

# Comparison

## Chapter 24 - Sign Ordinance

### Chapter 24

Permit not required/ Exempt:

- Banner
- Community Service Sign
- Construction sign
- Development Sign
- Event Sign
- Feather Sign
- Model Home Signs
- Political Signs
- Portable Signs
- Sidewalk Signs
- Special Event Signs
- Temporary New Business Signs
- Vehicle Sign
- Auxiliary Signs
- Name plates (residential and commercial addresses)
  - Window and door signs
  - Flags (governmental).
  - Real estate signs
  - Any sign inside a building
  - Commemorative plaques and historical markers
- Any governmental or public utility
- Any holiday signage and decorations
- Handheld signs

### Unified Development Ordinances

Permit not required/ Exempt:

- Government Signs
- Traffic Control Devices
- Signs Required by Law (Federal, State, or local)
  - Official Governmental Notices
  - Signs on Vehicles (trucks, buses, trailers, mobile food vendors, etc., less than 32 square feet)
- Vending Machine Signs
- Memorial Signs
- Real Estate Signs
- Signs Inside a Building
- Commercial Signs Carried by a Person or Bumper Stickers on Vehicles
  - Business-Related Signs on Doors or Windows (store hours, security systems, trade organization memberships, credit cards accepted, no solicitation, open/closed)
  - Signs at Residential Properties
  - Flags Used as Political Symbols (United States and state flags only)
  - One Freestanding Corporate Flag per Premise

### Differences

CZO: Includes banners, community service signs, development signs, event signs, feather signs, model home signs, special event signs, temporary new business signs, auxiliary signs, name plates, window and door signs, commemorative plaques and historical markers, holiday signage and decorations, and handheld signs.

UDO: Includes government signs, traffic control devices, signs required by law, official governmental notices, vending machine signs, commercial signs carried by a person or bumper stickers on vehicles, business-related signs on doors or windows, signs at residential properties, flags used as political symbols, and one freestanding corporate flag per premise.

In the UDO, temporary signs like banners and development signs require a permit.

#### Prohibited Signs:

- Balloon or inflatable devices
- Beacons
- Billboards
- Flashing signs
- Moving signs
- Exterior neon signs
- Roof signs
- Posters, ribbons, streamers, spinners
- Immoral signage
- Hazardous signage
- Abandoned signs
- Signs on, or attached to, any tree, utility pole or pedestal, except by a utility company
  - Signs advertising an activity, business, or service no longer conducted on the premises
  - Signs on or above public land, including rights-of-way
  - Signs mounted above or projecting over private sidewalks, streets, drives, or parking areas
  - Signs on sidewalks or unpaved walkways without sufficient clearance
  - Signs within the visibility triangle for traffic
  - Signs too close to power lines
  - Lighted or permanent signs visible from contiguous residential areas

#### Prohibited Signs:

- Animated or changeable electronic variable message signs
- Signs in or over public rights-of-way or railroad rights-of-way
- Portable signs
- Off-premise signs (including billboards) with commercial advertising
- Signs with blinking, fluctuating, flashing, or moving lights
- Signs emitting sound, odor, pyrotechnics, Bluetooth advertisements, or visible matter
- Signs that could be confused with traffic control devices
- Signs attached to utility poles, wires, traffic signs, public easements, trees, shrubs, mailboxes, benches, tires, pallets, or similar structures
- Signs obstructing fire escapes, exits, windows, or doors
- Feather banners
- Commercial signs worn, held, or attached to a person's body
- Balloon signs
- Banners in specific zoning districts (P1, P2, P2.5, P3, P3M)
- Inflatable signs
- Pennants
- Pole signs (except along Highway 90)
- Roof signs (including those on mobile food vendors or vehicles)
- Signs on vacant lots or undeveloped property without a building permit
- Signs painted on rooftops
- Signs attached to trees, bushes, planters, benches, or other pedestrian elements
- Flags with a commercial message
- Signs with prohibited illumination

#### Specific Prohibitions:

CZO: Includes specific prohibitions like immoral and hazardous signage, signs too close to power lines, and signs within the visibility triangle for traffic.

UDO: Includes specific prohibitions like animated or changeable electronic signs, portable signs, off-premise signs with commercial advertising, and signs emitting sound, odor, or pyrotechnics.

#### Location Restrictions:

CZO: Focuses on signs on or above public land, projecting over private areas, and too close to power lines.

UDO: Focuses on signs in or over public rights-of-way, attached to various structures, and obstructing fire escapes or exits.

#### Types of Signs:

CZO: Prohibits exterior neon signs, posters, ribbons, streamers, spinners, and abandoned signs.

UDO: Prohibits feather banners, commercial signs worn or held by people, banners in specific zoning districts, and flags with commercial messages.

#### Illumination and Movement:

CZO: Prohibits flashing signs and lighted signs visible from residential areas.

UDO: Prohibits signs with blinking, fluctuating, flashing, or moving lights, and signs with prohibited illumination.

#### Non-conforming:

Continued Use: Non-conforming signs existing at the ordinance's effective date can continue to be used unless:

- The sign is not used for 90 consecutive days or more.

- The property changes use as per the Comprehensive Zoning Ordinance (CZO).

Discontinued Use: If a non-conforming sign's use is discontinued or the property changes use, the sign must be removed or brought into compliance with the ordinance.

Limitations on Modification: Existing signs can be repainted or have their letters/characters changed. Non-conforming signs can be modified to comply with the ordinance, but enlargements or other alterations are not allowed unless they bring the sign into conformity.

Removal of Damaged Signs: Non-conforming signs damaged by 50% or more of their value must be removed within 30 days without compensation. They cannot be replaced or rebuilt unless they fully comply with the ordinance.

#### Temporary Sign:

- Banner
- Community Service Sign

#### Non-conforming:

Existing Signs: Signs that existed before the UDO's effective date and violate the UDO or any other ordinance, or those that fall under the UDO due to city expansion, are considered legal nonconforming signs. These signs can be continued, repaired, and maintained in good condition but cannot be altered, enlarged, or expanded. The content of the sign can be changed.

Voluntary Removal: If a nonconforming sign is voluntarily removed for reasons other than maintenance, it loses its legal nonconforming status. Replacing a sign cabinet is not considered maintenance.

#### Temporary Sign:

- Special Event Sign
- Banners

#### Conditions for Continued Use:

CZO: Specifies conditions under which non-conforming signs can continue to be used, including a 90-day non-use period and property use changes.

UDO: Focuses on signs existing before the UDO's effective date and those affected by city expansion, allowing them to be continued, repaired, and maintained without alteration, enlargement, or expansion.

#### Modification and Maintenance:

CZO: Allows repainting and changing letters/characters but restricts enlargements or alterations unless they bring the sign into conformity.

UDO: Permits maintenance and content changes but prohibits alterations, enlargements, or expansions. Replacing a sign cabinet is not considered maintenance.

#### Discontinued Use and Removal:

CZO: Requires removal or compliance if the sign's use is discontinued or the property changes use.

UDO: Does not address discontinued use but specifies that voluntary removal for non-maintenance purposes terminates the sign's legal nonconforming status

Some temporary signs are not prohibited, like a feather.

- Construction Sign
- Development Sign
- Event Sign
- Feather Sign
- Model Home Sign
- Political Sign
- Portable Sign
- Sidewalk Sign
- Special Event Sign
- Temporary New Business Sign

#### Name Plate:

- Zoning: All
- Quantity: N/A
- Area: 1 sq ft residential, 2 sq ft non-residential
- Width: N/A
- Height: N/A
- Depth: 1 in. max
- Clearance: N/A
- Letter Height: N/A

#### Marquee:

- Zoning: Not specified
- Quantity: 1 per business
- Area: N/A
- Width: N/A
- Height: No Higher than the building
- Projection: N/A
- Clearance: N/A
- Letter Height: N/A
- Distance from Curb: N/A

#### Window Sign:

- Zoning: Not Specified

- Real Estate Sign
- Finance Sign
- Construction Sign
- Political Sign
- Real Estate Sign

#### Address Sign:

- Zoning: All
- Quantity: 1 per address
- Area: 2 sq ft max
- Width: 24 in. max
- Height: 12 in. max
- Depth: 3 in. max
- Clearance: 4.5 ft. max
- Letter Height: 6 in. max

#### Marquee:

- Zoning: P5, EC
- Quantity: 1 per business
- Area: N/A
- Width: Entrance plus 2 ft
- Height: 50% of story height
- Projection: 4 – 10 ft
- Clearance: 10 ft min
- Letter Height: N/A
- Distance from Curb: 2 ft min.

#### Window Sign:

- Zoning: P4, P5, CS, EC

Sidewalk sign has been added to the sign type list.

UDO has more regulations on size.

UDO has more regulations on size and location.

UDO has more regulations on size and location.

- Quantity: N/A
- Area: 40% coverage
- Width: N/A
- Height: N/A
- Depth: N/A
- Clearance: N/A
- Letter Height: N/A

Name Plate:

- Zoning: Residential and Non-Residential
- Quantity: N/A
- Area: 1 sq ft residential, 2 sq ft non-residential
- Width: N/A
- Height: N/A
- Depth: 1 in. max
- Clearance: N/A
- Letter Height: N/A

Bulletin Board:

- Zoning: Not Specified
- Quantity: N/A
- Area: 32 sq ft max
- Width: N/A
- Height: 7 ft.
- Depth: N/A
- Clearance: N/A
- Letter Height: N/A

Awning Sign:

- Zoning: Not Specified
- Quantity: N/A
- Area: 1/3 of area will be counted towards the wall sign
- Width: N/A
- Height: N/A
- Depth: N/A

- Quantity: 1 per win
- Area: 30% coverage
- Width: N/A
- Height: N/A
- Depth: N/A
- Clearance: 4 ft min.
- Letter Height: 8 in. max

Name Plate:

- Zoning: P5, CS, EC
- Quantity: 1 max
- Area: 3 sq ft
- Width: 18 in. max
- Height: 2 ft. max
- Depth: 3 in. max
- Clearance: 4 ft. max
- Apex: 7 ft. max
- Letter Height: N/A

Outdoor Display:

- Zoning: P5, CS, EC
- Quantity: 1 max.
- Area: 6 sq. ft. max
- Width: 3.5 ft. max
- Height: 3.5 ft. max
- Depth: 5 in. max.
- Clearance: 4 ft. min.
- Letter Height: N/A

Awning Sign:

- Zoning: P5, CS, EC
- Quantity: 1 per window max.
- Area: N/A
- Width: 70% of the width of face max.
- Height: N.A
- Depth: 4 ft. min.
- Clearance: 8 ft. min.

UDO has more regulations on size.

UDO has more regulations on size and location.

UDO has more regulations on size and location.

- Clearance: N/A
- Letter Height: N/A
- Distance from curb: N/A

#### Wall Sign:

- Zoning: Not Specified
- Quantity: N/A
- Area: 10% max. of facade
- Width: N/A
- Height: N/A
- Depth: 18 in. max.
- Clearance: N/A
- Letter Height: N/A

#### Projecting Sign:

- Zoning: Not Specified
- Quantity: N/A
- Area: 24 – 32 sq ft max.
- Width: N/A
- Height: N/A
- Depth: N/A
- Clearance: N/A
- Letter Height: N/A

#### Sidewalk Sign:

- Zoning: CG
- Quantity: 1 max.
- Area: 8 sq ft. max.
- Width: 2 ft. max.
- Height: N/A
- Projection: 18 in. max.
- Clearance: N/A
- Letter Height: N/A
- Apex: 4 ft. max.

#### Yard Sign:

- Zoning: CG, CH

- Letter Height 5-12 in.
- Distance from curb: 2 ft. min.

#### Band Sign:

- Zoning: P5, EC, CS
- Quantity: 1 max, 2 max for corner building
- Area: 1.5 sq ft per linear ft of facade
- Width: 90% max. width
- Height: 3 ft. max.
- Depth: 7 in. max.
- Clearance: 7 ft. min.
- Letter Height: 18 in. max.

#### Blade Sign:

- Zoning: P4, P5, CS, EC
- Quantity: 1 max, 2 max for corner building
- Area: 6 sq ft
- Width: 4 ft. max.
- Height: 4 ft max.
- Depth: 4 ft. max
- Clearance: 8 ft. min,
- Letter Height: 8 in. max.

#### Sidewalk Sign:

- Zoning: P4, P5, CS, EC
- Quantity: 1 max
- Area: 12 sq ft max.
- Width: 3 ft. max.
- Height: 4 ft. max.
- Projection: 3 ft. max.
- Clearance: 4 ft. max.
- Letter Height: N/A
- Apex: 4 ft. max.

#### Yard Sign:

- Zoning: P5, EC

UDO has more regulations on size and location.

UDO has more regulations on size and location.

UDO has more regulations on size.

Most closely reflects a pylon sign.

- Quantity: 1, 2 if over two acres
- Area: Ranges from 32 to 170 sq ft
- Width: N/A
- Height: Ranges from 20 to 25 ft.
- Depth: N/A
- Clearance: N/A
- Letter Height: N/A

#### Monument Sign:

- Zoning: CG, CH, II
- Quantity: N/A
- Area: Depends on location, ranges from 8 to 32 sq ft.
- Width: N/A
- Height: 8 ft. max.

- Quantity: 1 max.
- Area: 6 sq ft
- Width: 3 ft. max.
- Height: 2 ft max.
- Depth: N/A
- Clearance: 3 ft. above ground min.
- Letter Height: 8 in. max.
- Apex: 6 ft. max.

#### Monument Sign:

- Zoning: CS, EC
- Quantity: 1 per frontage
- Area: 16 sq ft max.
- Height to Width Ratio: 4:1 min.
- Height:

HEIGHT OF SIGN (FEET)	DISTANCE FROM CURB/PAVEMENT (FEET)
4.5	10-15
8.0	15-20
11.0	20-25
14.0	25-30
16.0	30-35
19.0	35-40
21.0	40-45
23.0	45-50
26.0	50-55
29.0	55+

Height is determined from the distance back from the curb.

Area max is reduced to 16 sq ft.

#### Freestanding Sign:

- Zoning: CG, CH
- Quantity: 1, 2 if over two acres

#### Pole Sign:

- Zoning: EC
- Quantity: 1 per frontage

Height is determined from the distance back from the curb.

- Area: Ranges from 32 to 170 sq ft
- Width: N/A
- Height: Ranges from 20 to 25 ft.

- Area: 50 sq ft max.
- Height to Width Ratio: 4:1 min.
- Height:

Area max is reduced to 50 sq ft

HEIGHT OF SIGN (FEET)	DISTANCE FROM CURB/PAVEMENT (FEET)
4.5	10-15
8.0	15-20
11.0	20-25
14.0	25-30
16.0	30-35
19.0	35-40
21.0	40-45
23.0	45-50
26.0	50-55
29.0	55+

#### Illuminated Sign:

**Intensity and Glare:** Signs must not be illuminated to a degree that causes glare or brightness, creating a hazard or nuisance to traffic.

**Compliance:** If TxDOT or the city determines that an electronic sign causes glare or impairs a driver's vision, the sign owner must reduce the sign's intensity within 12 hours to an acceptable level.

#### Illuminated Sign:

**Standards for Illumination:** The UDO specifies whether illumination is allowed for each sign type and the type of illumination permitted (external, neon, faux neon, or halo lit).

#### General Illumination Requirements:

- **Electrical Compliance:** Signs must comply with the city's Electrical Code. Electrical connections must be underground, and transformer boxes and raceways must be concealed or integrated into the sign design.
- **Light Direction:** Artificial light must not be directed onto structures or create hazards for vehicle operation.

Only illumination allowed is external, neon, faux neon, or halo lit.

- Prohibited Lights: Rotating beams or flashing beacon lights are not allowed.
- Shielding: Light sources must be shielded to prevent glare and directed away from public rights-of-way and residential properties. Ground-mounted floodlighting must be properly placed to avoid visibility to motorists.
- Light Spillover: Signs must not create light spillover of more than 0.1 footcandles at residential property lines.
- Lighting Type: Projected light must be indirect (spotlight or gooseneck down light) and evenly illuminate the sign without creating hot spots or dark areas.
- Operating Hours: Illuminated signs near residential properties must be turned off between 11:00 p.m. and 6:00 a.m. with an automatic shut-off mechanism.
- Brightness Levels: Signs must not exceed 0.3 footcandles above ambient light conditions at the property line, measured with a footcandle meter.
- Prohibited Features: Signs cannot have flashing, intermittent, or moving lights, include audio, pyrotechnic, or Bluetooth advertising components, or display static images projected on stationary objects. Animated or changeable electronic variable messages are also prohibited.

Temporary Signs and Banners, not for public service:

- 10 days consecutive
- Max 30 days per year.
- Shall be removed 3 days following the event.
- Area: 32 sq ft max.

Temporary Signs and Banners, not for public service:

- Max 30 consecutive days before the event.
- Shall be removed 48 hours following the event.
- Area: 32 sq ft max.
- Height: 5 ft. max.

CZO: Max 10 days consecutive, removed within 3 days  
UDO: Max 30 days consecutive, removed within 2 days

Temporary Signs and Banners for public service:

- 14 days prior to the event
- Shall be removed 3 days following the event.
- 32 sq ft max.

Roof Sign:

- Not Allowed

Real Estate, Finance and Construction Signs

- Quantity: 1
- Area: 16 sq ft max in residential areas, 32 sq ft max in commercial areas

Feather Sign:

- Area: 32 sq ft max.
- Height: 16 ft max.
- 10 days prior to event
- Shall be removed 1 day following the event.

Political Sign:

- Area: 36 sq ft max.
- Height: 8 ft. max.
- Comply with state code

Temporary Signs and Banners for public service:

- 30 days consecutive
- Max 90 days per year

Roof Sign:

- Not Allowed

Real Estate, Finance and Construction Signs

- Quantity: 1
- Area: 16 sq ft max., 32 sq ft max for frontage of more than 150 ft.

Feather Sign:

- Not allowed.

Political Sign:

- Area: 24 sq ft max
- Comply with state code

CZO: 14 days prior, removed within 3 days

UDO: Max 30 days consecutive

Not allowed in the UDO.

The state code max is 24 sq ft.

UDO has language about polling sites and political signs there. CZO does not.

## Chapter 100 – Subdivisions Ordinance

### Chapter 100

#### Article I – In General

### Unified Development Ordinances

#### Chapter I – Intent and General Provisions

### Differences

#### Differences

### 100-I Purpose

(a) *Regulations to control subdivision of land.* The following regulations shall control the subdivision of land within the corporate limits of the City of Castroville, Texas, and within the extra-territorial jurisdiction thereof, in order to provide for the safe, orderly and healthful development of the community and to secure adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewage and other public facilities.

(b) *Territorial limits of regulations.* The territorial application of this chapter shall include all land located within the corporate limits of the city and all land lying within the extra-territorial jurisdiction of the city, as from time to time extended, except that Articles III through VIII inclusive shall not apply to lands which were included in the City of Castroville's extra-territorial jurisdiction through petition as provided by Chapter 42, Section .022(b) of the Local Government Code, provided said lands are not within the boundaries of the city's extra-territorial jurisdiction as such boundaries exist at the time of final plat approval.

(c) *Application of regulations.* On or after the passage of the ordinance from which this chapter derives, any person, firm or corporation (subdivider) seeking approval of any plat, plan or replat of any subdivision of land within the city and its legally established extraterritorial jurisdiction shall be required to comply with the requirements of this chapter before such approval may be granted. Any subdivision construction plans that have not been approved by the city before the passage of the ordinance from which this chapter derives shall be required to comply with the requirements of this chapter. No transfer of land in the nature of a subdivision as defined herein

### 3.2 Purpose

The purpose of this Chapter is to provide standards and guidance for the creation of neighborhoods, and divisions of land through the preparation of neighborhood plans, employment center plans, engineer plans, and plats. The standards in this Chapter are intended to promote the health, safety, and general welfare of the City and the safe, orderly, and healthful development of the City.

- **Scope:** The 100-I Purpose focuses on controlling subdivision of land within specific territorial limits, while the 3.2 Purpose provides standards for creating neighborhoods and land divisions.
- **Regulations:** The 100-I Purpose includes detailed regulations for traffic, light, air, and other public facilities, whereas the 3.2 Purpose emphasizes standards for plans and plats.
- **Application:** The 100-I Purpose outlines the application process and territorial limits, while the 3.2 Purpose focuses on promoting health, safety, and welfare through development standards.

shall be exempt from the provisions of this chapter even though the instrument or document of transfer may describe land so subdivided by metes and bounds.

## 100-2 Definitions

### 100-3 General Prohibitions

(a) Unauthorized subdivisions. It shall be unlawful for any land owner, or the agent of any land owner, to lay out, subdivide, plat or replat any land into lots, blocks and streets within the jurisdictional limits of the city without the approval of the planning and zoning commission and the city council in accordance with this chapter.

(b) Permits in unauthorized subdivisions. No building, repair, plumbing or electrical permit shall be issued by the city for any structure on a lot in a subdivision until the final plat of the subdivision has been approved and filed for record and the subdivision has been accepted by the city.

(c) Public services in unauthorized subdivisions. The city shall not repair, maintain, install or provide any streets or public utility services in any subdivision for which a final plat has not been approved and filed for record, or in which the standards contained herein or referred to herein have not been complied with in full.

(d) Utility services in unauthorized subdivisions. The city shall not sell any water, gas, electricity or sewage service within a subdivision for which a final plat has not been approved and filed for record, or in which the standards contained herein or referred to herein have not been complied with in full.

## Definitions

### 3.3 Authority

Subdivision regulations are adopted and administered by the City pursuant to Local Government Code, Chapters 212 and 242 and all other applicable State and Federal laws, now written or hereafter amended or passed, allowing the City to adopt rules governing plats and subdivisions of land within city limits and extraterritorial jurisdiction to promote the health, safety, or general welfare of the City and the safe, orderly, and healthful development of the City.

1. The process for land division shall follow the requirements of Chapter 212 of the Texas Local Government Code.
2. It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks, and streets within the City or within the extraterritorial jurisdiction without the approval of the Planning & Zoning Commission. The City shall withhold all City improvements, including the maintenance of streets and furnishing of sewage and water service from all additions and subdivisions, the platting of which has not been approved by the Planning & Zoning Commission.
3. It shall also be unlawful for any such owner or agent to offer for sale or sell property

All definitions are located in Chapter 7

- **Scope:** Both sections address unauthorized subdivisions, but 3.3 Authority also includes broader regulatory authority and compliance with state laws.
- **Permits and Services:** Both sections prohibit permits and services in unauthorized subdivisions, but 3.3 Authority provides more detailed steps and requirements for compliance.
- **Sale of Property:** 3.3 Authority explicitly prohibits the sale of property in unauthorized subdivisions, which is not mentioned in 100-3 General Prohibitions.
- **Application:** 3.3 Authority specifies the application of regulations to the city's corporate limits and ETJ, while 100-3 General Prohibitions focuses on prohibitions within the jurisdictional limits.

therein or thereby, which has not been laid out, subdivided, platted or replatted with the approval of the Planning & Zoning Commission

4. No street number and no building permit shall be issued for the erection of any building in the City on any piece of property, other than an original or a resubdivided lot in a duly approved and recorded subdivision, without the written approval of a plat or subdivision by the Planning & Zoning Commission, the approval of construction plans, the acceptance of the public improvements, and a duly approved and recorded subdivision or plat recorded with the Medina County Clerks Office, except as otherwise provided for in this UDO.
5. This chapter shall apply to any land within the corporate limits and extraterritorial jurisdiction (ETJ) of the City of Castroville, unless specifically exempted by this article.

#### 100-4 Penalty

Any person violating this chapter or any portion thereof shall, upon conviction, be guilty of a misdemeanor and shall be fined \$1,000.00, and each day that such violation continues or each occurrence shall be considered a separate offense and punished accordingly.

#### 1.14 Enforcement

Any person, firm or corporation violating the provision of this UDO shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the city of Castroville, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the

- **Scope of Violators:** 100-4 Penalty applies to any person, while 1.14 Enforcement includes persons, firms, and corporations.
- **Fine Amounts:** 100-4 Penalty sets a fine of \$1,000.00 per offense, whereas 1.14 Enforcement sets fines up to \$500.00 per offense, with exceptions allowing fines up to \$2,000.00 for specific violations.
- **Daily Violations:** Both sections consider each day of continued violation as a separate offense.

penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day said violation is continued shall constitute a separate offense.

#### 100-5 Severability Clause

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this chapter shall not be affected thereby, it being the intent of the city council in adopting this chapter that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase or provision of this chapter.

#### 100-6 Repeal of Conflicting

All ordinances and parts of ordinances and amendments of ordinances in conflict herewith are expressly repealed to the extent of their inconsistency; provided, however, that whenever higher or more restrictive standards are established by the provisions of any other ordinance or regulation than those established by this chapter, the provisions of such other ordinance or regulation shall govern.

#### 1.4 Authority

The Castroville UDO is adopted pursuant to the charter of the City of Castroville and the powers granted to the City including any limitations imposed by the Constitution and laws of the State of Texas, particularly Texas Local Government Code Chapters 211, 212, 213, 216 and 242.

Zoning regulations are adopted and administered by the City pursuant to the Local Government Code, Chapter 211 and all other applicable State and Federal laws, now written or hereafter amended or passed, allowing the City authority to promote public health, safety, morals, or the general welfare and to protect and preserve places and areas of historical, cultural, or architectural importance and significance.

Subdivision regulations are adopted and administered by the City pursuant to Local Government Code, Chapters 212 and 242 and all other applicable State and Federal laws, now written or hereafter amended or passed, allowing the City to adopt rules governing plats and subdivisions of land within city limits and extraterritorial jurisdiction to promote the health, safety, morals, or general welfare of the City and the safe, orderly, and healthful development of the City.

Sign regulations are adopted and administered by the City pursuant to Local Government Code, Chapter 216 and all other applicable State and Federal laws, now written or hereafter amended

- **Severability Clause:** Focuses on maintaining the effectiveness of the chapter even if parts are invalidated.
- **Authority:** Provides the legal foundation for the UDO and outlines the city's powers to regulate zoning, subdivisions, and signs based on state laws.

or passed, allowing the City to adopt rules governing signs.

Article II – Procedures	2.2 Application	Differences
<p><b>100-21 Pre-application Conference</b></p> <p>Before submitting a minor plat or preliminary plat, the subdivider should request a conference with the city administrator and council's designated employee. At this conference, the subdivider should present a preliminary plan for advice on the procedures, specifications and standards required by the city for the subdivision of land. A fee schedule will also be discussed during this preliminary conference. City fees are established by the city council and are nonrefundable.</p> <p>No application for approval of a preliminary or minor plat shall be considered completed and filed until all the items required by state law and the city have been received and the application is certified by the city administrator or the council's designated employee. the approval procedure as set out in Texas Local Government Code Chapter § 212.009 shall not begin until:</p> <ul style="list-style-type: none"> <li>(1) The city administrator or council's designated employee has certified that the plat application is completed in accordance with this chapter and state law; and</li> <li>(2) A formal application for review and submission has been acknowledged as received by the city administrator or the council's designated employee.</li> </ul>	<p><b>2.2.2 Pre-application Meeting</b></p> <p>Development activities begin with a pre-application meeting request to the City. The primary purpose of the pre-application meeting is for staff to help identify the scope of the development proposal, so that the City can determine the appropriate submittal requirements and process(es), including whether the development will require administrative or public approval.</p>	<p>Required with all development processes in the UDO.</p>
<p><b>100-22 Minor Plat</b></p> <ul style="list-style-type: none"> <li>• Four or fewer lots</li> </ul>	<p><b>2.2.23 Minor Plat</b></p> <ul style="list-style-type: none"> <li>• Four or fewer lots</li> </ul>	<p>No Change</p>

<ul style="list-style-type: none"> <li>• Extension of public infrastructure not needed</li> <li>• Administrative approval</li> </ul>	<ul style="list-style-type: none"> <li>• Extension of public infrastructure not needed</li> <li>• Administrative approval</li> </ul>	
100-22 Amending Plat	2.2.24 Amending Plat	No Change
<ul style="list-style-type: none"> <li>• In accordance with the Texas Local Government Code</li> <li>• Administrative approval</li> </ul>	<ul style="list-style-type: none"> <li>• In accordance with the Texas Local Government Code</li> <li>• Administrative approval</li> </ul>	
100-23 Preliminary Plat	2.2.20 Preliminary Plat	No Change
<ul style="list-style-type: none"> <li>• More than four lots</li> <li>• Extension of public infrastructure required</li> <li>• Planning and Zoning makes a recommendation, City Council takes final action. Public hearing required.</li> </ul>	<ul style="list-style-type: none"> <li>• More than four lots</li> <li>• Extension of public infrastructure required</li> <li>• Planning and Zoning makes a recommendation, City Council takes final action. Public hearing required.</li> </ul>	
100-25 Final Plat	2.2.22 Final Plat	No Change
<ul style="list-style-type: none"> <li>• Complete, recordable versions of the preliminary plat.</li> <li>• Financial guarantees required</li> <li>• Water rights required</li> <li>• As-builts required</li> <li>• Certified copies of improvement costs</li> <li>• Planning and Zoning makes a recommendation, City Council takes final action. Public hearing required.</li> </ul>	<ul style="list-style-type: none"> <li>• Complete, recordable versions of the preliminary plat.</li> <li>• Financial guarantees required</li> <li>• Water rights required</li> <li>• As-builts required</li> <li>• Certified copies of improvement costs</li> <li>• Planning and Zoning makes a recommendation, City Council takes final action. Public hearing required.</li> </ul>	
100-27 Water Rights	2.22.22 Water Rights	No Change
<ul style="list-style-type: none"> <li>• 0.612 ac ft per lot less than one acre</li> <li>• 1 ac ft per lot more than one acre</li> <li>• Non-residential – 0.612 ac ft per LUE. LUE determined by impact fee ordinance.</li> </ul>	<ul style="list-style-type: none"> <li>• 0.612 ac ft per lot less than one acre</li> <li>• 1 ac ft per lot more than one acre</li> <li>• Non-residential – 0.612 ac ft per LUE. LUE determined by impact fee ordinance.</li> </ul>	
N/A - Replat and Vacating Plat	2.2.25 and 2.2.27 Replat and Vacating Plat	Additional of replat and vacating plat. These are plats per state law, but there were no references in subdivision ordinance.
<ul style="list-style-type: none"> <li>• Not in CZO</li> </ul>		

- Replat – changes to already recorded plats without vacating previous plat, administrative approval.
- Vacating Plat – Removal of subdivision, administrative approval.

#### 100-28 Subdivision Variance

- Four findings to approve variance:
  1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his/her land;
  2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
  3. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
  4. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter
- Planning and Zoning makes a recommendation, City Council takes final action. Public hearing required.

#### 2.2.30 Subdivision Variance

- Five findings to approve variance:
  1. That the granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this UDO.
  2. That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDO.
  3. That the conditions that create the need for the variance do not generally apply to other property in the vicinity.
  4. That application of a provision of this UDO will render subdivision of the land impossible.
  5. Where the literal enforcement of these regulations would result in an unnecessary hardship.
- Planning and Zoning makes a recommendation, City Council takes final action. Public hearing required.

CZO has four findings, UDO has five findings

### Article III – General Subdivisions Design and Layout

Parkland Dedication

### 3.8 Neighborhood Design Standards

Parkland Dedication

### Differences

Creating a spreadsheet to show current open space/parkland requirements to the UDO.

### 100-54 Lots

- Has minimum lot sizes
- Building Setbacks
- Lot frontage

### 100-55 Blocks

#### Block Length:

- Minor streets: 600 to 1,200 feet.
- Arterials, collector streets, barriers (e.g., railroads, bodies of water): Up to 2,400 feet, with special conditions and planning commission approval.

#### Block Width:

- Must allow two tiers of lots of at least minimum depth.
- Exceptions: Property size constraints, backing up to limited access streets, or approved alternative designs in planned unit developments.

#### Block Numbering:

- Blocks must be numbered consecutively within the subdivision or sections of an overall recorded plat.

### 3.8.3 Lots

- In the zoning regulations

### 3.8.2 Blocks

#### Block Length (max):

- PI – N/A
- P2 – 720'
- P2.5 – 720'
- P3 – 330'
- P3M – 330'
- P4 – 330'
- P5 – 330'
- CS – TBD
- EC – TBD

#### Block Perimeter (max):

- PI – N/A
- P2 – 2,880'
- P2.5 – 2,880'
- P3 – 1,320'
- P3M – 1,320'
- P4 – 1,320'
- P5 – 1,320'
- CS – TBD
- EC – TBD

#### Exception for Minor Plats:

- New subdivisions may be exempt from creating complete blocks for minor plats of four or fewer lots if it does not adversely impact the street network or adjacent properties.

#### Block and Lot Numbering:

Subdivision ordinance cannot have zoning requirements. These are stated in the zoning regulations.

Determined by place type.

- **Block Length:** 100-55 allows longer blocks for arterials and barriers, while 3.8.2 sets specific maximum lengths for different zones.
- **Block Width:** 100-55 requires two tiers of lots, while 3.8.2 does not specify width but includes detailed length and perimeter requirements.
- **Numbering:** Both sections require consecutive numbering of blocks, but 3.8.2 also includes lot numbering.
- **Measurement and Exemptions:** 3.8.2 provides detailed measurement guidelines and exemptions, which are not mentioned in 100-55.

- Blocks must be numbered consecutively within the overall plat or sections of the plat. Lots within each block must also be numbered consecutively, continuing uniformly from block to block.

#### Block Length Measurement:

- Block length is measured along the front of lots between intersecting streets. Cul-de-sacs do not break the block for measurement purposes.

#### Maximum Block Length:

- City Limits: Follow above.
- ETJ: Maximum 330 feet, minimum 200 feet, unless approved by warrant or variance.

#### Maximum Block Length for Specific Zones (P2, P2.5, CS, EC):

- 720 feet with block breaks at 330 feet. Minimum block length is 330 feet, unless approved by warrant by the DRC.

#### Mid-Block Pedestrian Path:

- Blocks in P3, P3M, P4, and P5 exceeding 330 feet must have a 20-foot mid-block pedestrian path.

#### Exemptions:

- Blocks adjacent to undeveloped land, unsuitable areas, or pre-existing incomplete blocks may be exempt from block face length and perimeter requirements by warrant.

#### Multiple Zoning Designations:

- Blocks with more than one Place Type zoning designation use the most intense designation for block face length and perimeter.

#### Alternative Configurations:

- Alternative block configurations that meet the UDO's intent can be designed and submitted for approval through the Neighborhood Plan process.

### 100-56 Easement

#### Dedication Required:

- Easements must be dedicated for public utilities (e.g., poles, wires, conduits, drainage channels, sewers, water lines, gas lines).
- Minimum width: 20 feet; up to 30 feet if multiple utilities are present and the city requires it.

#### Location of Easements:

- Easements must be continuous along the entire block length and parallel to the street line.
- Easements may cross property lines and lots if necessary, as the planning and zoning commission determines.

#### Required Access at Fences:

- Fences crossing an easement must have double swing gates or a removable fence panel for access.

#### Easements Part of Lot Area:

- Easements are considered part of the lot area for minimum lot size requirements.

### 3.8.6 Easement

#### Pre-existing Easements:

- All existing easements must be shown on the preliminary plat.
- Easements for utilities, drainage ways, or transmission lines must be retained on the front, side, and/or rear lot lines as required by the City and utility companies.
- Additional easements across parts of a lot may be required as deemed necessary by the City.
- The Community Development Director requires access for maintenance of all easements.

#### Off-site Easements:

- Easements in areas adjoining a proposed development, necessary for adequate drainage or utility service, must be obtained by the applicant before final plat approval.

#### Privately-owned Easements:

- Standards for privately-owned easements are detailed in the Engineering Standards.

- **Dedication and Location:** 100-56 specifies dedication requirements and locations for easements, including overhang and guy wire easements, while 3.8.6 focuses on showing pre-existing easements on plats and retaining easements as required.
- **Access and Maintenance:** 100-56 includes requirements for access at fences, whereas 3.8.6 emphasizes access for maintenance by the Community Development Director.
- **Off-site and Privately-owned Easements:** 3.8.6 includes provisions for off-site easements and standards for privately-owned easements, which are not mentioned in 100-56.

#### Overhang Easements:

- Where utilities are not in alleys, a 6-foot-wide overhang easement must be provided on the opposite side of the 20-foot easement strip, at a height of 10 feet or more.
- In alleys, 6-foot-wide overhang easements must be provided on each side for electric and telephone lines, at a height of 10 feet or more.

#### Additional Easements for Guy Wires:

- Additional easements are required for guy wires if utility easements or alleys are not straight or do not connect straight with adjoining blocks.

Article IV - Planned Unit Development's (PUD)

Not Applicable

The UDO does not have PUDs and this is considered zoning and not subdivision regulations. Differences

#### Article V – Streets

#### 3.8 Neighborhood Design Standards

#### 100-111 General Layout and Alignment of Streets

#### 3.8.1 Streets, Paths, Trails, and Alleys

##### General Requirements:

- Streets must conform to the city's comprehensive plan.
- Consideration of existing and planned streets, topography, public safety, and land use.
- Designed for optimal neighborhood development.

##### General Requirements:

- Developments within city limits must comply with this section.
- Developments in the ETJ must follow UDO rules, state laws, and the Inter-local Agreement with Medina County.
- Streets serve vehicular and pedestrian traffic and provide access to lots and Civic Spaces. New streets are required when block lengths exceed the maximum allowed.

##### Continuation of Existing Streets:

- New streets must align with existing streets in adjoining areas.

##### Street Arrangement:

#### General Requirements

- **100-111:** Streets must conform to the city's comprehensive plan, considering existing and planned streets, topography, public safety, and land use for optimal neighborhood development.
- **3.8.1:** Developments within city limits must comply with this section, and those in the ETJ must follow UDO rules, state laws, and the Inter-local Agreement with Medina County. Streets serve vehicular and pedestrian traffic and provide access to lots and Civic Spaces. New streets are required when block lengths exceed the maximum allowed.

#### Continuation of Existing Streets

- Arterial and collector streets should extend through new subdivisions as per the comprehensive plan.

#### Interior Circulation Streets:

- Adequate collector and minor streets must be provided for traffic circulation within the subdivision.

#### Projection into Unsubdivided Areas:

- Street arrangements must allow for future extension into adjoining unsubdivided areas.

#### Street Jogs:

- Avoid street jogs with center line offsets of less than 150 feet.

#### Half Streets:

- No new half-streets for collector, minor, and marginal access streets.

#### Dead-end Streets:

- Prohibited except for short stubs for future expansion, limited to the frontage of the corner lot.

#### Private Streets:

- Prohibited.

#### Ingress and Egress:

- Road Network: Adequate capacity and safe traffic circulation required. Traffic impact analysis needed for large developments.
- Approach Roads and Access: Subdivisions with 50+ lots must have at least two vehicular access points. Requirements may

- The original grid pattern in Castroville forms the basis for the street network.
- Streets should extend through new neighborhoods and align with existing streets unless topography or traffic circulation requires variations.

#### Intersections:

- Streets should intersect at a 90-degree angle, with variations approved by the City Engineer.
- Acute angle intersections need a 25-foot radius at corners.
- Intersections must align with existing streets.

#### Partial or Half-Streets:

- Allowed where the City Council deems necessary on property lines.

#### Street Names:

- Must continue existing names if adjacent or in-line, avoiding duplications.
- New names require approval from the Community Development Director before final plat submission.

#### Right-of-Way (ROW) Widths:

- Subject to minimum widths as determined by the City Engineer and Engineering Standards.

#### Cul-de-sacs:

- Allowed for unique circumstances, not exceeding 330 feet in length.

- **100-III:** New streets must align with existing streets in adjoining areas, and arterial and collector streets should extend through new subdivisions as per the comprehensive plan.

- **3.8.I:** The original grid pattern in Castroville forms the basis for the street network. Streets should extend through new neighborhoods and align with existing streets unless topography or traffic circulation requires variations.

#### Interior Circulation Streets

- **100-III:** Adequate collector and minor streets must be provided for traffic circulation within the subdivision.
- **3.8.I:** Not specifically mentioned.

#### Projection into Unsubdivided Areas

- **100-III:** Street arrangements must allow for future extension into adjoining unsubdivided areas.
- **3.8.I:** Not specifically mentioned.

#### Street Jogs

- **100-III:** Avoid street jogs with center line offsets of less than 150 feet.
- **3.8.I:** Not specifically mentioned.

#### Half Streets

- **100-III:** No new half-streets for collector, minor, and marginal access streets.
- **3.8.I:** Allowed where the City Council deems necessary on property lines.

#### Dead-end Streets

- **100-III:** Prohibited except for short stubs for future expansion, limited to the frontage of the corner lot.
- **3.8.I:** Cul-de-sacs allowed for unique circumstances, not exceeding 330 feet in length, with a 20-foot pedestrian access way to parkland, open space, trails, etc.

vary based on development size and density.

- Must connect to parkland, open space, trails, etc., with a 20-foot pedestrian access way.
- Temporary turnarounds required for streets over 330 feet to be extended in the future.

#### Street Lighting:

- Developers must provide street lighting per Outdoor Lighting Requirements in the Engineering Standards.

#### Emergency Access and Fire Lanes:

- Reviewed by the Community Development Director and Fire Marshal.
- Must meet International Fire Code (IFC) standards.

Temporary turnarounds required for streets over 330 feet to be extended in the future.

#### Private Streets

- **100-111:** Prohibited.
- **3.8.1:** Not specifically mentioned.

#### Ingress and Egress

- **100-111:** Adequate road network and safe traffic circulation required. Traffic impact analysis needed for large developments. Subdivisions with 50+ lots must have at least two vehicular access points.
- **3.8.1:** Emergency access and fire lanes reviewed by the Community Development Director and Fire Marshal. Must meet International Fire Code (IFC) standards.

#### Additional Points in 3.8.1

- **Street Names:** Must continue existing names if adjacent or in-line, avoiding duplications. New names require approval from the Community Development Director before final plat submission.
- **Right-of-Way (ROW) Widths:** Subject to minimum widths as determined by the City Engineer and Engineering Standards.
- **Street Lighting:** Developers must provide street lighting per Outdoor Lighting Requirements in the Engineering Standards.

### 100-112 Required Street Improvements

#### General specifications.

- The subdivider shall, at his/her sole cost and expense, provide all necessary street grading, pavement, curbing, gutters, sidewalks and storm sewer drains required to service the subdivision, including the perimeter streets contiguous to the

### 3.8.1.17 Street Design

#### General specifications.

- The subdivider shall, at his/her sole cost and expense, provide all necessary street grading, pavement, curbing, gutters, sidewalks and storm sewer drains required to service the subdivision, including the

Streets types and requirements changed.

subdivision. All street improvements shall meet the minimum specifications in the following table. Typical street cross-sections shall be as illustrated in Figure .

Street Classification	Right-of-Way Width (feet)	Pavement Width (feet)	Curbing	Sidewalks (feet)
Arterial	70	48	Curb	6 both sides
Collector	60	42	Curb	5 both sides
Minor Street	50	30	Curb	5 both sides
Marginal Access	45	30	Curb	4 on lot side with passing area
Residential Alley	20	16	None Required	None Required
Commercial Alley	24	20	None Required	None Required

Right-of-way exceptions for single family residential streets. A minor street right-of-way width may be reduced to 40 feet where a single-family residential street meets all of the following conditions:

- (1) The street is not more than one block long and it intersects with other minor streets at a "T" in mid-block.
- (2) The minor street does not intersect an arterial street or collector street.
- (3) A five-foot sidewalk easement is provided on both sides of the minor street.

## 100-113 Street Geometry Standards

### General requirements.

- The design of all streets in a subdivision shall conform to the standards of street geometry in the following table.

perimeter streets contiguous to the subdivision. All street improvements shall meet the minimum specifications in table 3.8.1 (D).

TABLE 3.8.1 (D). REQUIRED STREET IMPROVEMENTS.

STREET CLASSIFICATION	RIGHT-OF-WAY WIDTH (FEET)	PAVEMENT WIDTH (FEET)	CURBING	SIDEWALKS (FEET)
4 Lane Community Boulevard	80-100	52'	Curb	19' both sides
2 Lane Community Boulevard	80-100	45'	Curb	19' both sides
Neighborhood Avenue	60-80	41'	Curb	13' both sides
Neighborhood Street	60	37'	Curb or laydown curb	5'-13' both sides
Castro Street	40'	20'	None or laydown curb	None or 11.5'
Side Street	50	24'	None	.41
Rural Street	100 (Varies)	24'	None	.49

## 3.8.1.19 Street Geometry Standards

### General requirements.

- The design of all streets in a subdivision shall conform to the standards of street geometry in table 3.8.1 (E).

Changed to include new street types, but standards are the same.

Street Classification	Pavement Crown or Cross Slope	Minimum Grade	Maximum Grade	Centerline Minimum Horizontal Curve Radius
Arterial	2-4%	0.5%	6%	600'
Collector	2-4%	0.5%	8%	400'
Minor Street	2-4%	0.5%	10%	150'
Marginal Access	2-4%	0.5%	10%	100'
Residential Alley	2-4%	0.5%	10%	50'
Commercial Alley	2-4%	0.5%	10%	50'

Curve radius exception in planned unit developments.

- For single family residential streets within a planned unit development, the planning and zoning commission may approve a minimum horizontal curve radius of 100 feet.

Other exceptions to minimum radius requirement.

- Exceptions to the minimum centerline horizontal radius requirement in this section (other than those authorized by subsection (b) above) may be granted only by the city council upon appeal from the planning and zoning commission at preliminary plat approval.

Reverse curves.

- Reverse curves shall be separated by a minimum tangent of 100 feet, except that the planning and zoning commission may waive this requirement for interior minor streets in a planned unit development where the commission finds that an exception is justified by the topography of

STREET CLASSIFICATION	PAVEMENT CROWN OR CROSS SLOPE	MINIMUM GRADE	MAXIMUM GRADE	CENTERLINE MINIMUM HORIZONTAL CURVE RADIUS
4 Lane Community Boulevard	2-4%	.5%	6%	300'
2 Lane Community Boulevard	2-4%	.5%	6%	300'
Neighborhood Avenue	2-4%	.5%	7%	100'
Neighborhood Street	2-4%	.5%	7%	100'
Castro Street	2-4%	.5%	7%	50'
Side Street	2-4%	.5%	7%	50'
Rural Street	2-4%	.5%	7%	50'

Curve radius exception in planned unit developments.

- For single family residential streets within a planned unit development, the planning and zoning commission may approve a minimum horizontal curve radius of 100 feet.

Other exceptions to minimum radius requirement.

- Exceptions to the minimum centerline horizontal radius requirement in this section (other than those authorized by subsection (b) above) may be granted only by the city council upon appeal from the planning and zoning commission at preliminary plat approval.

Reverse curves.

- Reverse curves shall be separated by a minimum tangent of 100 feet, except that the planning and zoning commission may waive this requirement for interior minor streets in a planned unit development where the commission finds that an exception is justified by the topography of

the site and by the sight distance, right-of-way width, setbacks and other features of the PUD subdivision design.

the site and by the sight distance, right-of-way width, setbacks and other features of the PUD subdivision design.

#### Vertical curvature.

- A gradual transition from one roadway grade to another shall be accomplished by means of a vertical parallel curve connecting two intersecting tangents. No vertical curve for gradients having an algebraic difference of 1.5 or less will be required. The minimum length of vertical curve shall be computed from the following formula and table:

$L = KA$	Where:	$L$ = the length of vertical curve in feet
		$K$ = a constant related to sight distance and geometry of a parabolic curve (see Table C)
		$A$ = the algebraic difference in grades in percent.

#### Vertical Curvature.

- A gradual transition from one roadway grade to another shall be accomplished by means of a vertical parallel curve connecting two intersecting tangents. No vertical curve for gradients having an algebraic difference of 1.5 or less will be required. The minimum length of vertical curve shall be computed from the following formula

$L=KA$  and table 3.8.1 (F):

$L$ = the length of vertical curve in feet

$K$ = a constant related to sight distance and geometry of a parabolic curve

$A$ = the algebraic difference in grades in percent

Table C. Design Values for Constant "K," Vertical Curvature

Vehicle Speed (mph)	"K" Crest Curves	"K" Sag Curves
15	3	10
20	7	17
25	12	26
30	19	37
35	29	49
40	44	64
45	<a href="#">61</a>	79
50	84	96
55	114	115
60	151	136
65	193	157
70	247	181

TABLE 3.8.1 (F). DESIGN VALUES FOR CONSTANT "K," VERTICAL CURVATURE.

VEHICLE SPEED (MPH)	"K" CREST CURVES	"K" SAG CURVES
15	3	10
20	7	17
25	12	26
30	19	37
35	29	49
40	44	64
45	61	79
50	84	96
55	114	115
60	151	136
65	193	157
70	247	181

*Vertical curvature at intersection.*

- For local street intersections, where the K-value is on the street that has a stop sign control, a minimum design speed of 15 miles per hour shall be used. For local street or driveway intersections connecting to a collector street or higher, where the K-value is on the street that has a stop sign control and does not have the potential of being signalized, a minimum design speed of 20 miles per hour shall be used. No vertical curves will be required for gradients having an algebraic difference of up to four at intersections.

*Sight distance requirements.*

- The minimum sight distances in the following table shall be provided for safe stopping and intersection operations.

*Vertical curvature at intersection.*

- For local street intersections, where the K-value is on the street that has a stop sign control, a minimum design speed of 15 miles per hour shall be used. For local street or driveway intersections connecting to a collector street or higher, where the K-value is on the street that has a stop sign control and does not have the potential of being signalized, a minimum design speed of 20 miles per hour shall be used.

*Sight distance requirements.*

- The minimum sight distances in table 3.8.1 (G) shall be provided for safe stopping and intersection operations. Where streets are not level, or where other potentially hazardous conditions exist, these distances

Where streets are not level, or where other potentially hazardous conditions exist, these distances shall be increased as necessary in the judgment of the city.

shall be increased as necessary in the judgment of the city.

TABLE 3.8.1 (G). MINIMUM SIGHT DISTANCES.

Vehicle Speed (mph)	Intersection Sight Distance (Left Turn Maneuvers)	Intersection Sight Distance (Crossover and Right Turn Maneuvers)	Stopping Sight Distance (feet)
15	170	145	80
20	225	195	115
25	280	240	155
30	335	290	200
35	390	335	250
40	445	385	305
45	500	430	360
50	555	480	425
55	610	530	495
60	665	575	570
65	720	625	645
70	775	670	730

VEHICLE SPEED (MPH)	INTERSECTION SIGHT DISTANCE (LEFT TURN MANEUVERS)	INTERSECTION SIGHT DISTANCE (CROSSOVER AND RIGHT TURN MANEUVERS)	STOPPING SIGHT DISTANCE (FEET)
15	170	145	80
20	225	195	115
25	280	240	155
30	335	290	200
35	290	335	250
40	445	385	305
45	500	430	360
50	555	480	425
55	610	530	495
60	665	575	570
65	720	625	645
70	775	670	730

#### Intersection design.

- All streets shall intersect at a 90-degree angle, or as close as possible to a 90-degree angle considering the topography of the site. Variations must be approved by the city. Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on centerline unless the new street ends at a "T" in mid-block. All new street intersections and cul-de-sacs shall have concrete or asphalt paving. If concrete is used at an intersection, concrete paving shall apply to all areas within the tangent points of the roadway's edge radii. If concrete is used at a cul-de-sac, concrete paving shall apply to all areas beginning with the tangent points of the roadway's edge radii through the cul-de-sac.

#### Intersection design.

- All streets shall intersect at a 90-degree angle, or as close as possible to a 90-degree angle considering the topography of the site. Variations must be approved by the city. Each new street intersecting with

or extending to meet an existing street shall be tied to the existing street on centerline unless the new street ends at a "T" in mid-block. All new street intersections and cul-de-sacs shall have concrete or asphalt paving. If concrete is used at an intersection, concrete paving shall apply to all areas within the tangent points of the roadway's edge radii. If concrete is used at a cul-de-sac, concrete paving shall apply to all areas beginning with the tangent points of the roadway's edge radii through the cul-de-sac.

**100-114 Minimum Pavement Design and Testing:**

Except as provided in 100-115, the pavement of all streets and alleys shall meet the minimum specifications in the following table. In addition to the requirements of this table, a geotechnical report following the same requirements as provided in section 100-115(a) shall be submitted prior to final plat submittal to support the street specifications proposed by the subdivider for the subdivision.

**3.8.1.20 Minimum Pavement Design and Testing:**

Except as provided in 3.8.1.22, the pavement of all streets and alleys shall meet the minimum specifications in the following table. In addition to the requirements of this table, a geotechnical report following the same requirements as provided in section 3.8.1.22 (1) shall be submitted prior to final plat submittal to support the street specifications proposed by the subdivider for the subdivision.

Changed to include new street types

Table E. Minimum Pavement Design Standards				
Street Classification	Type D Asphalt Surface Course (lbs./sq. yard)	Flex Base 95% Compacted Density (inches)	Subgrade % Compacted Density	Concrete Density <sup>1</sup>
Arterial	190	10	95	
Collector	190	10	95	
Minor Street	165	8	95	
Marginal Access	165	8	95	
Residential Alley	165	8	95	
Commercial Alley	165	8	95	
Intersections & Cul-de-Sacs	165 (190 if Arterial or Collector)	10	95	7"

Subgrade Preparation, Embankment and Backfill:  
Table too large to place, please see Section 100-114 to review.

STREET CLASSIFICATION	TYPE D ASPHALT SURFACE COURSE (LBS./ SQ. YARD)	FLEX BASE 95% COMPACTED DENSITY INCHES	SUBGRADE% COMPACTED DENSITY	CONCRETE DENSITY
4 Lane Community Boulevard	190	10	95	
2 Lane Community Boulevard	190	10	95	
Neighborhood Avenue	165	8	95	
Neighborhood Street	165	8	95	
Castro Street	165	8	95	
Side Street	165	8	95	
Rural Street	165	8	95	
Intersections & Cul-de-Sacs	165 (190 if arterial or Collector)	10	95	7"

### Subgrade Preparation, Embankment and Backfill:

Subgrade Preparation, Embankment and Backfill	
Moisture-Density Relationship	1 unless material changes
(Proctor Curve)	
In-Place Moisture Content Test under flexible base	1 per 200 feet of street
In-Place Moisture Content Test under curb	1 per 200 feet of curb
In-Place Density Test under flexible base	1 per 200 feet of street
In-Place Density Test under curb	1 per 200 feet of curb
Flexible Base Course	
Moisture-Density Relationship (Proctor Curve)	1 per 5,000 CY of material
Eades and Grim pH Test	1 per Soil Classification
Atterberg Limits and Gradation	1 per 5,000 CY of material
In-Place Moisture Content Test under pavement	1 per 200 feet of street
In-Place Moisture Content Test under curb	1 per 200 feet of curb
In-Place Density Test under pavement	1 per 200 feet of street
In-Place Density Test under curb	1 per 200 feet of curb
Hot Mix-Hot Laid Asphaltic Concrete Pavement	
Surface Course Design	1
Extractions	2 per day run, or a minimum of 1 per 500 tons
In-Place Density Test	1 per 600 feet of street

100-114 Standards for alternate pavement designs: 3.8.1.21 Standards for alternate pavement designs: Changed to include new street types

*Soils investigation.*

- The subdivider shall, at his/her own expense, cause to be made a soils investigation by a qualified and independent geotechnical engineer licensed to practice in the State of Texas. The field investigation shall include test borings within the rights-of-way of all proposed streets. The number and locations of such borings shall be subject to the approval of the city. Atterberg limits and moisture contents shall be determined for all significant boring samples. The method used for these determinations shall be the same as that used by the Texas Department of Transportation using their latest Manual of Testing Procedures, 100-E Series test methods. The results of the soils investigation shall be presented to the subdivider and to the city administrator in written report form. Included as a part of the report shall be a graphical or tabular presentation of the boring data giving Atterberg limits and moisture contents, a soil description of the layers of different soils encountered in the profile of the hole, their limits in relation to a fixed surface datum, and such other information as needed to complete the soils investigation for pavement design purposes. Minimum depth of soil profile boring holes shall be 10 feet unless solid rock formations are encountered sooner.

*Pavement design loads.*

- Pavement design shall be based on the Texas Department of Transportation tri-

*Soils Investigation.*

- The subdivider shall, at his/her own expense, cause to be made a soils investigation by a qualified and independent geotechnical engineer licensed to practice in the State of Texas. The field investigation shall include test borings within the rights-of-way of all proposed streets. The number and locations of such borings shall be subject to the approval of the city. Atterberg limits and moisture contents shall be determined for all significant boring samples. The method used for these determinations shall be the same as that used by the Texas Department of Transportation using their latest Manual of Testing Procedures, 100-E Series test methods. The results of the soils investigation shall be presented to the subdivider and to the city administrator in written report form. Included as a part of the report shall be a graphical or tabular presentation of the boring data giving Atterberg limits and moisture contents, a soil description of the layers of different soils encountered in the profile of the hole, their limits in relation to a fixed surface datum, and such other information as needed to complete the soils investigation for pavement design purposes. Minimum depth of soil profile boring holes shall be 10 feet unless solid rock formations are encountered sooner.

*Pavement design loads.*

- Pavement design shall be based on the Texas Department of Transportation tri-

axial design standards in the following table.

Table F. Minimum Pavement Load Standards

Street Classification	Total Equity 18 Kip Single Axle Load Applications	Average Ten Heavy Wheel Loads Daily	Load Frequency Design Factor
Arterial	300,000	10,000	1.00
Collector	300,000	10,000	1.00
Minor Street	60,000	6,000	0.80
Marginal Access	60,000	6,000	0.80
Residential Alley	60,000	6,000	0.80
Commercial Alley	60,000	6,000	0.80

axial design standards in the following table.

STREET CLASSIFICATION	TOTAL EQUITY 18 KIP SINGLE AXLE LOAD APPLICATIONS	AVERAGE TEN HEAVY WHEEL LOADS DAILY	LOAD FREQUENCY DESIGN FACTOR
4 Lane Community Boulevard	300,000	10,000	1.00
2 Lane Community Boulevard	60,000	6,000	.80
Neighborhood Avenue	60,000	6,000	.80
Neighborhood Street	60,000	6,000	.80
Castro Street	60,000	6,000	.80
Side Street	60,000	6,000	.80
Rural Street	60,000	6,000	.80

100-115 Protection of limited access streets:

N/A

Not in the UDO

Where an arterial or collector street borders upon or passes through a subdivision, the planning and zoning commission may require any of the following alternatives to ensure the separation of local traffic from through traffic:

- (1) Marginal access streets to be provided on both sides or on the subdivision side of the arterial or collector street;
- (2) Five-foot non-access easements to be provided along the frontage of the arterial or collector street; or
- (3) All lots in the block to back up to, side up to, or front the arterial or collector street with a minimum of 20 feet of extra building setback, and the primary vehicular access to the lots to be off an alley with garages in the rear.

100-116 Cul-de-sacs:

3.8.1.8 Cul-de-sacs:

The length of cul-de-sacs changed from 600 ft. to 330 ft.

*Permanent.*

Cul-de-sacs may be approved when a street cannot be extended due to unique circumstances

- In the interior of a subdivision, minor streets ending in cul-de-sacs may be platted where the planning and zoning commission deems it advisable. Where the land being subdivided adjoins property not being subdivided, minor streets ending in cul-de-sacs may be platted provided the streets are carried to the boundaries of the subdivision. Single-family residential area streets permanently ending in cul-de-sacs may not be longer than 600 feet, and shall be provided at the closed end with a paved turnaround at least 80 feet in diameter on a street right-of-way of at least 100 feet in diameter. Multi-family, commercial and industrial area streets permanently ending in cul-de-sacs may not be longer than 600 feet, and shall be provided at the closed end with a paved turnaround at least 100 feet in diameter on a street right-of-way of at least 120 feet in diameter.

such as topography, other natural features or existing development. Cul-de-sacs shall not be longer than three hundred and thirty (330) feet and shall meet the standards in the Engineering Standards. Where a cul-de-sac dead ends to parkland, open space, trails, school sites or other similar features, a dedicated, public pedestrian access way of no less than twenty (20) feet wide shall connect the end of the cul-de-sac to the adjacent feature.

Temporary turnarounds shall be used at the end of a street that is more than three hundred and thirty (330) feet in length and will be extended in the future. Note for temporary turnaround: "Cross-hatched area is temporary easement for turnaround until street is extended (direction) in a recorded plat."

Pedestrian access to open space adjacent to cul-de-sac.

#### *Temporary.*

- A temporary turn-around must be built at the end of a street more than 600 feet long that will be extended in the future. The following note shall be placed on the plat: "Cross-hatched area is a temporary easement for turn-around purposes until the street is extended to the (direction) on a recorded plat."

#### 100-117 Alleys:

Alleys are optional in all subdivisions, provided that they conform to the standards and requirements of this ordinance. All alleys must intersect streets

#### 3.8.1.13 Alleys:

##### Residential Alleys

- The primary role of alleys, is to hide the more unsightly functions of our

- **Optional vs. Preferred:** 100-111 makes alleys optional, while 3.8.1.13 encourages their inclusion with flexible construction standards.

at a 90-degree angle, or as close to a 90-degree angle as practicable in the judgment of the city administrator, and they must be approximately parallel to the streets on both sides. Where two alleys or utility easements intersect or turn at a right angle, a cutoff of not less than ten feet from the normal intersection of the property or easement line shall be provided along each property or easement line. Dead-end alleys are prohibited.

communities: the garages, garbage cans, overhead electric, transformers, electric meters, and telephone equipment. They also serve to provide narrower lots, as garages, are now accessed from the rear, enhancing safety as sidewalks, and pedestrians become separated from the access requirements of vehicles, providing additional building access for firefighters, and providing access for accessory dwelling units.

#### Commercial Alleys

- Commercial alleys, though often thought of as dirty or unsafe, can be designed to play an integral role in an urban street network and improve the pedestrian realm in and around commercial areas. The design of commercial alleys should strive to balance their necessary utilitarian features with their placemaking potential.
  - Where access for vehicles is prohibited or minimal, commercial alleys may be constructed using low-impact pavement materials, such as pervious or modular paving.
  - Bicycle traffic may use commercial alleys. Similar regulations to those of shared space should apply.
  - Commercial alleys can be restricted for traffic during non-delivery hours for outdoor seating or other uses.

- **Intersection and Alignment:** 100-111 specifies intersection angles and parallel alignment, while 3.8.1.13 focuses on the functional role of alleys in residential and commercial areas.
- **Cutoff Requirement:** Only mentioned in 100-111.
- **Dead-end Alleys:** Prohibited in 100-111, not specifically mentioned in 3.8.1.13.
- **Residential and Commercial Uses:** 3.8.1.13 details the roles of alleys in hiding unsightly functions and enhancing urban design, which is not covered in 100-111.
- **Construction Standards and Width:** 3.8.1.13 provides detailed construction standards and width requirements, while 100-111 does not specify these details

#### Alley Construction

- Alleys serve developments to distribute services and vehicles to the rear of the lots. Limiting the interruptions into the public realm adds to the cohesive walkable environment throughout the community. Alley developments are preferred; therefore, construction standards provided in the various cross-sections are flexible to encourage the inclusion of alleys.
  - Alleys surface types will vary by Place Type zoning district. Detailed standards are located in the Engineering Standards.
  - Alleys shall be designed by a registered engineer meeting the specifications of this UDO and other City of Castroville construction standards.

#### Width

- A minimum driving surface width of twelve (12) feet and a minimum right-of-way of sixteen (16) feet shall be required for all alleys.

#### 100-118 Curbs:

Except where curbs are not required along interior minor streets in a planned unit development, all streets within the city limits shall have reinforced concrete curbs. Curbs are optional outside the city limits. Minimum curb radii shall be as follows:

#### 3.8.1.14 Curbs:

Except where curbs are not required along interior minor streets in a planned unit development, all streets within the city limits shall have reinforced concrete curbs. Curbs are optional outside the city limits. Minimum curb radii shall be as follows:

No Change

Table G. Minimum Curb Radius Requirements

Street Intersections	25 feet
Non-Residential Driveways	10 feet
Residential Driveways	5 feet

Street Intersections	25 Feet
Non-Residential Driveways	10 Feet
Residential Driveways	5 Feet

### 100-119 Sidewalks:

#### *General requirements.*

- Concrete sidewalks shall be provided on both sides of all streets in a subdivision within the city limits, unless either (a) the subdivider does not control one side of the street or (b) the street is a marginal access street parallel to an arterial or collector street. Concrete sidewalks are optional outside the city limits. Arterial shall have minimum six-foot wide sidewalks, collector and minor shall have minimum five-foot wide sidewalks, and marginal access four-foot wide sidewalks with a handicap passing area measuring 60" × 60" every 200 lineal feet. The walking surface of sidewalks on all class of streets shall have a maximum running slope of 1:20 (5%), and a maximum cross slope of 1:48 (2%). Pedestrian ramps meeting the requirements of the American with Disabilities Act Accessibility Guidelines shall be required where all sidewalks meet curbs.

### 3.8.1.15 Sidewalks:

The applicant is responsible for noting the location of sidewalks on the plat. The homebuilder shall be responsible for constructing sidewalks adjacent to individual house lots in all residential districts and the developer shall be responsible for the construction of all other sidewalks, including all required ADA-compliant designs. All sidewalks must comply with specifications provided in the Engineering Standards. The width, design, and location of sidewalks shall be in accordance with the appropriate street standards within this UDO and the Engineering Standards.

The width of sidewalks are based off street type.

#### *Location of sidewalks.*

- Required sidewalks along arterial and collector streets shall be located in the street right-of-way, adjacent to and parallel to either the property line or the curb, as determined by the planning and zoning commission to be most advantageous in connecting to adjacent developments. Required sidewalks along other streets may be located either in the street right-of-way or in a five-foot wide sidewalk easement. Along minor streets, the required sidewalks shall be adjacent to and abutting the property line, unless the commission approves an alternate location adjacent to the curb, in which case the minimum width shall be increased to five-feet. Required sidewalks shall extend along all street frontage including the side of corner lots and block ends; provided, however, that where it is impractical for the subdivider to provide such sidewalks on the side lot lines abutting arterials or drainage ditches, the planning and zoning commission may waive this requirement at preliminary plat approval. If physical circumstances prevent locating the sidewalks as provided by this section, then the exact location shall be at the discretion of the city.

STREET CLASSIFICATION	RIGHT-OF-WAY WIDTH (FEET)	PAVEMENT WIDTH (FEET)	CURBING	SIDEWALKS (FEET)
4 Lane Community Boulevard	80-100	52'	Curb	19' both sides
2 Lane Community Boulevard	80-100	45'	Curb	19' both sides
Neighborhood Avenue	60-80	41'	Curb	13' both sides
Neighborhood Street	60	37'	Curb or laydown curb	5'-13' both sides
Castro Street	40'	20'	None or laydown curb	None or 11.5'
Side Street	50	24'	None	.41
Rural Street	100 (Varies)	24'	None	.49

#### *Exceptions in planned unit developments.*

- The planning and zoning commission may waive the requirement for sidewalks along one or both sides of an interior single family residential street in a planned unit development. The commission may also waive the requirement that sidewalks be

located in the street right-of-way of other minor streets in a planned unit development, where the commission determines that an alternate location is more desirable in the public interest. Such waivers, if granted, shall be at preliminary plat approval.

*Sidewalk obstructions.*

- Mailbox clusters, kiosks of any character, and other similar sidewalk obstructions shall be located only in an extension of the sidewalk behind the minimum required sidewalk width.

*Timing of sidewalk construction.*

- Construction of the sidewalks on each street is not necessary until construction begins on the first building on that street. However, to avoid undue costs and damage to sidewalks, the subdivider, developer or builder may construct the sidewalk on each lot as it is developed. In no case will a certificate of occupancy be issued for a building until the required sidewalks have been constructed.

**100-120 Driveways:**

*General requirements.*

- Driveway ramps must be constructed of reinforced concrete.

*Locational requirements.*

- Where conditions of topography, traffic flow, traffic and pedestrian safety, community appearance or other factors warrant in the judgment of the planning

**5.4.6 Driveways**

- Driveways curb-cuts are prohibited on Community Boulevards and discouraged on Neighborhood Avenues. These street types are intended to retain a block of buildings lining the street to protect a more intact pedestrian environment. Vehicular access shall be taken from the rear of the property or from the alley.

**Curb-Cuts:**

- Prohibited on Community Boulevards and discouraged on Neighborhood Avenues to maintain a pedestrian-friendly environment.
- Vehicular access should be from the rear of the property or from the alley.

**Corner Lots:**

- Driveways must be located at the secondary frontage and as far from the

<p>and zoning commission, the commission may establish particular requirements for the number, spacing or location of driveways on the affected lots. Such requirements shall be determined at preliminary plat approval and they shall be recorded as vehicular non-access easements and/or in appropriate plat notes on the final plat.</p>	<ul style="list-style-type: none"> <li>• For corner lots, all driveways shall be located at the secondary frontage. Driveways shall be located as far from the adjacent public street intersection as practical to achieve maximum available corner clearance, with consideration of property limits, adjacent curb cuts, topography, and existing drainage facilities.</li> <li>• Non-Alley loaded driveways may intersect a street no closer than twenty (20) feet from the intersection of two (2) street rights-of-ways in P1, P2, P2.5, P3, and P3M, and forty (40) feet in, P4, and P5.</li> <li>• Driveways in mid-block lots greater than forty (40) feet in width at the frontage are allowed one (1) driveway with a maximum width of twenty-four (24) feet for two-way and twelve (12) feet for one- way driveways. In P4 and P5, driveways accessing up to eighty (80) feet wide of street right-of-way must be spaced two hundred (200) feet apart centerline to centerline, and driveways accessing more than an eighty (80) feet wide street right-of-way must be spaced three hundred (300) feet apart centerline to centerline. Nothing in this section shall prevent all site access to any property.</li> </ul>	<p>public street intersection as practical to maximize corner clearance.</p> <p><b>Non-Alley Loaded Driveways:</b></p> <ul style="list-style-type: none"> <li>• Must intersect a street no closer than 20 feet from the intersection of two street rights-of-way in P1, P2, P2.5, P3, and P3M, and 40 feet in P4 and P5.</li> </ul> <p><b>Mid-Block Lots:</b></p> <ul style="list-style-type: none"> <li>• Lots wider than 40 feet at the frontage are allowed one driveway with a maximum width of 24 feet for two-way and 12 feet for one-way driveways.</li> <li>• In P4 and P5, driveways accessing up to 80 feet wide of street right-of-way must be spaced 200 feet apart centerline to centerline, and driveways accessing more than 80 feet wide street right-of-way must be spaced 300 feet apart centerline to centerline.</li> </ul>
<p>100-122 Traffic control signs and street signs 100-123 Street lighting</p> <p>Street lighting shall be provided by the subdivider according to city design standards at the following locations:</p> <p>(1) All intersections,</p>	<p>N/A</p> <p>3.8.1.9 Street Lighting</p> <p>The developer is responsible for furnishing and erecting street lighting as required by the Outdoor Lighting Requirements in the Engineering Standards.</p>	<p>Not in the UDO. Needs to be put in.</p> <p>In the UDO, lighting standards reflect dark sky lighting. It includes different kinds of lighting allowed.</p> <p>Lighting types are based on zoning type. Levels, amount of lamp lumens, shielding, and curfew of lighting are regulated.</p>

- (2) Street alignment changes greater than 45 degrees,
- (3) At mid-block on blocks 1,200 feet long, and at 600-foot intervals on blocks longer than 1,200 feet.

## Lighting Standards

- Public lighting is intended to illuminate the public realm with the appropriate lumen per Place Type. The standards of this section are intended to provide adequate lumen output to safely light sidewalks, streets, and Civic Spaces or other public realm features. Dark skies are a key part of Castroville's charm. The lighting standards preserve Castroville's dark skies and promote a future dark sky community.

Public Lighting Standards

	P1 Nature	P2 Rural	P2.5 Historical Residential	P3 Neighborhood	P4 Neighborhood Commercial	P5 Urban Center	EC Employment Center
Ambient Light Levels	None	Very Low	Very Low	Very Low	Low	Moderately High	High
Minimal electric lighting, should be turned off most of the time	Minimal electric lighting, should be turned off most of the time	Minimal lighting, all Full Cutoff, controlled with motion sensors	Minimal lighting, all Full Cutoff, controlled with motion sensors	Minimal lighting, all Full Cutoff, controlled with motion sensors	Full Cutoff lighting, controlled dimmers, time switch or motion sensors	Full Cutoff lighting, some low-wattage with non-Full Cutoff controlled dimmers, time switch or motion	Full Cutoff lighting, some low-wattage with non-Full Cutoff lighting, controlled dimmers, time switch or motion
Maximum Allowed Initial Lamp Lumen/foot	1.25 - 1.5 lu/ft	2.5 - 3.2 lu/ft	2.5 - 3.2 lu/ft	2.5 - 3.2 lu/ft	3.3 - 4.2 lu/ft	7.5 - 6.7 lu/ft	10.9 - 13.9 lu/ft
Maximum lamp allowance (Lumens)	6,300 lu	17,000 lu	17,000 lu	17,000 lu	24,000 lu	46,000 lu	59,000 lu
Required Shielding	Fully shielded Luminaire with no uplight or better	Fully shielded Luminaire with no uplight or better	Fully shielded Luminaire with no uplight or better	Fully shielded Luminaire with no uplight or better	shielded Luminaire or better	Partially shielded Luminaire or better	For best practice, do not exceed P5 requirements
Lighting Cutoff for Main residential	8 pm or close of business, whichever is later	10 pm or close of business, whichever is later	10 pm or close of business, whichever is later	10 pm or close of business, whichever is later	10 pm or close of business, whichever is later	12 am or close of business, whichever is later	12 am or close of business, whichever is later

## New Lighting

- All new Neighborhood and Employment Center plans shall require a public lighting plan in compliance with this section and the standards in the Engineering Standards. All new lighting on private lots shall comply with the dark sky standards in the Engineering Standards.

Public Lighting Types	P1	P2	P2.5, P3, P3M	P4	P5	EC
Cobra Head						
Pipe						
Post						
Column						
Double Column						

  

PUBLIC LIGHTING TYPES	PLACE TYPES								
	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
COBRA HEAD	P	NP	NP	NP	NP	NP	NP	NP	P
PIPE	P	P	P	P	P	NP	NP	P	NP
POST	NP	P	P	P	P	P	NP	P	NP
COLUMN	NP	NP	P	P	P	P	P	P	P
DOUBLE COLUMN	NP	NP	NP	NP	NP	NP	P	P	P

P = PERMITTED NP = NOT PERMITTED

## Article VI – Drainage and Flood Hazards

## 3.8 Neighborhood Design Standards

## Differences

### 100-141 General Requirements

#### Facilities required.

- The subdivider shall provide an adequate storm drainage system to protect each lot throughout the subdivision from flooding. These drainage facilities may consist of a combination of natural features, swales, watercourse improvements, bridges and culverts, enclosed storm sewers and other man-made improvements to carry off stormwater within the subdivision. The system shall be integrated with the overall drainage system of the city, and the design must be approved by the city in accordance with the requirements of this chapter.

#### Land clearing restrictions.

### 3.8.4.1 General Requirements

#### Facilities required.

- The subdivider shall provide an adequate storm drainage system to protect each lot throughout the subdivision from flooding. These drainage facilities may consist of a combination of natural features, swales, watercourse improvements, bridges and culverts, enclosed storm sewers and other man-made improvements to carry off stormwater within the subdivision. The system shall be integrated with the overall drainage system of the city, and the design must be approved by the city in accordance with the requirements of this chapter.

#### Land clearing restrictions.

### No Change

- No clear-cutting or rough-cutting of land shall be permitted until a preliminary plat has been approved by the city council, except for the limited clearing and rough-cutting which is necessary for soil testing and surveying as required by this chapter. No other clearing or rough-cutting shall be permitted except as necessary for construction of temporary erosion and sedimentation controls until these controls are in place and approved by the city.

#### 100-142 Required drainage study

The subdivider shall submit a drainage study with the preliminary plat. The drainage study shall provide the following information, for both existing and fully developed conditions, for the entire watershed drainage area upstream of the lowest point(s) in the subdivision.

- (1) The entire watershed drainage area(s), depicted on a 7.5 minute series U.S.G.S. map.
- (2) The drainage area(s) within the subdivision, depicted on a topographic map with two-foot contour intervals.
- (3) Composite runoff factors.
- (4) Times of concentration.
- (5) Related rainfall intensity factors.
- (6) 100-year flood flow quantities with the 100-year flood plain limits for the existing watershed shown on the preliminary plat.
- (7) Preliminary street grades sufficient to determine high and low points, and direction of flows.
- (8) Proposed locations of inlets, storm sewers and culverts.
- (9) Proposed routing of drainage ways.

- No clear-cutting or rough-cutting of land shall be permitted until a preliminary plat has been approved by the city council, except for the limited clearing and rough-cutting which is necessary for soil testing and surveying as required by this chapter. No other clearing or rough-cutting shall be permitted except as necessary for construction of temporary erosion and sedimentation controls until these controls are in place and approved by the city.

#### 3.8.4.2 Required Drainage Study

The subdivider shall submit a drainage study with the preliminary plat. The drainage study shall provide the following information, for both existing and fully developed conditions, for the entire watershed drainage area upstream of the lowest point(s) in the subdivision.

- (a) The entire watershed drainage area(s), depicted on a 7.5 minute series U.S.G.S. map.
- (b) The drainage area(s) within the subdivision, depicted on a topographic map with two-foot contour intervals.
- (c) Composite runoff factors.
- (d) Times of concentration.
- (e) Related rainfall intensity factors.
- (f) 100-year flood flow quantities with the 100-year flood plain limits for the existing watershed shown on the preliminary plat.
- (g) Preliminary street grades sufficient to determine high and low points, and direction of flows.
- (h) Proposed locations of inlets, storm sewers and culverts.

No Change

(10) All proposed drainage easements, including width of easement and configuration of channel.

(i) Proposed routing of drainage ways.  
(j) All proposed drainage easements, including width of easement and configuration of channel.

The above information shall be supplemented with narrative text describing the watershed and the subdivision, including their general soil conditions, downstream channel conditions, all weather access, and the presence of special flood hazard areas within the subdivision. The study shall be prepared by a professional engineer registered in the State of Texas. The drainage study shall be submitted along with the preliminary plat. The city administrator shall review the submission, verify that all ordinance requirements have been met, and forward his/her recommendations to the planning and zoning commission.

The above information shall be supplemented with narrative text describing the watershed and the subdivision, including their general soil conditions, downstream channel conditions, all weather access, and the presence of special flood hazard areas within the subdivision. The study shall be prepared by a professional engineer registered in the State of Texas. The drainage study shall be submitted along with the preliminary plat. The city administrator shall review the submission, verify that all ordinance requirements have been met, and forward his/her recommendations to the planning and zoning commission.

#### 100-143 Drainage Easements

#### 3.8.4.3 Drainage Easements

No Change

##### General requirements.

- Natural waterways and channels should be used wherever practical to carry runoff. Any modifications to existing waterways and channels must be approved by the city. Where a subdivision is traversed by a watercourse, drainageway, natural channel or stream, an easement or right-of-way shall be provided conforming substantially to the 100-year flood plain or channel limits of such watercourse, plus additional width to accommodate future needs.

##### General requirements.

- Natural waterways and channels should be used wherever practical to carry runoff. Any modifications to existing waterways and channels must be approved by the city. Where a subdivision is traversed by a watercourse, drainageway, natural channel or stream, an easement or right-of-way shall be provided conforming substantially to the 100-year flood plain or channel limits of such watercourse, plus additional width to accommodate future needs.

##### Enclosed systems.

- Storm drainage easements of 15 feet minimum width shall be provided for existing and proposed enclosed drainage

##### Enclosed systems.

- Storm drainage easements of 15 feet minimum width shall be provided for existing and proposed enclosed drainage

systems. Easements shall be centered on the systems. Larger easements, where necessary, shall be provided as directed by the city.

Open channels.

- Storm drainage easements along proposed or existing open channels shall provide sufficient width for the required channel and such additional width as may be required to provide ingress and egress of maintenance equipment; to provide clearance from fences and space for utility poles; to allow maintenance of the channel bank; and to provide adequate slopes necessary along the bank.

Overflow drainage.

- Storm drainage easements shall be provided for emergency overflow drainage ways of sufficient width to contain within the easement storm water resulting from a 100-year frequency storm less the amount of storm water carried in an enclosed system.

100-144 Drainage System Design Standards

General requirements.

- Drainage facilities shall be provided and constructed as specified by the city in accordance with the City Drainage Design Standards and Construction Specifications.

Method of computing runoff.

- The method of computing runoff shall be the "Rational Formula" or some other method acceptable to the city. Runoff

systems. Easements shall be centered on the systems. Larger easements, where necessary, shall be provided as directed by the city.

Open channels.

- Storm drainage easements along proposed or existing open channels shall provide sufficient width for the required channel and such additional width as may be required to provide ingress and egress of maintenance equipment; to provide clearance from fences and space for utility poles; to allow maintenance of the channel bank; and to provide adequate slopes necessary along the bank.

Overflow drainage.

- Storm drainage easements shall be provided for emergency overflow drainage ways of sufficient width to contain within the easement storm water resulting from a 100-year frequency storm less the amount of storm water carried in an enclosed system.

3.8.4.4 Drainage System Design Standards

General requirements.

- Drainage facilities shall be provided and constructed as specified by the city in accordance with the City Drainage Design Standards and Construction Specifications.

Method of computing runoff.

- The method of computing runoff shall be the "Rational Formula" or some other method acceptable to the city. Runoff

Changed to reflect the new table numbers and place types, but all other data and language is the same.

rates calculated by the Rational Formula shall be computed using one of the following methods of runoff coefficient determination:

- (1) Runoff coefficients based on the specific land use established by zoning districts according to Table "H" below, or
- (2) A composite runoff coefficient based on the percentages of different types of surfaces in the drainage area according to Table "I" below.

rates calculated by the Rational Formula shall be computed using one of the following methods of runoff coefficient determination:

- (a) Runoff coefficients based on the specific land use established by zoning districts according to Table 3.8.4 (B) below, or
- (b) A composite runoff coefficient based on the percentages of different types of surfaces in the drainage area according to Table 3.8.4 (A).

Zoning District	Slope			
	Up to 1%	Over 1% & Up to 3%	Over 3% & Up to 5%	Over 5%
C-H (Commercial)	0.95	0.96	0.97	0.97
C-G (Historic Central Business)	0.95	0.96	0.97	0.97
C-F (Neighborhood Business)	0.95	0.96	0.97	0.97
I (Industrial)	0.95	0.96	0.97	0.97
R-A (Single-Family Dwelling)	0.75	0.77	0.80	0.84
R-C (General Residence)	0.75	0.77	0.80	0.84
R-H (Mobile Home Park)	0.75	0.77	0.80	0.84
H-E (Historical)	0.75	0.77	0.80	0.84
P-D (Planned Development)	0.75	0.77	0.80	0.84
Undeveloped Areas	0.68	0.70	0.72	0.75

Table I. Rational Method Runoff Coefficients for Composite Analysis				
Character of Surface	Return Period (years)			
	5	10	25	100
DEVELOPED AREAS				
Asphalt	0.77	0.81	0.86	0.95
Concrete or roof	0.80	0.83	0.88	0.97
Planted—Poor condition (grass cover < 50% of the area)				
Less than 2% slope	0.34	0.37	0.40	0.47
2%—7% slope	0.40	0.43	0.46	0.53
Greater than 7% slope	0.43	0.45	0.49	0.55
Planted—Fair condition (grass cover 50%—75% of the area)				
Less than 2% slope	0.28	0.30	0.34	0.41
2%—7% slope	0.36	0.38	0.42	0.49
Greater than 7% slope	0.40	0.42	0.46	0.53
Planted—Good condition (grass cover > 75% of the area)				
Less than 2% slope	0.23	0.25	0.29	0.36
2%—7% slope	0.32	0.35	0.39	0.46
Greater than 7% slope	0.37	0.40	0.44	0.51
UNDEVELOPED AREAS				
Cultivated land				
Less than 2% slope	0.34	0.36	0.40	0.47
2%—7% slope	0.38	0.41	0.44	0.51
Greater than 7% slope	0.42	0.44	0.48	0.54
Pasture or Range land				
Less than 2% slope	0.28	0.30	0.34	0.41
2%—7% slope	0.36	0.38	0.42	0.49
Greater than 7% slope	0.40	0.42	0.46	0.53
Forest or Wooded land				
Less than 2% slope	0.25	0.28	0.31	0.39
2%—7% slope	0.34	0.36	0.40	0.47
Greater than 7% slope	0.39	0.41	0.45	0.52

Rational Method Runoff Coefficients by Place Type

PLACE TYPES	SLOPES			
	UP TO 1%	UP TO 1% AND UP TO 3%	UP TO 3% AND UP TO 5%	OVER 5%
P1	0.68	0.70	0.72	0.75
P2	.75	.77	.80	.84
P2.5	.75	.77	.80	.84
P3	.75	.77	.80	.84
P3M	.75	.77	.80	.84
P4	.95	.96	.97	.97
P5	.95	.96	.97	.97
EC	TBD	TBD	TBD	TBD

#### Assumptions for runoff calculations.

- In all cases, wet antecedent conditions shall be assumed. Runoff rates shall be

computed on the basis of ultimate development of the entire watershed upstream from and including the proposed subdivision. For determination of time for concentration, times shall be figured on the basis that there shall be an improved drainage system upstream from the point under consideration. Rainfall intensities shall be obtained from the following table.

Duration (Minutes)	Storm Frequency			
	5-year	10-year	25-Year	100-Year
5	8.72	10.15	11.43	14.23
10	6.84	7.95	8.99	11.25
15	5.69	6.60	7.49	9.41
20	4.90	5.68	6.46	8.13
30	3.88	4.50	5.13	6.48
45	3.01	3.48	3.99	5.05
60	2.48	2.87	3.30	4.18
120	1.52	1.75	2.03	2.59
180	1.13	1.30	1.51	1.93
240	0.91	1.05	1.22	1.56
360	0.67	0.77	0.90	1.15
720	0.39	0.45	0.53	0.68
1440	0.23	0.26	0.31	0.40

*Use of streets and alleys as drainage facilities.*

- Alleys shall be designed to carry storm water on at least a five-year frequency. Streets may be used for storm water drainage only if the calculated storm water flow does not exceed the height of the curb and the velocity does not exceed ten

### Rational Method Runoff Coefficients for Composite Analysis

CHARACTER OF SURFACE	RETURN PERIOD (YEARS)			
	5	10	25	100
DEVELOPED AREAS				
Asphalt	.77	.81	.86	.95
Concrete or Roof	.80	.83	.88	.97
Planted—Poor condition (grass cover < 50% of the area)				
Less than 2% slope	.75	.77	.80	.84
2%–7% slope	.95	.96	.97	.97
Greater than 7% slope	.95	.96	.97	.97
Planted—Fair condition (grass cover 50%–75% of the area)				
Less than 2% slope	.28	.30	.34	.41
2%–7% slope	.36	.38	.42	.49
Greater than 7% slope	.40	.42	.46	.53
UNDEVELOPED AREAS				
Cultivated land				
Less than 2% slope	.34	.36	.40	.47
2%–7% slope	.38	.41	.44	.51
Greater than 7% slope	.42	.44	.48	.54
Pasture or Range land				
Less than 2% slope	.28	.30	.34	.41
2%–7% slope	.36	.38	.42	.49
Greater than 7% slope	.40	.42	.46	.53
Forest or Wooded land				
Less than 2% slope	.25	.28	.31	.39
2%–7% slope	.34	.36	.40	.47
Greater than 7% slope	.39	.41	.45	.52

feet per second. Minor streets shall be designed on a basis of at least a five-year storm frequency and all other streets on at least a ten-year frequency. Where streets are not capable of carrying storm waters as required above, drainage channels or storm sewers shall be provided. Street width shall not be increased beyond the width determined by the street classification solely to accommodate drainage.

#### *Storm sewers.*

- Where storm sewers are provided or required, their design shall be based on a 25-year storm frequency and the design must be approved by the city. For all ordinary conditions, storm sewers shall be designed on the assumption that they will flow full under the design discharge; however, whenever the system is placed under a pressure head or there are construction, turns, submerged or inadequate outfalls, or other obstacles, the hydraulic grade line shall be computed and plotted in profile. In all cases adequate outlets shall be provided, and no storm sewers shall be less than 18 inches in diameter.

#### *Street inlets to storm sewers.*

- The entire 25-year discharge shall be picked up at the point where the street can no longer handle the runoff flowing curb full. No allowance shall be made for overruns or partial street flows combined with storm sewer flows at initial pickup points. Street discharges, after initial

#### *Assumptions for runoff calculations.*

- In all cases, wet antecedent conditions shall be assumed. Runoff rates shall be computed on the basis of ultimate development of the entire watershed upstream from and including the proposed subdivision. For determination of time for concentration, times shall be figured on the basis that there shall be an improved drainage system upstream from the point under consideration. Rainfall intensities shall be obtained from the following table.

Need to insert table

#### *Use of streets and alleys as drainage facilities.*

- Alleys shall be designed to carry storm water on at least a five-year frequency. Streets may be used for storm water drainage only if the calculated storm water flow does not exceed the height of the curb and the velocity does not exceed ten feet per second. Minor streets shall be designed on a basis of at least a five-year storm frequency and all other streets on at least a ten-year frequency. Where streets are not capable of carrying storm waters as required above, drainage channels or storm sewers shall be provided. Street width shall not be increased beyond the width determined by the street classification solely to accommodate drainage.

#### *Storm sewers.*

- Where storm sewers are provided or required, their design shall be based on a 25-year storm frequency and the design

pickup, may be based upon the street classification for frequency required.

#### Capacity of open drainage channels.

- The design of all open drainage channels shall be based on a 25-year storm frequency and must be approved by the city. All open drainage channels shall be designed with at least the minimum freeboard specified in the following table.

Table K. Minimum Drainage Channel Freeboard	
Design Depth of Flow	Required Freeboard
Less than 5 feet	0.5 feet
5 to 10 feet	10% of design depth of flow
Greater than 10 feet	1.0 foot

Allowance for extra freeboard shall be made wherever design conditions such as channel bends or turns require it.

#### Lining of open drainage channels.

- The following table shall be used to determine the type of channel lining which shall be used for scour protection. Velocities are limited flows produced by a storm event no greater than a ten-year event.

Table L. Velocity Control Requirements	
Velocity	Type of Channel Lining Required
Less than 3 feet per second	Earth or sod lined
3 to 5 feet per second	Sod lined
Greater than 5 feet per second	Concrete lined

Concrete lined channels may also be used at velocities of 5 feet per second or less if so desired

must be approved by the city. For all ordinary conditions, storm sewers shall be designed on the assumption that they will flow full under the design discharge; however, whenever the system is placed under a pressure head or there are construction, turns, submerged or inadequate outfalls, or other obstacles, the hydraulic grade line shall be computed and plotted in profile. In all cases adequate outlets shall be provided, and no storm sewers shall be less than 18 inches in diameter.

#### Street inlets to storm sewers.

- The entire 25-year discharge shall be picked up at the point where the street can no longer handle the runoff flowing curb full. No allowance shall be made for overruns or partial street flows combined with storm sewer flows at initial pickup points. Street discharges, after initial pickup, may be based upon the street classification for frequency required.

#### Capacity of open drainage channels.

- The design of all open drainage channels shall be based on a 25-year storm frequency and must be approved by the city. All open drainage channels shall be designed with at least the minimum freeboard specified in the following table.

Need to insert table. Need to insert line about freeboard.

by the subdivider. Where velocities are in the super critical range, allowance shall be made in the design for the proper handling of the water.

#### Design of concrete lined channels.

- All concrete lined channels shall be designed according to the following standards, and their design must be approved by the City.
  - (1) From the top of the concrete lining to the top of the ditch, the side slope shall not be steeper than three horizontals to one vertical, nor shall the slope be less than 12 horizontal to one vertical.
  - (2) For normal conditions, the concrete lining shall be a minimum of four inches thick and reinforced with No. 3 rebar placed not more than 18 inches on centers in both directions. Where the surface, the nature of the ground, height and steepness of slope, or other factors become critical, the concrete design shall be in accordance with the latest structural standards. All concrete lining shall develop a 28-day compressive strength of not less than 2,500 pounds per square inch.
  - (3) Maximum side slopes of concrete rip-rap shall be one to one, unless actual soils test data submitted by a soils engineer shows that a steeper special design is allowable. A minimum of 200 pounds per square foot surcharge shall be used.

#### Lining of open drainage channels.

- The following table shall be used to determine the type of channel lining which shall be used for scour protection. Velocities are limited flows produced by a storm event no greater than a ten-year event.

Need to insert table. Need to insert line about concrete lined channels.

#### Design of concrete lined channels.

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(4) Vertical walls shall not exceed a depth of two feet unless the channel is properly fenced or enclosed.

(5) Easements or rights-of-way for concrete lined channels shall extend a minimum of five feet on both sides of the extreme limits of the channel. "Extreme limits" of the channel shall mean the side slope intercept with the natural ground or proposed finished ground elevation.

(6) The minimum N value of 0.015 shall be used for the roughness coefficient in Manning's formula for a wood float type surface finish.

(7) Where conditions warrant, the design of alternative composite sections is encouraged

compressive strength of not less than 2,500 pounds per square inch.

(3) Maximum side slopes of concrete rip-rap shall be one to one, unless actual soils test data submitted by a soils engineer shows that a steeper special design is allowable. A minimum of 200 pounds per square foot surcharge shall be used.

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(6) The minimum N value of 0.015 shall be used for the roughness coefficient in Manning's formula for a wood float type surface finish.

(7) Where conditions warrant, the design of alternative composite sections is encouraged

#### Design of sod-lined and earth channels.

- All sod-lined and earth channels shall be designed according to the following standards, and their design shall be approved by the city.

(1) The side slope shall not be steeper than three horizontal to one vertical.

(2) Easements or rights-of-way for sod-lined and earth channels shall extend a minimum of two feet on one side and 15 feet for an access road on the opposite side of the extreme limits of the channels, when such channels do not parallel and adjoin a street or alley. When such channels parallel and adjoin a

#### Design of sod-lined and earth channels.

- All sod-lined and earth channels shall be designed according to the following standards, and their design shall be approved by the city.

street or alley, the easement or right-of-way shall extend a minimum of two feet on both sides of the extreme limits of the channel. Where utilities are installed in the access road of the drainage right-of-way, said right-of-way shall extend two feet on one side and 17 feet on the opposite side of the design limits of the channel. These 17 feet are to provide an access way along the channel with a maximum cross slope of a 1/2 inch per foot toward the channel.

(3) The minimum N value of 0.035 shall be used for the roughness coefficient in Manning's formula for sod-lined and earth channels.

(1) The side slope shall not be steeper than three horizontal to one vertical.

(2) Easements or rights-of-way for sod-lined and earth channels shall extend a minimum of two feet on one side and 15 feet for an access road on the opposite side of the extreme limits of the channels, when such channels do not parallel and adjoin a street or alley. When such channels parallel and adjoin a street or alley, the easement or right-of-way shall extend a minimum of two feet on both sides of the extreme limits of the channel. Where utilities are installed in the access road of the drainage right-of-way, said right-of-way shall extend two feet on one side and 17 feet on the opposite side of the design limits of the channel. These 17 feet are to provide an access way along the channel with a maximum cross slope of a 1/2 inch per foot toward the channel.

(3) The minimum N value of 0.035 shall be used for the roughness coefficient in Manning's formula for sod-lined and earth channels.

#### 100-145 Flood Hazards

##### General policy.

- All subdivisions shall conform to the "Flood Disaster Protection Act of 1973," Public Law 93-234, and the latest revisions

#### 3.8.4.6 Flood Hazards

##### General policy.

- All subdivisions shall conform to the "Flood Disaster Protection Act of 1973," Public Law 93-234, and the latest revisions

No Change

thereof. The Flood Damage Prevention Ordinance as amended and policies as dictated by the Federal Emergency Management Agency shall be adhered to.

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Flood plain designations and general restrictions.

- Federal flood plains are based on a 100-year frequency discharge, and apply only in those areas where official Federal Emergency Management Agency maps have been prepared, or where 100-year water and surface profile studies are available for the city and its extraterritorial jurisdiction. Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted in an area having special flood hazards as established in Article 3, Section B, Flood Damage Prevention Ordinance of the City of Castroville, Texas, [section 54-28 of this Code] unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not substantially increase the water surface elevation of the 100-year flood plain at any point within the city's subdivision jurisdiction.

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General requirements in flood plains.

- The minimum building slab elevation in the 100-year floodplain shall be one foot above the 100-year floodplain. The limits of the 100-year flood plain and the limits of the floodway shall be shown on the preliminary and final plats as applicable. No

General requirements in flood plains.

- The minimum building slab elevation in the 100-year floodplain shall be one foot above the 100-year floodplain. The limits of the 100-year flood plain and the limits of the floodway shall be shown on the preliminary and final plats as applicable. No

habitable structure shall be constructed within the limits of the 100-year floodplain.

habitable structure shall be constructed within the limits of the 100-year floodplain.

Flood hazards to water and wastewater systems.

- New or replacement water supply systems and/or wastewater systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. On-site waste disposal systems shall be located so as to avoid impairment of them or contamination from them during flooding.

Flood hazards to water and wastewater systems.

- New or replacement water supply systems and/or wastewater systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. On-site waste disposal systems shall be located so as to avoid impairment of them or contamination from them during flooding.

Review of proposed subdivision flood hazards.

- Proposed subdivisions shall be reviewed to assure that:
  - (1)All such proposals are consistent with the need to minimize flood damage;
  - (2)All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage; and
  - (3)Adequate drainage is provided so as to reduce exposure to flood hazards.

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  - (1)All such proposals are consistent with the need to minimize flood damage;
  - (2)All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage; and
  - (3)Adequate drainage is provided so as to reduce exposure to flood hazards.

Access to subdivisions.

- The planning and zoning commission shall not permit new "island" subdivisions, lots or streets that would be surrounded by the floodwaters of the 100-year flood plain, unless:

Access to subdivisions.

- The planning and zoning commission shall not permit new "island" subdivisions, lots or streets that would be surrounded by the floodwaters of the 100-year flood plain, unless:

(1)The area is accessible to high ground by a street elevated above the 100-year flood level; or  
 (2)The evidence presented shows that the surface area and elevation of the "island" is sufficient to sustain the residents safely during a 100-year flood.

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 (2)The evidence presented shows that the surface area and elevation of the "island" is sufficient to sustain the residents safely during a 100-year flood.

Article VII – Waters and Sewers	3.8 Neighborhood Design Standards	Differences
100-161 General Requirements for Water Systems	3.8.4.8 General Requirements for Water System	No Change
<p>Service required.</p> <ul style="list-style-type: none"> <li>Each lot within a new subdivision within the corporate limits of the city shall be provided with domestic water service from the City of Castroville Water System. Each lot within a subdivision outside the corporate limits of the city, but within the limits of the city's extraterritorial jurisdiction and extended extraterritorial jurisdiction, shall be provided with domestic water service from a community water system meeting the design requirements of the Texas Natural Resource Conservation Commission and approved by the city, except that lots in subdivisions in which all lots have the required street frontage and total lot area to satisfy applicable portions of the Texas Natural Resource Conversation Commission rules and regulations may be served by individual private wells with the approval of the planning and zoning commission at preliminary plat approval. The water distribution system required under this section shall include all pumping station</li> </ul>	<p>Service required.</p> <ul style="list-style-type: none"> <li>Each lot within a new subdivision within the corporate limits of the city shall be provided with domestic water service from the City of Castroville Water System. Each lot within a subdivision outside the corporate limits of the city, but within the limits of the city's extraterritorial jurisdiction and extended extraterritorial jurisdiction, shall be provided with domestic water service from a community water system meeting the design requirements of the Texas Natural Resource Conservation Commission and approved by the city, except that lots in subdivisions in which all lots have the required street frontage and total lot area to satisfy applicable portions of the Texas Natural Resource Conversation Commission rules and regulations may be served by individual private wells with the approval of the planning and zoning commission at preliminary plat approval. The water distribution system required under this section shall include all pumping station</li> </ul>	

production facilities, elevated storage tanks, fire hydrants and other appurtenances required to adequately serve the area being subdivided. The water distribution system required under this section shall also extend to the boundaries of the subdivision as necessary to provide for the future extension of the system into adjoining unsubdivided areas or for connection to the system in adjoining developed areas.

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Obligations of subdivider.

- Within the perimeter of the subdivision, the subdivider shall install, at his/her own cost and expense, all necessary pump stations, booster pumps, mains and appurtenances, including, but not limited to, valves, valve boxes and fire hydrants. The subdivider shall provide all water lines necessary to properly serve each lot of the subdivision and to insure that existing and/or new water facilities can supply the required demand for domestic use and for fire protection at the desired pressure. The subdivider shall install all mains and shall extend the service to all lots terminating thereon with a curb stop and meter box. The subdivider shall submit a certificate to the city administrator certifying that the system has been designed in accordance with the requirements of the Texas Natural Resource Conservation Commission, the Texas Department of Health, rules of the Texas Insurance Commission and this chapter.

Obligations of subdivider.

- Within the perimeter of the subdivision, the subdivider shall install, at his/her own cost and expense, all necessary pump stations, booster pumps, mains and appurtenances, including, but not limited to, valves, valve boxes and fire hydrants. The subdivider shall provide all water lines necessary to properly serve each lot of the subdivision and to insure that existing and/or new water facilities can supply the required demand for domestic use and for fire protection at the desired pressure. The subdivider shall install all mains and shall extend the service to all lots terminating thereon with a curb stop and meter box. The subdivider shall submit a certificate to the city administrator certifying that the system has been designed in accordance with the requirements of the Texas Natural Resource Conservation Commission, the Texas Department of Health, rules of the Texas Insurance Commission and this chapter.

## 100-162 Water System Design Standards

All water production and distribution facilities shall be designed and sized to meet the minimum design standards in the latest edition of "Rules and Regulations for Public Water Systems" as established by the Texas Natural Resource Conservation Commission.

## 100-163 Water Mains

### General specifications.

- Piping for water mains and connections shall be poly-wrapped ductile iron AWWA C151/C105 or Polyvinyl Chloride (PVC) AWWA C900 or C905, with either mechanical or single rubber gasket joints. All pipe, fittings and appurtenances shall be new materials.

### Minimum diameter.

- Water mains smaller than eight inches shall not be permitted, except water mains less than 600 feet long and located solely in residential areas may be six inches in diameter provided the minimum flow and pressure requirements set out in this ordinance are satisfied. No more than 1 fire hydrant shall be installed on any six-inch water main.

### Maximum length.

- In all areas, water mains shall be the shorter of either 3,000 feet or that length which would by fluid friction render the main incapable of producing the minimum flow and pressure requirements set out in

## 3.8.4.9 Water System Design Standards

All water production and distribution facilities shall be designed and sized to meet the minimum design standards in the latest edition of "Rules and Regulations for Public Water Systems" as established by the Texas Natural Resource Conservation Commission.

## 3.8.4.10 Water Mains

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No Change

No Change

this ordinance for the type of area to be served.

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Looping requirements.

- In all areas, water mains shall be looped between water mains whose inside diameter is eight inches or larger.

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- In all areas, water mains shall be looped between water mains whose inside diameter is eight inches or larger.

Location.

- All water mains shall be located in dedicated streets or fire lanes, or in the community open space in a planned unit development. On streets with curbs and sidewalks, all water mains shall be located in the parkway between the curb and the sidewalk.

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- All water mains shall be located in dedicated streets or fire lanes, or in the community open space in a planned unit development. On streets with curbs and sidewalks, all water mains shall be located in the parkway between the curb and the sidewalk.

Minimum flow and pressure requirements.

- Water mains in principal commercial and industrial areas shall be sized so that the minimum fire flow from any single fire hydrant shall be not less than 3,000 gallons per minute with 20 psig residual pressure. Water mains in light commercial areas shall be sized so that the minimum fire flows from any single fire hydrant shall be not less than 1,500 gallons per minute with 20 psig residual pressure. Water mains in residential areas shall be sized so that the minimum fire flow at any single fire hydrant shall not be less than 750 gallons per minute with 20 psig residual pressure and a domestic use of 2 gpm for every lot in the subdivision.

Minimum flow and pressure requirements.

- Water mains in principal commercial and industrial areas shall be sized so that the minimum fire flow from any single fire hydrant shall be not less than 3,000 gallons per minute with 20 psig residual pressure. Water mains in light commercial areas shall be sized so that the minimum fire flows from any single fire hydrant shall be not less than 1,500 gallons per minute with 20 psig residual pressure. Water mains in residential areas shall be sized so that the minimum fire flow at any single fire hydrant shall not be less than 750 gallons per minute with 20 psig residual pressure and a domestic use of 2 gpm for every lot in the subdivision.

Valve locations.

- The distribution system in commercial and industrial areas shall be equipped with a

Valve locations.

- The distribution system in commercial and industrial areas shall be equipped with a

sufficient number of valves and the valves shall be so located that no case of accident, breakage or repair to the water distribution system mains will necessitate shutting from service a length of water main greater than either one side of a single block or a maximum of 500 feet. The distribution system in residential areas shall be equipped with a sufficient number of valves and the valves shall be so located that no case of accident, breakage or repair to the water distribution system mains will necessitate shutting from service a length of water main greater than either two sides of a single block or a maximum of 600 feet.

Service lines.

- Service lines of two inches or less shall be copper. Service lines larger than two inches shall be copper, ductile iron AWWA C151/C105, or PVC AWWA C900. The minimum sizes of service lines that shall be used are as required in the following table.

Number of Dwelling Units	Service Line Size (inches)
1	¾
2	1
3 to 4	1½
5 to 10	2
11 to 50	4
51 to 80	6
Greater than 80	8

sufficient number of valves and the valves shall be so located that no case of accident, breakage or repair to the water distribution system mains will necessitate shutting from service a length of water main greater than either one side of a single block or a maximum of 500 feet. The distribution system in residential areas shall be equipped with a sufficient number of valves and the valves shall be so located that no case of accident, breakage or repair to the water distribution system mains will necessitate shutting from service a length of water main greater than either two sides of a single block or a maximum of 600 feet.

Service lines.

- Service lines of two inches or less shall be copper. Service lines larger than two inches shall be copper, ductile iron AWWA C151/C105, or PVC AWWA C900. The minimum sizes of service lines that shall be used are as required in table 3.8.4 (C).

TABLE 3.8.4 (C). MINIMUM WATER SERVICE LINE SIZES.

NUMBER OF DWELLING UNITS	SERVICE LINE (INCHES)
1	¾
2	1
3 to 4	1 1/2
5 to 10	2
11 to 50	4
51 to 80	6
Greater than 80	8

## 100-164 Fire Hydrant

## Fire Hydrant

Not included in UDO. Will be inserted. Language will not change.

### General requirements.

- All extensions or additions to the city distribution system within the city limits must meet the requirements set forth in the current key rate schedule as promulgated by the Texas State Board of Insurance for the installation of fire hydrants. All fire hydrants shall have a six-foot clear horizontal radius of 360 degrees around the fire hydrant free from obstructions. All fire hydrants shall be located on street corners or side property lines so as to be readily accessible at all times. All fire hydrants shall be equipped with at least a six-inch valve located on the hydrant lead and the valve and hydrant shall be mechanically anchored to the main.

### Maximum spacing.

- Every building in the city limits shall be within 500 feet of a standard city fire hydrant. In commercial and industrial areas, hydrants shall be located so that there will be at least one hydrant every 300 feet average as measured along dedicated streets. In light mercantile areas containing apartment houses, hydrants shall be located in dedicated streets or fire lanes behind curbs and be spaced not more than 300 feet hose lay from any building within the district, each distance to be measured down any standard fire hose laid from the fire hydrant to the building. In residential areas, hydrants shall

be located so that there will be a fire hydrant every 500 feet average distance as measured along dedicated streets, including dedicated easements and fire lanes in mobile home parks and travel trailer parks.

#### 100-165 Sanitary Sewers

#### Sanitary Sewers

Not included in UDO. Will be inserted. Language will not change.

Every subdivision shall be provided with a sewage disposal system meeting the design requirements of the Texas Natural Resource Conservation Commission and approved by the city. Sanitary sewers shall be connected to serve each lot in the subdivision unless the planning and zoning commission determines that such connection would require an unreasonable expenditure of funds when compared with other methods of sewage disposal or unless the subdivision meets the requirements of section 100-166. Where connection to the sewer system is not to be made immediately, plans shall be prepared for installation of a sewage collection system to serve each lot, and those parts of such system which will lie in the portion of streets intended for vehicular traffic shall be installed before the street is paved. The sewage collection and disposal systems required under this section shall include all gravity mains, lift stations, force mains, treatment facilities, manholes, and appurtenances required to adequately serve the area being subdivided.

The sewage collection and disposal systems required under this section shall also extend to the boundaries of the subdivision as necessary to provide for the future extension of the systems into adjoining unsubdivided areas or for connection to the systems in adjoining developed areas.

#### 100-166 Septic Systems

#### Septic Systems

Not included in UDO. Will be inserted. Language will not change.

When specifically authorized by the city council, septic systems may be utilized for wastewater disposal on single family residential lots being served by private wells; provided that all lots in the subdivision have the street frontage and total lot area required to satisfy the applicable portions of the Texas Natural Resource Conservation Commission rules on septic systems.

When specifically authorized by the city council, septic systems may be utilized for wastewater disposal on single family residential lots being served with water provided by a public or other community water system; provided that all lots in the subdivision have the street frontage and total lot area required to satisfy the applicable portions of the Subdivision Rules for the Texas Natural Resource Conservation Commission rules and regulations.

Any method of on-site wastewater disposal other than conventional septic systems shall require the specific approval of the city council on a lot by lot basis.

When authorized by the city council, septic systems shall be installed on each lot concurrent with any development thereon and the design of such system and the method of installation shall conform to the requirements of the Texas Natural Resource Conservation Commission and Medina County.

#### 100-167 Wastewater System Design Standards

#### Wastewater System Design Standards

Not included in UDO. Will be inserted. Language will not change.

General design standards.

- All wastewater collection system improvements shall be designed and sized to meet the minimum design standards in the latest edition of "Design Criteria for Sewerage Systems" as established by the Texas Natural Resource Conservation Commission.

#### Sewer location.

- Where the location of the sewer is not clearly defined by dimensions on drawings, the sewer shall not be closer horizontally than ten feet, or closer vertically than six feet, to a water supply main or service line. Gravity sewer lines passing over water lines shall be constructed of pressure rated pipe for a distance of at least ten feet on each side of the crossing, with no joints within five feet of the crossing. In lieu of a pressure rated pipe crossing, the gravity sewer line shall be encased in concrete in accordance with regulations of the Texas Natural Resource Conservation Commission.

#### Materials.

- Sewer lines shall be of PVC plastic, SDR 35/ASTM 3034, or another type pipe approved in writing by the city.

#### Trenching.

- Sewers shall be constructed according to city standard specifications as to trenching, bedding, backfill and compaction.

#### Minimum diameter of gravity flow mains and lines.

- Eight-inch diameter pipe shall be the minimum acceptable for gravity flow sewer

mains and lines. All sewers shall be sized to accommodate the maximum peak flow plus infiltration flows that will render the pipe flowing no greater than three-fourths full.

#### Manholes.

- Manholes shall be spaced not more than 400 feet apart and shall be constructed in accordance with city standard specifications.

#### Lift stations and force mains.

- Lift station capacity shall be no less than 100 gallons per minute per pump. Lift station force mains shall be designed and sized to produce a complete exchange of wastewater every other cycle of the pumps. Force mains and fittings shall be of ductile iron or PVC pipe, pressure class. The pipe shall have either mechanical joints or rubber gasket joints as approved by the city. The minimum force main size shall be four inches.

#### Minimum diameter of service lines.

- Service lines serving individual lots shall be no smaller than six inches in diameter.

Article VIII – Utility Extensions and General Subdivision Improvements	3.8 Neighborhood Design Standards	Differences
100-191 General Requirements	3.8.4.14 General Requirements	No Change

#### Obligations of subdivider.

- The subdivider shall install at his/her own cost and expense all of the improvements required by this chapter. The subdivider shall comply with all other provisions of

#### Obligations of subdivider.

- The subdivider shall install at his/her own cost and expense all of the improvements required by this chapter. The subdivider shall comply with all other provisions of

this chapter prior to acceptance of the subdivision by the city.

this chapter prior to acceptance of the subdivision by the city.

Engineer responsible.

- The subdivider shall retain the services of a registered professional engineer, licensed in the State of Texas, whose seal shall be placed on each sheet of the construction plans, and who shall be responsible for the design and supervision of all improvements required in the subdivision.

Engineer responsible.

- The subdivider shall retain the services of a registered professional engineer, licensed in the State of Texas, whose seal shall be placed on each sheet of the construction plans, and who shall be responsible for the design and supervision of all improvements required in the subdivision.

Construction plans.

- Three complete sets of construction plans, specifications and contract documents shall be filed with the city administrator upon filing of a final plat. These plans and specifications shall include street plans, drainage system plans, sanitary sewer system plans, water system plans and the overall utility layout. The street plans shall show roadway cross sections and longitudinal slope for drainage, a full description of the proposed pavement or other street improvement, and its grade and slope. The drainage, sanitary sewer, water and utility system plans shall show the dimensions and specifications of the improvements to be installed, including proposed position on the ground, specifications of materials and construction, profile maps showing both ground surface and flow line, and other pertinent information of similar nature. All such plans shall comply with the specifications and design standards set forth in this chapter.

Construction plans.

- Three complete sets of construction plans, specifications and contract documents shall be filed with the city administrator upon filing of a final plat. These plans and specifications shall include street plans, drainage system plans, sanitary sewer system plans, water system plans and the overall utility layout. The street plans shall show roadway cross sections and longitudinal slope for drainage, a full description of the proposed pavement or other street improvement, and its grade and slope. The drainage, sanitary sewer, water and utility system plans shall show the dimensions and specifications of the improvements to be installed, including proposed position on the ground, specifications of materials and construction, profile maps showing both ground surface and flow line, and other pertinent information of similar nature. All such plans shall comply with the specifications and design standards set forth in this chapter.

Installation of utilities before paving.

- Unless the subdivider shall have received prior written permission to the contrary from the city, all utilities must be installed prior to the paving of a street or alley or portion thereof.

Inspection of improvements.

- The city shall from time to time inspect the construction of all utility facilities and streets in the subdivision during the course of construction to see that they comply with the standards governing them. In this regard, free access to the subdivision shall be accorded city personnel by the subdivider and the subdivider's agents and employees.

Final plans.

- Upon the completion of construction of any utility or improvement, two sets of reproducible drawings and an electronic format of complete record drawings, dated, signed and certified by the engineer in charge, shall be filed with the city, showing all features as actually installed, including materials, size, location, depth of elevation, numbers, end of lines, connections, wyes, valves, storm sewer drains, inlets, and any other pertinent items. The city shall not accept such utilities until the foregoing has been submitted to and approved by the city.

100-192 Survey Requirements

Placement of lot markers and street monuments.

Installation of utilities before paving.

- Unless the subdivider shall have received prior written permission to the contrary from the city, all utilities must be installed prior to the paving of a street or alley or portion thereof.

Inspection of improvements.

- The city shall from time to time inspect the construction of all utility facilities and streets in the subdivision during the course of construction to see that they comply with the standards governing them. In this regard, free access to the subdivision shall be accorded city personnel by the subdivider and the subdivider's agents and employees.

Final plans.

- Upon the completion of construction of any utility or improvement, two sets of reproducible drawings and an electronic format of complete record drawings, dated, signed and certified by the engineer in charge, shall be filed with the city, showing all features as actually installed, including materials, size, location, depth of elevation, numbers, end of lines, connections, wyes, valves, storm sewer drains, inlets, and any other pertinent items. The city shall not accept such utilities until the foregoing has been submitted to and approved by the city

3.8.4.17 Survey Requirements

Placement of lot markers and street monuments.

No Change

- Monuments consisting of at least one-half-inch iron pipe or at least one-half-inch reinforced steel, 24 inches in length, shall be placed at all corners of the block lines, and at the point of intersection of curves and tangents of the subdivision. Lot markers shall be metal, at least 24 inches in length, placed at each corner of each lot, flush with the average ground elevation, or they may be countersunk, if necessary, to avoid being disturbed.

Lot markers for utility easements.

- There shall be markers placed where a lot line crosses a utility easement with the exception of those blanket utility easements placed around all lots.

#### 100-193 Costs of Utility Extensions

Water and sewer main extensions.

- The subdivider shall install water and sewer mains from their present locations to the perimeter of the subdivision at his/her own cost and expense, subject to the provisions of this chapter.

Electric distribution system and gas main extensions. The subdivider shall either

- (a) reimburse the city for the cost of extension of the electrical primary distribution system and/or the natural gas mains from their present locations to the perimeter of the subdivision or
- (b) with the city's approval, extend the electric distribution system and/or gas mains at the

- Monuments consisting of at least one-half-inch iron pipe or at least one-half-inch reinforced steel, 24 inches in length, shall be placed at all corners of the block lines, and at the point of intersection of curves and tangents of the subdivision. Lot markers shall be metal, at least 24 inches in length, placed at each corner of each lot, flush with the average ground elevation, or they may be countersunk, if necessary, to avoid being disturbed.

Lot markers for utility easements.

- There shall be markers placed where a lot line crosses a utility easement with the exception of those blanket utility easements placed around all lots

#### 3.8.4.18 Costs of Utility Extensions

Water and sewer main extensions.

- The subdivider shall install water and sewer mains from their present locations to the perimeter of the subdivision at his/her own cost and expense, subject to the provisions of this chapter.

Electric distribution system and gas main extensions. The subdivider shall either

- (c) reimburse the city for the cost of extension of the electrical primary distribution system and/or the natural gas mains from their present locations to the perimeter of the subdivision or
- (d) with the city's approval, extend the electric distribution system and/or gas mains at the

No Change

subdivider's own expense. All underground gas main extensions shall be installed in accordance with Standard Gas Codes and in conformity with the Texas Railroad Commission.

subdivider's own expense. All underground gas main extensions shall be installed in accordance with Standard Gas Codes and in conformity with the Texas Railroad Commission.

Electric and gas systems within the subdivision.

- The subdivider shall reimburse the city for the cost of installation of the electrical primary distribution system and the natural gas distribution system within the perimeter of the subdivision, including the installation of required street lights and services to any required lift stations, booster pumps, and similar facilities. The electric distribution system and natural gas main extensions required under this section shall also extend to the boundaries of the subdivision as necessary to provide for the future extension of the systems into adjoining unsubdivided areas or for connection to the systems in adjoining developed areas. All underground gas lines shall be installed in accordance with Standard Gas Codes and in conformity with the Texas Railroad Commission.

Electric and gas systems within the subdivision.

- The subdivider shall reimburse the city for the cost of installation of the electrical primary distribution system and the natural gas distribution system within the perimeter of the subdivision, including the installation of required street lights and services to any required lift stations, booster pumps, and similar facilities. The electric distribution system and natural gas main extensions required under this section shall also extend to the boundaries of the subdivision as necessary to provide for the future extension of the systems into adjoining unsubdivided areas or for connection to the systems in adjoining developed areas. All underground gas lines shall be installed in accordance with Standard Gas Codes and in conformity with the Texas Railroad Commission.

Lift stations, booster pumps and related equipment.

- In the event that it is determined that installation of equipment or appurtenances such as lift stations, booster pumps, or similar facilities is necessary in the area between the existing utility mains and the perimeter of a subdivision, the city council shall, taking all circumstances into consideration, determine who shall bear

Lift stations, booster pumps and related equipment.

- In the event that it is determined that installation of equipment or appurtenances such as lift stations, booster pumps, or similar facilities is necessary in the area between the existing utility mains and the perimeter of a subdivision, the city council shall, taking all circumstances into consideration, determine who shall bear

the cost of such necessary equipment and appurtenances, and in what proportion each party shall be liable.

the cost of such necessary equipment and appurtenances, and in what proportion each party shall be liable

Waiver of costs for industrial parks and commercial developments.

- The requirements of subsections (a) and (b) of this section, for the subdivider to install water and sewer mains from their present locations to the perimeter of the subdivision at his/her own cost and expense, and either to reimburse the city for the cost of electrical primary distribution system extensions and natural gas main extensions from their present locations to the perimeter of the subdivision or to extend these systems at his/her own expense, may be waived by the city council for proposed industrial parks and commercial developments. Such waiver shall be at the discretion of the city council after taking into consideration all the circumstances including, but not limited to, the following:
  - (1) The ratio of the potential tax revenues and utility system revenues from property within the industrial park or commercial development to the costs to the city of extending water, gas and sewer mains and electric primary distribution lines to the proposed industrial park or commercial development.
  - (2) The availability of funds for the extension of such mains and distribution lines.

Waiver of costs for industrial parks and commercial developments.

- The requirements of subsections (a) and (b) of this section, for the subdivider to install water and sewer mains from their present locations to the perimeter of the subdivision at his/her own cost and expense, and either to reimburse the city for the cost of electrical primary distribution system extensions and natural gas main extensions from their present locations to the perimeter of the subdivision or to extend these systems at his/her own expense, may be waived by the city council for proposed industrial parks and commercial developments. Such waiver shall be at the discretion of the city council after taking into consideration all the circumstances including, but not limited to, the following:
  - (1) The ratio of the potential tax revenues and utility system revenues from property within the industrial park or commercial development to the costs to the city of extending water, gas and sewer mains and electric primary distribution lines to the proposed industrial park or commercial development.
  - (2) The availability of funds for the extension of such mains and distribution lines.

(3) The contribution, if any, by the subdivider for the extension of the mains and distribution lines.

(3) The contribution, if any, by the subdivider for the extension of the mains and distribution lines.

#### 100-194 Cost Distribution for Oversized Utilities

#### 3.8.4.19 Cost Distribution for Oversized Utilities

No Change

In the event that the planning and zoning commission deems it necessary and prudent to require lift stations, booster pumps, mains, equipment, streets and/or appurtenances which are larger or whose capacities are in excess of those which are usual, customary and necessary to meet the needs and requirements of a particular subdivision, then the commission may recommend to the city council and the council may determine that the city shall pay to the subdivider the difference in cost (including construction and installation) between those lift stations, booster pumps, mains, equipment, streets and/or appurtenances which the city requires the subdivider to install, and the cost of like equipment of the size and/or capacity which would have adequately met and served the needs of the subdivision. Providing that funds are available, the city may also participate in the extra cost of bridges and/or large drainage structures on arterial and collector streets.

In the event that the planning and zoning commission deems it necessary and prudent to require lift stations, booster pumps, mains, equipment, streets and/or appurtenances which are larger or whose capacities are in excess of those which are usual, customary and necessary to meet the needs and requirements of a particular subdivision, then the commission may recommend to the city council and the council may determine that the city shall pay to the subdivider the difference in cost (including construction and installation) between those lift stations, booster pumps, mains, equipment, streets and/or appurtenances which the city requires the subdivider to install, and the cost of like equipment of the size and/or capacity which would have adequately met and served the needs of the subdivision. Providing that funds are available, the city may also participate in the extra cost of bridges and/or large drainage structures on arterial and collector streets

#### 100-195 Minimum Sizes for Over-Sizing Calculations

#### 3.8.4.20 Minimum Sizes for Over-Sizing Calculations

No Change

When calculations are made for oversizing requirements, the minimum sizes assumed to be necessary to serve the subdivision itself shall not be less than those in the following table.

When calculations are made for oversizing requirements, the minimum sizes assumed to be necessary to serve the subdivision itself shall not be less than those in table 3.8.4 (D):

Table N. Minimum Sizes for Oversizing Calculations	
Water and Sewer Main	8 inches
Sewer Force Main	6 inches
Lift Station Capacity	100 gallons per minute per pump
Minor Street Width	30 feet
Collector Street Width	42 feet

### 100-196 Water and Sewer Main Extension Reimbursements

#### Eligibility for reimbursement.

- When a subdivider must extend water and/or sewer mains through previously unserved and unsubdivided areas of a drainage basin, the city may reimburse the subdivider for that proportional cost of the extension by those subdividers who subdivide property between the original subdivider's subdivision and the point of connection to existing city utilities.

#### Formula for reimbursement.

- The amount of the reimbursement under this section shall be calculated as follows.
  - (1) Determine the total area to be served by the water and sewer main extensions, including the original subdivision. It shall be the responsibility of the subdivider to provide the city with this information, to be substantiated by city staff.
  - (2) Determine the cost of extension of the trunk mains minus any oversized costs contributed by the city.

**TABLE 3.8.4 (D). MINIMUM WATER SERVICE LINE SIZES.**

Water and Sewer Main	8 inches
Sewer Force Main	6 inches
Lift Station Capacity	100 gallons per minute per pump
Minor Street Width	30 feet
Collector Street Width	42 feet

### 3.8.4.2I Water and Sewer Main Extension Reimbursements

No Change

#### Eligibility for reimbursement.

- When a subdivider must extend water and/or sewer mains through previously unserved and unsubdivided areas of a drainage basin, the city may reimburse the subdivider for that proportional cost of the extension by those subdividers who subdivide property between the original subdivider's subdivision and the point of connection to existing city utilities.

#### Formula for reimbursement.

- The amount of the reimbursement under this section shall be calculated as follows.
  - (1) Determine the total area to be served by the water and sewer main extensions, including the original subdivision. It shall be the responsibility of the subdivider to provide the city with this information, to be substantiated by city staff.
  - (2) Determine the cost of extension of the trunk mains minus any oversized costs contributed by the city.

(3) Determine the trunk main unit cost per acre by dividing the total adjusted cost, subsection (b)(2) by the total acreage, subsection (b)(1).

(4) The unit cost per acre shall be charged to each subsequent subdivider who may connect to the trunk main, and shall be paid to the subdivider who originally installed the trunk main, or the original subdivider's heirs or assigns.

(5) Force mains or interbasin transfers which may connect to the trunk main shall not be included in the reimbursement for trunk main extension.

(3) Determine the trunk main unit cost per acre by dividing the total adjusted cost, subsection (b)(2) by the total acreage, subsection (b)(1).

(4) The unit cost per acre shall be charged to each subsequent subdivider who may connect to the trunk main, and shall be paid to the subdivider who originally installed the trunk main, or the original subdivider's heirs or assigns.

(5) Force mains or interbasin transfers which may connect to the trunk main shall not be included in the reimbursement for trunk main extension.

#### Forfeiture of trunk main reimbursement.

- It shall be the sole responsibility of the subdivider due reimbursement under this section to maintain his/her current address on file with the city administrator. Should a reimbursement be payable and the subdivider cannot be contacted at the address on file in the city administrator's office, the right to a reimbursement under this section shall lapse 24 months after the date of the initial attempt to contact the subdivider and the subdivider shall forfeit all claims to the reimbursement. The city may utilize all forfeited reimbursements for any purpose related to the water and sewer systems as determined by the city council.

#### Forfeiture of trunk main reimbursement.

- It shall be the sole responsibility of the subdivider due reimbursement under this section to maintain his/her current address on file with the city administrator. Should a reimbursement be payable and the subdivider cannot be contacted at the address on file in the city administrator's office, the right to a reimbursement under this section shall lapse 24 months after the date of the initial attempt to contact the subdivider and the subdivider shall forfeit all claims to the reimbursement. The city may utilize all forfeited reimbursements for any purpose related to the water and sewer systems as determined by the city council.

New subdivider's contribution for trunk main extension.

- When a new subdivider's water and sewer mains are to be connected to trunk mains installed by prior subdividers that meet the requirements of this section, the new subdivider shall deliver to the city administrator, prior to final plat approval, a check for his/her portion of the trunk main based on the formula in subsection (b) above. The contribution shall be based on the trunk main unit cost per acre times the number of acres in the subject subdivision. It shall be the new subdivider's responsibility to provide the city staff with evidence of the acreage involved.

New subdivider's contribution for trunk main extension.

- When a new subdivider's water and sewer mains are to be connected to trunk mains installed by prior subdividers that meet the requirements of this section, the new subdivider shall deliver to the city administrator, prior to final plat approval, a check for his/her portion of the trunk main based on the formula in subsection (b) above. The contribution shall be based on the trunk main unit cost per acre times the number of acres in the subject subdivision. It shall be the new subdivider's responsibility to provide the city staff with evidence of the acreage involved.

#### Article IX – Permits Expiration and Project Dormancy

100-201 Definitions  
100-202 Scope

This Article IX shall apply to any permit, which may be required by the City of Castroville's Code of Ordinances including, but not limited to, Chapters 22, 23, 34, 59, 74, 98, 99, 100 and 110.

100-203 Permit Application Expiration

Every permit application must comply with technical requirements relating to the form and content of the application in effect at the time the application was filed by the applicant. A permit application shall expire on or after the 45th day after the date the application is filed if:

- (a) The applicant failed to provide, with the application submittal, documents or other information necessary to comply with the

#### 3.8 Neighborhood Design Standards

Chapter 7 - Definitions  
3.9.2.1 Scope

This Article IX shall apply to any permit, which may be required by the City of Castroville's Code of Ordinances

3.9.2.2 Permit Application Expiration

Every permit application must comply with technical requirements relating to the form and content of the application in effect at the time the application was filed by the applicant. A permit application shall expire on or after the 45th day after the date the application is filed if:

- (a) The applicant failed to provide, with the application submittal, documents or other information necessary to comply with the

#### Differences

All definitions are in Chapter 7  
References to all Code of Ordinances instead of specific chapters.

No Change

city's technical requirements relating to the form and content of the permit application; and

- (b) Not later than the tenth business day after the date the application is filed the city provides written notice of the failure, which specifies the necessary documents or other information and the date the application will expire if the documents or other information is not provided; and
- (c) The applicant fails to provide the specified documents or other information within the time provided in the notice.

city's technical requirements relating to the form and content of the permit application; and

- (b) Not later than the tenth business day after the date the application is filed the city provides written notice of the failure, which specifies the necessary documents or other information and the date the application will expire if the documents or other information is not provided; and
- (c) The applicant fails to provide the specified documents or other information within the time provided in the notice.

#### 100-204 Permit Expiration

##### Purpose.

- The purpose of this section is to provide an expiration date for permits approved by the city, which lack an expiration date at the time of issuance.

##### Permit expiration.

- Permit issued by the city, shall expire as follows:
  - (1) Any permit issued on or before May 10, 2002, shall have expired on May 10, 2004, if:
    - a. At the time of issuance the permit did not have an expiration date; and
    - b. No progress has been made towards completion of the project.
  - (2) Any permit issued after May 10, 2002, shall expire two years from the date of issuance provided:
    - a. At the time of issuance the permit did not have an expiration date; and
    - b. No progress

#### 3.9.2.2 Permit Expiration

##### Purpose.

- The purpose of this section is to provide an expiration date for permits approved by the city, which lack an expiration date at the time of issuance.

##### Permit expiration.

- Permit issued by the city, shall expire as follows:
  - (1) Any permit issued on or before May 10, 2002, shall have expired on May 10, 2004, if:
    - a. At the time of issuance the permit did not have an expiration date; and
    - b. No progress has been made towards completion of the project.
  - (2) Any permit issued after May 10, 2002, shall expire two years from the date of issuance provided:
    - a. At the time of issuance the permit did not have an expiration date; and
    - b. No progress

No Change

has been made towards  
completion of the project.

has been made towards  
completion of the project.

Note: Permits issued with an expiration date shall expire in accordance with the terms of issuance.

Note: Permits issued with an expiration date shall expire in accordance with the terms of issuance.

#### 100-205 Dormant Projects

#### 3.9.2.6 Dormant Projects

No Change

A project for which entitlements under Texas Local Government Code Chapter 245, is asserted shall be determined to be a dormant project under either of the conditions, whichever occurs later, as follows:

A project for which entitlements under Texas Local Government Code Chapter 245, is asserted shall be determined to be a dormant project under either of the conditions, whichever occurs later, as follows:

- (a) On the fifth anniversary after the submission of the initial valid application for the project if no "progress towards completion" has been made on the project during the preceding five year period; or
- (b) Upon the expiration of a permit issued subsequent to the initial permit if no "progress towards completion", other than submission of the application for the expired permit, has been made on the project during the period that started on the date that permit application was made and ended the date of that permit's expiration.

- (a) On the fifth anniversary after the submission of the initial valid application for the project if no "progress towards completion" has been made on the project during the preceding five year period; or
- (b) Upon the expiration of a permit issued subsequent to the initial permit if no "progress towards completion", other than submission of the application for the expired permit, has been made on the project during the period that started on the date that permit application was made and ended the date of that permit's expiration.

Permit Expiration and Project Dormancy – Plat Certification and Notes

Plat Certification and Notes

In Development Checklist

# Comprehensive Zoning Ordinance

CZO	Unified Development Ordinances	Differences
Article I – General Provisions		
<p>I-1 Short Title</p> <p>THIS ORDINANCE SHALL BE KNOWN AND MAY BE CITED AS THE “COMPREHENSIVE ZONING ORDINANCE” OF THE CITY OF CASTROVILLE.</p>	<p>I.1 Title</p> <p>This Ordinance shall be known and may be cited as the “Unified Development Ordinance” or the “UDO” of the City of Castroville, Texas. (Originally adopted by Ordinance on February 2025).</p>	<p>The adoption date needs to be changed.</p>
<p>I-2 Purpose</p> <p>The Zoning Regulations and Districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting health, safety, morals, and the general welfare of the City, and for the protection and preservation of places and areas of historical and cultural importance and significance therein. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements. They have been made with reasonable consideration, in order to preserve the character of the City and its unique suitability for particular uses, and with a view to conserving the value of the buildings and encouraging the most appropriate use of the land throughout the City.</p>	<p>I.2 Purpose</p> <p>The purpose of this UDO is to align the land development policies, including subdivision, zoning, and signs, to the Castroville Back To Our Future Comprehensive Plan community goals:</p> <p>► COMMUNITY CHARACTER:</p> <p>Maintain Castroville's unique rural-urban character and small-town atmosphere where people feel connected to nature and town.</p> <p>► INTERCONNECTIVITY:</p> <p>Castroville is interconnected through the use of a small block grid. The continuation of the small block grid is part of Castroville's daily lifestyle. Additions to the town must integrate this pattern to protect the community character.</p> <p>► STORM-WATER MANAGEMENT AND INFRASTRUCTURE:</p> <p>Make smart investments that maximize the use of existing infrastructure and provide sufficient</p>	<p><b>Zoning Regulations and Districts</b></p> <ul style="list-style-type: none"> <li>• <b>Purpose:</b> Focuses on promoting health, safety, morals, and general welfare of the city. It emphasizes the protection and preservation of historical and cultural places.</li> <li>• <b>Design:</b> Aims to lessen street congestion, secure safety from fire and other dangers, provide adequate light and air, prevent overcrowding, avoid undue concentration of population, and facilitate the provision of transportation, water, sewage, schools, parks, and other public requirements.</li> <li>• <b>Consideration:</b> Made with reasonable consideration to preserve the character of the city and its suitability for particular uses, conserving building values, and encouraging appropriate land use.</li> </ul> <p><b>Unified Development Ordinance (UDO)</b></p>

resources for long-term maintenance, repairs, and replacement. Storm-water management is critical to preserving existing land values and must be integrated at a block level.

► DIVERSE HOUSING:

Ensure that housing accommodates all ages, abilities, household types, and income levels.

► ECONOMIC RESILIENCE:

Support and promote unique, local businesses.

### 1.2.2

The land development policies are adopted to promote the public health, safety, and general welfare and protect and preserve places and areas of historical, cultural, or architectural importance and significance and promote the safe, orderly, and healthful development of the City and extraterritorial jurisdiction (ETJ). Further, these policies are designed to lessen the congestion in the streets; secure safety from fire and other dangers; ensure adequate light and air; prevent the overcrowding of land, to avoid undue concentration of population; and facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks, and other public requirements.

- **Purpose:** Aligns land development policies with the Castroville Back To Our Future Comprehensive Plan community goals.
- **Community Goals:**
  - **Community Character:** Maintains Castroville's unique rural-urban character and small-town atmosphere.
  - **Interconnectivity:** Ensures the continuation of a small block grid pattern to protect community character.
  - **Storm-Water Management and Infrastructure:** Focuses on smart investments in existing infrastructure and long-term maintenance.
  - **Diverse Housing:** Accommodates all ages, abilities, household types, and income levels.
  - **Economic Resilience:** Supports and promotes unique, local businesses.

Both documents aim to promote health, safety, and general welfare, but the UDO has a more specific focus on community goals and character, interconnectivity, storm-water management, diverse housing, and economic resilience. The zoning regulations emphasize historical and cultural preservation and the overall character of the city.

Not in the UDO

The following ordinances are hereby repealed, to-wit: Ordinance No. 71, passed and adopted March 30, 1965, and amendments thereto, as well as all other ordinances or parts of ordinances inconsistent herewith, but only to the extent of such inconsistency; provided however, that whenever higher or more restrictive standards are established by the provisions of any other applicable statute, ordinance or regulation than are established by the provisions of this Ordinance, the provisions of such other statute, ordinance or regulation shall govern.

I-4 Adoption of Legislative Grant of Power	Removed	Not in the UDO
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Articles 1011a through 1011j of the Revised Civil Statutes of the State of Texas are hereby adopted, and the provisions of this Ordinance are adopted in the exercise of the power granted to municipalities by such statutes and pursuant to any and all other applicable laws.

I-5 Validity and Severability	Removed	Not in the UDO
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If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof, other than the part so declared to be invalid or unconstitutional.

I-6 Rules of Construction	I.8 Rules of Construction	• <b>Definitions:</b> The first set provides specific definitions for terms like CITY, BOARD, and PERSON, while the second set refers to a definitions section.
Words, phrases, and terms defined herein shall be given the following meaning. “CITY” shall mean the	Most of these terms are identified in the definitions.	

City of Castroville, “BOARD” shall mean the City Zoning Board of Adjustment of the City of Castroville; “PERSON” shall mean natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business trust, or the manager, lessee, agent, servant, officer, or employee of any of them; “SHALL” and “MAY”: “Shall” is mandatory; “May” is permissive.

Words used in the present tense include the future; the singular number includes the plural and the plural the singular; the words “DESIGNED FOR” include the meaning “USED FOR”; the word “STRUCTURE” includes the word “BUILDING”; and “BUILDING” the word “STRUCTURE”; the word “LOT” includes the words “PLOT”, “SITE”, and “TRACT”; the words “AREA” and “DISTRICTS” may indicate and include the meaning of “ZONE”. The word “USED” shall include “ARRANGED”, “DESIGNED”, “CONSTRUCTED”, “ALTERED”, “CONVERTED”, “RENTED”, “LEASED”, or “INTENDED TO BE USED”. The word “LAND” shall include water surface and land under water.

I-7 Special Definitions Noted and Regulated to Use Regulations

I-8 General Definitions

I-9 Performance Standards

GENERAL

MANDATORY AND DISCRETIONARY TERMS.

- The words "shall" and "must" are always mandatory. The words "may" and "should" are permissive.

CONJUNCTIONS.

- Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:
  1. “And” indicates that all connected items, conditions, provisions or events shall apply; and
  2. “Or” indicates that one or more of the connected items, conditions, provisions or events shall apply.

TENSES AND NUMBERS.

- Words used in the past or present tense include the future as well as the past or present, unless the context clearly indicates the contrary. The singular shall include the plural and the plural shall include the singular, as the context and application of this UDO may reasonably suggest.

Chapter 7 – Definitions

Chapter 7 – Definitions

5.9 Performance and Compatibility Standards

ADAPTABILITY.

- **Word Usage:** The first set includes detailed rules for interpreting words and phrases, such as tense and singular/plural usage, while the second set focuses on the interpretation of mandatory and discretionary terms, conjunctions, and tenses and numbers.
- **Conjunctions:** The second set explicitly defines how to interpret "AND" and "OR", which is not covered in the first set.

All definitions are located in Chapter 7

All definitions are located in Chapter 7

- **Scope:** General performance standards focus on industrial uses, while performance and compatibility standards apply more broadly to

- All uses within the I (Industrial) District shall be constructed, maintained and operated so as not to be injurious or offensive to the occupants of premises having proximity, by reason of the emission or creation of noise, vibration, smoke, dust or other particular matter, toxic or noxious waste materials, odors, fire, and explosive hazard or glare, more specifically, in conformity with the standards set forth by Sections (2) through (7) of this Article.

#### NOISE

- Every USE shall be so operated as to comply with the maximum performance standards governing noise described below. Objectionable noises due to intermittence, beat frequency or shrillness shall be muffled or eliminated so as not to become a nuisance to USES having proximity. Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by The American Standards Association. Octave bands in cycles per second Along property line abutting a residential district between 8:00 A.M. and 6:00 P.M. Maximum permitted sound level in decibels Along property line abutting in industrial or commercial district. Maximum permitted sound level in decibels

- All buildings and sites shall be architecturally integrated within the existing neighborhood and designed to adapt over time to house different uses and avoid vacancy due to obsolescence.

#### NOISE.

- Sites shall be laid out and uses shall be operated to prevent noise from becoming a nuisance to adjacent properties.

#### VIBRATION.

- All uses shall be operated so that ground vibration is not perceptible outside the lot lines of the site on which the use is located.

#### FIRE AND EXPLOSIVE HAZARDS.

- Underground storage tanks for flammable liquids and gases shall be located at least fifty (50) feet from the lot line of lots zoned P2, , P3, P3M, and P4; above-ground tanks shall be setback at least one hundred (100) feet from such lot lines, unless the Zoning Board of Adjustment determines, based on information provided by the applicant, that a fifty (50) foot setback will ensure compliance with all applicable state standards. This shall not apply to Liquid Petroleum Gas tanks that are accessory to residential building types.

#### LIGHT AND GLARE.

various uses and include specific provisions for adaptability, light and glare, and electromagnetic interference.

- **Noise and Vibration:** Both sets address noise and vibration, but the general standards provide more detailed measurement criteria.
- **Additional Standards:** Performance and compatibility standards include specific rules for fire hazards, lighting, and sexually oriented businesses, which are not covered in the general standards.

Octave bands in cycles per second	Along property line abutting a residential district between 8:00 A.M. and 6:00 P.M. Maximum permitted sound level in decibels
0 - 75	72
75 - 150	67
150 - 300	59
300 - 600	52
600 - 1,200	46
1,200 - 2,400	40
2,400 - 4,800	34
Over 4,800	32

\* Permissible sound level between 6:00 P.M. and 8:00 A.M. shall be decreased by 3 decibels in each of the octave bands.

## VIBRATION

- Every USE shall be so operated that ground vibration inherently and recurrently generated is not perceptible, without instruments at any point on the property line of the property on which the USE is located. No vibration at any time shall produce an acceleration of more than 0.1g or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7 U.S. Bureau of Mines Bulletin No. 442. The equations of said bulletin shall be used to determine the values for enforcement

## SMOKE

- Every USE shall be so operated as to prevent the emission of smoke, from any

- The following standards shall apply in all business and manufacturing districts with exception of the airport:
  1. All exterior lighting shall be hooded or otherwise shielded so that the light source is not directly visible from outside the property.
  2. All lighting shall be shielded so that substantially all emitted light falls within the property line of the property from which the light emanates.
  3. All exterior-building floodlights shall be shielded so that all emitted light falls upon the property from which the light emanates.
  4. No illumination shall produce direct, incident, or reflected light that interferes with the safe movement of motor vehicles on public streets. The types of lighting that shall be prohibited by this provision shall include, but not be limited to: any light that may be confused with or construed as a traffic control device; and any animated, flashing or changing intensity lights, except for temporary holiday displays.

## ELECTROMAGNETIC INTERFERENCE.

- No operations or activities shall be conducted that cause electrical disturbances to be transmitted across lot lines.

source whatever, to a density greater than described as Number 1 on the Ringelmann Smoke Chart, provided however, that smoke equal to, but not in excess of, that shade of appearance described as Number 2 on the Ringelmann Chart may be emitted for a period or periods totaling four minutes in any thirty minutes. For the purpose of grading the density of smoke, the Ringelmann Chart as published and used by the United States Bureau of Mines, and which is hereby made, by reference, a part of this Ordinance. All measurements shall be at the point of emission.

#### ODORS, SMOKE, FUMES, DUST, PARTICULATE MATTER.

- Uses that create odors, smoke, fumes, dust, particulate matter or other noxious related nuisances shall require a special use permit.

#### 5.9.4.8 SEXUALLY ORIENTED BUSINESSES.

- Sexually oriented businesses are only permitted in EC zoning. Sexually oriented businesses are not allowed within one thousand (1,000) feet of school or church property.

#### DUST AND DIRT

- Every USE shall be so operated as to prevent the emission into the air of dust or other solid matter which may cause damage to property and health of persons or animals at or beyond the lot line of the property on which the USE is located.

#### INDUSTRIAL SEWAGE AND WASTE

- Every USE shall be so operated as to prevent the discharge into any stream, lake, or the ground of any waste which will be dangerous or discomforting to persons or animals or which will damage plants or the like beyond the lot line of the property on which the USE is located.

#### ODORS

- Every USE shall be so operated as to prevent the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point at or beyond the lot line of the property on which the USE is located. There is hereby established as a guide in determining the quantities of offensive odors Table III, Chapter 5, “Air Pollution Abatement Manual” of the Manufacturing Chemists’ Association, Inc., Washington, D.C.

## I-10 Group Housing

In instances where more than one residential building is permitted on a site, all such buildings shall be erected and maintained in conformity with a development plan which shall clearly indicate and depict the following relative to the location and arrangement of such buildings as well as their attendant facilities on the site:

1. The size, height, spacing, extent of use, access and circulation for vehicles and pedestrians, relationship to easement and/or to streets, parking areas, yards, and open spaces, landscape treatment, and the general relationship of the development to adjacent property.
2. Dimensions and other pertinent information relative to the arrangement that may be deemed necessary with respect to the supplying of municipal facilities or services and/or maintenance.

## 5.2.3 Residential Building Types

### SMALL APARTMENTS

- A detached building on a single lot that includes multiple dwelling units, no more than 9. The building typically has a shared entrance facing the street. This building type may be disposed on the lot with edge yards, side yard, courtyard, or rear yard. This building type should be set close to the front property line to encourage interaction with pedestrians. This building type is ideally situated on corner lots to allow access from the primary and secondary streets and to provide more on-street parking for the building occupants and visitors. This building type appears like a large, detached dwelling and seamlessly fits within the neighborhood.

### LARGE APARTMENTS

- A block-scale building that includes multiple dwelling units. This building type is

Small apartment complexes and large apartment complexes are zoned to different multifamily areas in the UDO. The CZO doesn’t make that distinction.

- **Distance Requirements:** Group Housing uses a formula to determine minimum distances between buildings, with specific rules for different building heights. Residential Building Types do not specify such distances but emphasize design and placement.
- **Building Types:** Residential Building Types provide detailed descriptions of small and large apartment buildings, including their design, placement, and intended uses.

In all districts permitting more than one residential building on a site, the minimum horizontal distance(s) between any two buildings (referred to as building A and building B) shall vary according to the length and height of such buildings. Such minimum distances, except as may be provided for elsewhere in this section, shall be the distance required under the following formula:

$$S = \frac{LA \text{ plus } LB \text{ plus } 2(HA \text{ plus } HB)}{6} \text{ where:}$$

**S = REQUIRED MINIMUM HORIZONTAL DISTANCE** - Between any wall, or the imaginary extension thereof, of Building A, at any given level, and any wall, or the extension thereof, of Building B, at any given level.

**LA = EFFECTIVE LENGTH OF BUILDING A** - The effective length of Building A is the length of that portion of its wall, or walls, from which perpendicular lines drawn in a horizontal plane will intersect any wall of Building B. Where Building A has a curved or irregular surface, such surface shall be enclosed within an imaginary rectangle having its side nearest to Building B parallel with Building B, and all measurements shall be made from said imaginary rectangle.

**LB = EFFECTIVE LENGTH OF BUILDING B** - The effective length of Building B is the

disposed on the lot(s) with a rear yard or courtyard. This building type should be set at or near the front property line and provide a continuous building frontage along the street. Ground floor dwelling units may have individual entries from the sidewalk or a shared entry. Active ground floor uses such as live/work units, fitness centers, retail, leasing offices, etc. are encouraged.

length of that portion of its wall, or walls, from which perpendicular lines drawn in a horizontal plane will intersect any wall of Building A. Where Building B has a curved or irregular surface, such surface shall be enclosed within an imaginary rectangle having its side nearest to Building A parallel with Building A, and all measurements shall be made to said imaginary rectangle.

HA = HEIGHT OF BUILDING A - The height of Building A is the height above natural grade of any portion of any wall at any given level along the effective length of Building A.

HB = HEIGHT OF BUILDING B - The height of Building B is the height above natural grade of any portion of any wall at any given level along the effective length of Building B.

In all Districts where buildings are erected less than three (3) stories in height, the minimum separating distance shall be ten (10) feet or the distance prescribed by the formula, whichever is greater.

In all Districts where building(s) are erected in excess of three (3) stories in height, and “LA plus LB” is equal to zero, the formula set forth shall not apply, and the minimum separating distance shall be thirty-six (36) feet. However, the minimum required distance between two (2) buildings on a

single zoning lot, as derived from the formula set forth in this Section, shall be reduced by 12½% in the event that:

- 1. One of the said two (2) buildings has a height of two stories or less, and the other has a height of six stories or more, and
- 2. The difference in height between the said two (2) buildings is sixty (60) feet or more.

I-11 Yard Encroachments

Every part of every required yard shall be open and unobstructed from the ground to the sky except as hereinafter provided or as otherwise permitted in the zoning ordinance:

- 1. Sills or belt courses may project not over twelve inches (12”) into a required yard.
- 2. Cornices, eaves, or gutters may project not over three (3) feet into a required yard, provided that where the yard is less than six (6) feet in width such projection shall not exceed one-half the width of the yard.
- 3. Chimneys, fireplaces, or pilasters may project not over two (2) feet into a required yard.
- 4. Movable awnings may be placed over doors or windows in any required yard, but such awnings shall not project closer than two (2) feet to any lot line or be vertically supported.
- 5. Private balconies may project not over five (5) feet into a required rear yard, or not over three (3) feet into a required side yard of a multiple-family dwelling, hotel or motel. For a one-family or two-family residence, unenclosed stairways and

5.3.6 Public Frontage

TABLE 5.3.8(A)-PRIVATE FRONTAGE ENCROACHMENT DEVELOPMENT STANDARDS BY PLACE TYPE ZONING DISTRICT.

ENCROACHMENT TYPE	PLACE TYPES						
	P1	P2	P2.5	P3	P3M	P4	P5
FIRST LAYER	---	50% MAX.	50% MAX.	50% MAX.	50% MAX.	50% MAX.	50% MAX.
OPEN PORCH	---	50% MAX.	50% MAX.	50% MAX.	50% MAX.	50% MAX.	50% MAX.
RIGHT-OF-WAY	---	---	---	---	---	---	---
GALLERY	NP	NP	NP	NP	NP	Within 2 feet of the curb.	Within 2 feet of the curb.
ARCADE	NP	NP	NP	NP	NP	Within 2 feet of the curb.	Within 2 feet of the curb.
FIRST LAYER DEPTHS	---	---	---	---	---	---	---
PORCH	---	5 FEET MIN.	8 FEET MIN.	8 FEET MIN.	8 FEET MIN.	10 FEET MIN.	NP
GALLERY	NP	NP	NP	NP	NP	10 FEET MIN.	10 FEET MIN.
ARCADE	NP	NP	NP	NP	NP	NP	12 FEET MIN.

P = PERMITTED NP = NOT PERMITTED TBD = "TO BE DETERMINED" DURING DEVELOPMENT REVIEW  
Place Types not included in this chart do not permit encroachments by right. Employment Center frontage encroachments will be evaluated during project submission.

Yard encroachments are determined by place type.

By using the fire code as building setbacks, there is no need for exemptions on the side as they already speak to that.

balconies may project not over five (5) feet into a required rear yard, or not over two (2) feet six (6) inches into a required side yard.

6. Meter rooms may project not over five (5) feet into a required rear yard. Meter rooms shall not be located within any required front or side yards.
7. Unenclosed porches or terraces not over three (3) feet six (6) inches (3'6") above the ground except for railings and roof structure may extend five (5) feet into a required front yard, ten (10) feet into a required rear yard, and three (3) feet into a required side yard, provided that any such structure having a roof shall not extend into any required yard area to a greater distance than one-half ( $\frac{1}{2}$ ) the required yard area. The roof structure shall not be structurally supported vertically.
8. A canopy may extend into a front yard, from the entrance door to the street line of any main building in multiple-family residential, commercial, and industrial districts. Where a sidewalk and curb exist, the canopy may extend to within twenty-four (24) inches of the curb line. Such canopies shall not exceed fifteen (15) feet in width or twelve (12) feet in height or be screened or enclosed in any manner and shall provide an unobstructed, clear space between the grade and the bottom of the valance of at least six and one-half ( $6\frac{1}{2}$ ) feet.

Fences, walls, gates, and hedges may be erected, maintained, or grown along a lot line on residentially zoned property, or adjacent thereto within required yard areas, to heights not exceeding the following:

#### FRONT YARDS

- All fences, walls, gates, or other enclosures placed in the front yard of a residential property shall:
  - a) Not exceed four (4) feet in height.
  - b) For active streets, allow a minimum of 50% percent opacity or;
  - c) Not encroach into a twenty (20) foot visibility triangle at corner lot and fifteen (15) foot visibility triangle at driveway corner.

#### SIDE YARDS

- It is unlawful for any person to construct, erect, or permit a fence or gate in any side yard or along any side yard lot line that exceeds six (6) feet in height.

#### REAR YARDS

- It is unlawful for any person to construct, erect, maintain, or permit a fence or gate in any rear yard or along any rear lot line that exceeds six (6) feet in height

Fences may be made of wood, stone, rock, concrete block, masonry brick, brick, decorative wrought iron, chain link, welded wire, or other similar material. Prohibited materials include plywood, paper, plastic, fiberglass panels, chicken wire, fabric, or sheet, roll or corrugated metals. The finished “face” side of the fence (opposite the structural supports) must face all public streets and public parkland.

1. Fences within the front yard must be fifty percent (50%) see through (i.e. wrought iron or picket fence).
2. For residential uses, barbed wire fences are not allowed on lots of less than two (2) acres.
3. For apartment complexes, only wrought iron or similar material is allowed in the front and side setbacks when abutting a local or collector street; wood fences may be allowed within the setbacks that abut another property.
4. Swimming pools require a fence/barrier surrounding the pool with a self-latching gate in accordance with the 2018 International Swimming Pool and Spa Code 2018 for swimming pool standards.

All fences must be constructed to perpetually maintain structural integrity against natural forces such as wind, rain and temperature variations. Fences constructed of chain link, welded wire, picket or similar materials shall require a minimum of two (2) support rails spaced at least one half (½) of the total height of the fence apart.

different yard areas and conditions, while Fence Standards regulate heights by layers. Main height difference is allowing 8 ft. in the 3<sup>rd</sup> layer, where only 6 ft. is allowed now.

- **Materials:** Fence Standards provide detailed material requirements and prohibitions.
- **Visibility and Opacity:** Both sets address visibility and opacity, but Fence Standards include specific requirements for front yard fences.
- **Additional Requirements:** Fence Standards include specific rules for barbed wire, apartment complexes, swimming pools, and structural integrity.

## CORNER LOT

- Fence or gate located in the side and/or rear yard on a corner lot must be set back fifteen (15) feet from the public right of way and cannot exceed six (6) feet in height.

Fences are required to meet the site triangle standards in Section 5.6 Landscaping Standards.

Fence heights are regulated as by layer as follows. A four (4) foot max height in the 1st layer. A six (6) foot max height in the 2nd Layer and an eight (8) foot max height in the 3rd layer.

Where a lot line is adjacent to either non-residentially zoned property or a limited access highway, fences, walls, hedges, or shrubbery may be erected, placed, maintained, or grown to a maximum of eight (8) feet in height.

## I-13 Buffer Yards and Landscaping

Removed

Please refer to Article I, Section 13 to see buffer yard requirements. Too lengthy to place on this document.

The purpose of using place type zoning classifications is to ensure that the intensity of business activities does not negatively impact neighboring property owners, while also fostering connectivity within the community.

## I-14 Accessory Uses and Structures

### 5.2.3 Accessory Building

Setbacks have to meet fire code requirements.

The following regulations shall apply:

- (1) In all Districts, accessory structures shall not be located in a required front or street side yard area, unless specifically provided for elsewhere by the provisions of this Ordinance.
- (2) In residential Districts, all accessory structures (except those Structures specifically excepted and regulated elsewhere by this Ordinance) located in a rear and/or side yard shall be located at

A detached structure located on the same lot as a principal dwelling unit building and not used as a dwelling. An accessory building may be used as a detached garage, a storage building, a workshop, a pool house, or other accessory use to the principal dwelling unit building. Accessory Buildings are smaller than and subordinate to the principal building and are typically located in the third layer of the lot.

Only allowed where stated.

Counts towards the lot coverage allowed in that zoning.

least five (5) feet from an interior side or rear lot line and at least fifteen (15) feet from any property line adjacent to a street, and if not attached to a main building, shall be separated by at least ten (10) feet from said main building, or separated by a distance prescribed by Section 10 of this ARTICLE, or whichever is greater. Accessory structures shall not exceed twenty-five (25) feet in height.

(3) In non-residential Districts, all uses and structures (except uses and structures subject to other regulations of this Ordinance), which are not permissible as principal uses or structures, shall be located on the half of an interior lot which is farthest from any street upon which the lot abuts, or shall be erected on the quarter of a corner lot which is farthest from the streets upon which the lot abuts.

(4) Accessory buildings permitted in rear and/or side yards shall not occupy a combined total area of more than thirty-five (35) percent of said required yards, unless otherwise provided for by the provisions of this Ordinance.

(5) Unenclosed swimming pools may be erected to within five (5) feet of any rear or interior lot line and to within fifteen (15) feet of any property line adjacent a front or street side yard area, when erected so as to be not less than five (5) feet from either a front or side property line and are confined within an area enclosed by a decorative masonry or wood wall of at least four (4) feet in height.

(6) In Residential Districts R-A, R-C and H-E; construction of an accessory structure will only be allowed in conjunction with the principal building.

#### I-15 Exclusions from Height Limits

Removed

Not in the UDO

The following regulations shall apply:

##### HEIGHT LIMITS

- Scenery lofts, towers, cupolas, steeples, domes, flag poles, airplane beacons, chimneys, stacks, tanks, and roof structures, used only for ornamental or mechanical purposes, not exceeding ten (10) percent of the roof area, shall be excluded from the height of the building in determining setbacks and lot coverage.
- Parapet walls may extend not more than five (5) feet above the allowable height of a building

#### I-16 Municipal and Other Public Uses

4.3.1.9 Civic Space

Civic spaces now have a zoning classification that has land uses and requires public hearings if going to change.

The provisions of this Ordinance are not intended, and shall not be construed, to preclude the use of any property owned by the City, County, State, or Federal Government in any government capacity, function, or purpose, provided, however, that any public use of such governmental units shall be subject to the review and consideration of the City Council.

#### I-17 Zoning Districts Established

4.2 Place Type Zoning Districts

PI: NATURE

Both sets of regulations aim to manage land use and development, but they differ in their approach and focus on community integration and flexibility.

The City of Castroville is hereby divided into eleven (11) zoning districts. The use, height and area regulations as set out herein are uniform within each district. The eleven districts established are herein described and shall be known as:

#### R-A, SINGLE-FAMILY DWELLING DISTRICT

- This district comprises the preponderant portion of the existing housing development in the City of Castroville, and in addition, is considered to be the property classification for large areas of the undeveloped land remaining in the City either as an interim or permanent zoning. This district is intended to be composed of single-family dwellings together with public schools, churches and public parks and other uses of a similar and compatible nature as permitted by this Ordinance which are essential to create basic neighborhood units. The single-family district is not intended to be subject to major alterations in the boundaries of a district may be appropriate in order to realize a reasonable development of the land.

#### R-C, GENERAL RESIDENCE DISTRICT

- This district is intended to be applied to areas containing a mixture of single-family, two-family, and multiple-family dwellings. Districts are intended to be located near commercial and industrial areas and other types of activity and employment centers where they will serve both the City's housing needs and as transition areas between heavy traffic generators and

- The PI Nature Place Type are lands in a natural state or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation. PI is intended to preserve areas that contain sensitive habitats, active or passive open spaces, parks and limited agriculture uses. Nature includes floodplains, creeks tributaries and other waterways.

#### P2: RURAL

- The Rural Place Type is characterized by mainly large lot sparsely settled land or land used for agricultural purposes. This Place Type includes land uses such as agricultural production, fields and grazing lands with associated homesteads, as well as agricultural businesses.

#### P2.5: HISTORIC RESIDENTIAL

- The Historic Residential Place Type regulates lots in neighborhoods that are over 12,000 sq ft or larger. The large residential lots are primarily in the Areas of Stability designation of the Growth Guidance Map and currently have a residential zoning type.

#### P3: NEIGHBORHOOD

- The Neighborhood Place Type regulates residential lots. This zone permits many different residential housing types, including cottage courts individual and duplex buildings. Neighborhood is adjacent

- **Focus:** Traditional zoning districts focus on specific uses (residential, commercial, industrial) and historical preservation, while Place Type zoning emphasizes land use character and community integration.
- **Flexibility:** Place Type zoning offers more flexibility in building types and uses
- **Community Integration:** Place Type zoning integrates community features like civic spaces and employment centers.

single-family dwelling districts. The regulations of this Ordinance are designed to protect the residential character and to prevent the over-crowding of land by providing minimum standards for building spacing, yards, off-street parking and building coverage. The building height permitted in this district shall be a maximum height of thirty (30) feet or two and a half (2½) stories.

#### P-D, PLANNED DEVELOPMENT DISTRICT

- This district is intended to be applied to areas of the City (e.g.: subsequent to the adoption of this Ordinance) where it can be determined that the approval of an overall development plan presented by a petitioner will result in appropriate land use which will be of benefit to the City in terms of compatibility of use, as well as timeliness and orderliness of development, while offering a developer flexibility in terms of regulatory controls applicable to “single purpose development”.

#### H-E, HISTORICAL DISTRICT

- This district is intended for application where there exists in the City of Castroville areas and places of cultural and historical importance which are the local, state, and national significance. The areas are characterized by the existence of a substantial number of homes, buildings, landmarks, and other historic places constructed and established by the founders and early settlers of Castroville, many of which are of log, stone and frame construction in the style commonly

to higher density Place Types where commercial services are available within a short distance from homes.

#### P3M: MANUFACTURED HOUSING

- The Manufactured Housing Place Type are lots currently have a manufactured house building as the primary structure or are zoned Manufactured Housing.

#### P4: NEIGHBORHOOD COMMERCIAL

- The Neighborhood Commercial Place Type functions by providing neighborhoods with services. P4 regulates a variety of building types ranging from smaller commercial buildings to intermixed house-form commercial and attached and detached residential. This Place Type provides flexibility for areas to easily transition between residential building types and low intensity commercial.

#### P5: URBAN CENTER

- The Urban District Place Type regulates a higher density mixture of building types that accommodate commercial, restaurants, bars, retail, offices, hotels, and apartments. P5 promotes a continuous line of buildings and wide sidewalks critical to defining the public frontage. P5 lines highway 90 through the Castro Area, providing services to those neighborhoods and new neighborhoods will have P5 Urban Districts to support residents. For further design guidelines of P5 see

referred to as Alsatian, German or Early Texas and Victorian. These buildings and places exist in significant quantity and concentrations within the City and establish a unique historic character which establishes the necessity for historic zoning districts.

#### C-F, NEIGHBORHOOD BUSINESS DISTRICT

- This district allows retail type uses which are of a convenience nature to residential areas having proximity. The C-F District is intended to be applied at the intersections of major thoroughfares and/or collector streets.

#### C-G, (HISTORIC) CENTRAL BUSINESS DISTRICT

- This district is comprised of numerous historic structures and landmarks. This district is subject to the provisions of Article IV, Section Two (2) as to permitted uses and regulatory control. The building height permitted in this district shall be a maximum height of thirty (30) feet or two and a half (2 ½) stories.

#### C-H, West Commercial District

- This district shall begin at the Western City limits of the City and shall run eastwardly the length of Highway 90 to Constantinople Street. The northern and southern boundaries of the district are as shown on the Comprehensive Zoning Ordinance Map of the City of Castroville. This district shall permit a wide variety of commercial uses intended to serve the

### Appendix B-Castroville Design Criteria for Commercial Buildings

#### EC: EMPLOYMENT CENTER

- The Employment Center Place Type function, deposition, or configuration cannot, or should not, conform to one or more of the other Place Types. Employment Center shall be used for job creation centers and building forms that do not fit within the character of the other Place Types. At time of application to the Planning Department, development standards will be determined to fit the needs of the use.

#### CS: CIVIC SPACE TABLE

- Civic Spaces and/or Civic Buildings serve as community features appropriate to their Place Types. Civic Spaces provide relief from the urban environment inside each neighborhood.

entire community and includes the strip commercial areas which have developed along the major thoroughfares and highway in the City of Castroville. The maximum building height permitted in this area is forty (40) feet or three (3) stories.

#### C-H, CENTRAL COMMERCIAL DISTRICT

- This district shall begin with Constantinople Street on the west and shall run eastwardly along Highway 90 to the Medina River. The northern and southern boundaries of this district are as shown on the Comprehensive Zoning Ordinance Map of the City of Castroville. This district shall provide a wide variety of commercial uses intended to serve the entire community. The maximum building height permitted in this area is thirty (30) feet or two and a half (2½) stories.

#### C-H, East Commercial District

- This district shall begin at the Medina River and shall run eastwardly along Highway 90 and shall end at the eastern City limit. The northern and southern boundaries of this district are as shown on the Comprehensive Zoning Ordinance Map of the City of Castroville. This district shall permit a wide variety of commercial uses intended to serve the entire community and includes the strip commercial areas which have developed along the major thoroughfares and highway in the City of Castroville. The maximum building height permitted in this area is forty (40) feet or three (3) stories.

## I-I, INDUSTRIAL DISTRICT

- By its nature, the district is intended for application in areas where uses of an industrial nature that do not emit noxious odors, noises, dust, smoke, and vibrations will be compatible with other districts having proximity.

## M-H, MANUFACTURED HOME PARK

- This district is intended to be applied to areas of the City where use of the land is dictated by previous use or previous zoning for Manufactured Home Park, obtained by Gilliam Mobile Home Park and excluding all others, for areas where the establishment of a Manufactured Home Park will provide additional economical housing for the citizens of the community and where such development may be appropriate in order to realize a reasonable development of vacant land within the City.

### I-18 Zoning District Map

The boundaries of the zoning districts set out herein are delineated upon the Zoning District Map of the City of Castroville said Map being a part of this Ordinance as fully as if the same were set forth herein in detail.

- Two original, official, and identical copies of the Zoning District Maps are hereby adopted bearing the signature of the Mayor and the attestation of the City Secretary and shall be filed and maintained as follows:

### 4.1.3

Nine (9) distinct Place Types presented themselves in Castroville. The Place Type map is shown below. The zoning standards reflect the Place Type and were inspired by the DNA of the Castroville community.

Map is embedded into the document instead of it being a loose leaf document.

- a) One copy shall be filed with the City Secretary and retained as the original record and shall not be changed in any manner.
- b) One copy shall be filed with the Planning and Zoning Commission and shall be maintained up to date by the Commission by posting thereon all changes and subsequent amendments for observation in issuing Building Permits, Certificates of Compliance and Occupancy and enforcing the Zoning Ordinance

#### 1-19 Zoning District Boundaries

The district boundary lines shown on the Zoning District Maps are usually along streets, alleys, property lines or extensions thereof, where uncertainty exists as to the boundaries of districts as shown on the official Zoning Maps, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following city limits shall be construed as following city limits.
4. Boundaries indicated as following railroad right-of-way shall be construed to be the centerline of the right-of-way or, if no centerline is established, the boundary shall be interpreted to be midway between the right-of-way lines of such railroad.

#### 4.1.2 Zoning Map Designations

The boundary lines shown on the Place Type Zoning Map are usually along streets, alleys, property lines, or extensions thereof. Where uncertainty exists as to the boundaries of Place Types as shown on the official Place Type Zoning Map:

1. Boundaries indicated as approximately following the centerline of streets, highways, or alleys shall be construed to follow such centerline.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following city limits shall be construed as following the city limits.
4. Boundaries indicated as approximately following the centerline of all creeks, streams, or drainage ways shall be construed to follow such centerline and, in

Both sets of regulations aim to clarify boundary lines and resolve uncertainties, but they differ in specific rules and temporary classifications.

5. Boundaries indicated as approximately following the centerlines of streams, creeks, or other bodies of water shall be construed to follow such centerlines.
6. Boundaries indicated as parallel to or extensions of features indicated in 1 through 5 above shall be so construed. Distances not specifically indicated on the original Zoning Maps shall be determined by the scale of the Map.
7. Whenever any street, alley or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the zoning district line adjoining each side of such street, alley, or other public way shall be automatically extended to the centerline of such vacated street, alley, or way and all area so involved shall then and henceforth be subject to all regulations of the extended districts.

Where physical features on the ground are at variance with information shown on the official Zoning District Map or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of subsections 1 through 7, the property shall be considered as being temporarily classified as One-Family Dwelling (R-A) District, and the issuance of a building permit shall be based on establishment of permanent zoning in accordance with applicable procedures established by law.

the event of a change in the centerline, shall be construed to move with such centerline.

5. Boundaries indicated as parallel to or extensions of features indicated in 1-4 above shall be so construed. Distances not specifically indicated on the official zoning maps shall be determined by the scale of the map.
6. Whenever any street, alley, or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the Place Type Zoning line adjoining each side of such street, alley, or other public way shall be automatically extended to the centerline of such vacated street, alley, or way and all areas so involved shall then and henceforth be subject to all standards of the extended Place Type zoning districts.
7. The Place Type zoning classification applied to a tract of land adjacent to a street shall extend to the centerline of the street unless, as a condition of zoning approval, it is stated that the Place Type zoning classification shall not apply to the street.
8. Where physical features on the ground are at variance with information shown on the official Place Type Zoning Map or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of this list 1-8, the property shall be considered as classified P2 Rural, in the same manner as provided for newly annexed territory.

## I-20 Temporary Zoning – Annexed Territory

All territory hereafter annexed to the City of Castroville shall be temporarily classified as R-A, One-Family Dwelling District, until permanent zoning is established by the City Council of the City of Castroville, the procedure for establishing permanent zoning on annexed territory shall conform to the procedure established by law for the adoption of the original zoning regulations.

- In an area temporarily classified as R-A, One-Family Dwelling District:
  - a) No person shall erect, construct, or add to any building or structure or cause the same to be done in any newly annexed territory to the City of Castroville without first applying for and obtaining a building permit or certificate of occupancy therefore from the Building Official or the City Council as may be required herein.
  - b) No permit for the construction of a building or use of land shall be issued by the Building Official other than a permit which will allow the construction of a building permitted in the R-A, One-Family Dwelling District, unless and until such territory has been

## I.9.I Zoning Upon Annexation

Any land which comes under the zoning jurisdiction of the City of Castroville by reason of its annexation to the City shall be classified as “P2” Rural Place Type zoning district unless otherwise stipulated in the annexation ordinance annexing the property. The procedure for establishing Zoning other than “P2” on annexed territory shall conform to the procedure set forth in Chapter 2 of this UDO. Following annexation, the Community Development Director shall schedule public hearings to allocate the Place Type Zoning classification of the recently annexed land.

In an area classified as "P2" Rural:

- a) No permit for the Construction of a Building or use of land shall be issued by the Building Official other than a permit that will allow the Construction of a Building permitted in the "P2" District, unless and until such territory has been classified in a Place Type Zoning District other than the "P2" District.
- b) An Application for a building permit for any proposed use other than those specified in the "P2" District must be made to the Community Development Director. If the Applicant shows that plans and other preparation for developing the property commenced prior to annexation by the City, as established by the Texas Local Government Code Chapter 43, City Council shall

Both sets of regulations aim to manage the transition of newly annexed territories into the city's zoning framework, but they differ in initial classifications, permit application processes, and procedural details.

- **Initial Zoning Classification:** R-A (One-Family Dwelling District) vs. P2 (Rural Place Type Zoning District).
- **Permit Application Process:** R-A involves the Building Official and City Planning and Zoning Commission, while P2 involves the Community Development Director and potentially the City Council.
- **Procedure for Permanent Zoning:** Both follow established legal procedures, but P2 specifically references Chapter 2 of the UDO and includes public hearings.

classified in a zoning district other than the R-A, One-Family Dwelling District by the City Council in the manner provided by law, except that a building permit may be issued in accordance with the provisions of (1)C., as follows.

- c) An application for a permit for any other use than that specified in paragraph b. above shall be made to the Building Official of the City of Castroville and referred to the City Planning and Zoning Commission for consideration and recommendation to the City Council. The City Planning and Zoning Commission in making its recommendation to the City Council concerning any such permit shall take into consideration the appropriate land use for the area in deference to the Comprehensive Land Use Plan for the City. The City Council, after receiving and reviewing the recommendations of the City Planning and Zoning Commission, may by an affirmative majority vote authorize the

authorize the Construction of the Project by a majority vote.

## Article II – Use Regulations District

### 2.1 Use of Land and Buildings

### 4.3 Place Type Zoning

Please see tables on excel document named Zoning Matrix to see differences.

## Article III–Height, Yard, Lot Area, Lot Width, and Lot Depth Regulations

### 3.1 Table of Requirements

Creating a chart to show the different requirements from the CZO to UDO

### 3.2 Supplementary Yard Regulations

### 3.3 Lot Depth Regulations

## Article IV – Special Use Regulations

### 4.1 Specific Use Permits

- The City Council of the City of Castroville, Texas, after public hearing and proper notice to all parties affected, in accordance with the notice procedure prescribed for amending the Zoning Ordinance, and after recommendation by the Planning and Zoning Commission, may authorize the issuance of "Specific Use Permits" for the uses indicated in Article II.
- The Planning and Zoning Commission in considering and determining their recommendation, or the City Council in considering any request for a Specific Use Permit, may require from the applicant plans and/or pertinent information concerning the location, function and characteristics of any use proposed. The

### 2.2.11 Special Use Permits

The procedure for approval of a Special Use Permit application shall follow the requirements of Chapter 211 of the Texas Local Government Code and the following process:

- 1) Prior to submitting a Special Use Permit application, the applicant shall schedule a pre-application meeting with the City.
- 2) Once a complete application is received, City staff will prepare a staff report and submit it to the Planning & Zoning Commission for consideration.
- 3) Public notice of the application will be completed in accordance with State law and City ordinance.

No Change. The process is the same for Special Use Permits (SUP).

City Council may, in the interest of assuring compliance with the intent and purposes of this Ordinance, establish conditions of operation with respect to any use for which a permit is authorized.

- \*The Planning and Zoning Commission shall not take action upon any request for specific use permit for buildings listed on the 1969 Texas Historical Commission Survey until it has received a recommendation from the Historic Review Board or a certificate from the Board showing failure to take action.

\* Any provision contained in the Comprehensive Zoning Ordinance that are inconsistent with this amendment are hereby repealed

#### 4.2 Special Historic District Regulations

- Castroville Design Guidelines incorporated as “Overlay Design Guidelines for Historic Properties.”
- The scope of the application of the Overlay Design Guidelines for Historic Properties shall include those properties and structures designated as historic landmarks, including but not limited to those properties and structures listed on the 1969 Texas Historical Commission Survey, or located within an historic overlay district of the City of Castroville.

#### 4.3 Special Commercial District Regulations

Castroville Design Criteria for Commercial Buildings Located in the Commercial Districts along U.S. Highway 90 incorporated as “Design Criteria for Commercial Properties in CH Districts.

- 4) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the Special Use Permit and make a recommendation to the City Council.
- 5) City Council will hold a public hearing and consider the recommendation of the Planning & Zoning Commission. If the City Council is in favor of the Special Use Permit application, they will adopt it by ordinance in accordance with State law.

#### Chapter 6 – Historic Preservation

#### Appendix B

The Urban District Place Type regulates a higher density mixture of building types that accommodate commercial, restaurants, bars, retail, offices, hotels, and apartments. P5 promotes a

The Historic Design Guidelines were carried over and they are in the appendix. Appendix A

The Castroville Design Criteria for Commercial Buildings were carried over and they are in the appendix. Appendix B

continuous line of buildings and wide sidewalks critical to defining the public frontage. P5 lines highway 90 through the Castro Area, providing services to those neighborhoods and new neighborhoods will have P5 Urban Districts to support residents. For further design guidelines of P5 see Appendix B-Castroville Design Criteria for Commercial Buildings

#### 4.4 Reserved

Removed

#### 4.5 P-D, Planned Unit Development

Removed

Planned Unit Developments are not in the UDO.

It is recognized that it may be desirable that certain portions of the City of at least three (3) acres in area be developed in accordance with general land use and site plans prepared and approved in advance of development. To encourage such placed development, administrative and regulatory provisions are provided as follows. The area or areas which are designated as a Planned Development District are to be set forth on the Zoning District Map, which is made a part of this Ordinance. The boundaries of the Planned Development District may from time to time be altered or adjusted in accordance with the provisions herein provided for amending this Ordinance. Whenever any area is designated as being within the Planned Development District, the following types of development may be authorized. a) Shopping Center b) Community Unit Development c) Industrial Parks d) Medical Center and Hospital e) Mobile Home Park f) Civic Center and Community Center g) Office Center h) Recreation Center i) A combination of any of the developments listed in a. through h. j) Off-street parking where screening walls and planting are required for the purpose of protection and as

a transition between a lesser and a more restrictive District. When placing any area within the Planned Development District in accordance with this section, the City Council shall require a general land use plan of the development. Such general land use plan shall be approved and filed as part of this Ordinance. For the purpose of preparing the General Land Use Plan, those land use categories listed in Article II shall be used. Prior to issuance of any building permit within a Planned Development District, a comprehensive site plan for the section proposed for immediate development in accordance with the general land plan shall be submitted to the Planning and Zoning Commission for approval. Such required site plan shall set forth the requirements for ingress and egress to the property, public or private streets or drives, utilities, drainage, parking space, height of building, maximum lot coverage, yards and open spaces, screening walls or fences and other development and protective requirements considered necessary to create a reasonable transition and protection of the adjacent property. Upon approval of said site plan by the Planning and Zoning Commission, the Building Official shall be authorized to issue a building permit. Site plans submitted under the provisions of 5. above may be altered or amended with approval of the Planning and Zoning Commission, but any change in the General Land Use Plan of the development shall be considered an amendment to this Ordinance.

**COMPREHESIVE ZONING ORDINANCE 69**

Each area placed within the Planned Development District under the provisions of this section shall be considered as an amendment to the Ordinance as applicable to the property involved. In approving the Planned Development District, the City Council may impose conditions relative to the standard of development and such conditions shall

be complied with before a Certificate of Occupancy is issued for the use of the land or any structure which is part of the Planned Development District and such conditions shall not be construed as conditions precedent to the approval of the Zoning Amendment, but shall be construed as conditions precedent to the granting of a Certificate of Occupancy

#### 4.6 Special Manufactured Home Regulations

- It shall be unlawful, within the limits of the City of Castroville for any purpose to park any mobile home on any street, alley, or highway, or other public place, or to place a mobile home on any tract of land owned by any person, occupied or unoccupied, within the City except within a properly approved Mobile Home Park.
- Emergency or temporary stopping or parking is permitted in any street, alley or highway for no longer than three (3) hours subject to any other and further prohibitions or limitations imposed by traffic and parking regulations or ordinances pertaining to the particular street, alley or highway.
- No person shall place or occupy any mobile home or recreational vehicle on any lot or tract of ground not within an approved mobile home park, subdivision, condominium or recreational vehicle park, except the parking of only one unoccupied recreational vehicle in an authorized accessory private garage, building, or rear yard in any district is permitted provided no living quarters shall be maintained, or any business practiced in said recreational vehicle while such vehicle is so parked or

#### 4.2.3.5 P3M: Manufactured Housing

The Manufactured Housing Place Type are lots currently have a manufactured house building as the primary structure or are zoned Manufactured Housing.

Manufactured housing is still only allowed in that zoning classification.

The lot size minimum 3,500 sq ft, which is larger than the CZO by 200 sq. ft.

stored. Use of such vehicle as permitted under this paragraph, shall be limited to off premises recreation or travel.

- In approved mobile home parks, mobile homes shall be placed on lots of at least 3,200 square feet.

#### 4.7 Building Within Flood Prone Areas

No structure other than of an accessory nature shall be erected within an area prone to flooding unless it is determined by the Building Official that the finished floor level is at least one (1) foot above the elevation subject to flooding.

#### 5.3.2.2. Lot Occupation

In the 100-year floodplain, a first-level residential or lodging shall be raised a minimum of 2 feet from the base flood elevation.

Raised to two feet from base flood elevation per the FEMA recommendations.

#### 4.8 Dish Antennas

"DISH ANTENNAS" will be screened from view by shrubbery or privacy fences and the set-back lines as specified in Article III, Sec. I shall apply.

Removed

Not in the UDO

#### 4.9 Business/Residential Transition Areas

- The requirements set forth in this Section "9" shall be in addition to the hearing and notice requirements of Article IV. Section I of the Comprehensive Zoning Ordinance, Where Section "I" and this Section "9" conflict, the requirements of Section "9" shall prevail.
- Any property owner whose lot is located within a zone for which an "S" is placed on the "Office, Professional" line of the Schedule of Uses may only request this type of specific use permit if the front line of the property abuts a "CH" zoned

#### 4.3.2 Business/ Residential Transition Zones

- A property owner of a lot abutting a zoned Place Type P5 property is allowed to request a Special Use Permit for a commercial use of the property if the abutting zoning does not allow for commercial by right. Special Use Request must still follow the same Performance and Compatibility standards listed in Section 5.9.
- The permit will allow for commercial use but keep a house form appearance. If alteration outside of the allowed commercial adjustments is desired to the

#### Special Use Permit (SUP):

- Property owners of lots abutting a zoned Place Type P5 property can request an SUP for commercial use if the abutting zoning does not allow commercial by right.
- The permit allows for commercial use while maintaining a house form appearance. Any alterations outside allowed commercial adjustments require a zoning change request.

#### Criteria for SUP:

- One sign per site, with specific size and appearance requirements.

district. For the purposes of this section (2) “front line” shall mean the narrow end of the lot facing the street, except where a structure has been built, in which case, “front line” shall mean that side of the lot which the main entrance of the structure faces. Any such permit, if granted, shall apply only to the property owner, use, and business named and shall not be transferable, unless there is no change in use. If there is no change in use when transferred to the new property owner, then City Council can approve the transfer of the permit. Any attempt to transfer the permit by sale of the property, or other means, without City Council approval shall void the permit. In addition to other criteria set forth in the Comprehensive Zoning Ordinance, the City Council may - consider the following criteria in granting or denying any such Specific Use permit application or canceling any Specific Use Permit which is already in effect:

- a) Appearance of the main structure must simulate or resemble a residence and must adhere to the building height restrictions of residential districts. Building design shall comply with adopted Highway 90 design guidelines.
- b) Each building shall access the street immediately in front of the abutting Commercial District so that the driveway is facing the commercial zoned property, with the exception of a corner lot which may have an auxiliary driveway to the street not facing the commercial zoned property.

building or lot a zoning change request must be submitted. Outside of the commercial adjustments listed below, properties will still be required to meet their designated zoning standards:

- a) No more than one sign will be permitted per site. Any such sign shall be placed on or near the ground with a maximum height of four (4) feet and a maximum area no larger than twenty-four (24) square feet. Any signs must be constructed of wood or have a wood finish appearance and be complimentary to the exterior of the building. If lighted, the sign must be externally lighted. One sign will be permitted for each individual tenant. Such individual tenant signs must be displayed together in a group on one sign located by the main entrance of the structure and mounted on the wall of the building.
  - b) Parking shall be accented by landscaping to create a residential appearance. Landscaping for each site shall include a minimum of three trees of 1” or greater caliper, in the area between the building line and the street on the front of the lot. Twenty-Five percent (25%) of the front yard landscaping for each site shall be native ground cover, excluding grass, including bushes, shrubs, or similar perennial plantings
- Any SUP for transition commercial, if granted, shall apply only to the property owner, use, and business named and shall not be transferable, unless there is no

- Landscaping requirements to create a residential appearance.
- SUP applies only to the property owner, use, and business named and is not transferable without City Council approval unless there is no change in use.
- The established Place Type transfers with the land even after the sale of the property.

- c) Only one main structure not exceeding 3,000 square feet gross area will be allowed per site, regardless of the number of lots. No more than one storage building will be allowed per site, and it must be of the same construction as the main structure and shall not exceed twenty percent (20%) of the main structure square's foot gross area or 400 square feet, whichever is less.
- d) No more than one sign will be permitted per site. Any such sign shall be placed on or near the ground with a maximum height of four (4) feet and a maximum area no larger than twenty-four (24) square feet. Any signs must be constructed of wood or have a wood finish appearance and be complimentary to the exterior of the building. If lighted, the sign must be externally lighted. One sign will be permitted for each individual tenant. Such individual tenant signs must be displayed together in a group on one sign located by the main entrance of the structure and mounted on the wall of the building.
- e) Fencing of six feet in height constructed of stucco, rock or wood material, shall be installed at the rear of each site between the property and the adjoining residential property and shall comply with the requirements of

change in use. If there is no change in use when transferred to the new property owner, then City Council can approve the transfer of the SUP. Any attempt to transfer the SUP by sale of the property, or other means, without City Council approval shall void the SUP. The established Place Type will transfer with the land even after the sale of property.

the City's Comprehensive Zoning Ordinance. Said fencing shall be maintained for so long as the specific use permit is in effect.

- f) Parking shall be accented by landscaping to create a residential appearance. Landscaping for each site shall include a minimum of three trees of 1" or greater caliper, in the area between the building line and the street on the front of the lot. Twenty-Five percent (25%) of the front yard landscaping for each site shall be native ground cover, excluding grass, including bushes, shrubs, or similar perennial plantings.
- g) There shall be a maximum of twelve parking spaces located on each site per- main structure. Not more than six spaces shall be located in front of the structure and not more than six spaces either on side or in the rear of the property. The parking must be shown on a site plan that is a part of the application.
- h) There shall be a maximum of two driveways to each structure. Any driveway shall access the street adjacent to the commercial zoned property, or, if the property is a corner lot, the driveway may access the side street. The maximum number of feet of access driveway width for the total width possible of both driveways shall be thirty-eight feet (38') per site.

- i) A copy of the Specific Use Permit application along with the building plans and site plans (for new construction) and site plan (for existing buildings) shall be submitted to the Planning and Zoning Commission for review and comment. The Planning and Zoning Commission shall review the application and provide the City Council with a recommendation on or before the date on which the City Council is set to take action on the application.
- j) City Council may revoke any Specific Use Permit granted under this section, of any property owner who fails to maintain any of these criteria during the term of the Specific Use Permit.

#### 4.10 Home Occupation Regulations

##### GENERAL PROVISIONS:

##### SCOPE.

- These regulations shall apply to one and two-family dwellings and multifamily dwellings in all zoning districts in accordance with Article II, Section I Schedule of Uses. A community home that meets the qualifications imposed by Chapter 123 of the Texas Human Resources Code or Cottage food production operations which falls under the purview of Texas Local Government Code Chapter 211, Subchapter C, shall not be considered a Home Occupation for

Home Occupations are allowed but need to add criteria about what is allowed.

Home Occupations are allowed but need to add criteria about what is allowed.

the purpose of this Article; but shall be authorized to operate within residential districts only to the extent allowed by the aforementioned state statutes expressly pre-empting the application of the City's zoning authority to such uses.

#### PURPOSE.

- The purpose of this section is to insure the continuance of the residential character of City neighborhoods by permitting only low-intensity home occupations that are clearly incidental and secondary to the primary residential use of the property and that are conducted in a limited manner which creates little exterior indication of the activity and which does not create a nuisance or otherwise adversely impact the health, safety or welfare of the neighborhood or interfere with neighbors' the peaceful and quite enjoyment of their domicile.

#### DEFINITIONS.

- In this Section 10, the words in italics (*italics*) below shall have the meaning that follows:
  - a) Administrator shall mean the person responsible for administering these regulations, who is the Community Development Director, or his or her designee.
  - b) Home Occupation shall mean a business activity, resulting in a product or service, which is

conducted in whole or in part on a property zoned or occupied as residential.

- c) Home Occupation registration application, or application, shall mean a form provided by the Administrator for the registration of a home occupation.
- d) Regulations means this Section 10 (entitled “Home Occupation Regulations”) or Article V (entitled “Special Use Regulations”) of the City’s Zoning Ordinance.

**REGISTRATION REQUIRED.** Prior to conducting a home occupation, the operator shall register the home occupation by submittal of a completed home occupation registration application form to the Administrator. The application may be obtained from the Community Development Department and shall, at a minimum, include the following information:

- c) The address where the home occupation activity will be conducted.
- d) The names of the individuals who will be involved in the home occupation activity.
- e) A description of the nature and extent of the proposed home occupation activity.
- f) iv. The applicant’s sworn or affirmed statement that the applicant understands these regulations and that the home occupation activity shall be conducted in compliance with the

standards of operation set out in these regulations.

- g) If the home occupant activity is approved, the form shall clearly state the date of such approval.

**EXPIRATION.** Approval of a home occupation shall be limited to one year, from the date of approval. However, such approval shall be automatically renewed annually unless the applicant provides written notice to the Administrator that the home occupation has been discontinued. The Administration may periodically contact a permittee to verify renewal is desired.

**STANDARDS OF OPERATION:** All home occupations shall comply with the following performance standards and limitations, except as specifically stated. The standards set forth below are to minimize the annoyance and inconvenience to neighboring property owners within residential areas. These standards are intended to allow reasonable and comfortable enjoyment of adjacent and nearby property by their owners and by occupants of neighboring residential dwellings, while providing opportunities for the pursuit of home-based businesses. All home occupations shall also be subject to any and all provisions of local, state and/or federal regulations and laws that govern such uses.

- **EMPLOYEES.** Only an occupant of the residence and a maximum of one additional employee shall be engaged in the home occupation.
- **SPACE AND LOCATION.** The maximum area used for the home occupation shall not exceed 25% of the dwelling's gross

floor area of the residence, including storage areas.

- **STORAGE** a) Storage shall be enclosed within the residence, which includes an attached garage. b) If, outside storage is required in conjunction with a home occupation, such storage shall not be visible from the public right-of-way.
- **ALTERATIONS.** No exterior alterations to the dwelling which change the residential appearance or character shall be permitted, such as the creation of a separate entrance or installation of display windows.
- **EQUIPMENT.** The installation, storage or use of any equipment or machinery not normally found in a household or general office shall be prohibited.
- **SALES AND DISPLAY.** Direct, on-premises sales, retail or wholesale, and the display of goods or products on the premises shall be prohibited. If sales are conducted on the internet or off-premises, the pick-up (physical exchange) of items purchased may not take place on the premises of the Home Occupation. Direct, on-premises sales, retail or wholesale, and the display of goods or products on the premises shall be prohibited. If sales are conducted on the internet or off-premises, the pick-up (physical exchange) of items purchased may not take place on the premises of the Home Occupation. Exception: The sale of goods incidental to a service shall be allowed on-premises.
- **NUISANCES.** The creation of any noise, orders, vibrations, glare, fumes, or

electrical interference which is detectable outside the structure shall be prohibited.

- **DELIVERIES.** No deliveries related to the home occupation shall be permitted by vehicles of more than 2 axles. Any deliveries shall only be allowed between the hours of 7:00am and 10:00pm.
- **TRAFFIC.** Any home occupations permitted under Subchapter C (below) may allow a maximum of 5 clients per day to visit the premises in the conduct of the home occupation. Visitation hours for the conduct of the home occupation shall only be allowed between the hours of 7:00am and 10:00pm.
- **ADVERTISING / SIGNS.** The home occupation shall not be advertised by any sign on the premises.

**PERMITTED HOME OCCUPATIONS:** The following uses are permitted and shall require registration as stated above, provided that full compliance with the standards of operation are followed: Home offices conducting traditional office functions as well as professional offices. Individual tutoring, or lessons in art, dance, music, or similar activities. Counseling and therapy services. Author, artist, artisan, or sculptor studios. Dressmaker, seamstress or tailor services. Repair of small electrical appliances, cameras, watches, clocks and/or other small items that can be carried by one person. Uses involving small scale/item assembling such as arts and craft items.

**USES PROHIBITED AS HOME OCCUPATIONS:** The following uses are prohibited as home occupations: On-premises retail or wholesale sales

of any kind where customers visit the residence. Vehicle repair and service of any type, to include boats and recreational vehicles. Uses involving the grooming, breeding, or boarding of animals. Repair services for large appliances, furniture, lawn mowers or similar engine repair. Uses involving manufacturing and/or assembling. Uses involving the sale of firearms, ammunition, or explosives. Other uses not expressly authorized by Subsection C (above).

**ADMINISTRATION:** The Administrator shall make all determinations as to whether any aspect of a proposed home occupation complies with the requirements of these regulations.

**EXISTING HOME OCCUPATIONS:** Any home occupation that was legally in existence, and not operating in violation of any local, state or federal law or regulation, as of the effective date of these regulations; but that is not in full conformity with these regulations shall be deemed a legal nonconforming use and may continue said use in accordance with Article VI (entitled “Non-conforming uses and structures”) of the Zoning Ordinance. Non-conforming home occupation operators shall be required to prove the continuation of the lawful nonconforming use. Proof may be established by the registration of the non-conforming use by submittal to the Administrator, and approved by the Administrator, of a home occupation registration application within 90 days of the effective date of these regulations. Failure to register a non-conforming use shall cause a presumption that the use is not legally non-conforming and, unless sufficient evidence presents to overcome the presumption,

the Administrator may take action to require the discontinue such use.

**BOARD OF ADJUSTMENT:** The decision of the Administrator may be appealed to the Board of Adjustment by an aggrieved party, provided that such appeal complies with the requirements of Texas Local Government Code Chapter 211 and the City's Zoning Ordinance.

#### 4.11 Single Family Design

- **PURPOSE:**
  - a) To ensure that developments are pedestrian friendly and contribute to the character of the town and surrounding neighborhood.
  - b) To create variety and interest in residential streets.
  - c) In accordance with Crime Prevention Through Environmental Design (CPTED), promote a built environment that creates safer neighborhoods by fostering natural surveillance and natural access control.
- **APPLICABILITY:** The following requirements apply to all new single-family residential developments and structures (including One-Family Dwelling (Detached), One-Family Dwelling

#### 5.3.7 Private Frontage Development Standards

- The facade of the Principal Building shall be built parallel to the front property line or to the tangent of a curved frontage line of a lot.
- All facades shall be glazed with clear glass, not less than twenty percent (20%) of the first story. Glazing shall be calculated as the total combined area of window glazing (lights or panes within each window's casing) divided by the total area of the facade for the target story of a building.
- Buildings in P5 shall be glazed with clear glass, no less than seventy percent (70%) of the first story.
- Doors and windows above the first story shall not exceed fifty percent (50%) of the total building wall area, with each facade being calculated independently.
- All openings, including porches, galleries, arcades, and windows, with the exception of shopfronts, shall be square or vertical in proportion.

- CZO requires at least 10% transparency for facades facing the street.
- UDO requires at least 20% glazing for the first story and 70% for buildings in P5, with specific proportions for doors and windows above the first story.
- The first set includes detailed requirements for facade design, including transparency, roof lines, and eaves.

(Attached), Two-Family Dwelling). By reference, the following requirements also apply to Modular Homes.

- **FAÇADES:** The following requirements apply to façades facing a public street:
  - a) No single front facade of a home may be duplicated within six (6) lots as measured along the curb line.
  - b) The primary entrance of a home shall face towards a public street. For a corner lot, it is only necessary to face one public street.
  - c) All houses shall provide a covered entry with a minimum dimension of four feet by six feet. Porches may project into the required front yard by up to eight feet.
  - d) Transparent windows and/or doors facing the street are required. To meet this requirement, at least 10 percent of the facade must be transparent. The facade is measured from the base of the house to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area. Garages facing the

street shall count as part of the facade.

- e) Provide pitched or articulated roof line, or other roof element such as eyebrow roof forms or dormers that emphasize building form and help it to fit in with neighboring structures with prominent roofs. Pitched roofs shall utilize a minimum slope of 6:12.
- f) Provide a minimum twelve-inch eave/overhang on all roof planes and façades.
- g) Provide a minimum of five roof angles

#### 4.12 Modular Homes

A Modular Home shall meet the following requirements.

- (1) The Modular Home meets or exceeds all building code requirements that apply to other dwelling units concerning on-site construction.
- (2) The Modular Home conforms to all applicable zoning standards for the respective zoning district.
- (3) The Building Official is so notified in writing for the purpose of establishing procedures for the inspection, issuing of building permits, and compliance with the Texas Manufactured Housing Standards Act (Texas Occupations Code §1201).

#### Chapter 7

MODULAR HOME shall mean a structure or building module as defined under the jurisdiction and control of the Texas Department of Labor and Standards, that is transportable in one or more sections on a temporary chassis or other conveyance device, and that is designed to be installed and used by a consumer as a fixed residence on a permanent foundation system. The term includes the plumbing, heating, air conditioning and electrical systems contained in the structure. The term does not include mobile homes or HUD-Code manufactured homes as defined in the Texas Manufactured Housing Standards Act (Article 5221f, V.A.C.S.). Modular homes must meet all applicable local codes and

The UDO speaks about a lot being platted and zoning regulations in other chapters. We cannot specifically regulate modular homes, but can hold them to the same standards as “stick built” homes.

(4) The Modular Home is placed on an approved platted lot.

zoning regulations that pertain to construction of traditional site constructed ("stick built") homes.

(5) Per the Texas Occupations Code §1202.253, single family and duplex Modular Homes shall:

a) Have a value equal to or greater than the median taxable value for each single-family dwelling located within five hundred (500) feet of the lot on which the Modular Home is proposed to be located, as determined by the most recent county certified tax appraisal roll;

b) Have exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single family dwellings located within five hundred (500) feet of the lot on which the Modular Home is proposed to be located;

c) Comply with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single family dwellings; and

d) Be securely affixed to an approved permanent foundation.

(6) For purposes of above subsection 5 above, "value" means the taxable value of the industrialized housing and the lot after installation of the housing as determined by the appraisal district.

## Article V – Off-Street Parking and Loading

### 5.1 Applicability

#### APPLICABILITY.

- Parking, stacking and loading requirements shall apply to all development within the City limits or where provided for in a development agreement, in the City's extraterritorial jurisdiction. This Article shall supersede any conflicting provision of Castroville Zoning Ordinance Article IV, Section 38 (entitled "Design Criteria for Commercial Properties in CH Districts").

#### REVIEW AND APPROVAL

- Applications for building permits and certificates of occupancy shall include parking plans showing the design of off-street parking areas, including the layout of spaces, aisles, stacking lanes and the location of ingress and egress points. Parking plans shall be approved by the City Administrator or their designee in accordance with the provisions of this section. Submission of a parking plan may be waived when it is not necessary to determine compliance with these requirements.

### 5.4.1 Intent

Parking shall not be the driver of site planning. The standards in this UDO support this notion by eliminating minimum parking requirements. The intent of building a walkable, bike-able, and easily navigable City means all modes of transportation are available to reduce the reliance on the vehicle. Circulation and parking standards are further defined in the Engineering Standards.

### 5.2 General Requirements

### 5.3 Off-Street Parking – Design and Construction Standards

(2) Maximum Parking Requirements. (a) Maximum percentage of lot occupied by parking. Maximum percentage of lot occupied by parking in P4 and P5 can not exceed one and a half times (1.5) the size of the building footprint.

Drive-throughs are required to be located in the second or third layer layer of the lot or located from an alley. Where allowed, drive-through or gas station facilities shall follow the following criteria:

5.4.5.1 Do not locate drive-through or gas station facilities abutting to residential uses.

5.4.5.2 Screen vehicular areas for drive-through facilities or gas stations placed on the street side of a building or any other location that is directly visible from adjacent properties with screen walls, mounding, and/or dense landscaping at least three (3) feet in height at the time of planting.

#### 5.4 Special Provisions for Certain Uses

#### 5.5 New and Unlisted Uses

Removed

Uses are not listed in this ordinance

When a proposed land use is not classified, the parking requirement will be based on the minimum standard which applies to a specified use which is most closely related to the proposed land use, as determined by the City Administrator or their designee.

5.6 Non-Conforming Uses and Structures

Any use of property existing at the time of adoption of these regulations and standards that do not conform to the regulations and standards prescribed in this article shall be deemed a non-conforming use and subject to the terms and conditions of Article VI of this Ordinance. When a non-conforming structure is structurally altered or the use changed, as stated in Article VI, Section 3.2, adequate parking spaces which meet the requirements of the regulations and standards adopted in this section shall be required for the entire structure and use.

5.7 Table of Off-Street Parking Removed

Please visit CZO for table of uses.

5.8 Off-Street Loading Requirements for Non-Residential Properties Removed

For non-residential properties requiring the receipt or distribution by commercial truck of materials or merchandise, except where otherwise exempted by this Chapter, Off-street loading space shall be provided and maintained, on the same lot with such building.

- Where the floor area of the building exceeds one hundred thousand (100,000) square feet, the number of off-street spaces shall, in addition to the above, provide one space for each additional one hundred thousand (100,000) square feet of floor area.
  - a) Dimensions. Each loading space shall be not less than twelve (12) feet in width, twenty-five (25) feet in length and fourteen (14) feet in height.

b) Location. Such space may occupy all or any part of any required side or rear yard except the side yard along a side street in case of a corner lot. In no event shall any part of a required front yard be occupied by such loading space.

c) Distance. No such space shall be closer than fifty (50) feet to any other lot located in any residential district, unless wholly within a completely enclosed building or unless enclosed on all sides by a masonry wall not less than six (6) feet in height.

d) Lighting. Lighting shall be so arranged that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic. e) Pavement. Loading areas shall be surfaced with concrete, asphaltic concrete, or asphalt.

f) Plan. Buildings or uses requiring off-street loading facilities under the provisions of this Article shall clearly indicate the location, dimensions, clearance, and access of all such required off-street loading facilities on the projects parking plan.

- Off-street loading facilities provided to meet the needs of one use shall not be considered as meeting the off-street loading needs of any other use.

- No area or facility provided to meet the required off-street parking facilities for a use shall be utilized for or deemed to meet the requirements of this Article for off-street loading.

## Article VI – Nonconforming Uses and Structures

### 6.1 Nonconforming Uses

- The lawful use of land existing on the date of this Ordinance, although such does not conform to the provisions of the Ordinance, may be continued, but if such non-conforming use is discontinued for more than sixty (60) days, any future use of such premises shall be in conformity with the provisions of this Ordinance.
- The lawful use of any building existing on the date of the adoption of this Ordinance may be continued even though such use does not conform to the provisions of this Ordinance. Such use may be extended throughout the building, provided no structural alterations, except those required by law or ordinances are made therein. A building occupied by a non-conforming use may be reoccupied by the same type of non-conforming use provided the building is not vacant for more than sixty (60) days. A building which is vacant for a period in excess of sixty (60) consecutive days may only be reoccupied by a use permitted for the district in which it is located.
- The right of non-conforming uses to continue shall be subject to such regulations as to the maintenance of the

#### 1.10.10 Nonconforming Uses of Land

Permitted uses in existence before the adoption of the UDO that do not meet the current standards of this UDO are considered to be nonconforming uses.

- A nonconforming use may be replaced by the same specific use as long as the nonconforming use has not been abandoned.
- The Community Development Director may approve the replacement of a nonconforming use with a different nonconforming use if it is determined that the new nonconforming use will have a lesser impact on the surrounding neighborhood than the existing nonconforming use.

#### Discontinuation Period:

- CZO specifies a 60-day discontinuation period for nonconforming uses, after which future use must conform to the ordinance.
- UDO does not specify a discontinuation period but focuses on whether the nonconforming use has been abandoned.

#### Authority for Replacement:

- CZO does not mention replacing nonconforming uses with different nonconforming uses.
- UDO allows the Community Development Director to approve replacements with different nonconforming uses if they have a lesser impact.

#### Regulatory Oversight:

- CZO involves the Zoning Board of Adjustment in maintaining and regulating nonconforming uses.
- UDO gives the Community Development Director the authority to approve changes in nonconforming uses.

premises and conditions of operation as may, in the judgement of the Zoning Board of Adjustment, be reasonably required for the protection of adjacent property.

#### Section 2. Completion of Existing Buildings

- Nothing contained in this Ordinance shall require any change in the plans, construction, or designated use of a building actually under construction for which a building permit was issued on or before the date of the adoption of this Ordinance; and which the entire building was completed within one (1) year from that date.

### 6.2 Completion of Buildings

Removed

Once the building permit expires, then they would have to resubmit for review.

Nothing contained in this Ordinance shall require any change in the plans, construction, or designated use of a building actually under construction for which a building permit was issued on or before the date of the adoption of this Ordinance, and which the entire building was completed within one (1) year from that date.

### 6.3 Nonconforming Structures

#### CONTINUANCE OF NON-CONFORMING STRUCTURES

- Except as hereinafter provided, any nonconforming structure may be occupied and operated and maintained in a state of good repair.

#### ENLARGEMENT OR EXTENSION OF NON-CONFORMING STRUCTURES

#### 1.10.5

Abandonment of legal nonconforming status shall be determined as follows:

- A legal nonconforming lot shall be considered abandoned after an application to amend or replat the lot has been approved.
- A legal nonconforming site shall be considered abandoned after the site has been vacated and all legal uses of the site

#### Enlargement or Extension:

- CZO allows enlargement or extension of nonconforming structures with permitted uses if compliant with district provisions.
- UDO does not address enlargement or extension.

#### Restoration of Damaged Structures:

- CZO specifies restoration conditions for damaged nonconforming structures.

- A nonconforming structure in which a nonconforming use is operated shall not be enlarged or extended; a nonconforming structure in which only permitted uses are operated may be enlarged or extended if the enlargement or extension can be made in compliance with all of the provisions of this Ordinance established for structures in the district in which the nonconforming structure is located.

#### RESTORATION OF DAMAGED NON-CONFORMING STRUCTURES

- A non-conforming structure damaged in any manner and from any cause whatsoever to the extent of not more than fifty (50) percent of its replacement cost may be restored, provided restoration is begun within one (1) year and completed within two (2) years of the date of the damages.

#### NON-CONFORMING ADVERTISING SIGNS

- Advertising signs which are, at the date of adoption of this Ordinance, nonconforming as to USE shall be removed within five (5) years from the effective date of this Ordinance

have been discontinued for a period of twelve (12) months.

- A legal nonconforming structure shall be considered abandoned after the structure has been vacant and/or no certificate of occupancy has been in place for a period of eighteen (18) months.
- A legal nonconforming sign shall be considered abandoned after the entity that the sign advertised has ceased operating or the premises on which the sign is located have been vacated for a period of ninety (90) days.

#### I.10.8 Nonconforming Structures

Legal nonconforming structures may be maintained in accordance with the applicable building codes. Maintenance shall not increase the structure's nonconformities.

Repairs to legal nonconforming structures shall be allowed if the value of the repair does not exceed fifty percent (50%) of the market value of the structure. Repairs shall not increase the structure's nonconformities.

Reoccupation of abandoned nonconforming structures.

- Prior to reoccupying a legal nonconforming structure that has been abandoned pursuant to Section I.10.5, the owner of the structure must prepare a plan for the proposed reoccupation of the structure that demonstrates how the structure may be brought into substantial compliance with this UDO. The DRC shall have review and approval authority for the reoccupation of abandoned nonconforming

- UDO focuses on repairs without increasing nonconformities.

#### Nonconforming Advertising Signs:

- CZO requires removal of nonconforming advertising signs within five years.
- UDO allows maintenance and updates of nonconforming signs under certain conditions.

#### Abandonment:

- UDO includes specific criteria for determining abandonment of nonconforming status for lots, sites, structures, and signs.
- CZO does not address abandonment.

#### Reoccupation of Abandoned Structures:

- UDO includes specific procedures for reoccupying abandoned nonconforming structures, requiring a compliance plan and review by the DRC, with appeals heard by the ZBA.
- CZO does not address reoccupation of abandoned structures.

structures. The ZBA shall hear appeals of DRC decisions regarding the reoccupation of abandoned nonconforming structures.

#### 1.10.9

A legal nonconforming sign may be maintained in accordance with the applicable building codes. Maintenance shall not increase the sign's nonconformities.

- Legal nonconforming signs may be updated with new lettering, logos, etc. so long as the update does not exceed fifty percent (50%) of the sign's replacement value. Updates may not increase the sign's nonconformities.
- Repairs to legal nonconforming signs shall be allowed if the value of the repair does not exceed fifty percent (50%) of the sign's replacement value. Repairs shall not increase the sign's nonconformities.

## Article VII – Board of Adjustment

### 7.1 Creation, Tenure of Members and Organization

- A Board of Adjustment consisting of five (5) members, each to be appointed by the City Council for a term of two years and removable, for cause, by the appointing authority. Vacancies shall be filled by the appointment, by the original appointing authority, of a suitable person to serve out the unexpired term of any members whose place on the Board has become vacant for any cause.

### 2.3.3 Zoning Board of Adjustment

The Zoning Board of Adjustment (ZBA) is established in Chapter 2, Article IV of the City of Castroville Code of Ordinances.

State law and Chapter 2, Article IV of the Code of Ordinances regulate the Board of Adjustments

Texas Local Government Code Section 211.008 outlines the establishment and operation of Boards of Adjustment in municipalities. Here are the key points:

1. **Appointment:** The governing body of a municipality can appoint a Board of Adjustment to make special exceptions to zoning ordinances.

- The Board is hereby vested with power and authority, in appropriate cases and subject to appropriate conditions and safeguards, to make such exemptions to the terms of this ordinance, in harmony with its general purpose and intent and in accordance with general or special rules therein contained, for the purpose of rendering full justice and equity to the general public.
- The Board may adopt rules to govern its proceedings provided, however, that such rules are not inconsistent with this ordinance. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence, the acting chairman, may administer oath and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent, or failing to vote, indicate such fact, and shall keep records of its examinations and other official actions, all of which, shall be filed immediately in the office of the Board and shall be a public record.
- The City Secretary of the City of Castroville, Texas shall be an ex-officio member of the Board; shall be its secretary and shall keep all records of the Board. All meetings of the Board shall be held at the City Hall.

## 7.2 Appeals Procedures

- Appeals to the Board of Adjustment can be taken by any person aggrieved or by

## 2.2.3 Zoning Board of Adjustment

2. **Composition:** The board must have at least five members appointed for two-year terms. Alternate members can also be appointed to serve in the absence of regular members.
3. **Procedures:** Each case must be heard by at least 75% of the board members. Meetings are public, and the board must keep detailed records of its proceedings.
4. **Powers:** The board can adopt rules, administer oaths, and compel the attendance of witnesses. It can also make decisions on appeals, variances, and special exceptions to zoning regulations.
5. **Removal and Vacancies:** Board members can be removed for cause after a public hearing, and vacancies are filled for the unexpired term.

No Changes. The appeal procedure is dictated by state law.

any officer of department of the municipality affected by any decision of the administration officer. Such appeal shall be taken within fifteen (15) days 'time after the decision has been rendered by the administrative officer, by filing with the officer from whom the appeal is taken and with the Board of Adjustment, a notice of appeal, specifying the grounds thereof. The officer, from whom the appeal is taken, shall forth with transmit to the Board all the papers constituting the record upon which the action appealed was taken.

- An appeal shall stay all proceedings of the action appealed from, unless the officer from whom the appeal is taken, certified to the Board of Adjustment, after the notice of appeal shall have been filed with him that, by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed, otherwise than by a restraining order, which may be granted by the Board of Adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and on due cause shown.
- The Board of Adjustment shall fix a reasonable time for the hearing of an appeal, give the public notice thereof, as well as due notice to the parties in interest and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by attorney or by agent.

The Zoning Board of Adjustment (ZBA) is established in Chapter 2, Article IV of the City of Castroville Code of Ordinances.

Texas Local Government Code Section 211.010 outlines the appeal procedure for Boards of Adjustment. Here are the key points:

1. **Who Can Appeal:** Any person aggrieved by a decision made by an administrative official, or any officer, department, board, or bureau of the municipality affected by the decision, can appeal to the Board of Adjustment
2. **Filing an Appeal:** The appeal must be filed within a reasonable time, as determined by the rules of the board. The appellant must file a notice of appeal specifying the grounds for the appeal
3. **Stay of Proceedings:** Filing an appeal stays all proceedings in furtherance of the action appealed from, unless the administrative official certifies that a stay would cause imminent peril to life or property
4. **Hearing and Decision:** The Board of Adjustment must hold a public hearing on the appeal. The board has the authority to reverse, affirm, or modify the decision appealed from, and it must make its decision within a reasonable time
5. **Judicial Review:** Any person aggrieved by a decision of the Board of Adjustment, or any taxpayer, officer, or department of the municipality, may present a petition to a court of record within ten days after the board's decision, specifying the grounds of illegality

### 7.3 Powers

- To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination, made by an administrative official in the enforcement of this ordinance.
- To authorize, upon appeal in special cases, such variances from the terms of the ordinance as will not be contrary to the public interest, where, owing to such special conditions, the literal enforcement of the provisions of the ordinance shall be substantially preserved.
  - a) The Board of Adjustment shall not grant a Variance from the provisions or requirements of this ordinance unless it finds that the following facts and conditions exist:
    - i. That a variance is a means of relief which is available only when some peculiar circumstance as to the size or shape of the parcel of land (and sometimes its location) is such that the literal application of the provisions of the Ordinance would impair the owner's rights to some reasonable use of the property. A variance shall not be granted unless, in the first place, there are such peculiar circumstances.

### 2.3.3.2 Authority

The Zoning Board of Adjustment has the authority granted to it by State Law and City ordinance. Its authority related to the applications, processes and procedures of this UDO is summarized below.

The ZBA has final decision-making authority over the following processes and applications:

- (1) Zoning Variances
- (2) Zoning Special Exceptions
- (3) Review and approval or disapproval of appeals of the following:
  - a) Zoning-related Administrative Decisions
  - b) Administrative decisions on Sign Permit applications
  - c) Administrative decisions on Zoning Warrant applications

The CZO supplies language to which constitute a variance necessary, the UDO does not.

The powers and process are the same, as they are defined by state law.

- ii. That the circumstances which cause the hardship must be peculiar to the property in question, or to such a small number of properties that they clearly constitute marked exceptions to the property in the neighborhood. If the circumstances cited as a basis for applying for the variance are common to the property in the neighborhood, the variance shall not be granted.
- iii. That after establishing the peculiar circumstance applying to the property in question, it shall be determined that the variance is required in order to preserve a substantial property right of the petitioner. It is of no moment whatever that the denial of the variance might deny to the property owner some opportunity to use his property in a more profitable way or to sell it at a greater profit than is possible under the terms of the Ordinance. The owner is entitled only to a reasonable use of his property.

- iv. That any alleged hardship is not self-created by any person having an interest in the property nor is the result of mere disregard for or ignorance of the provisions of this Ordinance.
- v. That the regulations to which the variance is sought shall be modified as little as possible so that the substantial intent and purpose of the regulations shall be preserved. The granting of the variance should be made subject to such conditions as will constitute to this end.
- vi. That the variance will not result in substantial detriment to adjacent property nor the surrounding neighborhood and will not be materially detrimental to the public welfare.
- vii. The Board shall carefully distinguish between a use change and a variance. A use change shall be subject to the provisions of the Ordinance applicable to a change in Zoning District Classification.
- b) The grant of a variance by the Board shall be by resolution. The granting of a variance shall not be by an ordinance

amending the Comprehensive Zoning Ordinance.

- c) In connection with any recommendation by the Board for the granting of a variance, the Board shall include any conditions, requirements or limitations to be attached to the variance, which the Board may find to be necessary and desirable to protect adjacent properties and the surrounding neighborhood, and to carry out the purposes and objectives of this Ordinance.
- d) The Board of Adjustment shall not take action upon an application for variance for any property located in a Historical District until it has referred the request to the Historic Review Board and received recommendation or a certificate from the Board showing failure to take action.
- In exercising its powers, the Board may, in conformity with the provisions of ARTICLE 1011- A and including 1011-1 of the 1925 Civil Statutes of Texas, revise or reform, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made and shall have all the powers of the officer from whom the appeal is taken; said decision of the Board is to be consistent with the provisions of (2) above relating to the exercise of its powers.

- The concurring vote of four (4) members of the Board shall be necessary to revise any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the application on any matter upon which it is required to pass under this ordinance or to affect any variance in said ordinance.
- Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment, any taxpayer, any officer, or department of the Municipality, may present to a court of record, a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within ten (10) days after the filing of the decision of the Office of the Board and not thereafter.

\* Any provision contained in the Comprehensive Zoning Ordinance that are inconsistent with this amendment are hereby repealed

## Article VIII – Amendments to Ordinance

### 8.1 Petition for Changes and Amendments

Any person or corporation or group of persons having a proprietary interest in any property, may petition the City Council for a change or amendment to the provisions of this Ordinance or the City Planning and Zoning Commission may, on its own motion, initiate proposals for changes and amendments.

### 2.2.13 Place Type Zoning Ordinance Text Amendment

Amendments to this UDO may be made to correct errors in the text or because of changed conditions or better practices having been developed. All amendments shall be consistent with the Comprehensive Plan. City staff will periodically identify necessary amendments to the UDO and present them for consideration to the Planning & Zoning Commission. Property owners

No change

or citizens of Castroville may also propose text amendments.

## 8.2 Filing Petition and Fee

Each and every petition to the City Council as provided in this Section shall be filed with the City Secretary prior to being presented to the City Council and shall be accompanied by a fee of Seventy-five (\$75.00) Dollars, payable to the City of Castroville, Texas, no part of which shall be returnable regardless of the action taken on the petition.

## 1.12 Fees

Applications under this UDO shall be deemed incomplete until all applicable fees associated with the application have been paid in full. Refer to the City's adopted fee schedule for all fees associated with applications or permits governed by this UDO.

Established is the fee schedule.

## 8.3 Changes and Amendments by the City

The City Council may from time to time amend, supplement, or change by ordinance the boundaries of the districts or regulations herein. Before taking action on any proposed amendment, supplement or change, the City Council shall submit the same to the City Planning and Zoning Commission for its recommendation and report.

## 2.2.13 Place Type Zoning Ordinance Text Amendment

Amendments to this UDO may be made to correct errors in the text or because of changed conditions or better practices having been developed. All amendments shall be consistent with the Comprehensive Plan. City staff will periodically identify necessary amendments to the UDO and present them for consideration to the Planning & Zoning Commission. Property owners or citizens of Castroville may also propose text amendments.

No Change

## 8.4 Public Hearing by Planning and Zoning Commission

The City Planning and Zoning Commission shall hold a public hearing on any application for amendment, supplement or change prior to making its recommendation and report to the City Council. Written notice of all public hearings before the City Planning and Zoning Commission

## 2.2.13 Place Type Zoning Ordinance Text Amendment

Whether city-initiated or applicant-initiated, City staff will prepare a staff report on the proposed text amendment and submit it to the Planning & Zoning Commission for consideration.

No Change

on a proposed amendment, supplement or change shall be sent to all owners of real property lying within two hundred (200) feet of the property on which the change is requested. Such notice shall be given not less than ten days before the date set for hearing by depositing a notice properly addressed and postage paid in the United States Post Office to such property owners as the ownership appears on the City's most recent tax roll.

Public notice of the text amendment will be completed in accordance with State law and City ordinance.

Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the text amendment and make a recommendation to the City Council.

#### 8.5 Public Hearing by City Council

A public hearing shall be held by the City Council before adopting any proposed amendment, supplement, or change. At least fifteen (15) days' notice of the time and place of such hearing shall be published in the official newspaper of the City of Castroville.

#### 2.2.13 Place Type Zoning Ordinance Text Amendment

No Change

City Council will hold a public hearing and consider the recommendation of the Planning & Zoning Commission. If the City Council is in favor of the text amendment, they will adopt it by ordinance in accordance with State law.

#### 8.6 Amendment Under Protest

If such proposed amendment, supplement or change has been denied by the City Planning and Zoning Commission, or if a protest against such proposed amendment, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty (20%) percent or more, either of the area of the lots included in such proposed change or those immediately adjacent in the rear thereof extending two-hundred (200) feet from the street frontage of such opposite lots, such amendment shall not become effective except by a two-thirds (2/3) vote of the members of the City Council of the City of Castroville.

Removed

Not required by State Law, and petitioners can always request an amendment to change it back.

## Article IX – Certificate of Occupancy and Compliance

### 9.1 Requirements

Removed

In all development, it states that a Certificate of Occupancy is required.

No building hereafter erected, converted, or structurally altered shall be used, occupied, or changed in use and no land may be used until a Certificate of Occupancy and Compliance shall have been issued by the Building Official stating that the building or proposed use of land or building complies with the provisions of this Ordinance.

A Certificate of Occupancy and Compliance shall be applied for coincident with the application for a building permit and will be issued within ten (10) days after the completion of the erection, alteration or conversion of such building or land provided such construction or change has been made in complete conformity to the provisions of this Ordinance.

A Certificate of Occupancy and Compliance shall state that the building or proposed use of a building or land, complies with all the building and health laws and ordinances and with the provisions of these regulations. A record of all certificates shall be kept on file in the office of the City Secretary, and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the land or building affected.

## Article X – Interpretation, Purpose, and Conflict

### 10.1 Interpretation

Removed

Uses are broken out by commercial and residential, there is not a schedule of use table.

In interpreting and applying the provisions of this Ordinance, they shall be held to be a minimum requirement for the promotion of the health, safety, morals, and general welfare of the

community. It is not intended by this Ordinance to interfere with, abrogate or annul any easements, covenants or agreements between parties, provided however, that where the regulations of this Ordinance are more restrictive than regulations on the same point, as contained in any other Law or Ordinance, or restrictions by deed or subdivision in “R” (Residential) Districts, the provisions of this Ordinance shall govern

10.2 Classifications of New and Unlisted Uses

Removed

Not in the UDO

It is recognized that new types of land uses will arise in the future and forms of land use not presently anticipated may seek to located in the City of Castroville. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use in the Schedule of Uses (Article II, Section I of this Ordinance) shall be made as follows.

- A new and unlisted use may be interpreted by the Community Development Director as similar to the listed use. In making such determination the Community Development Director shall consider if the unlisted use possesses a majority of characteristics of a listed use, based on the following:
  - i. The nature of the use and whether the use involves dwelling activity, sales, services or processing;
  - ii. The type of product sold or produced under the use;
  - iii. Whether the use has enclosed or open storage

- and the amount and nature of storage;
  - iv. Anticipated employment typical in relation to the use;
  - v. Transportation requirement similar to the use;
  - v. The nature and time of occupancy and operation of the premises;
  - vi. The off-street parking and loading requirements;
  - vii. The amount of noise, odor, fumes, dust, toxic materials and vibrations likely to be generated; and
  - viii. The requirements for public utilities such as sanitary sewer and water and any special public services that may be required.
- If the unlisted use is deemed to be similar to a listed use, no amendment to the Schedule of Uses is required

## Article XI – Violations and Penalties

### 11.1 Violations and Penalties

Any person, firm, or corporation, or anyone acting in behalf thereof, who shall violate or fail to comply with any of the provisions of this Ordinance shall, upon conviction, be punished by a fine not exceeding two-hundred dollars (\$200.00). Each day that violation of this Ordinance is continued or permitted to exist without compliance, shall constitute a separate offense

### 1.9.3 Violations

Any person, firm or corporation violating the provision of this UDO shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the city of Castroville, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any

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- **Fine Amount:** The first set imposes a maximum fine of \$200, while the second set allows for fines up to \$500, and up to \$2,000 for specific violations.
- **Scope:** The second set includes specific provisions for violations related to fire safety, zoning, public health, and sanitation, with higher fines for these offenses.

punishable upon conviction in the manner prescribed in this Section.	offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day said violation is continued shall constitute a separate offense.
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Article XII – Enactment

12.1 Enactment	This will be in the Ordinance with which it was adopted by.
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Appendices

Appendix A – Table I: Xeriscape Landscape Plantings Please refer to table of allowed plants in the CZO to review.	5.6 Landscape Standards The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization, and maintenance.	Plant types requiring minimal irrigation is encouraged.
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