



MEMORANDUM

To: Review Team  
From: Danielle R. Mathews, Senior Planner  
Subject: Unified Development Code updates 2018  
Date: June 19, 2018

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The Unified Development Code was adopted in June 2014, and went into effect on July 10, 2014. Upon adoption, it was intended that miscellaneous updates would be made on an annual basis to ensure the code is current with technology and industry changes, eliminate vague or unclear language, and update content based on interpretations and practices of the department.

This memo summarizes the proposed updates to the Unified Development Code for 2018, to go into effect September 2018. These amendments are under review by the Planning and Zoning Commission during June and July 2018, and will be considered by the City Council during September 2018. The proposed updates are presented here for public review and comment.

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ARTICLE 2 | ZONING DISTRICTS

For clarification, standards are added to Section 2.2.7.C., Zoning Districts | Lot Dimensions, regarding Single family uses.

B. Density	
Dwelling units/acre, max.	12
C. Lot Dimensions	
1. Lot area, min. (s.f.)	
Duplex	6,000
Townhouse	2,900
Single family	5,000
Non-residential uses	15,000
2. Gross living area min. (s.f.)	
Duplex	800
Townhouse	800
Single family	1,500
3. Lot width, min. (ft)	
Duplex	60
Townhouse	20
Single family	50
Non-residential	60
4. Lot depth, min. (ft)	
	100

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## ARTICLE 5 | DESIGN AND DEVELOPMENT STANDARDS

For the purpose of clarity, text is added to Section 5.2.2.B.2., Design and Development Standards | Landscaping | Landscaping Required | Perimeter Landscape Setback, Multi-Family and Non-Residential | Uses and Structures Prohibited in Landscape Setback, to prohibit parking within the perimeter landscape setback.

2. Uses and Structures Prohibited in Landscape Setback  
Buildings and paving, except for sidewalks and driveways, are prohibited in the perimeter landscape setback. Parking within a perimeter landscape setback is expressly prohibited.

To comply with House Bill 7, passed by the Texas Legislature on August 15, 2017, the text in Section 5.2.3.B.1.b, Tree Preservation and Replacement | Residential Development: Tree Preservation Requirements | Applicability, is amended to exempt all trees that are less than 10-inch caliper in size and located on occupied residential property from paying tree mitigation fees.

1. Applicability
  - b. This section shall not apply to tracts and/or platted lots ~~under one acre in size~~ with an occupied residential structure.

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## ARTICLE 10 | REVIEW PROCEDURES

The text in Section 10.4.3.F.2, Specific Review Procedures | Planned Developments | Approval Procedures | Action by City Council, is updated to accurately reflect City Council action for planned developments. The format is also revised for consistency.

2. **Action by City Council**

The City Council ~~has final authority to adopt or deny any proposed zoning map amendment related to a planned development. The City Council may grant a change of zoning to a zoning district not applied for by the applicant, if the approved district is less intensive than the zoning district advertised.~~

  - a. The City Council has final authority to adopt or deny any proposed planned development.
  - b. The City Council may grant a change of zoning to a zoning district not applied for by the applicant if the approved district is less intensive than the zoning district advertised.
  - c. If the Planning and Zoning Commission recommends denial of a planned development, the City Council may decide whether or not to conduct a public hearing on the application. The City Council's decision not to conduct a public hearing constitutes denial of the application.
  - d. If the City Council conducts a public hearing, it may approve, deny, modify, or remand the application to the Planning and Zoning Commission.

The text in Section 10.4.5.F.2, Specific Review Procedures | Multi-Family Development Plans | Approval Procedures | Action by City Council, is updated to accurately reflect City

Council action for multi-family development plans. The format is also revised for consistency.

**2. Action by City Council**

- ~~a.~~ The City Council shall hold a public hearing and approve, approve with conditions, deny, or remand the application
- ~~b.~~ The City Council shall approve a multi-family development plan by ordinance.
- a. The City Council has final authority to adopt or deny any proposed multi-family development plan.
- b. If the Planning and Zoning Commission recommends denial of a multi-family development plan, the City Council may decide whether or not to conduct a public hearing on the application. The City Council's decision not to conduct a public hearing constitutes denial of the application.
- c. If the City Council conducts a public hearing, it may approve, deny, modify, or remand the application to the Planning and Zoning Commission.

The text in Section 10.4.6.E.2, Specific Review Procedures | Specific Use Permits | Approval Procedures | Action by City Council, is updated to accurately reflect City Council action for specific use permits. The format is also revised for consistency.

**2. Action by City Council**

- a. The City Council has final authority to adopt or deny any proposed SUP.
- b. If the Planning and Zoning Commission recommends denial of an SUP, the City Council may decide whether or not to conduct a public hearing on the application. The City Council's decision not to conduct a public hearing constitutes denial of the application.
- c. If the City Council conducts a public hearing, it may approve, deny, modify, or remand the application to the Planning and Zoning Commission.
- ~~a.~~ The City Council shall hold a public hearing and approve, approve with conditions, deny, or remand the application
- ~~b.~~ d. The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
- ~~c.~~ e. The City Council shall approve an SUP by ordinance. The ordinance may approve more than one specific use. The City Council may approve or deny all or part of the uses requested in an SUP ~~specific use permit~~ application.

The text in Section 10.4.7.E, Specific Review Procedures | Zoning Variances and Appeals | Notice, is corrected to delete the requirement for posted notice.

**E. Notice**

Published and written notice required pursuant to Section 10.3.6. Posted notice is required. See Section 10.3.6.

The text in Section 10.4.22.C, Specific Review Procedures | Alternative Equivalent Compliance | Pre-Application Conference, is corrected to note the section of the UDC that defines and outlines the steps of a pre-application conference.

**C. Pre-Application Conference**

An applicant proposing to use alternative equivalent compliance under this section shall request and attend a pre-application conference in accordance with Section 10.3.4.

The text in Section 10.4.22.D, Specific Review Procedures | Alternative Equivalent Compliance | Completeness Determination, is corrected to note the section that explains what a complete application entails.

**D. Completeness Determination**

An applicant proposing to use alternative equivalent compliance under this section shall request and attend a pre-application conference in accordance with Section 10.3.4.

The text in Section 10.4.23.F.2, Specific Review Procedures | Alternative Sign Plans | Approval Procedures | Action by City Council, is updated to accurately reflect City Council action for alternative sign plans. This format is also revised for consistency.

**3. Action by City Council**

- ~~a. The City Council shall hold a public hearing and approve, approve with conditions, deny, or remand the application~~
  - ~~b. The City Council shall approve an alternate sign plan by ordinance.~~
  - a. The City Council has final authority to adopt or deny any proposed alternative sign plan.
  - b. If the Planning and Zoning Commission recommends denial of an alternative sign plan, the City Council may decide whether or not to conduct a public hearing on the application. The City Council's decision not to conduct a public hearing constitutes denial of the application.
  - c. If the City Council conducts a public hearing, it may approve, deny, modify, or remand the application to the Planning and Zoning Commission.
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