

ORDINANCE NO. 16-S-27

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE CODE OF ORDINANCES, UNIFIED DEVELOPMENT CODE (UDC) SECTION 21.9.5 EXTERIOR CONSTRUCTION AND DESIGN STANDARDS, SECTION 21.9.7 LANDSCAPING, SECTION 21.9.8 SCREENING AND FENCING, SECTION 21.9.9 TREE PRESERVATION AND MITIGATION, SECTION 21.10.4 SCHEDULE OF OFF-STREET PARKING REQUIREMENTS, SECTION 21.10.8 OFF-STREET LOADING/UNLOADING REQUIREMENTS, SECTION 21.14.3 ADDITIONAL DESIGN REQUIREMENTS, AND SECTION 21.16 DEFINITIONS PROVIDING A REVERSIONARY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council of the City of Schertz and the Planning and Zoning Commission recognize the unique design requirements of public schools, and

WHEREAS, The City of Schertz Unified Development Code is intended to protect, promote, improve, and provide for the public health, safety and general welfare of the citizens of the City, and

WHEREAS, The standards in the Unified Development Code are to ensure safe, orderly and efficient development in the City, and

WHEREAS, The City of Schertz specifically desires to recognize the unique factors in locating and planning for the provision of public schools, and

WHEREAS, The Schertz City Council as a matter of public policy aims to ensure that public schools are compatible with surrounding development, and

WHEREAS, Public schools have unique needs to incorporate design elements that provide for the safety of students, and

WHEREAS, All required notices have been provided, and

WHEREAS, on August 10, 2016, the Planning and Zoning Commission recommended approval

WHEREAS, on August 23, 2016, the City Council conducted a public hearing and determined that this request is in the interest of the public safety, health, and welfare;

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

Section 1. Unified Development Code, Section 21.9.5 B of the Code of Ordinances, City of Schertz, Texas is hereby amended as follows:

B. Applicability

The provisions of this section are deemed to be minimum standards and shall be applicable to the following:

1. All new buildings within the corporate limits of the City except public schools; and
2. Building expansions which cumulatively increase the gross floor area more than 25% of the original building area except public schools.

Section 2. Unified Development Code, Section 21.9.5. E of the Code of Ordinances, City of Schertz, Texas is hereby amended as follows:

E. Office/Public Buildings

1. Applicability

This section shall apply to buildings with a professional office or public use except public schools.

2. Exterior Building Materials

Buildings must comply with the following:

- a) At least 75% of each wall (excluding windows and doors) shall be finished in one or more of the following materials:
 - Brick
 - Stone
 - Faux brick or stone
 - Tile
 - Stucco
 - Concrete tiltwall^b
 - Split face CMU^b
- b) Concrete tiltwall and split face CMU may be used in conjunction with one of the other approved primary materials. Concrete tiltwall and split face CMU cannot be used for more than 30% of each façade.

3. Glazing

All buildings must comply with one of the following:

- a) At least 25% of the front façade (façade adjacent to or facing a public street) shall be comprised of windows or glass doors. For buildings that are adjacent to or face two or more public streets at least 20% of each façade adjacent to or facing a public street shall be comprised of windows or glass doors. For buildings that are not adjacent to or face a public street, but instead face or front a private drive, the facade that faces or fronts on the private drive that provides for primary access shall be considered as the front facade;

Or

- b) Windows and doors may be spread around the building, the minimum amount of required windows or glass doors is calculated as 50% of the front façade (façade adjacent to or facing a public street). For buildings that are adjacent to or facing two or more public streets the minimum amount of required windows or glass doors is calculated as 40% of the total area of the façades adjacent to or facing public streets.

4. Articulation and architectural features

- a) Horizontal articulations or offsets are required on any wall greater in length than 50 linear feet.
 - (1) The depth of the articulation or offset shall be a minimum of two feet (2'). Articulations or offsets can be of varying depth as long as the minimum two feet (2') is met.
 - (2) The length of the new plane created by the articulation or offset shall be a minimum of 20% of the total length of the entire wall.
- b) Vertical articulations or elevation changes are required on all walls and should be designed to screen rooftop equipment.
 - (1) The height of the articulation or elevation change shall be a minimum of two feet (2'). Articulations or elevation changes can be of varying depth as long as the minimum two feet (2') is met.
 - (2) The length of the new plane created by the articulation or elevation change shall be a minimum of 20% of the total length of the entire wall.

5. Roof Treatments

Façade articulations shall provide for vertical and horizontal screening of air conditioning units and all mechanical equipment located on rooftops. The minimum height of the screening shall be equal to the height of the tallest rooftop equipment.

Section 3. Unified Development Code, Section 21.9.7 E of the Code of

Ordinances of the City of Schertz, Texas is hereby amended as follows:

E. Landscape Installation Required

1. A minimum of twenty percent (20%) of the total land area of any proposed multifamily or nonresidential development shall be landscaped and shall be comprised of trees, shrubs, sod or other ground cover. In the event of the construction of a phased development, the minimum twenty percent (20%) requirement shall apply to each phase as it is developed.
2. All properties shall provide shade trees at a ratio of nine (9) trees per acre (43,560 square feet) of gross lot area. Industrial property shall provide shade trees at a ratio of nine (9) trees per acre, calculated at sixty percent (60%) of the gross lot area or by exclusion of the main enclosure structure ground floor area from the gross lot area, whichever is less. Public schools shall provide shade trees at a ratio of at least four (4) trees per acre. Existing trees may be counted toward meeting the requirements of this section.
 - a. Every single family residential lot shall provide a minimum of three (3) shade trees which shall include a minimum of one (1) tree in the front yard and one (1) tree in the rear yard.
 - b. Any property that is unable to satisfy the tree requirements of this section shall be required to pay tree mitigation fees in accordance with section 21.9.9 of this UDC.
3. The use of native and adapted, drought tolerant plants is encouraged to meet the requirements of this section.
4. Artificial plants or turf shall not be counted towards meeting the requirements of this section.

Section 4. Unified Development Code, Section 21.9.7 H of the Code of

Ordinances of the City of Schertz, Texas is hereby amended as follows:

H. Parking Area Landscaping

Parking lots, vehicular use areas and parked vehicles are to be effectively screened from the public view and adjacent property. Both the interior and perimeter of such areas shall be landscaped in accordance with the following criteria. Areas used for parking or vehicle storage that are under, on or within buildings are exempt from these standards. Section H does not apply to public schools.

1. Interior Landscaping

A minimum of ten percent (10%) of the gross parking areas shall be devoted to living landscaping which includes grass, ground covers, plants, shrubs and trees. Gross parking area is to be measured from the edge of the parking and/or driveway and sidewalks. The following additional criteria shall apply to the interior of parking lots.

- a. Interior landscape areas shall be protected from vehicular encroachment of overhang through appropriate wheel stops or curbs.
- b. There shall be a minimum of one (1) shade tree planted for each 400 square feet or fraction thereof of required interior landscape area.
- c. Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Planter islands must be located no further apart than every twelve (12) parking spaces and at the terminus of all rows of parking. Such islands shall be a minimum of 200 square feet or ten feet (10') by twenty feet (20') in size.
- d. Planter islands shall contain a combination of trees, shrubs, lawn, ground cover and other appropriate materials provided such landscaping does not cause visual interference within the parking area.

2. Perimeter Landscaping

All parking lots and vehicular use areas shall be screened from all abutting properties with a wall, fence, hedge, berm or other durable landscape barrier. All parking lots and vehicular use areas shall be screened from all abutting public rights-of-way with a wall, berm or combination of hedge and berm. Any living barrier shall be established in a minimum five foot (5') planting strip. Plants and materials used in living barriers shall be at least thirty inches (30") high at the time of planting and shall be of a type and species that will attain a minimum height of three feet (3') one (1) year after planting. Any landscape barrier not containing live plants or trees shall be a minimum of three feet (3') high at time of installation. Perimeter landscaping shall be designed to screen off-street parking lots and other vehicular use areas from public rights-of-way and adjacent residential properties.

- a. Whenever an off-street parking or vehicular use area abuts a public right-of-way, except a public alley, a perimeter landscape area of at least fifteen feet (15') in depth shall be maintained between the abutting right-of-way and the off-street parking or vehicular area. An appropriate landscape screen or barrier shall be installed in this area and the remaining area shall be landscaped with at least grass or other ground cover. Necessary access ways from the public right-of-way shall be permitted through all such landscaping.

- b. Whenever an off-street parking or vehicular use area abuts an adjacent residential property line, a perimeter landscape area of at least ten feet (10') in width shall be maintained between the edge of the parking area and the adjacent property line. Access ways between lots may be permitted through all perimeter landscape areas. Landscaping shall be designed to visually screen the parking area. Whenever such property is zoned or used for single family residential purposes, a landscape buffer shall include a masonry wall and hedge, or berm which shall be a minimum of three feet (3') in height and a maximum of eight feet (8') in height.
- c. Perimeter landscape areas shall contain at least one (1) shade tree for each fifty linear feet (50'), or fraction thereof, of perimeter area.

Section 5. Unified Development Code, Section 21.9.8 B 3 of the Code of

Ordinances of the City of Schertz, Texas is hereby amended as follows:

3. Fences Adjacent to Residential Property

Where any nonresidential or multifamily use, lot or parcel except public schools is adjacent to or separated by only a local street or alley from a lot or parcel that is zoned for single family residential use, the nonresidential or multifamily use shall construct a masonry screening wall a minimum of eight feet (8') in height. The screen shall be located no closer to the street than the property line. Such screening wall shall be maintained in good condition. Any sections of this UDC or any other City ordinances, codes or regulations concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a right-of-way. Where any nonresidential or multifamily use, lot or parcel is located in such a manner so as to be at a higher elevation than an adjacent lot or parcel that is zoned for single family residential use, the required masonry screening wall shall be constructed on the higher elevation so as to mitigate the adjacent residential property from the impacts of the adjacent use.

Section 6. Unified Development Code, Section 21.9.9 B 1 of the Code of

Ordinances of the City of Schertz, Texas is hereby amended as follows:

B. Applicability and Exemptions

- 1. The provisions of this section are applicable to the following:

- a. all new residential and nonresidential development within the City except public schools;
- b. redevelopment of any residential or nonresidential property within the City that results in an increase in the building footprint or the total destruction and reconstruction except public schools;
- c. any grading, filling or clearing of land in the City limits; and
- d. any selective or individual removal of any Protected or Heritage Tree in the City limits.

Section 7. Unified Development Code, Section 21.10.4 A of the Code of

Ordinances of the City of Schertz, Texas is hereby amended as follows:

- A. Off-street parking shall be provided in sufficient quantities to provide the following ratio of vehicle spaces for the uses specified in the districts designated:

Table 21.10.4 Schedule of Off-Street Parking Requirements	
Use Type	Parking Requirement
Amusement, Commercial (Indoor)	10 spaces, plus 1 space for each 100 square feet of total floor area over 1,000 square feet
Amusement, Commercial (Outdoor)	1 space per 500 square feet of outdoor site area plus 1 space per each 4 fixed spectator seats
Bank, Savings And Loan, Or Other Financial Institution	1 space for each 250 square feet of gross floor area
Bar Or Night Club	1 space for each 50 square feet of gross floor area
Bed And Breakfast	1 space for each rented room plus 1 space per employee
Bowling Alley	5 parking spaces for each lane
Bus Depot	1 space for each 100 square feet of gross floor area
Convalescent Home, Group Home, Home For The Aged	1 parking space for each 2 beds
Dance, Assembly And Exhibition Halls Without Fixed Seats	1 space for each 100 square feet used for assembly or dancing
Day Care Center	1 space per 250 square feet of gross floor area
Group Home	4 spaces
Hospital	1 parking space for each bed

Table 21.10.4 Schedule of Off-Street Parking Requirements

Use Type	Parking Requirement
Hotel Or Motel	1 space for each sleeping room or suite plus 1 space for every 200 square feet of common area not designated as sleeping rooms
Libraries, Laboratories And Student Centers	10 spaces plus 1 space for each 300 square feet of floor area
Lodging Houses And Boarding Houses	1 space per each two (2) persons capacity of overnight sleeping facilities
Manufacturing , Processing Or Repairing	1 space for each 2 employees or 1 space for each 1,000 square feet of total floor area, whichever is greater
Medical Or Dental Clinic	1 space for each 200 square feet of total floor area
Miniwarehouse	1 space for each 300 square feet of office floor area plus 1 space for each 3,000 square feet of storage area
Mortuary/Funeral Home	1 parking space for each 50 square feet of floor space in service rooms or 1 space for each 3 seats, whichever is less based on maximum design capacity)
Multifamily, Duplex, Two-Family, Condominium Or Other Similar Use	1.5 spaces per bedroom
Offices	1 space for each 250 square feet of gross floor area
Personal Service Shop	1 space for each 200 square feet of gross floor area
Residence Halls, Fraternity Buildings And Sorority Buildings	1 space per person capacity of permanent sleeping facilities
Residential Care Facility	1 space per each two (2) persons
Restaurants	1 parking space for each 100 square feet of gross floor area, or 1 space for each 4 seats, whichever is less (based on maximum design capacity)
Retail Sales And Service	1 space for each 250 square feet of gross floor area
School, All Other Schools	Parking shall be provided at a ratio approved by City staff based on a parking study provided by the applicant that shall include vehicle stacking requirements
School, High School And Vocational	Parking shall be provided at a ratio approved by City staff based on a parking study provided by the applicant that shall include vehicle stacking requirements
Shopping Center Or Mall	1 space for each 250 square feet of gross floor area
Single Family Attached And Detached Dwelling Units	2 parking spaces per dwelling unit

Table 21.10.4 Schedule of Off-Street Parking Requirements	
Use Type	Parking Requirement
Theaters, Auditoriums, Churches, Assembly Halls, Sports Arenas, Stadiums, Conference Center, Convention Center Or Other Place Of Public Assembly	1 space for each 4 seats or 1 space for every 100 square feet of gross floor area, whichever is less (based on maximum design capacity)
Vehicle Sales Or Rental	1 space for each 3,000 square feet of sales area (open and enclosed) devoted to the sale, display or rental of vehicles
Vehicle Service, Repair, Garage	1 space for each 200 square feet of total floor area
Warehouse	1 space for each 2 employees or 1 space for each 1,000 square feet of total floor area, whichever is greater

Section 8. Unified Development Code, Section 21.10.8 A of the Code of Ordinances of the City of Schertz, Texas is hereby amended as follows:

All retail, commercial, industrial and service structures shall provide and maintain off-street facilities for receiving and loading merchandise, supplies and materials within a building or on the lot or tract. All public schools shall provide adequate stacking for vehicles based on a parking study approved by City Staff. Such off-street loading space may be adjacent to a public alley or private service drive or may consist of a truck berth within the structure. Such off-street loading space or truck berth shall consist of a minimum area of ten feet (10') by forty feet (40') and the spaces or berths shall be provided in accordance with the following schedule:

Table 21.10.8 Off-Street Loading Requirements	
Square Feet of Gross Floor Area in Structure	Minimum Required Spaces or Berths
0 – 5,000	None
5,000 – 15,000	1
15,000 – 50,000	2
50,000 – 100,000	3
100,000 – 150,000	4
Each Additional 50,000 over 150,000	1

Section 9. Unified Development Code, Section 21.14.3 C of the Code of Ordinances of the City of Schertz, Texas is hereby as follow:

C. Landscape Buffer

In addition to the requirements of section 21.9.7 of this UDC for landscaping, a minimum twenty foot (20') wide landscape buffer shall be provided adjacent to any public right-of-way. Trees shall be planted at an average density of one (1) tree per twenty linear feet (20') of street frontage except for public schools. The landscape buffer shall require an irrigation system and shall be maintained by the property owner.

Section 10. Unified Development Code, Section 16 of the Code of Ordinances of the City of Schertz, Texas is hereby amended to add the following definition:

Public Schools – include elementary, intermediate, middle, junior high, high and alternate schools operated by a public school district but does not include administrative and support facilities and buildings not located on a school campus or do not solely support one campus.

Section 11. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 12. All ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 13. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 14. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 15. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

PASSED, APPROVED and ADOPTED ON THE FINAL READING, on the 30th day of August, 2016.

CITY OF SCHERTZ, TEXAS



Mayor, Michael R. Carpenter

ATTEST:



City Secretary, City of Schertz, Texas

(CITY SEAL)