearing Notice Map

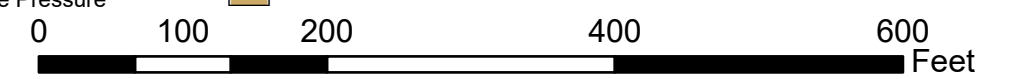
Letter of Intent



SCHIERTZ
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PARCEL ID:
75307
PLSPU20240323

<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Secondary Rural Arterial Residential Collector Planned Residential Collector Planned Commercial Collector B Commercial Collector A Planned Commercial Collector A 	<ul style="list-style-type: none"> 1" 2" 3" 4" 6" 	<ul style="list-style-type: none"> 8" 10" 12" 16" 18" 	<ul style="list-style-type: none"> 20" 24" 30" 36" Unknown 	<ul style="list-style-type: none"> Schertz Gravity Schertz Pressure Neighboring Gravity Private Pressure 	<ul style="list-style-type: none"> Hydrant Manholes CCMA Lift Station Private Lift Station 	<ul style="list-style-type: none"> Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant 	<ul style="list-style-type: none"> County Boundaries Schertz Municipal Boundary ETJ
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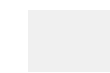


City of Schertz

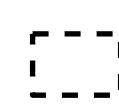
PARCEL ID:
75307



Project Boundary



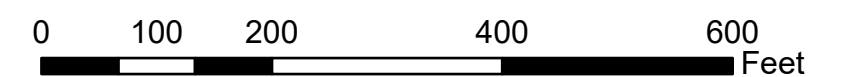
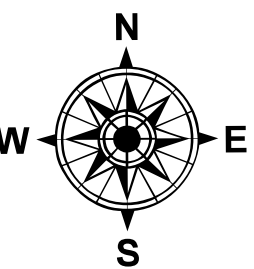
City Limits



Schertz ETJ
Boundary



200' Buffer



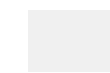


City of Schertz

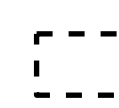
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75307



Project Boundary



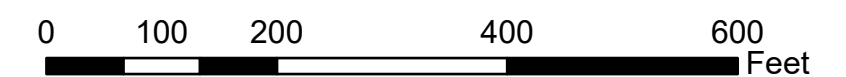
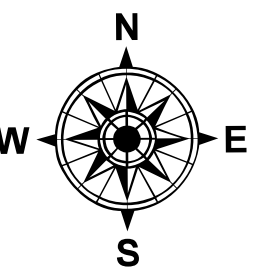
City Limits



Schertz ETJ
Boundary



200' Buffer





DECEMBER 13, 2024

Re: Summary of Business Operations

To Whom it May Concern;

This letter is to summarize the business operations of Leaf Landscape Supply, Inc., a plant nursery company serving the wholesale landscape trade and retail gardening enthusiasts, as it pertains to the purchase of land at 7444 FM 482, New Braunfels, TX. 78132.

Regards,

Brad Seever

**Brad Seever
Principal / COO**



PLANNING AND ZONING COMMISSION MEETING: 02/05/2025

Agenda Item 5 D

TO: Planning and Zoning Commission
PREPARED BY: Samuel Haas, Senior Planner
SUBJECT: **PLUDC20250001** - Conduct a public hearing, workshop and discussion and possible action to make a recommendation on amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5, Section 21.5.4. - Zoning Change, and Article 5, Section 21.5.7. - Dimensional and Developmental Standards.

BACKGROUND

The proposed Unified Development Code (UDC) amendments are really two separate amendments that are packaged together in an effort to help clarify language in the UDC for applicants, residents, and Staff. The two sections that the proposed changes are for are:

1. Article 5, Section 21.5.4. - Zoning Change
 - Subsection E.4 - Protest
2. Article 5, Section 21.5.7.
 - Table 21.5.7.A Dimensional Requirements Residential Zoning Districts

The first proposed amendment is in Article 5, Section 21.5.4. This is in response to changes to the City Charter that were approved by voters on November 5, 2024. Among those approved changes was the reduction of required ordinance hearings from two to one. Ordinances now only require one City Council hearing for approval. This change requires some edits to this particular section of the UDC where two meetings are still referenced.

The second proposed amendment is regarding the Pre-Development Zoning District (PRE). The Pre-Development District (PRE) is intended to be a holding district for undeveloped properties. It was also designated for some properties that were annexed in past ordinances. Unlike every other zoning district in the UDC, Pre-Development District (PRE) does not have any dimensional and design requirements. There are no minimum lot widths, depths, or setbacks, nor are there any height limitations or impervious coverage maximums. Applicants who wish to develop properties with a Pre-Development District (PRE) designation often rezone the property first, as they have a specific project in mind. However, if an applicant merely wishes to subdivide a property with a Pre-Development District (PRE) designation, this presents applicants and staff with a problem, as there are no guidelines for anyone to adhere to. These proposed amendments will create dimensional and design requirements for Pre-Development Districts.

GOAL

Staff is proposing to clarify language in the UDC to align with changes that were recently approved by Schertz voters in the November ballot. Among those approved changes was the reduction of required ordinance hearings from two to one. Ordinances now only require one City Council hearing for approval. UDC Section 21.5.4.E. details the process for counting protest votes and in 21.5.4.E.4 there is language referencing two meetings that needs to be removed and revised.

Also, the second proposed amendment is to assign dimensional and design requirements for the Pre-Development (PRE) Zoning District, which there are currently none. Below are the existing and proposed dimensional and design requirements for Pre-Development District (PRE). Staff is choosing to mirror the dimensional and design requirements of Agricultural District (AD). Like properties with an Agricultural District (AD) designation, Pre-Development properties are large and mostly rural in nature. Similarly, these properties were annexed over time and given the Pre-Development District (PRE) designation to allow for continued existing use. Given that recent annexations in 2024 were given the Agricultural District (AD) designation, Staff has determined that

matching earlier annexed properties with the Pre-Development District (PRE) designation creates consistency.

<i>Table 21.5.7.A. Dimensional Requirements</i>											
		Minimum Lot Size Dimensions (Ft)			Minimum Yard Setbacks (Ft)			Misc. Lot Requirements			
	Code	Zoning District	Area Sq ft	Width	Depth	Front	Side	Rear	Min. Off-Street Parking	Maximum Height	Max Imperv Cover
Proposed	PRE	Pre-Development District	217,800	100	100	25	25	25	2	35	30%
Existing	PRE	Pre-Development District	-	-	-	-	-	-	-	-	-
Existing	AD	Agricultural District	217,800	100	100	25	25	25	2	35	30%

COMMUNITY BENEFIT

It is the City’s desire to promote safe, orderly, efficient development and ensure compliance with the City’s vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When evaluating Unified Development Code amendments, staff uses the Criteria for Approval located in UDC Section 21.4.7.D.

1. The proposed amendment promotes the health, safety, and general welfare of the City

As part of promoting health, safety, and general welfare, Staff is taking active steps to ensure the well-being of its residents by making the city's development code more clear and easier to understand. This is often necessary when policy/practice changes in the city, like when voters approve charter amendments, or a property owner attempts something new, like subdividing a property with a Pre-Development District (PRE) zoning designation.

2. The proposed amendment is consistent with the goals, objectives, and policies of this UDC and the City

The City of Schertz voters approving changes to the City Charter indicate a new policy direction. Updating language in the UDC to match this direction helps achieve consistency across goals, objectives, and policies.

Also, the UDC has an explicit goal of ensuring "orderly and efficient development". In order to align with this goal, it is necessary to have dimensional and design standards for all zoning districts in the event of an applicant subdividing property. Many properties in Schertz are zoned Pre-Development District (PRE) and are currently without standards. The proposed amendment to UDC 21.5.7 would help achieve order and efficiency by creating standards for the Pre-Development District (PRE).

3. The proposed amendment corrects an error, meets the challenge of changing conditions, or is in response to changes in state law.

The amendment to UDC 21.5.4.E is a direct response to a change in the City Charter. Additionally, the amendments to the dimensional and design requirements for Pre-Development Districts (PRE) help give direction to applicants and staff when applicants are looking to subdivide properties with this designation.

4. Other factors which are deemed relevant and important in the consideration of the amendment.

No other additional factors have been deemed relevant at this time.

RECOMMENDATION

The proposed amendments help the UDC align with changes to city practice and policy. Therefore, Staff is recommending approval of PLUDC20250001.

Attachments

UDC Article 5 - Protest (redlines)

UDC Article 5 - Protest (clean)

UDC Article 5 - PRE Dimensions (redlines)

UDC Article 5 - PRE Dimensions (clean)

Sec. 21.5.4. Zoning Change.

A. *Applicability.*

1. The City Council may, from time to time, on its own motion, by request of the City Manager or his/her designee, or by application from a property owner, establish or amend the boundaries shown on the Official Zoning Map of the City. A zoning change is required to establish the use of land and the development associated with the proposed zoning classification for the purpose of establishing and maintaining sound, stable and desirable development within the City.
2. Approval of a zoning change authorizes a property owner to submit subsequent development applications consistent with the amendment.

B. *Application Requirements.*

1. *Application Required.* Any request for a zoning change shall be accompanied by an application and zoning exhibit prepared in accordance with the Development Manual.
2. *Accompanying Applications.* A request for a zoning change may be accompanied by an application for amendment of the Future Land Use Map or by a Subdivision Master Plan. Approval of a zoning change shall require all subsequent development applications to be consistent with the approved amendments.
3. *Tax Certificate Required.* All applications made as a request for a zoning change shall be accompanied by a copy of a Tax Certificate.

C. *Processing of Application and Decision.*

1. *Submittal.* An application for a zoning change shall be submitted to the City Manager or his/her designee. The City Manager or his/her designee shall review the application for completeness in accordance with section 21.4.2. The City Manager or his/her designee may, at its option, request a recommendation from any other City Department or consultant. The City Manager or his/her designee shall notify the applicant of items requiring correction or attention before providing a recommendation on the application. After appropriate review, the City Manager or his/her designee shall forward a written recommendation to the Planning and Zoning Commission for consideration.
2. *Notification Requirements.* An application for a zoning change requires the following notification in accordance with section 21.4.3:
 - a. written notice prior to consideration by the Planning and Zoning Commission; and
 - b. published notice prior to consideration by the City Council.
 - c. posted notice prior to consideration by the Planning and Zoning Commission and prior to consideration by the City Council.
3. *Commission Recommendation.* The Planning and Zoning Commission shall hold a public hearing in accordance with the Texas Open Meetings Act and section 21.4.4 and make a written recommendation regarding a proposed zoning change to the City Council. The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of the zoning change. The Planning and Zoning Commission may, on its own motion or by request of the property owner, postpone consideration of the request to a certain date that is not more than thirty (30) calendar days after the date of the current consideration in order to review additional information or modifications which may have a direct bearing on the recommendation to the City Council.
4. *Decision by City Council.* The City Council shall receive the written recommendation of the Planning and Zoning Commission regarding a proposed zoning change and shall hold a public hearing in accordance

with the Texas Open Meetings Act and section 21.4.4. The City Council may vote to approve, approve with conditions, or deny the zoning change. The City Council may, on its own motion or by request of the property owner, postpone consideration of the request to a certain date that is not more than thirty (30) calendar days after the date of the current consideration in order to review additional information or modifications which may have a direct bearing on the final decision.

5. *Consideration of a Previously Denied Zoning Change.* A request for a zoning change for a tract of land shall not be considered by the Planning and Zoning Commission or the City Council within six (6) months after the Council's decision to deny the request unless the request is to a different zoning classification or there has been a substantial change in the conditions surrounding the parcel since the initial request. For the purpose of this section, a request may be considered substantially different if the change is to a different zoning classification, there is a change in conditions relating to zoning principles of the property or surrounding properties or there is a change in the nature of the development of the property or surrounding properties. The City Manager or his/her designee shall have the authority to determine whether the request is substantially different from the initial request.
- D. *Criteria for Approval.* The Planning and Zoning Commission, in making its recommendation, and the City Council, in considering final action on a zoning change, should consider the following criteria:
1. Whether the proposed zoning change implements the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans;
 2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.
 3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;
 4. Whether other factors are deemed relevant and important in the consideration of the zone change.
- E. *Protests.*
1. If a proposed zoning change is protested in accordance with this section, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths ($\frac{3}{4}$) of all members of the City Council according to LGC, Local Government Code § 211.006(d). The protest must be written and signed by the owners of at least twenty percent (20%) of either:
 - a. The area of the lots or land covered by the proposed zoning change; or
 - b. The area of the lots or land immediately adjoining the area covered by the proposed zoning change and extending 200 feet from that area.
 2. In computing the percentage of land area under section 21.5.4.E.1 above, the area of streets and alleys shall be included.
 3. In determining property ownership under section 21.5.4.E.1 above, the property owner shall be the owner as indicated on the most recently approved municipal tax roll, unless the property has been bought or sold since the last approved municipal tax roll. The City Manager or his/her designee determines property ownership in the above-mentioned municipal tax roll from the County Appraisal District.
 - a. If a property has recently been purchased and the County Appraisal District has not updated their public records to reflect the now current property owner, the new property owner must submit proof of ownership with their written protest to demonstrate ownership for the protest to be counted under section 21.5.4.E.1.
 - b. In the event of a conflict in property ownership, the City Manager or his/her designee shall determine who the owner of the property is for the purposes of calculating written protest.

-
- c. The written protest will only be counted if signed by the owner of the property. Written protests from tenants or lessees will not be counted toward the written protest calculations under section 21.5.4.E.1.
4. The following deadlines ~~applies~~ to the receipt and calculation of written protest:
- a. ~~First Reading.~~ Written protest must be received before noon (12pm) on the Friday before the ~~consideration first reading~~ of the proposed zoning change ~~or zoning map amendment~~ ordinance by the City Council, in order to be included in the calculation of written protest described by section 21.5.4.E.1.
 - ~~b. Second Reading. Written protest must be received before noon (12pm) on the Friday before the second reading of the proposed zoning change or zoning map amendment ordinance by the City Council, in order to be included in the calculation of written protest described by section 21.5.4.E.1.~~
 - ~~c. Written protest received prior to the First Reading deadline will also be included in the Second Reading written protest calculation.~~
 - ~~d. In calculating the written protest described by section 21.5.4.E.1., only the most recent written protest received prior to the deadline above will be counted per property.~~
 - be. In the event a federal, state, or local holiday prevents staff from receiving votes on the Friday before the City Council reading, the deadline will be extended to noon (12pm) on the next business day.

(Ord. No. 17-S-42, § 1(Exh. A), 10-24-2017; Ord. No. 18-S-04, § 1(Exh. A), 1-23-2018; Ord. No. 23-S-78, § 1(Exh. A), 11-14-2023)

Sec. 21.5.4. Zoning Change.

A. *Applicability.*

1. The City Council may, from time to time, on its own motion, by request of the City Manager or his/her designee, or by application from a property owner, establish or amend the boundaries shown on the Official Zoning Map of the City. A zoning change is required to establish the use of land and the development associated with the proposed zoning classification for the purpose of establishing and maintaining sound, stable and desirable development within the City.
2. Approval of a zoning change authorizes a property owner to submit subsequent development applications consistent with the amendment.

B. *Application Requirements.*

1. *Application Required.* Any request for a zoning change shall be accompanied by an application and zoning exhibit prepared in accordance with the Development Manual.
2. *Accompanying Applications.* A request for a zoning change may be accompanied by an application for amendment of the Future Land Use Map or by a Subdivision Master Plan. Approval of a zoning change shall require all subsequent development applications to be consistent with the approved amendments.
3. *Tax Certificate Required.* All applications made as a request for a zoning change shall be accompanied by a copy of a Tax Certificate.

C. *Processing of Application and Decision.*

1. *Submittal.* An application for a zoning change shall be submitted to the City Manager or his/her designee. The City Manager or his/her designee shall review the application for completeness in accordance with section 21.4.2. The City Manager or his/her designee may, at its option, request a recommendation from any other City Department or consultant. The City Manager or his/her designee shall notify the applicant of items requiring correction or attention before providing a recommendation on the application. After appropriate review, the City Manager or his/her designee shall forward a written recommendation to the Planning and Zoning Commission for consideration.
2. *Notification Requirements.* An application for a zoning change requires the following notification in accordance with section 21.4.3:
 - a. written notice prior to consideration by the Planning and Zoning Commission; and
 - b. published notice prior to consideration by the City Council.
 - c. posted notice prior to consideration by the Planning and Zoning Commission and prior to consideration by the City Council.
3. *Commission Recommendation.* The Planning and Zoning Commission shall hold a public hearing in accordance with the Texas Open Meetings Act and section 21.4.4 and make a written recommendation regarding a proposed zoning change to the City Council. The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of the zoning change. The Planning and Zoning Commission may, on its own motion or by request of the property owner, postpone consideration of the request to a certain date that is not more than thirty (30) calendar days after the date of the current consideration in order to review additional information or modifications which may have a direct bearing on the recommendation to the City Council.
4. *Decision by City Council.* The City Council shall receive the written recommendation of the Planning and Zoning Commission regarding a proposed zoning change and shall hold a public hearing in accordance

with the Texas Open Meetings Act and section 21.4.4. The City Council may vote to approve, approve with conditions, or deny the zoning change. The City Council may, on its own motion or by request of the property owner, postpone consideration of the request to a certain date that is not more than thirty (30) calendar days after the date of the current consideration in order to review additional information or modifications which may have a direct bearing on the final decision.

5. *Consideration of a Previously Denied Zoning Change.* A request for a zoning change for a tract of land shall not be considered by the Planning and Zoning Commission or the City Council within six (6) months after the Council's decision to deny the request unless the request is to a different zoning classification or there has been a substantial change in the conditions surrounding the parcel since the initial request. For the purpose of this section, a request may be considered substantially different if the change is to a different zoning classification, there is a change in conditions relating to zoning principles of the property or surrounding properties or there is a change in the nature of the development of the property or surrounding properties. The City Manager or his/her designee shall have the authority to determine whether the request is substantially different from the initial request.
- D. *Criteria for Approval.* The Planning and Zoning Commission, in making its recommendation, and the City Council, in considering final action on a zoning change, should consider the following criteria:
1. Whether the proposed zoning change implements the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans;
 2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.
 3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;
 4. Whether other factors are deemed relevant and important in the consideration of the zone change.
- E. *Protests.*
1. If a proposed zoning change is protested in accordance with this section, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths ($\frac{3}{4}$) of all members of the City Council according to LGC, Local Government Code § 211.006(d). The protest must be written and signed by the owners of at least twenty percent (20%) of either:
 - a. The area of the lots or land covered by the proposed zoning change; or
 - b. The area of the lots or land immediately adjoining the area covered by the proposed zoning change and extending 200 feet from that area.
 2. In computing the percentage of land area under section 21.5.4.E.1 above, the area of streets and alleys shall be included.
 3. In determining property ownership under section 21.5.4.E.1 above, the property owner shall be the owner as indicated on the most recently approved municipal tax roll, unless the property has been bought or sold since the last approved municipal tax roll. The City Manager or his/her designee determines property ownership in the above-mentioned municipal tax roll from the County Appraisal District.
 - a. If a property has recently been purchased and the County Appraisal District has not updated their public records to reflect the now current property owner, the new property owner must submit proof of ownership with their written protest to demonstrate ownership for the protest to be counted under section 21.5.4.E.1.
 - b. In the event of a conflict in property ownership, the City Manager or his/her designee shall determine who the owner of the property is for the purposes of calculating written protest.

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- c. The written protest will only be counted if signed by the owner of the property. Written protests from tenants or lessees will not be counted toward the written protest calculations under section 21.5.4.E.1.
 - 4. The following deadline applies to the receipt and calculation of written protest:
 - a. Written protest must be received before noon (12pm) on the Friday before the consideration of the proposed zoning change ordinance by the City Council, in order to be included in the calculation of written protest described by section 21.5.4.E.1.
 - b. In the event a federal, state, or local holiday prevents staff from receiving votes on the Friday before the City Council reading, the deadline will be extended to noon (12pm) on the next business day.

(Ord. No. 17-S-42, § 1(Exh. A), 10-24-2017; Ord. No. 18-S-04, § 1(Exh. A), 1-23-2018; Ord. No. 23-S-78, § 1(Exh. A), 11-14-2023)

Sec. 21.5.7. Dimensional and Developmental Standards.

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

Table 21.5.7.A DIMENSIONAL REQUIREMENTS
RESIDENTIAL ZONING DISTRICTS

		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)				Miscellaneous Lot Requirements		
Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Imperv Cover	Key
<u>PRE</u>	<u>Pre-Development</u>	<u>217,800</u>	<u>100</u>	<u>100</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>2</u>	<u>35</u>	<u>30%</u>	<u>h,k,o</u>
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	43,560	400	100	25	10	20	2	50	75%	a,b,j,k,l,m
R-5	Middle Density District	10,890	-	-	25	10	10	2	35	80%	h,j,k,l,m,q
R-6	Single-Family Residential District-6	7,200	60	120	25	10	20	2	35	50%	h,k,l,m,n,o
R-7	Single-Family Residential District-7	6,600	60	110	25	10	20	2	35	50%	h,k,l,m,n,o
R-A	Single-Family-Residential/Agriculture	21,780	-	-	25	25	25	2	35	50%	h,k,l,m,n
GH	Garden Home Residential District	5,000	50	100	10	10	10	2	35	75%	c,d,e,f,g,k,l,m
TH	Townhome District	2,500	25	100	25	10	20	2	35	75%	h,j,k,l,m
MHS	Manufactured Home Subdivision District	6,600	60	110	25	10	20	2	35	50%	j,k,l,m,o
MHP	Manufactured Home Park District	43,560	-	-	25	12.5	25	-	35	50%	j,k,l,m
AD	Agricultural District	217,800	100	100	25	25	25	2	35	30%	h,k,o

MSMU	Main Street Mixed Use	5,000	50	100	10	5	10	2	35	80%	h,j,k,m, n,p
MSMU-ND	Main Street Mixed Use-New Development	5,000	50	100	10	5	10	2	35	80%	j,k,m,p

Key:	
a.	Maximum density shall not exceed 35 units per acre.
b.	2 parking spaces per unit plus 5%.
c.	Zero lot line Garden Homes.
d.	20-foot paved alley for ingress/egress to all rear garages.
e.	5-foot shall be designated maintenance easement.
f.	Corner lot shall have 10-foot side yard setback from street right-of-way.
g.	25-foot set back to property line adjoining public street.
h.	Corner lot shall have minimum 15-foot side yard setback from street right-of-way. For properties on Main Street, the City Engineer may authorize a reduction to no less than 10' if there are no sight distance issues.
i.	Minimum lot area for each unit.
j.	Site Plan approval required.
k.	Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
l.	No variances may be permitted to exceed the maximum impervious cover limitations
m.	Refer to Article 14, section 21.14.3 for additional design requirements
n.	All single family residential dwelling units constructed within this district shall be constructed with an enclosed garage.
o.	Side yard setback of 7.5 ft. for R-1, R-2, R-3, R-6, R-7, and MHS continues in effect for all subdivisions vested on the date of adoption of Ordinance No. 11-S-15.
p.	Not subject to the requirements in section 21.10.4
q.	Refer to section 21.5.7.B.8

Table 21.5.7.B DIMENSIONAL REQUIREMENTS NON-RESIDENTIAL ZONING DISTRICTS (d)			
	Minimum Lot Size And Dimensions	Minimum Yard Setback (Ft)	Miscellaneous Lot Requirements

Code	Zoning District	Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Rear Adj Non-Res Zone	Rear Adj. Res Zone	Side Adj Non-Res Zone	Side Adj Res Zone	Max Ht. Ft.	Max Imperv Cover	Key
OP	Office/ Professional	6,000	60	100	25	0	25	0	25	35	70%	a, b, c, d
NS	Neighborhood Services	10,000	100	100	25a	0	25	0	25	35	80%	a, b, c, d
GB	General Business	10,000	100	100	25	0	25	0	25	120	80%	a, b, c, d
GB-2	General Business-2	10,000	100	100	25	0	25	0	25	120	80%	a, b, c, d
M-1	Light Manufacturing	10,000	100	100	25	0	50c	0	25b	120	80%	a, b, c, d
M-2	Heavy Manufacturing	10,000	100	100	25	0	50c	0	25b	120	80%	a, b, c, d
PUB	Public Use District	10,000	100	100	25	0	15	0	25	35	70%	a, c, d
Key:												
a.	See Article 10 for parking requirements.											
b.	Uses may require a Specific Use Permit. The City of Schertz will follow the guidelines outlined in the Air Installation Compatible Use Zone (AICUZ) study for Randolph Air Force Base.											
c.	No variances may be permitted to exceed the maximum impervious cover limitations.											
d.	Refer to Article 14, Sec. 21.14.3 for additional design requirements.											

B. *Additional Dimensional and Development Standards.*

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

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- h. There shall not be more than one (1) residential dwelling on a platted lot of a duly recorded plat of a single-family residential use.
 8. Middle Density District (R-5) developments may have unique designs and dimensions. Due to this, the following additional standards apply. These standards pertain to the side building separation space with the intent for fire safety:
 - a. When HVAC units are not within the building separation space the minimum separation is ten (10) feet.
 - b. When HVAC units are within the building separation space, or either structure is above one story, the minimum separation is fifteen (15) feet.
 - c. HVAC units shall be on opposite sides of buildings.
 - d. These additional standards are not required if fire suppression systems are installed within the buildings.

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

Sec. 21.5.7. Dimensional and Developmental Standards.

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

**Table 21.5.7.A DIMENSIONAL REQUIREMENTS
RESIDENTIAL ZONING DISTRICTS**

		Minimum Lot Size And Dimensions			Minimum Yard Setback (Ft)				Miscellaneous Lot Requirements		
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PRE	Pre-Development	217,800	100	100	25	25	25	2	35	30%	h,k,o
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
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R-5	Middle Density District	10,890	-	-	25	10	10	2	35	80%	h,j,k,l,m,q
R-6	Single-Family Residential District-6	7,200	60	120	25	10	20	2	35	50%	h,k,l,m,n,o
R-7	Single-Family Residential District-7	6,600	60	110	25	10	20	2	35	50%	h,k,l,m,n,o
R-A	Single-Family-Residential/Agriculture	21,780	-	-	25	25	25	2	35	50%	h,k,l,m,n
GH	Garden Home Residential District	5,000	50	100	10	10	10	2	35	75%	c,d,e,f,g,k,l,m
TH	Townhome District	2,500	25	100	25	10	20	2	35	75%	h,j,k,l,m
MHS	Manufactured Home Subdivision District	6,600	60	110	25	10	20	2	35	50%	j,k,l,m,o
MHP	Manufactured Home Park District	43,560	-	-	25	12.5	25	-	35	50%	j,k,l,m
AD	Agricultural District	217,800	100	100	25	25	25	2	35	30%	h,k,o

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Key:	
a.	Maximum density shall not exceed 35 units per acre.
b.	2 parking spaces per unit plus 5%.
c.	Zero lot line Garden Homes.
d.	20-foot paved alley for ingress/egress to all rear garages.
e.	5-foot shall be designated maintenance easement.
f.	Corner lot shall have 10-foot side yard setback from street right-of-way.
g.	25-foot set back to property line adjoining public street.
h.	Corner lot shall have minimum 15-foot side yard setback from street right-of-way. For properties on Main Street, the City Engineer may authorize a reduction to no less than 10' if there are no sight distance issues.
i.	Minimum lot area for each unit.
j.	Site Plan approval required.
k.	Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
l.	No variances may be permitted to exceed the maximum impervious cover limitations
m.	Refer to Article 14, section 21.14.3 for additional design requirements
n.	All single family residential dwelling units constructed within this district shall be constructed with an enclosed garage.
o.	Side yard setback of 7.5 ft. for R-1, R-2, R-3, R-6, R-7, and MHS continues in effect for all subdivisions vested on the date of adoption of Ordinance No. 11-S-15.
p.	Not subject to the requirements in section 21.10.4
q.	Refer to section 21.5.7.B.8

Table 21.5.7.B DIMENSIONAL REQUIREMENTS NON-RESIDENTIAL ZONING DISTRICTS (d)			
	Minimum Lot Size And Dimensions	Minimum Yard Setback (Ft)	Miscellaneous Lot Requirements

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

B. *Additional Dimensional and Development Standards.*

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2. All lots developed for non-residential purposes shall comply with lot, area, minimum setbacks, and maximum height requirements established for the zoning district(s) in which the lot(s) is located, as established in table 21.5.7B.
3. All lots shall have at least the minimum area, width and depth as indicated in the tables 21.5.7A and 21.5.7B in this section.
4. Platted subdivisions established by a duly approved plat filed prior to adoption of this UDC shall be exempt from meeting any new lot width, depth, and/or square footage requirements.
5. No lot existing at the time of passage of this UDC shall be reduced in size below the minimum area requirements set forth in tables 21.5.7A and 21.5.7B.
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 - b. Where the building setback line has been established by plat and exceeds the requirements of this UDC, the more restrictive setback line shall apply.
 - c. The front yard setback shall be measured from the property line to the front face of the building, covered porch, covered terrace, or attached accessory building. Eaves and roof extensions may project into the required front yard, not to exceed two (2) feet.
 - d. *Side Yards:* Every part of a required side yard shall be open and unobstructed except for accessory buildings as permitted herein and the ordinary projections of window sills, belt courses, cornices and other architectural features projecting not to exceed twelve (12) inches into the required side yard, and roof eaves projecting not to exceed twenty-four (24) inches into the required side yard.
 - e. *Rear Yards:* Every part of a required rear yard shall be open and unobstructed, except for accessory buildings, uses and structures as permitted and the ordinary projections of window sills, belt courses, cornices and roof overhangs and other architectural features projecting not to exceed twenty-four (24) inches into the required rear yard.
 - f. Where lots have double frontage, running from one street to another, a required front yard setback shall be provided on both streets.
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 - a. When HVAC units are not within the building separation space the minimum separation is ten (10) feet.
 - b. When HVAC units are within the building separation space, or either structure is above one story, the minimum separation is fifteen (15) feet.
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 - d. These additional standards are not required if fire suppression systems are installed within the buildings.

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

SUBJECT

Current Projects and City Council Status Update

DEVELOPMENT INFORMATION

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

NEW SITE PLAN APPLICATIONS: No new Site Plan Applications were submitted from January 17, 2025 to January 30, 2025.

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

- Ordinance 25-S-004 - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinances, Unified Development Code (UDC), to Article 11, Section 21.11.6 Prohibited Signs and Section 21.11.17 Temporary Signs.
 - Scheduled to be heard at the February 4, 2025 City Council Meeting.

ADMINISTRATIVELY APPROVED PROJECTS:

The following projects were administratively approved from January 17, 2025 To January 30, 2025.

- AutoZone Store #9315,
 - 5468 FM 1103
 - An approximately 7,485 square foot Auto Parts Store
-