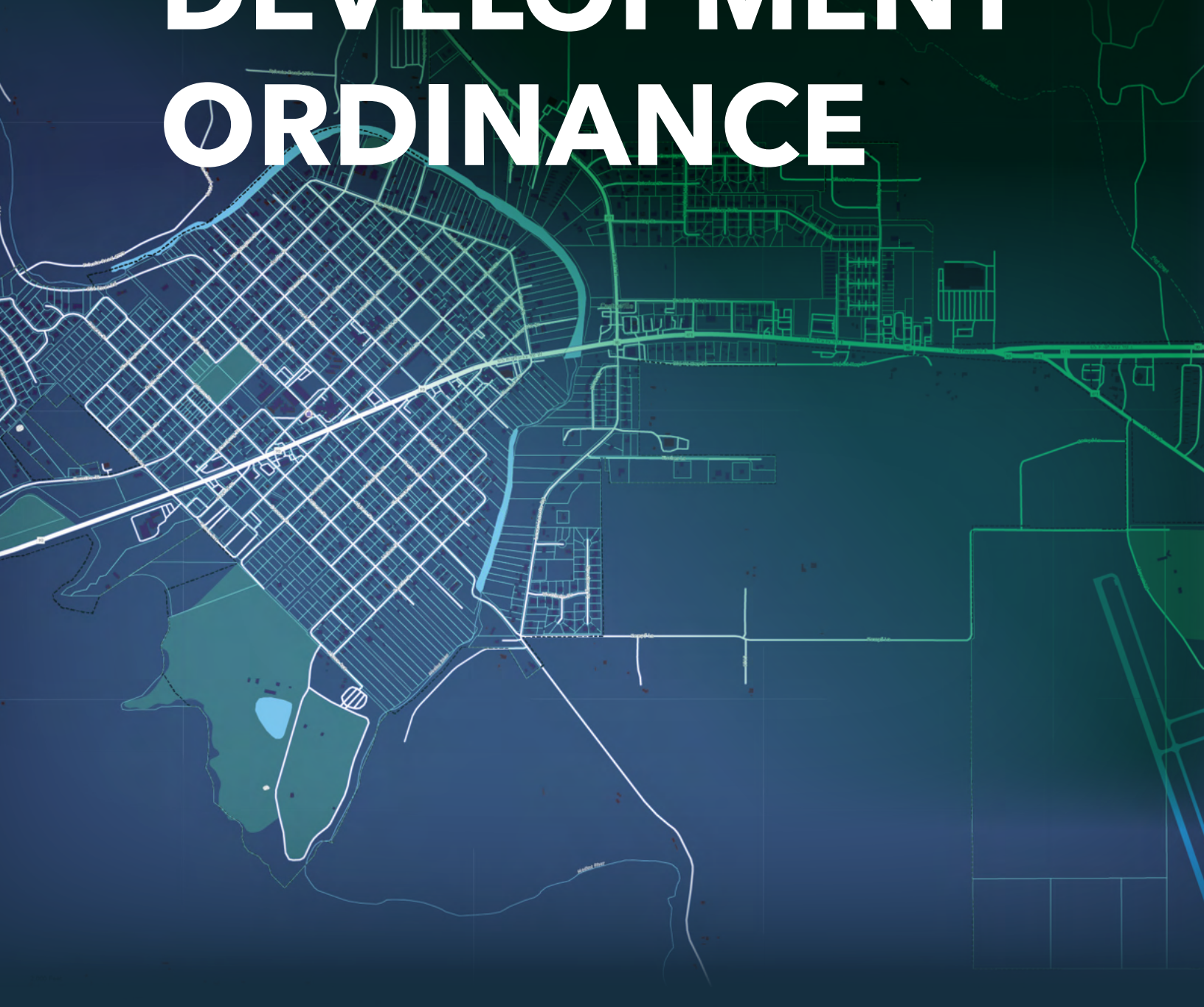


# Castroville

## UNIFIED DEVELOPMENT ORDINANCE



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District 1 - Sheena Martinez  
District 2 - Paul Carey  
District 3 - Phil King  
District 4 - David Merz  
District 5 - Herb Dyer

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Community Development Director - Breana Soto  
City Secretary - Debra Howe  
Financial Director - Leroy Vidales  
Accounting Manager - Hilda Bernal-Chavez  
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**PLANNING & ZONING COMMISSION**

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Priscilla Garrett  
Bruce Alexander  
Jim Welch, Chair  
Kyle McVay

**PROJECT ADVISORY COMMITTEE**

Darrin Schroeder  
Phil King  
Kyle McVay  
Priscilla Garret  
William Jette  
Breana Soto  
Scott Dixon

**SIMPLECITY DESIGN**

Matt Lewis, CNUA  
Zach Lewis  
Lacy Patterson  
Lisa Sutton  
Grace Hartman  
Milosav Ceckic  
JJ Zanetta

**POPKEN POPUPS**

Amanda Popken McCullough, AICP, CNUA  
Amy Albright

**CRABTREE GROUP INC**

Paul Crabtree, PE  
Aaron Cook, PE  
Jacob Hyman, PE

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## EXECUTIVE SUMMARY

The City of Castroville's new Unified Development Ordinance (UDO) is designed to shape the future of the city by preserving and building upon its beloved historical development patterns. Drawing inspiration from the city's historic districts, the UDO will integrate development standards rooted in the building types and places that have long defined the community's identity. It will accommodate a range of building types and lifestyle options, from natural spaces to house-form commercial buildings, and will include a wide variety of residential building types that foster identifiable neighborhoods functioning as cohesive additions to the community. By providing clear and strategic guidance on development, the UDO will enable Castroville to navigate the complexities of growth while maintaining its unique character.

Focus on the relationship between public and private spaces becomes more significant as the place becomes more intense; using Place Types to categorize places, the intensity of P5 is more intense than P4. Our development standards are the communities tools to ensure quality development. The tools within this and partnering ordinances are written with flexibility and clear intent. Providing creativity and allowances for different sites and development types.

Castroville's potential is accomplished by rules that maintain the Original Castro Area and when adjacent lands have a range in lifestyle options from rural living to downtown urban dwellers is attainable. A responsibly built range of patterns is most organically accomplished by locals and small-scale builders partaking in restoring, reusing, rebuilding, and maintaining buildings, lots, and land in Castroville.

The standards established in this ordinance provide flexibility and adjustability to accommodate modern construction while maintaining the qualities essential to the community fabric.

FIGURE 1: CASTROVILLE PLACE TYPE ZONING TRANSECT.



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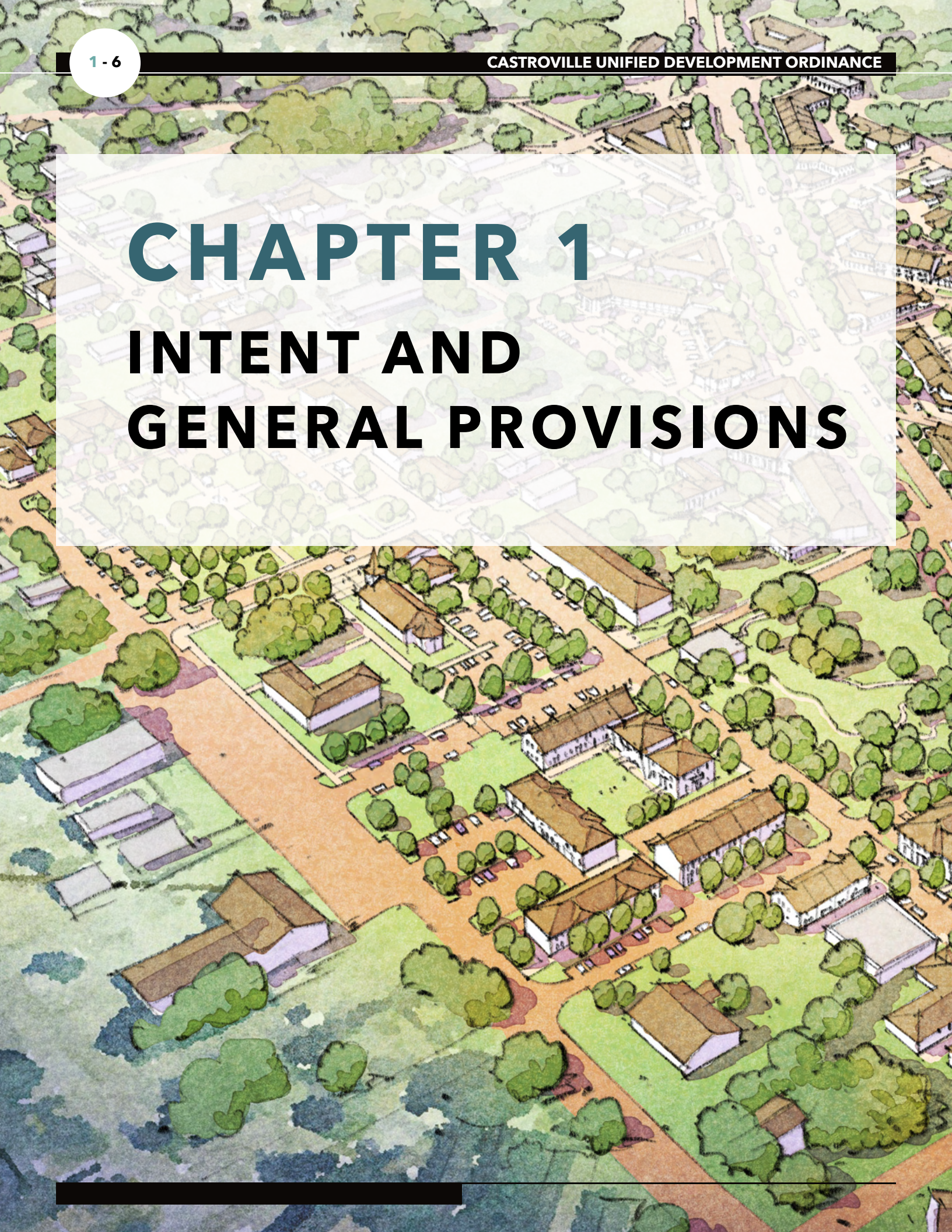
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An aerial sketch of a town, likely Castroville, showing various buildings, streets, and green spaces. The sketch is rendered in a light, artistic style with muted colors. A large, semi-transparent white rectangle is overlaid on the upper portion of the image, containing the chapter title.

# **CHAPTER 1**

## **INTENT AND GENERAL PROVISIONS**



## 1.1 TITLE.

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).

## 1.2 PURPOSE.

1.2.1 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:

► **COMMUNITY CHARACTER:**

Maintain Castroville's unique rural-urban character and small-town atmosphere where people feel connected to nature and town.

► **INTERCONNECTIVITY:**

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.

► **STORM-WATER MANAGEMENT AND INFRASTRUCTURE:**

Make smart investments that maximize the use of existing infrastructure and provide sufficient 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.

## 1.3 INTENT.

The intent section of this UDO is organized at three scales:

- ① The City.
- ② The Neighborhood.
- ③ The Block, Street, Lot, and Building.

### 1.3.1 THE CITY.

- (1) The City is a finite place with geographic boundaries derived from topography, watersheds, parks and open spaces, and other natural and man-made features. Within the City, a collection of neighborhoods are seamlessly connected to and integrated with each other through a well-planned and interconnected street network.
- (2) The City shall grow in a logical progression from the center outward and new neighborhoods will be designed as additions to the existing urban fabric.
- (3) Wherever possible, natural features including streams, creeks, rivers, trees, and wildlife habitat shall be preserved and natural drainage systems shall be enhanced.
- (4) Historic buildings and sites are valuable pieces of the City's heritage and shall be preserved and protected whenever possible.
- (5) The City is intended to be a self-sustaining economic unit with ties to the surrounding region. Toward that end, the City shall strive to maintain a balance between the creation of jobs and housing units for its residents and avoid becoming a bedroom community.

### 1.3.2 THE NEIGHBORHOOD.

- (1) The neighborhood is the primary organizing unit of the City. The formation of neighborhoods encourages residents to know their neighbors, to help maintain the neighborhood and to be responsible for guiding the evolution of the neighborhood over time.
- (2) Neighborhoods are walkable and connected with a mixture of uses and parks where activities of daily living occur within a close distance.
- (3) Within neighborhoods, a broad range of housing types, sizes, and price levels allows a diversity of people and households to interact with and get to know each other which strengthens civic bonds and helps maintain Castroville's small-town character.
- (4) The intensity of buildings within the neighborhood is related to the infrastructure systems that support the neighborhood so that sufficient tax revenues will be generated to pay for the long-term maintenance of those systems.
- (5) Concentrations of civic, institutional and commercial uses shall be integrated into neighborhoods so that most residents of the neighborhood may comfortably walk to them.

- (6) School sites should be planned so that children within the surrounding neighborhoods may safely walk or bicycle to and from school.
- (7) A variety of parks and open spaces are integrated into the design of neighborhoods and parks and trails connect neighborhoods to each other.

### 1.3.3 THE BLOCK, STREET, LOT, AND BUILDING.

- (1) Castroville's DNA is comprised of a network of streets that form small, walkable blocks. This form shall be extended as the City grows.
- (2) Streets define the character of neighborhoods and provide the framework for private development to occur.
- (3) Streets are designed at the scale of humans and provide a means to walk, bicycle, and drive within the neighborhood and between neighborhoods.
- (4) Streets provide areas for public landscaping and street trees to occur which provide shade and character for the neighborhood. Public landscaping shall be informed by native and adaptive plants that can thrive with minimal irrigation.
- (5) Lots are where private development occurs. Lots should be sized to accommodate the desired development and to make the most efficient use of public infrastructure.
- (6) Buildings help frame public spaces including streets, parks, plazas and paths. Buildings shall be placed on lots with this goal in mind. The parking of vehicles on private lots shall not detract from the streetscape and should generally be located to the side or rear of the buildings.
- (7) Civic buildings are places for people to gather and should be located on important and prominent sites within neighborhoods. Civic buildings should be distinctive and designed to last for generations.



## **1.4 AUTHORITY.**

- 1.4.1 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.
- 1.4.2 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.
- 1.4.3 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.
- 1.4.4 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 or passed, allowing the City to adopt rules governing signs.

## **1.5 APPLICABILITY.**

The provision of this UDO, including its Appendices, including the "City of Castroville Application Checklist," and the "City of Castroville Engineering Standards," shall apply to the subdivision and development of all land within the City of Castroville, Texas, and, where applicable, the extraterritorial jurisdiction unless specifically provided otherwise in the UDO.

## **1.6 JURISDICTION.**

- 1.6.1 Within the city limits all provisions of this UDO shall apply.
- 1.6.2 Within the extraterritorial jurisdiction, the applicable provisions related to the subdivision of land and sign regulations shall apply, but standards related to the following shall not apply:
- ▶ The use of any building or property for business, industrial, residential, or other purposes;
  - ▶ The bulk, height, or number of buildings constructed on a particular tract of land;
  - ▶ The size of a building that can be constructed on a particular tract of land, including without limitation any restriction on the ratio of the building floor space to the land square footage; and
  - ▶ The number of residential units that can be built per acre of land.

## **1.7 MINIMUM STANDARDS AND CONFLICTING PROVISIONS.**

The provisions of this UDO, including its Appendices, are the minimum standards necessary to accomplish its stated purposes. It is not the intent of this UDO to interfere with, abrogate or annul any private easement, covenant, deed restriction or other agreement between private parties. When the provisions of this UDO impose a greater restriction than imposed by such private agreements, the provisions of this UDO shall control. When private agreements impose a greater restriction than imposed by this UDO, such private agreements shall control.

## **1.8 RULES OF CONSTRUCTION.**

### **1.8.1 MEANING AND INTENT.**

All provisions, terms, phrases, and expressions contained in this UDO shall be construed in accordance with its stated purpose.

### **1.8.2 TEXT.**

In case of any difference of meaning or implication between the text of this UDO and any drawing or figure, the text shall control.

### **1.8.3 COMPUTATION OF TIME.**

The time within which an act is to be completed shall be computed by excluding the first day and including the last day; if the last day is a Saturday, Sunday or legal holiday, that day shall be excluded. In the computation of time for public hearing notice, both the first day (day of the advertisement) and the last day (day of the hearing) shall be excluded.

### **1.8.4 DELEGATION OF AUTHORITY.**

Whenever a provision requires the City Administrator or their designee to do some act or perform some duty, it is to be construed to authorize the head of the department or other officer to designate, delegate, and authorize subordinates to perform the required act or duty unless the terms of the provision specify otherwise.

### **1.8.5 NON-TECHNICAL AND TECHNICAL WORDS.**

Words and phrases shall be construed according to this UDO, including the "City of Castroville Engineering Standards" and all appendices to this UDO, and then according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

### **1.8.6 PUBLIC OFFICIALS, BODIES, AND AGENCIES.**

All public officials, bodies, and agencies to which references are made are those of the City of Castroville unless otherwise indicated.

### 1.8.7 MANDATORY AND DISCRETIONARY TERMS.

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

### 1.8.8 CONJUNCTIONS.

Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:

- ▶ "And" indicates that all connected items, conditions, provisions or events shall apply; and
- ▶ "Or" indicates that one or more of the connected items, conditions, provisions or events shall apply.

### 1.8.9 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.

## 1.9 TRANSITIONAL PROVISIONS.

The following transitional provisions shall apply to various matters pending or occurring prior to the effective date of this UDO.

### 1.9.1 ZONING UPON ANNEXATION.

1.9.1.1 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.

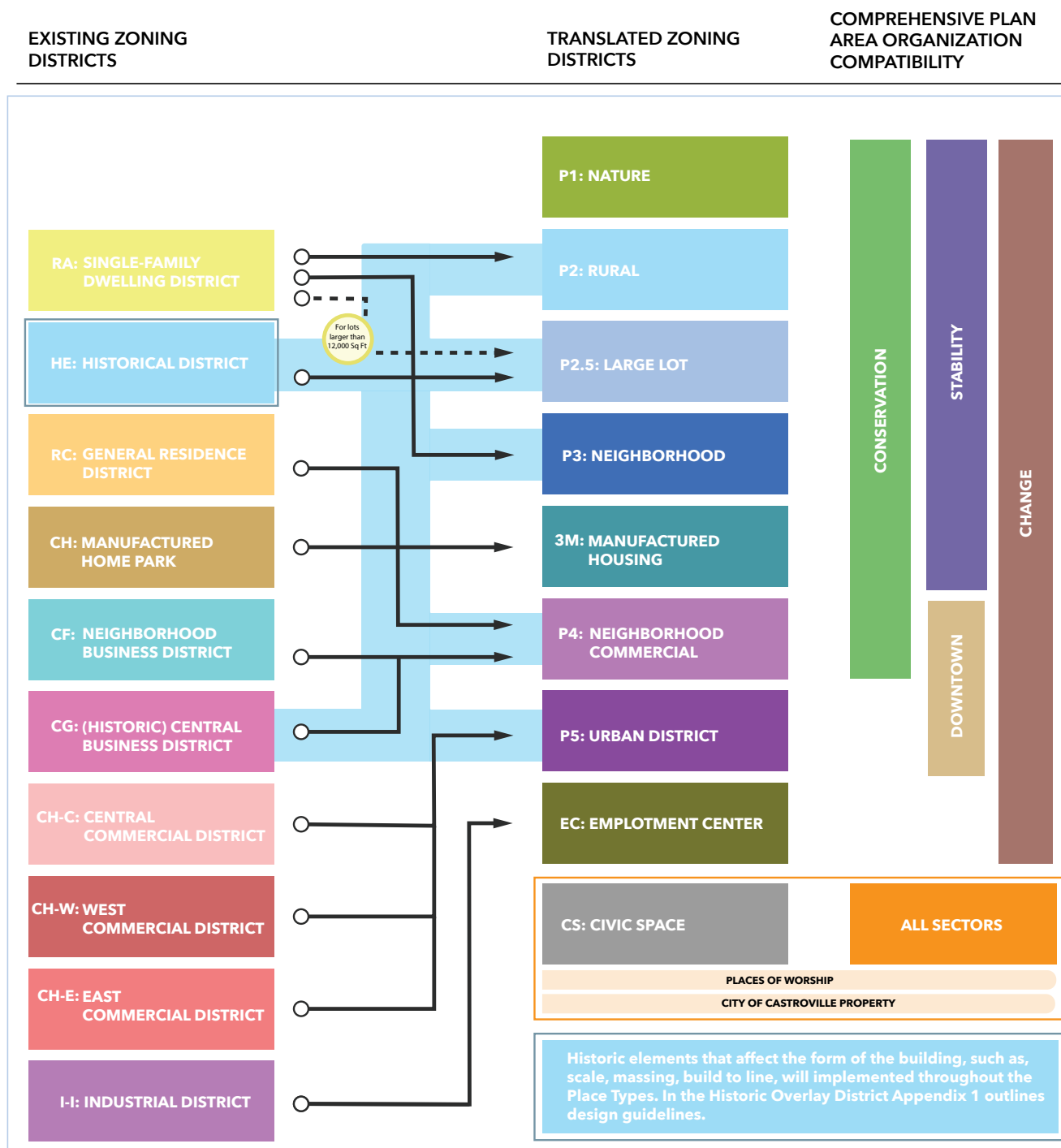
1.9.1.2 In an area classified as "P2" Rural:

- (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 authorize the Construction of the Project by a majority vote.

### 1.9.2 ZONING DISTRICT NAME AND STANDARDS CHANGES.

1.9.2.1 All zoning districts in the City of Castroville are renamed as shown in Table 1.9.2(A) Zoning Translation. The development standards associated with the renamed districts shall apply to all properties in the city limits except as provided for in legal conforming planned developments approved prior to the effective date of this UDO and which are still active.

TABLE 1.9.2(A): ZONING TRANSLATION.



### 1.9.3 VIOLATIONS CONTINUE.

Any violation of the previous Zoning Ordinance of the City of Castroville shall continue to be a violation under this UDO and shall be subject to prosecution pursuant to Chapter 10, unless the use, development, construction, or other activity is clearly consistent with the express terms of this UDO.

### 1.9.4 COMPLETION OF DEVELOPMENT PLANS.

#### 1.9.4.1 UNEXPIRED BUILDING PERMITS.

Building permits issued or completed building permit applications submitted prior to the effective date of this UDO may proceed without any changes required because of new regulations in this UDO.

#### 1.9.4.2 UNEXPIRED PRELIMINARY PLATS.

All preliminary plats or complete preliminary plat applications submitted prior to the effective date of this UDO which have not expired may proceed without any changes required to the preliminary plat because of new regulations in this UDO. However, new standards in this UDO for subdivision infrastructure shall apply if the subdivision improvement plans have not yet been approved or a complete application submitted.

#### 1.9.4.3 EXISTING PLANNED DEVELOPMENT ZONING ORDINANCES.

Planned Development zoning ordinances approved prior to the adoption of this UDO shall continue in effect unless a Preliminary Plat application has not been filed within two (2) years after the approval date of the Planned Development zoning ordinance in which case the Planned Development zoning ordinance is expired and the property shall revert to P2 - Rural Place Type. The base zoning district for all Planned Development zoning ordinances shall follow the translation table.

## 1.10 EFFECT ON EXISTING CONDITIONS (NONCONFORMITIES).

### 1.10.1 INTENT.

Within the city limits and extraterritorial jurisdiction, exist lots, sites, structures, signs, uses of land, and characteristics of use that were lawful before this UDO was enacted, amended or otherwise made applicable to such lots, sites, structures, signs or uses, but that do not now conform to the standards of this UDO. It is the intent of this UDO to permit such nonconforming lots, sites, structures, signs or uses to continue, if the conditions within this section and other applicable sections are met.



### 1.10.2 DETERMINATION OF NONCONFORMING STATUS.

Determination of nonconforming status shall be made by the Community Development Director or their designee or successor, subject to appeal to the ZBA.

### 1.10.3 LEGAL NONCONFORMING STATUS.

Any lots, sites, structures, signs, or uses of land which do not conform with the regulations of this UDO shall be deemed legal nonconforming when:

- (1) Such lots, sites, structures, signs, or uses of land were in existence and lawfully operating as of the effective date of this UDO, and have since been in regular and continuous use; or
- (2) Such lots, sites, structures, signs, or uses of land were in existence and lawfully operating as of the effective date of any amendment to this UDO, but by such amendment are no longer in conformance with this UDO, and have since been in regular and continuous use; or
- (3) Such lots, sites, structures, signs, or uses of land were in existence and lawfully operating on the date that annexation proceedings were instituted and have since been in regular and continuous use.

### 1.10.4 ILLEGAL NONCONFORMING STATUS.

Any lots, sites, structures, signs, or uses of land that are in violation of the requirements of this UDO and were constructed or established since its adoption or amendment without the necessary approvals, permits, or authorizations from the City are considered illegal nonconforming. The owner and/or operator of an illegal nonconforming lot, site, structure, sign, or use of land shall be subject to actions and penalties allowed by this UDO and all other applicable City ordinances and shall be required to correct the nonconforming situation to come into conformance with all applicable standards and regulations of this UDO.

### 1.10.5 ABANDONMENT OF LEGAL NONCONFORMING STATUS.

1.10.5.1 Abandonment of legal nonconforming status shall be determined as follows:

- (1) A legal nonconforming lot shall be considered abandoned after an application to amend or replat the lot has been approved.
- (2) A legal nonconforming site shall be considered abandoned after the site has been vacated and all legal uses of the site have been discontinued for a period of twelve (12) months.
- (3) 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.
- (4) 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.

1.10.5.2 Occurrence of a combination of one or more of the following situations shall be a sign of vacancy or lack of occupancy for the purposes of determining abandonment:

- (1) The building, structure, activity, or land has been unoccupied or out of use;
- (2) The intention of the owner to discontinue the use is apparent;
- (3) One or more utility accounts have been discontinued;
- (4) Utility meters are removed;
- (5) The occupant or owner has allowed any taxes to not be paid thereon;
- (6) The site or structure has not been maintained;
- (7) The unit has not been made available for occupancy;
- (8) The characteristic equipment and furnishings of a nonconforming use have been removed from the premises; or
- (9) A nonconforming use has been replaced by a conforming use.

#### 1.10.6 NONCONFORMING LOTS.

Legal nonconforming lots may continue to be used for all legal purposes under this UDO until the nonconforming status has been abandoned. No additional division of a legal nonconforming lot shall occur that will increase the level of nonconformity of the lot.

#### 1.10.7 NONCONFORMING SITES.

Legal nonconforming sites are legally occupied properties whose site improvements do not meet one or more provisions of this UDO such as parking location, landscaping, lighting, storm-water drainage, etc.

1.10.7.1 Prior to reoccupying a legal nonconforming site that has been abandoned pursuant to Section 1.10.5, the owner of the site must prepare a plan for the proposed reoccupation of the site that demonstrates how the site may be brought into substantial compliance with this UDO. The Development Review Committee (DRC) shall have review and approval authority for the reoccupation of abandoned nonconforming sites. The ZBA shall hear appeals of DRC decisions regarding the reoccupation of abandoned nonconforming sites.

1.10.7.2 Legal nonconforming sites may not be expanded or modified in a way that increases or adds to the nonconformities of the site.

#### 1.10.8 NONCONFORMING STRUCTURES.

Legal nonconforming structures are those that do not meet one or more of the standards of this UDO such as build-to line, height limitations, design standards, performance standards, etc.

#### 1.10.8.1 MAINTENANCE AND REPAIRS.

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.

#### 1.10.8.2 Reoccupation of abandoned nonconforming structures.

Prior to reoccupying a legal nonconforming structure that has been abandoned pursuant to Section 1.10.5, 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 structures. The ZBA shall hear appeals of DRC decisions regarding the reoccupation of abandoned nonconforming structures.

### 1.10.9 NONCONFORMING SIGNS.

Permitted signs erected before the adoption of the UDO that do not meet the current standards of this UDO are considered to be legal nonconforming signs.

#### 1.10.9.1 MAINTENANCE, UPDATES AND REPAIR.

- (1) A legal nonconforming signs may be maintained in accordance with the applicable building codes. Maintenance shall not increase the sign's nonconformities.
- (2) 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.
- (3) 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.

### 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.

- 1.10.10.1 A nonconforming use may be replaced by the same specific use as long as the nonconforming use has not been abandoned.
- 1.10.10.2 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.

## **1.11 WRITTEN INTERPRETATIONS.**

The Community Development Director shall have the authority to issue interpretations concerning the provisions of this UDO. Interpretations may be initiated by the Community Development Director or may be issued upon request through an application for a written interpretation. Appeals of written interpretations relating to zoning regulations shall be heard by the ZBA and appeals of interpretations relating to subdivision regulations shall be heard by the Planning & Zoning Commission.

## **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.

## **1.13 ADOPTION.**

This UDO was originally adopted by the City Council on the \_\_\_\_\_ day of February 2025.

## **1.14 ENFORCEMENT.**

### **1.14.1 ENFORCEMENT RESPONSIBILITY.**

This UDO shall be administered and enforced by the City Administrator or their designee.

### **1.14.2 COMPLIANCE REQUIRED.**

No person may use, occupy, or develop land, buildings or other structures, or authorize or permit the use, occupancy or development of land, buildings or other structures except in accordance with all provisions of this UDO.

### **1.14.3 REMEDIES AND ENFORCEMENT POWERS.**

#### **1.14.3.1 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 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.

#### 1.14.3.2 STOP WORK.

Whenever any construction work is being done contrary to the provisions of this UDO, the Community Development Director, or their designee, may order the work stopped by notice in writing served on the owner or contractor doing or causing such work to be done, and such person shall forthwith stop such work until authorized by the Community Development Director, or their designee, to proceed with the work.

#### 1.14.3.3 INSPECTIONS.

The Community Development Director, or their designee, shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this UDO.

### 1.14.4 ENFORCEMENT PROCEDURES.

#### 1.14.4.1 NOTICE.

The Community Development Director, or their designee, shall give written notice as required by law to the owner of land on which a violation exists. The notice shall state the nature of the violation.

#### 1.14.4.2 NOTICE OF CRIMINAL PENALTY.

In no case shall any person acting on behalf of the City seek a criminal penalty for violation of this UDO without giving thirty (30) days prior notice of the violation, specifying the action necessary to correct the violation and avoid criminal prosecution.

### 1.14.5 OTHER ENFORCEMENT POWERS.

In addition to the enforcement powers specified in this UDO, the City may exercise any and all enforcement powers granted to it by Texas law, as it may be amended from time to time.

#### 1.14.5.1 CONTINUATION.

Nothing in this UDO shall prohibit the continuation of previous enforcement actions, undertaken pursuant to previous, valid resolutions, ordinances and laws.





# **CHAPTER 2**

# **DEVELOPMENT**

# **PROCESS**

## 2.1 **PROCESS OVERVIEW.**

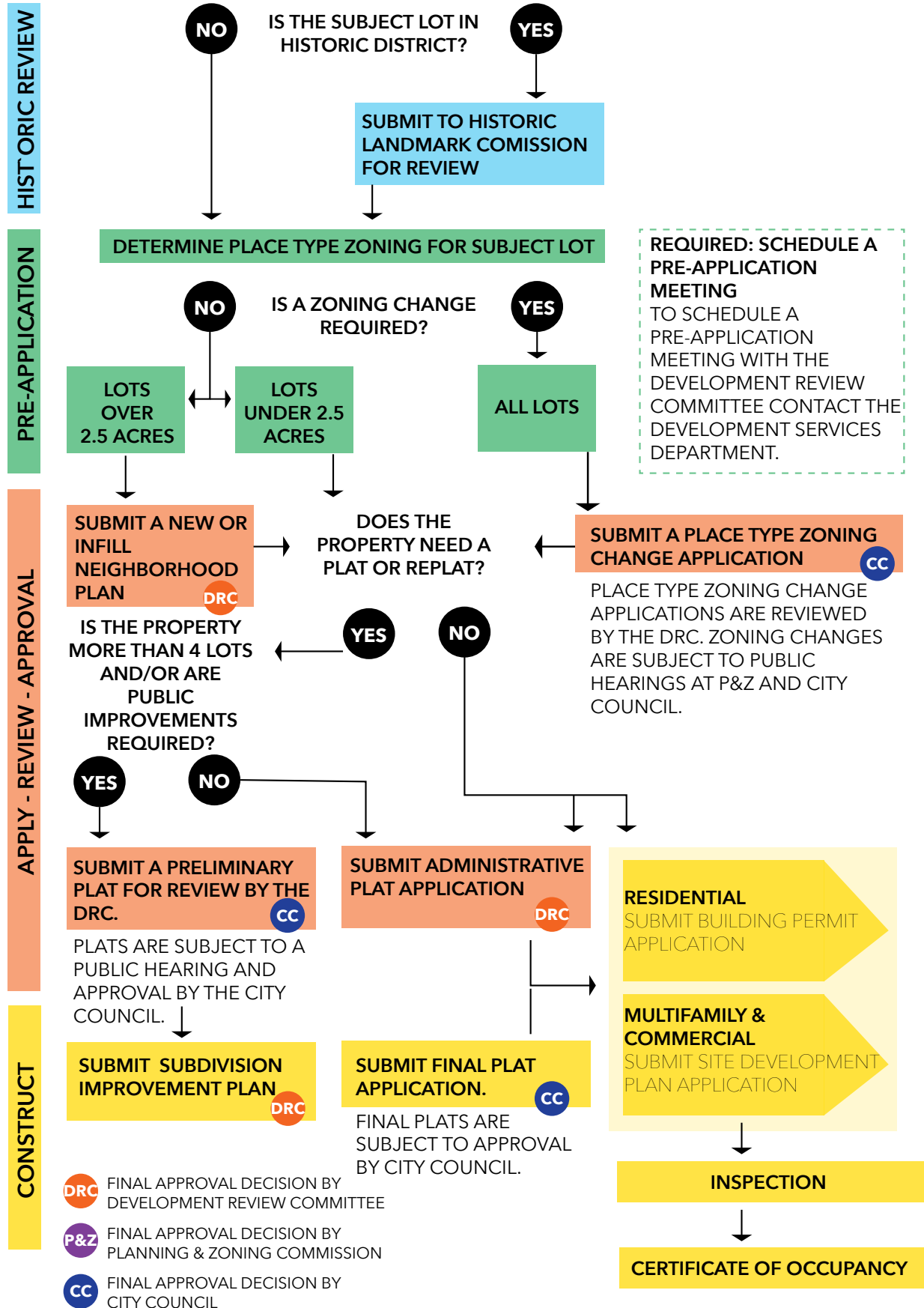
The development process typically begins with a pre-application meeting with City staff to determine what application(s) is necessary, the review process for the required application(s), and to answer the applicant's questions about the process and the required content of the application(s).

The steps in the process will vary depending upon the location of the property, whether it has been platted or needs to be platted, and whether the applicant seeks to modify the property's current zoning or comprehensive plan designations.

The following sections describe the various application types, the review process and how to submit an application.



TABLE 2.1.A GENERAL DEVELOPMENT PROCESS STEPS.



## **2.2 APPLICATION.**

### **2.2.1 GENERAL REQUIREMENTS.**

#### **2.2.1.1 APPLICATION MATERIALS.**

The applicant shall submit all the information required in the Application Checklist as specified on the corresponding application checklist. Applications will not be accepted for review until all items required to be submitted with the application have been received by the City.

#### **2.2.1.2 APPLICATION SUBMITTAL PROCEDURES.**

The City may establish and modify the procedures for submitting applications including the date that applications are received, the format for submitting the application, and the process for dissemination of staff review comments. Those procedures are included in the Application Checklist.

#### **2.2.1.3 APPLICATION EXPIRATION**

All applications shall expire on the forty-fifth (45th) day after the date the application was submitted if:

- (1) The applicant fails to provide documents or other information necessary to comply with the technical requirements relating to the form and content of the application;
- (2) The City provides to the applicant not later than the tenth (10th) business day after the date the application is submitted written notice of the failure that specifies the necessary documents or other information and the date the application will expire if the documents or other information is not provided; and
- (3) The applicant fails to provide the specified documents or other information within the time provided in the notice.

#### **2.2.1.4 FILING DATE DETERMINATION**

For the purposes of compliance with the deadlines for action on applications governed by Chapter 212 of the Texas Local Government Code, the filing date of the application is the date that the City determines that the applicant provided a complete application including all documents or other information necessary to comply with the technical requirements related to the form and content of the application as stipulated in the Application Checklist and this UDO.

### **2.2.2 PRE-APPLICATION MEETING.**

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.

### 2.2.3 THE DESIGN CHARRETTE.

A Design Charrette is a collaborative urban design and development workshop to create a fiscally viable and geographically appropriate development project. The development team and the City team work together to achieve common project goals for the development. The development proposal will be facilitated through a Charrette process with the development team and the city team, including a hired consultant to facilitate the Design Charrette.

- (1) A schedule will be established at a kickoff meeting after a complete application has been accepted by city staff.
- (2) The kickoff meeting will include a site tour, a presentation by the applicant, and a review of the development proposal.
- (3) The Charrette process will facilitate the creation of a draft site development plan and development standards for the project.



## 2.2.4 ANNEXATIONS.

### 1 APPLICABILITY.

Annexation applications are used by property owners who would like to request that their property be annexed into the city limits of Castroville.

### 2 APPROVAL CRITERIA.

Prior to considering an annexation application, the applicant must schedule a pre-application meeting with the City to discuss the proposed annexation. Requests for annexation shall be reviewed by staff to determine whether they are in keeping with the policies and goals of the Comprehensive Plan and authorized by applicable State laws.

### 3 APPROVAL PROCEDURE.

The procedure for processing an annexation application shall follow the requirements established in Chapter 43 of the Texas Local Government Code. City staff will prepare a report for consideration by City Council regarding the advisability of the annexation. The City Council is the final approval authority for annexation applications. Annexations are completed through the adoption of an annexation ordinance by the City Council.

## 2.2.5 COMPREHENSIVE PLAN AMENDMENT.

### 1 APPLICABILITY.

The City Council may approve amendments to the Comprehensive Plan for unique or extraordinary situations that were not anticipated when the Plan was adopted so long as the proposed amendment is clearly in the public interest and meets the spirit and intent of the goals and policies of the Plan.

### 2 APPROVAL CRITERIA.

In determining whether an amendment to the Comprehensive Plan should be adopted, the following criteria shall be applied:

- ✓ The need for the proposed amendment.
- ✓ The effect of the proposed amendment on the need for City services and facilities.
- ✓ Whether the proposed amendment is consistent with the intent of the goals and policies of the Plan.
- ✓ The implications, if any, that the amendment may have for other parts of the Plan.
- ✓ Whether unforeseen circumstances or new information has emerged (such as a significant economic development opportunity).

### 3 APPROVAL PROCEDURE.

The procedure for approval of a Comprehensive Plan Amendment shall follow the requirements of Chapter 213 of the Texas Local Government Code and the following process.

- (1) Prior to submitting an application for a Comprehensive Plan Amendment, 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 proposed amendment will be completed in accordance with State law and City ordinance.
- (4) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the requested amendment 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 amendment, they will adopt it by ordinance in accordance with State law.

## 2.2.6 ZONING APPLICATIONS

### 2.2.6.1 GENERAL REQUIREMENTS.

- (A) As authorized by Chapter 211 of the Texas Local Government Code, the Place Type Zoning Standards and Districts, as herein established, have been made in accordance with an adopted Comprehensive Plan to promote the public health, safety, morals and general welfare, and protecting and preserving places and areas of historical, cultural or architectural importance and significance in the City.
- (B) Standards have been designed to lessen the congestion in the Streets; to secure safety from fire, and other dangers; to ensure adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks, and other public requirements.
- (C) The standards for building neighborhoods require the distribution of Place Types to provide lifestyle and living variation that define distinct physical environments of varying degrees of urbanity and development intensity. The "P" designation represents each Place Type's relative place on a continuum of low-intensity to high-intensity development, from rural to urban, with the character and associated Standards of "P5" being more urban than those of "P4".
- (D) Where a property over 2.5 acres without an adopted Neighborhood Plan has a Place Type designation, that designation indicates the most intense Place Type that may be allocated to the property during the neighborhood planning process and does not entitle the entire property to be designated with that Place Type.

## 2.2.7 NEIGHBORHOOD PLAN.

### 1 APPLICABILITY.

Neighborhood Plans are for development projects over 2.5 acres (one or more standard city blocks) on previously undeveloped and/or unplatted land. Neighborhood Plan applications are used to layout new neighborhoods or portions thereof including streets, blocks, lots, Civic Spaces, etc. and to allocated Place Type zoning districts within the new neighborhood. Neighborhood Plans include a general subdivision layout which shall serve as the guide for the preliminary plat(s) that will be submitted after the Neighborhood Plan is adopted.

### 2 APPROVAL CRITERIA.

Neighborhood Plans are reviewed for compliance with the Comprehensive Plan and the requirements of this UDO.

### 3 APPROVAL PROCEDURE.

The procedure for approval of a Neighborhood Plan shall follow the requirements of Chapters 211 and 212 of the Texas Local Government Code and the following process.

- (1) Prior to submitting an application for a Neighborhood Plan, the applicant shall schedule a pre-application meeting with the City.
- (2) Once a complete application is received, City staff will schedule a Neighborhood Plan design charette or urban design consultation depending upon the scale and complexity of the development proposal.
- (3) Upon completion of the design charette or urban design consultation, City staff will prepare a staff report and submit it along with the Neighborhood Plan to the Planning & Zoning Commission for consideration.
- (4) Public notice of the application will be completed in accordance with State law and City ordinance.
- (5) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the Neighborhood Plan and make a recommendation to the City Council.
- (6) 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 Neighborhood Plan, they will adopt it by ordinance in accordance with State law.

### 4 EXPIRATION.

Neighborhood Plans will expire twenty-four (24) months after approval if a complete Preliminary Plat application has not been accepted by the City. Upon expiration, the property will revert to the Place Type zoning that was in place prior to approval of the Neighborhood Plan.

## 2.2.8 INFILL NEIGHBORHOOD PLAN (REZONING REQUIRED).

### 1 APPLICABILITY.

Infill Neighborhood Plans are for development projects over 2.5 acres (one or more standard city blocks) in an infill location. Infill Neighborhood Plan applications are used to layout infill neighborhoods or portions thereof including streets, blocks, lots, Civic Spaces, etc. and to allocated Place Type zoning districts within the infill neighborhood. The Infill Neighborhood Plan may include amending, re-platting or vacating of existing platted lots and/or the adoption of a new preliminary plat. This process is intended to be expedited in order to encourage infill development.

### 2 APPROVAL CRITERIA.

Infill Neighborhood Plans are reviewed for compliance with the Comprehensive Plan, the requirements of this UDO, and the context of the infill location.

### 3 APPROVAL PROCEDURE.

The procedure for approval of an Infill Neighborhood Plan shall follow the requirements of Chapters 211 and 212 of the Texas Local Government Code and the following process:

- (1) Prior to submitting an application for an Infill Neighborhood Plan, the applicant shall schedule a pre-application meeting with the City.
- (2) Once a complete application is received, City staff will schedule an Infill Neighborhood Plan design charrette or urban design consultation depending upon the scale and complexity of the development proposal.
- (3) Upon completion of the design charrette or urban design consultation, City staff will prepare a staff report and submit it along with the Infill Neighborhood Plan to the Planning & Zoning Commission for consideration.
- (4) Public notice of the application will be completed in accordance with State law and City ordinance.
- (5) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the Neighborhood Plan and make a recommendation to the City Council.

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 Infill Neighborhood Plan, they will adopt it by ordinance in accordance with State law.

### 4 EXPIRATION.

Infill Neighborhood Plans will expire twenty-four (24) months after approval if a complete plat, site development plan or building permit application has not been accepted by the City. Upon expiration, the property will revert to the Place Type zoning that was in place prior to approval of the Infill Neighborhood Plan.

## 2.2.9 EMPLOYMENT CENTER PLAN.

### 1 APPLICABILITY.

All areas designated as EC - Employment Center Place Type require an Employment Center Plan to be approved prior to any development or redevelopment activity on the property. Employment Center Plans are intended to allow for the customization of development standards for sites that are intended to provide locations for job centers that may require deviations from the development standards of the other Place Type zoning districts.

### 2 APPROVAL CRITERIA.

Employment Center Plans are reviewed for compliance with the Comprehensive Plan, the requirements of this UDO, the special needs of proposed employment land uses, and the context of the Employment Center's location.

### 3 APPROVAL PROCEDURE.

The procedure for approval of an Employment Center Plan shall follow the requirements of Chapters 211 and 212 of the Texas Local Government Code and the following process:

- (1) Prior to submitting an application for an Employment Center Plan, the applicant shall schedule a pre-application meeting with the City.
- (2) Once a completed application is received, City staff will schedule an Employment Center Plan design charrette or urban design consultation depending upon the scale and complexity of the development proposal.
- (3) Upon completion of the design charrette or urban design consultation, City staff will prepare a staff report and submit it along with the Employment Center Plan to the Planning & Zoning Commission for consideration.
- (4) Public notice of the application will be completed in accordance with State law and City ordinance.
- (5) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the Employment Center Plan and make a recommendation to the City Council.

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 Employment Center Plan, they will adopt it by ordinance in accordance with State law.

### 4 EXPIRATION.

Employment Center Plans will expire twenty-four (24) months after approval if a complete Preliminary Plat application has not been accepted by the City. Upon expiration, the property will revert to the Place Type zoning that was in place prior to approval of the Employment Center Plan.

## 2.2.10 PLACE TYPE ZONING MAP AMENDMENT.

### 1 APPLICABILITY.

Place Type Zoning Map Amendment applications are used by property owners to request a change to the Place Type zoning district of their property. If the property meets the criteria for a New or Infill Neighborhood Plan, that application type shall be used and not a Place Type Zoning Map Amendment application.

### 2 APPROVAL CRITERIA.

Place Type Zoning Map Amendment applications are reviewed for compliance with the Comprehensive Plan and the requirements of this UDO.

### 3 APPROVAL PROCEDURE.

The procedure for approval of a Place Type Zoning Map Amendment application shall follow the requirements of Chapter 211 of the Texas Local Government Code and the following process:

- (1) Prior to submitting a Place Type Zoning Map Amendment 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.
- (4) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the Place Type Zoning Map Amendment application 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 Place Type Zoning Map Amendment application, they will adopt it by ordinance in accordance with State law.



### 2.2.11 SPECIAL USE PERMIT (SUP).

#### 1 APPLICABILITY.

Special Use Permits allow for the approval of land uses with characteristics or operating conditions that do not meet one or more of the criteria of this UDO, but which are in keeping with the intent of the UDO and the Comprehensive Plan.

#### 2 APPROVAL CRITERIA.

Special Use Permit applications are reviewed for compliance with the Comprehensive Plan, the intent statements of this UDO and for overall compatibility with the surrounding neighborhood in which the property is located.

#### 3 APPROVAL PROCEDURE.

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.
- (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.

#### 4 EXPIRATION.

The City Council may establish an expiration date and/or renewal criteria for the Special Use Permit in the adopting ordinance.

## 2.2.12 PLACE TYPE ZONING VERIFICATION LETTER.

### 1 APPLICABILITY.

Zoning verification letters allow a property owner to receive a formal determination from the City as to whether a proposed use of land is permitted within the property's zoning district. The letter does not authorize the property owner to commence any development activity on the property.

### 2 APPROVAL PROCEDURE.

Upon receipt of a complete zoning verification letter application, City staff will research the proposal and the Community Development Director will issue a letter determining whether the proposed use is permitted within the property's zoning district.

### 3 EXPIRATION.

Zoning verification letters expire the earlier of six (6) months after issuance or when an amendment to this UDO is adopted that would change the determination in the letter.

### 2.2.13 PLACE TYPE ZONING ORDINANCE TEXT AMENDMENT.

#### 1 APPLICABILITY.

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.

#### 2 APPROVAL CRITERIA.

Text amendments are reviewed for compliance with the Comprehensive Plan and other provisions of this UDO.

#### 3 APPROVAL PROCEDURE.

The procedure for approval of a text amendment shall follow the requirements of Chapter 211 of the Texas Local Government Code and the following process:

- (1) If the text amendment is proposed by a property owner or citizen, the applicant shall schedule a pre-application meeting with the City.
- (2) 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.
- (3) Public notice of the text amendment will be completed in accordance with State law and City ordinance.
- (4) 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.
- (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 text amendment, they will adopt it by ordinance in accordance with State law.

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## 2.2.14 APPEAL OF A PLACE TYPE RELATED ADMINISTRATIVE DECISION.

### 1 APPLICABILITY.

Pursuant to the provisions of Chapter 211 of the Texas Local Government Code, a person may appeal an order, requirement, decision, or determination made by an administrative official in the enforcement of zoning regulations adopted under Chapter 211.

The following persons are authorized to file an appeal of an administrative decision that is not specific to an application, address or project:

- (1) a person aggrieved by the decision; or
- (2) any officer, department, board, or bureau of the municipality affected by the decision.

The following persons are authorized to file an appeal of an administrative decision that is related to a specific application, address, or project:

- (a) a person who filed the application that is the subject of the decision;
- (b) a person who is the owner or representative of the owner of the property that is the subject of the decision; or is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or
- (c) a person who is aggrieved by the decision and is the owner of real property within 200 feet of the property that is the subject of the decision; or
- (d) any officer, department, board, or bureau of the municipality affected by the decision.

### 2 APPROVAL CRITERIA.

The ZBA may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the ZBA has the same authority as the administrative official.

The ZBA shall consider the following in rendering its decision:

- (1) The administrative official's action is presumed to be valid. The applicant shall present sufficient evidence and have the burden to justify a reversal of the action being appealed. The administrative official may present evidence and argument to the contrary.
- (2) All findings and conclusions necessary to the appeal shall be based upon reliable evidence.

**APPEAL OF A PLACE TYPE RELATED ADMINISTRATIVE DECISION.****3 APPROVAL PROCEDURE.**

- (1) A person wishing to file an appeal shall submit a complete appeal application to the City not later than the twentieth (20th) day after the date the administrative decision is made.
- (2) Pursuant to Section 211.010 of the Texas Local Government Code, an appeal stays all proceedings in furtherance of the action that is appealed unless the official from whom the appeal is taken certifies in writing to the ZBA facts supporting the official's opinion that a stay would cause imminent peril to life or property. In that case, the proceedings may be stayed only by a restraining order granted by the ZBA or a court of record on application, after notice to the official, if due cause is shown.
- (3) The administrative official shall submit to the ZBA all the documents constituting the record of the action taken by the official.
- (4) The ZBA shall set a reasonable time for the appeal hearing and shall give public notice of the hearing and due notice to the parties in interest. A party may appear at the appeal hearing in person or by agent or attorney. The ZBA shall decide the appeal at the next meeting for which notice can be provided following the hearing and not later than the 60th day after the date the appeal is filed.
- (5) At least seventy-five percent (75%) of the members of the ZBA must be present to hear the appeal.
- (6) The concurring vote of seventy-five percent (75%) of the members of the ZBA is required to reverse an order, requirement, decision, or determination of an administrative official.
- (7) Judicial review of a decision of the ZBA shall follow the procedures in Chapter 211.011 of the Texas Local Government Code.

## 2.2.15 PLACE TYPE ZONING VARIANCE

### 1 APPLICABILITY.

In specific cases a variance from the terms of this UDO may be authorized by the ZBA if the variance is not contrary to the public interest and due to special conditions, a literal enforcement of the UDO would result in unnecessary hardship, and so that the spirit of the UDO is observed and substantial justice is done.

### 2 APPROVAL CRITERIA.

No variance shall be granted or imposed unless the ZBA finds:

- (1) That there are special circumstances or conditions affecting the property involved such that the strict application of the provisions of this UDO would deprive the applicant of the reasonable use of their property; and
- (2) That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- (3) That the granting or imposition of the variance will not be detrimental to the public health, safety and welfare; and
- (4) That the granting or imposition of the variance will not have the effect of preventing the orderly development of other property in the area in accordance with the provisions of this UDO.

Such findings of the ZBA together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the meeting at which such variance is granted or imposed. Variances may be granted or imposed only when in harmony with the general purpose and intent of this UDO and the Comprehensive Plan so that the public health, safety, and welfare may be secured. Financial hardship to the applicant, standing alone, except as provided for below, shall not be deemed to constitute undue hardship. All variances shall be granted or imposed on a case-by-case basis and no variance shall be construed to serve as a precedent for subsequent variances.

The ZBA may consider the following as grounds to determine whether compliance with the UDO as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- (1) the financial cost of compliance is greater than fifty percent (50%) of the appraised value of the structure as shown on the most recent appraisal roll certified by the assessor for the municipality under Section 26.01, Tax Code;
- (2) compliance would result in a loss to the lot on which the structure is located of at least twenty-five percent (25%) of the area on which development may physically occur;
- (3) compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- (4) compliance would result in the unreasonable encroachment on an adjacent property or easement; or
- (5) the municipality considers the structure to be a nonconforming structure.



## PLACE TYPE ZONING VARIANCE.

### 3 APPROVAL PROCEDURE.

The procedure for approval of a Zoning Variance shall follow the requirements of Chapter 211 of the Texas Local Government Code and the following process:

- (1) Prior to submitting a Zoning Variance 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 ZBA for consideration.
- (3) Public notice of the application will be completed in accordance with State law and City ordinance.
- (4) Following public notice, the ZBA will hold a public hearing and consider the Zoning Variance.
- (5) Record of the ZBA's action regarding the Zoning Variance Application shall be recorded in the official meeting minutes.
- (6) Judicial review of a decision of the ZBA shall follow the procedures in Chapter 211.011 of the Texas Local Government Code.

### 4 EXPIRATION.

Zoning Variances expire twenty-four (24) months after approval if a building permit, site development permit or certificate of occupancy has not been issued for the property that incorporates the provisions of the variance.

## 2.2.16 PLACE TYPE SPECIAL EXCEPTION.

### 1 APPLICABILITY.

The ZBA may hear and decide Special Exceptions to the following terms of the zoning provisions of this UDO.

- (1) Time extensions for abandoned non-conforming structures, sites and uses.
- (2) Expansions of non-conforming structures, sites and uses.
- (3) Setback exceptions that are not eligible for a Zoning Warrant

### 2 APPROVAL CRITERIA.

The ZBA may approve a Special Exception if it determines that it is not contrary to the public interest, is in keeping with the intent of the Comprehensive Plan and this UDO, and so that the spirit of this UDO is observed and substantial justice is done.

### APPROVAL PROCEDURE.

### 3

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

- (1) Prior to submitting a Special Exception 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 ZBA for consideration.
- (3) Public notice of the application will be completed in accordance with State law and this UDO.
- (4) Following public notice, the ZBA will hold a public hearing and consider the Special Exception.
- (5) Record of the ZBA's action regarding the Special Exception Application shall be recorded in the official meeting minutes.
- (6) Judicial review of a decision of the ZBA shall follow the procedures in Chapter 211.011 of the Texas Local Government Code.

### EXPIRATION.

### 4

Special Exceptions expire twenty-four (24) months after approval if a building permit, site development permit or certificate of occupancy has not been issued for the property that incorporates the provisions of the Special Exception.

## 2.2.17 SUBDIVISION APPLICATIONS.

### 2.2.17.1 GENERAL REQUIREMENTS.

Subdivision applications are considered filed for the purposes of Texas Local Government Code Section 212.009 on the date a complete application, including all fees and other information required by this UDO or other applicable requirements, is accepted by the City as a complete application.

## 2.2.18 NEIGHBORHOOD PLAN.

### 1 APPLICABILITY.

Neighborhood Plans are for development projects over 2.5 acres (one or more standard city blocks) on previously undeveloped and/or unplatted land. Neighborhood Plan applications are used to layout new neighborhoods or portions thereof including streets, blocks, lots, Civic Spaces, etc. and to allocated Place Type zoning districts within the new neighborhood if the new neighborhood is inside the city limits. Neighborhood Plans include a general subdivision layout which shall serve as the guide for the preliminary plat(s) that will be submitted after the Neighborhood Plan is adopted.

### 2 APPROVAL CRITERIA.

Neighborhood Plans are reviewed for compliance with the Comprehensive Plan and the requirements of this UDO.

### 3 APPROVAL PROCEDURE.

The procedure for approval of a Neighborhood Plan shall follow the requirements of Chapters 211 (if the neighborhood is inside the city limits) and 212 of the Texas Local Government Code and the following process:

- (1) Prior to submitting an application for a Neighborhood Plan, the applicant shall schedule a pre-application meeting with the City.
- (2) Once a complete application is received, City staff will schedule a Neighborhood Plan design charette or urban design consultation depending upon the scale and complexity of the development proposal.
- (3) Upon completion of the design charette or urban design consultation, City staff will prepare a staff report and submit it along with the Neighborhood Plan to the Planning & Zoning Commission for consideration.
- (4) Public notice of the application will be completed in accordance with State law and City ordinance.
- (5) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the Neighborhood Plan and either approve, approve with conditions, or disapprove the Neighborhood Plan if the new neighborhood is not in the city limits or make a recommendation to the City Council if the new neighborhood is in the city limits.
- (6) 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 Neighborhood Plan, they will adopt it by ordinance in accordance with State law.

## NEIGHBORHOOD PLAN.

### 4 EXPIRATION.

Neighborhood Plans expire twenty-four (24) months after approval if a complete Preliminary Plat application has not been accepted by the City. If the property is in the city limits, upon expiration, the property will revert to the Place Type zoning that was in place prior to approval of the Neighborhood Plan.



## 2.2.19 INFILL NEIGHBORHOOD PLAN.

### 1 APPLICABILITY.

Infill Neighborhood Plans are for development projects over 2.5 acres (one or more standard city blocks) in an infill location. Infill Neighborhood Plan applications are used to layout infill neighborhoods or portions thereof including streets, blocks, lots, Civic Spaces, etc. and to allocate Place Type zoning districts within the infill neighborhood if the property is in the city limits. The Infill Neighborhood Plan may include amending, re-platting or vacating of existing platted lots and/or the adoption of a new preliminary plat. This process is intended to be expedited in order to encourage infill development.

### 2 APPROVAL CRITERIA.

Infill Neighborhood Plans are reviewed for compliance with the Comprehensive Plan and the requirements of this UDO.

### 3 APPROVAL PROCEDURE.

The procedure for approval of an Infill Neighborhood Plan shall follow the requirements of Chapters 211 (if the neighborhood is inside the city limits) and 212 of the Texas Local Government Code and the following process:

- (1) Prior to submitting an application for an Infill Neighborhood Plan, the applicant shall schedule a pre-application meeting with the City.
- (2) Once a complete application is received, City staff will schedule an Infill Neighborhood Plan design charette or urban design consultation depending upon the scale and complexity of the development proposal.
- (3) Upon completion of the design charette or urban design consultation, City staff will prepare a staff report and submit it along with the Infill Neighborhood Plan to the Planning & Zoning Commission for consideration.
- (4) Public notice of the application will be completed in accordance with State law and City ordinance.
- (5) Following public notice, the Planning & Zoning Commission will hold a public hearing and consider the Infill Neighborhood Plan and either approve, approve with conditions or disapprove. Deficient plat submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) 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 Infill Neighborhood Plan, they will adopt it by ordinance in accordance with State law.

### 4 EXPIRATION.

Infill Neighborhood Plans expire twenty-four (24) months after approval if a complete Preliminary Plat, Amending Plat, or Re-Plat application has not been accepted by the City. If the property is in the city limits, upon expiration, the property will revert to the Place Type zoning that was in place prior to approval of the Infill Neighborhood Plan.

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## 2.2.20 PRELIMINARY PLAT.

### 1 APPLICABILITY.

A Preliminary Plat, showing the proposed layout of the neighborhood that complies with the approved Neighborhood Plan, Infill Neighborhood Plan, or Employment Center Plan, if applicable, shall be required before approval of any division of land or platting activity that requires or proposes the extension of public infrastructure, including, but not limited to, water, sewer, drainage, streets, sidewalks, paths, trails, Civic Spaces, fire water systems, right-of-way, etc.

### 2 APPROVAL CRITERIA.

Preliminary Plats are reviewed for compliance with the approved Neighborhood or Employment Center Plan, if applicable, the Comprehensive Plan, the requirements of this UDO, the Engineering Standards and all other applicable City, State and Federal laws and requirements.

### 3 APPROVAL PROCEDURE.

The approval procedure for Preliminary Plat applications shall follow the requirements of Chapter 212 of the Texas Local Government Code and the following process:

- (1) Prior to submitting an application for a Preliminary Plat, the applicant shall schedule a pre-application meeting with the City.
- (2) Subdivision applications are only received by the City on the dates shown on the application calendar.
- (3) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (4) All deficiencies in the plat submittal shall be listed in a plan review comment letter that shall be provided to the applicant and to the Planning & Zoning Commission.
- (5) Deficient plat submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) The Planning & Zoning Commission shall consider all plat applications referred to them and take action to approve, approve with conditions, or disapprove.
- (7) If a plat submittal is disapproved or approved with conditions, the applicant shall resubmit the plat to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.
- (8) Upon resubmittal, the application shall follow steps 3 through 6 above.

**PRELIMINARY PLAT.**

- (9) Approval of the preliminary plat does not constitute acceptance of the subdivision, but only constitutes authority to proceed with the preparation of Subdivision Improvement Plans.
- (10) Preliminary Plats shall not be recorded in the real property records of Medina County.

**4 EXPIRATION.**

Preliminary Plats expire twelve (12) months after approval if a complete Subdivision Improvement Plans application for one or more phases of the Preliminary Plat has not been accepted by the City.

## 2.2.21 SUBDIVISION IMPROVEMENT PLANS.

### 1 APPLICABILITY.

Subdivision Improvement Plans conforming to the Engineering Standards and this UDO must be submitted for the construction, improvement, modification or reconstruction of all existing or proposed streets, public lighting, sidewalks, paths, trails, Civic Spaces, drainage, water, and sewer utilities and any other infrastructure or public improvements that are required or proposed to be constructed, reconstructed, improved or modified. Subdivision Improvement Plans may be standalone plans for a specific improvement but are more typically associated with a phase(s) of an approved Preliminary Plat. Subdivision Improvement Plans are intended to provide detailed engineering drawings for all improvements required to serve the development.

### 2 APPROVAL CRITERIA.

Subdivision Improvement Plans are reviewed for compliance with the approved Preliminary Plat, the Comprehensive Plan, the requirements of this UDO, the Engineering Standards and all other applicable City, State and Federal laws and requirements.

### 3 APPROVAL PROCEDURE.

The approval procedure for Subdivision Improvement Plans applications shall follow the requirements of Chapter 212 of the Texas Local Government Code and the following process.

- (1) Prior to submitting an application for Subdivision Improvement Plans, the applicant shall schedule a pre-application meeting with the City.
- (2) Subdivision applications are only received by the City on the dates shown on the application calendar.
- (3) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (4) All deficiencies in the improvement plans submittal shall be listed in a plan review comment letter that shall be provided to the applicant and to the Planning & Zoning Commission.
- (5) Deficient improvement plans submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) The Planning & Zoning Commission shall consider all improvement plans applications referred to them for disapproval.
- (7) If an improvement plans submittal is disapproved the applicant shall resubmit the improvement plans to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.

**SUBDIVISION IMPROVEMENT PLANS.**

- (8) Upon resubmittal, the application shall follow steps 3 through 6 above if the resubmitted plans are still deficient. If the resubmitted plans meet all applicable approval criteria, the plans shall be administratively approved.
- (9) Approval of the subdivision improvement plans does not constitute acceptance of the subdivision, but only constitutes authority to proceed with the scheduling of a pre-construction meeting.
- (10) Upon approval of the Subdivision Improvement Plans, the applicant shall schedule a pre-construction meeting with the City prior to commencing any construction activity.
- (11) Following the pre-construction meeting, the applicant may begin construction of the scope of work contained in the approved Subdivision Improvement Plans and shall schedule all necessary City inspections throughout the construction process.
- (12) Upon completion of all work and passage of all required City inspections and after the Final Plat has been approved for recording (if applicable), the applicant may request City acceptance of the Subdivision Improvements for operations and maintenance. Prior to scheduling the Subdivision Improvements for acceptance by the City Council, the applicant must provide the following to the City:
  - (a) A two (2) year, ten percent (10%) maintenance bond of the contract price of the public improvements being accepted, if the improvements value is greater than five thousand (5,000) dollars, issued by a corporate surety licensed to do business in the State of Texas, conditioned that the improvements are free from defects in materials and workmanship.
  - (b) One electronic copy of record drawings, "as-builts", of the improvements that meet the criteria for electronic files in the Engineering Standards.
  - (c) An affidavit from the owner of the property stating that, to the best of their knowledge, the contractor who constructed the improvements has complied with the regulations and standards of this UDO.
  - (d) A sealed letter of concurrence from the design engineer stating that all the subdivision improvements were constructed in accordance with the approved engineered plans.
- (13) Once the City has determined that all required documentation has been provided, the City Engineer shall prepare a letter of recommendation to the City Council for acceptance of the public improvements and schedule the acceptance on the next available City Council meeting agenda.

## SUBDIVISION IMPROVEMENT PLANS.

### 4 EXPIRATION.

Subdivision Improvement Plans expire twenty-four (24) months after approval if all improvements have not been constructed and passed all required City inspections. Upon request of the applicant, the Planning & Zoning Commission may consider an extension of the expiration date due to unforeseen or unusual circumstances.



## 2.2.22 FINAL PLAT.

### 1 APPLICABILITY.

Final Plats are complete, recordable versions of an already approved Preliminary Plat. Except as otherwise noted within this section, no Final Plat may be considered or approved unless the Preliminary Plat for the same land has been approved and has not expired and the Final Plat is consistent with such Preliminary Plat or revision thereof. The Final Plat must incorporate all approved changes from the Preliminary Plat.

A Final Plat may be approved without approval of a Preliminary Plat if the division of land would otherwise qualify as a Minor Plat, but proposes more than four lots. A Final Plat under this provision may not include the dedication of land or require or propose the extension of any public infrastructure, including, but not limited to, public utilities or roadways.

### 2 APPROVAL CRITERIA.

Final Plats are reviewed for compliance with the approved Preliminary Plat, the approved Subdivision Improvement Plans (if applicable), the Comprehensive Plan, the requirements of this UDO, the Engineering Standards and all other applicable City, State and Federal laws and requirements.

### 3 APPROVAL PROCEDURE.

The approval procedure for Final Plat applications shall follow the requirements of Chapter 212 of the Texas Local Government Code and the following process:

- (1) Prior to submitting an application for a Final Plat, the applicant shall schedule a pre-application meeting with the City.
- (2) Subdivision applications are only received by the City on the dates shown on the application calendar.
- (3) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (4) All deficiencies in the plat submittal shall be listed in a plan review comment letter that shall be provided to the applicant and to the Planning & Zoning Commission.
- (5) Deficient plat submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) The Planning & Zoning Commission shall consider all plat applications referred to them and take action to approve, approve with conditions or disapprove.
- (7) If a plat submittal is disapproved or approved with conditions, the applicant shall resubmit the plat to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.

**FINAL PLAT.**

- (8) Upon resubmittal, the application shall follow steps 3 through 6 above.
- (9) Approval of the final plat does not constitute acceptance of the subdivision.
- (10) Final plats may not be recorded until the associated subdivision improvements have been constructed and accepted by the City Council or a performance bond executed by a corporate surety licensed to do business in the State of Texas, has been issued to the City in an amount equal to the cost, as certified by the design engineer and approved by the City Engineer, of the uncompleted and unaccepted improvements conditioned that the improvements will be completed within two (2) years from the date of final plat approval.

**4 EXPIRATION.**

Final Plats expire twenty-four (24) months after approval if they have not been recorded in the real property records of Medina County.

### 2.2.23 MINOR PLAT.

#### 1 APPLICABILITY.

A Minor Plat is a plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.

#### 2 APPROVAL CRITERIA.

Minor Plats are reviewed for compliance with the approved Preliminary Plat (if applicable), the approved Subdivision Improvement Plans (if applicable), the Comprehensive Plan, the requirements of this UDO, the Engineering Standards and all other applicable City, State and Federal laws and requirements.

#### 3 APPROVAL PROCEDURE.

The approval procedure for Minor Plat applications shall follow the requirements of Chapter 212 of the Texas Local Government Code and the following process.

- (1) Prior to submitting an application for a Minor Plat, the applicant shall schedule a pre-application meeting with the City.
- (2) Subdivision applications are only received by the City on the dates shown on the application calendar.
- (3) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (4) All deficiencies in the plat submittal shall be listed in a plan review comment letter that shall be provided to the applicant by staff.
- (5) Deficient plat submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) The Planning & Zoning Commission shall consider all plat applications referred to them for disapproval.
- (7) If the plat submittal is disapproved, the applicant shall resubmit the plat to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.
- (8) Upon resubmittal, the application shall follow steps 3 through 6 above if the resubmitted plat is still deficient. If the resubmitted plat meets all applicable approval criteria, the plat shall be administratively approved.

#### 4 EXPIRATION.

Minor Plats expire twenty-four (24) months after approval if they have not been recorded in the real property records of Medina County.

## 2.2.24 AMENDING PLAT.

### 1 APPLICABILITY.

Amending plats are changes to an already recorded plat that meet the requirements of Section 212.016 of the Texas Local Government Code.

### 2 APPROVAL CRITERIA.

Amending Plats are reviewed for compliance with the approved and recorded Final Plat, the approved Preliminary Plat (if applicable), the approved Subdivision Improvement Plans (if applicable), the Comprehensive Plan, the requirements of this UDO, the Engineering Standards and all other applicable City, State and Federal laws and requirements.

### 3 APPROVAL PROCEDURE.

The approval procedure for Amending Plat applications shall follow the requirements of Chapter 212 of the Texas Local Government Code and the following process:

- (1) Prior to submitting an application for an Amending Plat, the applicant shall schedule a pre-application meeting with the City.
- (2) Subdivision applications are only received by the City on the dates shown on the application calendar.
- (3) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (4) All deficiencies in the plat submittal shall be listed in a plan review comment letter that shall be provided to the applicant by staff.
- (5) Deficient plat submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) The Planning & Zoning Commission shall consider all plat applications referred to them for disapproval.
- (7) If the plat submittal is disapproved, the applicant shall resubmit the plat to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.
- (8) Upon resubmittal, the application shall follow steps 3 through 6 above if the resubmitted plat is still deficient. If the resubmitted plat meets all applicable approval criteria, the plat shall be administratively approved.

### 4 EXPIRATION.

Amending Plats expire twenty-four (24) months after approval if they have not been recorded in the real property records of Medina County.

## 2.2.25 REPLAT.

### 1 APPLICABILITY.

Replats are changes to or further divisions of already recorded plats without vacating the preceding plat.

### 2 APPROVAL CRITERIA.

Replats are reviewed for compliance with the approved and recorded Final Plat, the Preliminary Plat (if applicable), the approved Subdivision Improvement Plans (if applicable), the Comprehensive Plan, the requirements of this UDO, the Engineering Standards, and all other applicable City, State and Federal laws and requirements.

### 3 APPROVAL PROCEDURE.

The approval procedure for Replat applications shall follow the requirements of Chapter 212 of the Texas Local Government Code and the following process.

- (1) Prior to submitting an application for a Replat, the applicant shall schedule a pre-application meeting with the City.
- (2) Subdivision applications are only received by the City on the dates shown on the application calendar.
- (3) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (4) All deficiencies in the plat submittal shall be listed in a plan review comment letter that shall be provided to the applicant and to the Planning & Zoning Commission.
- (5) Deficient plat submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) The Planning & Zoning Commission shall consider all plat applications referred to them and take action to approve, approve with conditions or disapprove.
  - (A) Certain Replats described in Section 212.015 of the Texas Local Government Code require notice and a public hearing and may trigger the affirmative vote of three-fourths of the members present.
- (7) If a plat submittal is disapproved or approved with conditions, the applicant shall resubmit the plat to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.
- (8) Upon resubmittal, the application shall follow steps 3 through 6 above. If the Replat meets the requirements of Section 212.0145 of the Texas Local Government Code, it may be administratively approved.

## 2.2.26 REPLAT.

### 4 EXPIRATION.

Replats expire twenty-four (24) months after approval if they have not been recorded in the real property records of Medina County.

## 2.2.27 VACATING PLAT.

### 1 APPLICABILITY.

A previously recorded plat may be vacated in accordance with Section 212.013 of the Texas Local Government Code. If no lots have been sold within the plat, the owner of the property covered by the plat may file the Vacating Plat application. If lots have been sold, all owners of lots in the plat must sign the application for the Vacating Plat.

### 2 APPROVAL CRITERIA.

Vacating Plat applications are reviewed for compliance with applicable State law and this UDO.

### 3 APPROVAL PROCEDURE.

The procedure for approving a Vacating Plat is the same as the procedure for approving the original plat.

### 4 EXPIRATION.

A plat vacation expires six (6) months after approval if the vacating instrument has not been recorded in the real property records of Medina County.



## 2.2.30 SUBDIVISION VARIANCE.

### 1 APPLICABILITY.

A variance of certain subdivision standards of this UDO, as provided for within this UDO, may be considered concurrently with a Preliminary Plat, Subdivision Improvement Plans, Final Plat, Minor Plat, or Replat to address unforeseen circumstances or other difficulties in developing a property under the specific provisions of this UDO. A Subdivision Variance application may be filed without a companion plat application in limited circumstances if the granting of the variance would eliminate the requirement of the plat.

### 2 APPROVAL CRITERIA.

A Subdivision Variance may be approved, conditionally approved, or disapproved. The P&Z must find that the following factors are applicable in order to approve the 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.

### 3 APPROVAL PROCEDURE.

- (1) Prior to submitting an application for a Subdivision Variance, the applicant shall schedule a pre-application meeting with the City.
- (2) Subdivision applications are only received by the City on the dates shown on the application calendar.
- (3) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (4) All deficiencies in the submittal shall be listed in a plan review comment letter that shall be provided to the applicant and to the Planning & Zoning Commission.
- (5) Deficient submittals shall be referred to the Planning & Zoning Commission for disapproval at the Planning & Zoning Commission's meeting date shown on the application calendar.
- (6) The Planning & Zoning Commission shall consider all applications referred to them and take action to approve, approve with conditions or disapprove.

**SUBDIVISION VARIANCE.**

- 3** (7) If a submittal is disapproved or approved with conditions, the applicant shall resubmit the application to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.
- (8) Upon resubmittal, the application shall follow steps 3 through 6 above.

**4** **EXPIRATION.**

Subdivision Variances expire if the plat that they are associated with expires or six (6) months after approval if a complete application for a plat which incorporates the approved variance has not been received by the City.

## 2.2.31 SITE DEVELOPMENT APPLICATIONS.

### 2.2.31.1 GENERAL REQUIREMENTS.

A Site Development Application submittal shall include all of the required information from the Application Checklist in order to be considered a complete submittal. All submittals shall be delivered to the Community Development Department in accordance with the approved submittal schedule. Incomplete submittals will not be accepted by the Community Development Department.

## 2.2.32 SITE DEVELOPMENT PLAN.

### 1 APPLICABILITY.

An approved Site Development Plan is required prior to construction of any improvements on a site including but not limited to buildings, driveways, sidewalks, parking, outdoor storage areas, trash and recycling enclosures, stormwater facilities, utilities, site lighting, landscaping, walls and fences, etc. An approved Site Development Plan is required prior to submittal of a Building Permit application.

### 2 APPROVAL CRITERIA.

Site Development Plans shall be reviewed for compliance with the Comprehensive Plan, the standards of this UDO, the Engineering Standards, and all other applicable City, County, State and Federal laws.

### 3 APPROVAL PROCEDURE.

The following procedure shall be followed for Site Development Plan applications:

- (1) Prior to submitting a Site Development Plan application, the applicant shall schedule a pre-application meeting with the City.
- (2) Once a complete application is received, City staff will review the application for compliance with all applicable criteria.
- (3) All deficiencies in the submittal shall be listed in a plan review comment letter that shall be provided to the applicant.
- (4) Upon resubmittal, the application shall follow steps 2 and 3 above if the resubmitted plan is still deficient. If the resubmitted plan meets all applicable approval criteria, the plan shall be administratively approved.
- (5) Once the Site Development Plan has been approved, applications for Building Permits on the site may be submitted.

### 4 EXPIRATION.

Site Development Plans expire twelve (12) months after approval if a pre-construction meeting has not been completed and construction activities associated with the approved Site Development Plan have not commenced.

## 2.2.34 SIGN APPLICATIONS.

### 2.2.34.1 GENERAL REQUIREMENTS.

This Section is authorized by Article XI § 4 of the Texas Constitution, and the Texas Local Government Code including, but not limited to Chapter 211, Municipal Zoning Authority, and Chapter 216, Regulation of Signs by Municipalities.

## 2.2.35 SIGN PERMIT.

### 1 APPLICABILITY.

- (1) After a complete application is filed, the Community Development Director or their designee shall approve, approve with conditions as needed to ensure compliance with Chapter 5.10 of this UDO, or deny the sign permit.
- (2) No person may install a sign or structurally alter an existing sign except in conformity with this Chapter and all other applicable City ordinances.

### 2 APPROVAL CRITERIA.

The applicant shall submit all the information required in the Application Checklist as specified on the sign permit checklist. Applications will not be accepted for review until all the items required to be submitted with the sign permit have been received by the City.

### 3 APPROVAL PROCEDURE.

- (1) After a complete application is filed, the Community Development Director or their designee shall approve, approve with conditions as needed to ensure compliance with Chapter 5.10 of this UDO or deny the sign permit.
- (2) If the sign permit is denied the reasons for the denial will be provided in writing. The variance process for signs is detailed in Section 2.2.37 below.

### 4 INSPECTIONS.

After the sign permit has been issued and the sign is being constructed or erected, the sign contractor performing the work or service shall request that the Community Development Director or their designee conducts necessary inspection such as, but not limited to, foundation inspection, electrical inspection and final inspection.

### 5 EXPIRATION.

If the approved sign(s) are not completely installed within six (6) months following the issuance of a sign permit, the sign permit shall expire.

## 2.2.36 MASTER SIGN PLAN.

### 1 APPLICABILITY.

- (1) The purpose of the master sign plan program is to allow a property owner or developer, subject to approval, the option of creating a sign management program for multi-tenant or mixed- use developments. The Master Sign Plan will ensure that the proposed signage meets certain standards and are consistent with the character and quality of development in the City of Castroville. Once the Master Sign Plan has been approved it, would enable individual sign permits which fully comply with the Master Sign Plan to be promptly approved and displayed.
- (2) The benefits of a master sign program include the following:
  - i. Allows for a unified presentation of signage throughout parcels proposed for development;
  - ii. Allows creativity and flexibility to provide for unique environments;
  - iii. The uniformity, creativity and flexibility is in exchange for a cumulative reduction in sign area, sign height or the total number of signs; and
  - iv. Gives pre-approval of designs and design elements that will make subsequent applications for sign permits more efficient.
  - v. To this end, a master sign program alternative is created.
- (3) The minimum requirements to qualify for a master sign plan must include:
  - i. One whole parcel or two or more contiguous parcels that are not included in any other master sign plans and
  - ii. The property owner(s), or authorized representatives of the owner(s) of all parcels within the proposed master plan sign area must sign the application for the master sign plan.

### 2 APPLICATION MATERIALS.

The applicant shall submit all the information required in the Application Checklist as specified on the master sign checklist. Applications will not be accepted for review until all the items required to be submitted with the sign permit have been received by the City.

### 3 APPROVAL CRITERIA.

- (1) A master sign program for a multi-tenant or mixed use development may be approved, as proposed, if it will result in a substantially improved, comprehensive and unified proposal which would enhance the character and visual amenities of the City of Castroville. This will be determined by a comparison exercise undertaken by the Community Development Director or their designee.



## MASTER SIGN PLAN.

The comparison exercise will assess the combined impacts of the proposed Master Sign submission by considering all the factors listed (i) through (viii) below and comparing them to what is allowed through strict compliance with all other provisions of this UDO in Chapter 5.10. The standards being considered in the comparison exercise include, but not are limited, to:

- i. Consistent materials, sizes, styles, and colors across the development;
  - ii. Use of landscaping around the sign base;
  - iii. Use of channel lettering;
  - iv. Fewer incidental signs;
  - v. Greater spacing between signs along street frontages;
  - vi. Fewer total number of signs;
  - vii. Signs of reduced heights and area; and
  - viii. Impact from any proposed prohibited signs or sign elements or illumination.
- (2) The Community Development Director or their designee shall review all sign types (e.g., attached, freestanding, or illumination etc.) for the parcel or parcels proposed for development, to determine the degree of compliance with this article as a supplement to, or in lieu of, the sign standards otherwise applicable. Any deviations to the number, dimensions, locations, or design characteristics of attached or freestanding signs that are sought by an applicant shall be justified in writing, and shall clearly demonstrate a standard of design and quality that exceeds those provided in Chapter 5.10.

### 4

#### APPROVAL PROCEDURE.

- (1) The Community Development Director or their designee may administratively deny or approve a master sign plan, with or without conditions. If the master sign permit is denied, the reasons for the denial will be provided in writing.
- (2) The Community Development Director or their designee may impose reasonable conditions on the master sign program relating to the design, locations, placements, or orientations, and sign specifications that are not related to the content of the signs or the viewpoints of the sign users, in order, to ensure continuing compliance with the standards of this UDO and the approved master sign program.
- (3) If the master sign permit is denied the reasons for the denial will be provided in writing. The variance process for a master sign permit is detailed in Section 2.2.37.

### 5

#### EXPIRATION.

An approved Master Sign plan shall expire one (1) year from the date of such approval if no progress has been made towards completion of the project.

## 2.2.37 SIGN VARIANCE.

### 1 APPLICABILITY.

The applicant who is seeking a variance from this UDO, including a Master Sign Plan, must file a request for a variance with the Community Development Director or their designee along with a variance application fee, as stated in the City's most recent fee schedule.

### 2 APPLICATION MATERIALS.

The Community Development Director or their designee will indicate what documentation the responsible party must provide in support of the variance request.

### 3 APPROVAL CRITERIA

- (1) In determining the sign variance request the P&Z shall consider:
  - i. Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.
  - ii. Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.
  - iii. Proposed sign location, configuration, design, materials, and colors are harmonious.
  - iv. The sign and its supporting structure are in architectural harmony with the surrounding structures.
  - v. Mitigation measures related to the sign in question or other signs on the same premises.
  - vi. Demonstrated and documented correlation between the variance and protecting public health and safety.
- (2) The P&Z may decide, based on the evidence presented, that strict compliance with the requirements of this UDO will result in:
  - i. A substantial undue hardship (not for financial gain) to the applicant, or
  - ii. The applicant providing sufficient mitigation, or
  - iii. An inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of the this UDO.

When the P&Z is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty the variance can be granted with or without conditions. Alternatively, the P&Z can deny the variance request.

- (3) All variances shall be granted or imposed on a case-by-case basis and no variance shall be construed to serve as a precedence for subsequent variances to this UDO.

## **SIGN VARIANCE.**

### **4**

#### **APPROVAL PROCEDURE.**

The procedure for approval of a sign variance shall follow the requirements of Chapters 211 and 216 of the Texas Local Government Code and the following process:

- (1) Once a complete variance submission is received, the Community Development Director or their designee will prepare a staff report and submit to the City Council for consideration.
- (2) Public notice of the variance request will be completed in accordance with State law and this UDO.
- (3) Following public notice, the City Council will hold a public hearing and determine the variance request after the public hearing has closed.
- (4) The reasoning for each and every decision taken by the City Council shall be clearly expressed and referenced to approval criteria above and the relevant sections of this UDO before a vote is taken by the City Council. Such findings shall be incorporated into the official minutes of the City Council.

### 2.2.38 HISTORIC PRESERVATION APPLICATIONS.

- 2.2.38.1. General Requirements. A Certificate of Appropriateness application submittal shall include all of the requirements from the Application Checklist in order to be considered a complete submittal. All submittals shall be delivered to the Community Development Department in accordance with the approved submittal schedule. Incomplete submittals will not be accepted by the City of Castroville.

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### 2.2.39 CERTIFICATE OF APPROPRIATENESS.

#### 1 APPLICABILITY.

A certificate of appropriateness is required for portions of buildings and sites visible from adjacent public rights-of-way, streets or alleys prior to undertaking any of the following activities in a local Historic District or at a local Historic Landmark:

- (1) Construction and reconstruction, including fences and walls;
- (2) Alteration, additions, restoration and rehabilitation;
- (3) Relocation;
- (4) Signage;
- (5) Construction or reconstruction of a parking lot;
- (6) Demolition.

#### 2 APPROVAL CRITERIA.

The following criteria shall be used to determine whether the application for a certificate of appropriateness shall be approved, conditionally approved or denied:

- (1) Consideration of the effect of the activity on historical, architectural or cultural character of the Historic District or Historic Landmark and compatibility;
  - i. The proposed work will not have an adverse effect on the architectural features of the structure;
  - ii. The proposed work will not have an adverse effect on the historic district;
  - iii. The proposed work will not have an adverse effect on the future preservation, maintenance, and use of the structure or historic district; and
  - iv. For noncontributing structures within a historic district, the proposed work is compatible with the historic district.
- (2) The proposed work is consistent with the regulations contained in Chapter 6, and, if applicable, with State and National historic landmark or historic district regulations;
- (3) Whether the property owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness is issued; and
- (4) The proposed work is consistent and aligns with Castroville's Overlay Design Guidelines for Historic Properties.

**3 APPROVAL PROCEDURE.**

## Historic Preservation Officer Action

- (1) The Historic Preservation Officer (HPO) shall review the application for a certificate of appropriateness in accordance with the criteria and provide a report and a recommendation to the Historic Landmark Commission.
- (2) The HPO shall schedule a public hearing and prepare a posted notice before the public hearing in accordance with this UDO.

## Historic Landmark Commission Action

- (1) The Historic Landmark Commission shall conduct a public hearing concerning the application in accordance with this UDO.
  - (2) The Historic Landmark Commission shall approve, approve with conditions or deny the application for a certificate of appropriateness after consideration of the request during the public hearing.
  - (3) If the Historic Landmark Commission determines that a certificate of appropriateness should not be issued, or should be issued subject to conditions, it shall place upon its records the reasons for its determination.
  - (4) The Historic Landmark Commission shall render its decision on the request within forty-five (45) days of the date the application is deemed complete and adequate for review, subject to the supplemental options available.
  - (5) If a submittal is disapproved or approved with conditions the applicant shall resubmit the application to address and correct all deficiencies on an approved resubmittal date as shown on the application calendar.
  - (6) Applications denied by the Historic Landmark Commission are appealable to the City Council.

Upon resubmittal, the application shall follow steps 3 through 6 above.

## 2.3 REVIEW AUTHORITY.

### 2.3.1 OVERVIEW.

The process overview defines the application type and review and approval authority for each application. \*Properties in the ETJ receive final approval by the P&Z

APPLICATION TYPE	REVIEWING PARTY				
	CITY STAFF	ZONING BOARD OF ADJUSTMENTS	PLANNING & ZONING COMMISSION	HISTORIC LANDMARK COMMISSION	City Council
Annexation	R				[D]
Comprehensive Plan Amendment	R		[R]		[D]
Neighborhood Plan*	R		[R]		[D]
Employment Center Plan*	R		[R]		[D]
Place Type Zoning Map Amendment	R		[R]		[D]
Special Use Permit	R		[R]		[D]
Place Type Zoning Verification Letter	D				
Place Type Zoning Ordinance Text Amendment	R		[R]		[D]
Place Type Zoning Variance	R	[D]			
Place Type Zoning Special Exception	R	[D]			
Place Type Zoning Warrant	D	A			
Administrative Decision Appeal - Place Type Zoning		[D]			
Preliminary Plat Approval/ Disapproval	R		[R]		[D]

R = Recommendation - D = Decision Maker - A = Appeal - [ ] = Public Hearing Required



APPLICATION TYPE	REVIEWING PARTY				
	CITY STAFF	ZONING BOARD OF ADJUSTMENTS	PLANNING & ZONING COMMISSION	HISTORIC LANDMARK COMMISSION	City Council
Subdivision Improvement Plans Approval/ Disapproval	D				
Final Plat Approval/ Disapproval	R		R		[D]
Minor Plat/Replat Approval/Disapproval	D				
Amending Plat Approval/ Disapproval	D				
Replat Approval/ Disapproval	D				
Plat Vacation	D				
Plat Certification	D		A		
Subdivision Variance	R		[R]		[D]
Subdivision Warrant	D		A		
Administrative Decision Appeal - Subdivision			D		
Site Development Plan	D		A		
Sign Permit					A
Certificate of Appropriateness	R			[D]	A

R = Recommendation   -   D = Decision Maker   -   A = Appeal   -   [ ] = Public Hearing Required

## 2.3.2 PLANNING & ZONING COMMISSION.

### 2.3.2.1 ESTABLISHMENT AND MEMBERSHIP.

The Planning & Zoning (P&Z) Commission is established in Chapter 2, Article IV of the City of Castroville Code of Ordinances.

### 2.3.2.2 AUTHORITY.

The Planning & Zoning Commission 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 Planning & Zoning Commission has final decision-making authority over the following processes and applications:

- (1) Disapproval of all subdivision applications
- (2) Approval of Preliminary Plats
- (3) Approval of Final Plats
- (4) Approval of Vacating Plats
- (5) Approval of Subdivision Variances
- (6) Review and approval or disapproval of appeals of the following:
- (7) Administrative decisions on Subdivision-related applications
  - (a) Administrative decisions on Site Development Plan applications

The Planning & Zoning Commission makes recommendations to the City Council on the following processes and applications:

- (1) Comprehensive Plan adoption or amendment
- (2) Re-Zoning applications
- (3) Special Use Permits
- (4) Neighborhood Plans
- (5) Infill Neighborhood Plans
- (6) Employment Center Plans
- (7) Zoning Ordinance adoption and text amendments

### 2.3.2.3 MEETINGS.

The Planning & Zoning Commission shall meet as necessary to conduct its business, comply with State law mandates and City UDO requirements.

### **2.3.3 ZONING BOARD OF ADJUSTMENT.**

#### **2.3.3.1 ESTABLISHMENT AND MEMBERSHIP.**

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

#### **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:
- (4) Zoning-related Administrative Decisions
- (5) Administrative decisions on Sign Permit applications
- (6) Administrative decisions on Zoning Warrant applications

#### **2.3.3.3 MEETINGS.**

The ZBA shall meet as necessary to conduct its business, comply with State law mandates and City ordinance requirements.

### **2.3.4 HISTORIC LANDMARK COMMISSION.**

#### **2.3.4.1 ESTABLISHMENT AND MEMBERSHIP.**

The Historic Landmark Commission (HLC) is established in Chapter 2, Article IV of the City of Castroville Code of Ordinances.

#### **2.3.4.2 AUTHORITY.**

The Historic Landmark Commission 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 Historic Landmark Commission has final decision-making authority over the following processes and applications:

- (1) Certificate of Appropriateness

### 2.3.4.3 MEETINGS.

The Historic Landmark Commission shall meet as necessary to conduct its business, comply with State law mandates and City ordinance requirements.

### 2.3.5 DEVELOPMENT REVIEW COMMITTEE.

The Development Review Committee (DRC) shall be organized to generally ensure compliance by the applicant with all applicable codes, regulations, laws, ordinances, and plans associated with applications within this UDO and to coordinate the examination of development proposals to ensure that all City requirements, established by ordinance, resolution or policy, have been met without conflict. The Development Review Committee shall have all the power and duties specifically provided for herein.

#### 2.3.5.1 ESTABLISHMENT AND MEMBERSHIP.

Membership of the DRC shall be comprised of the following:

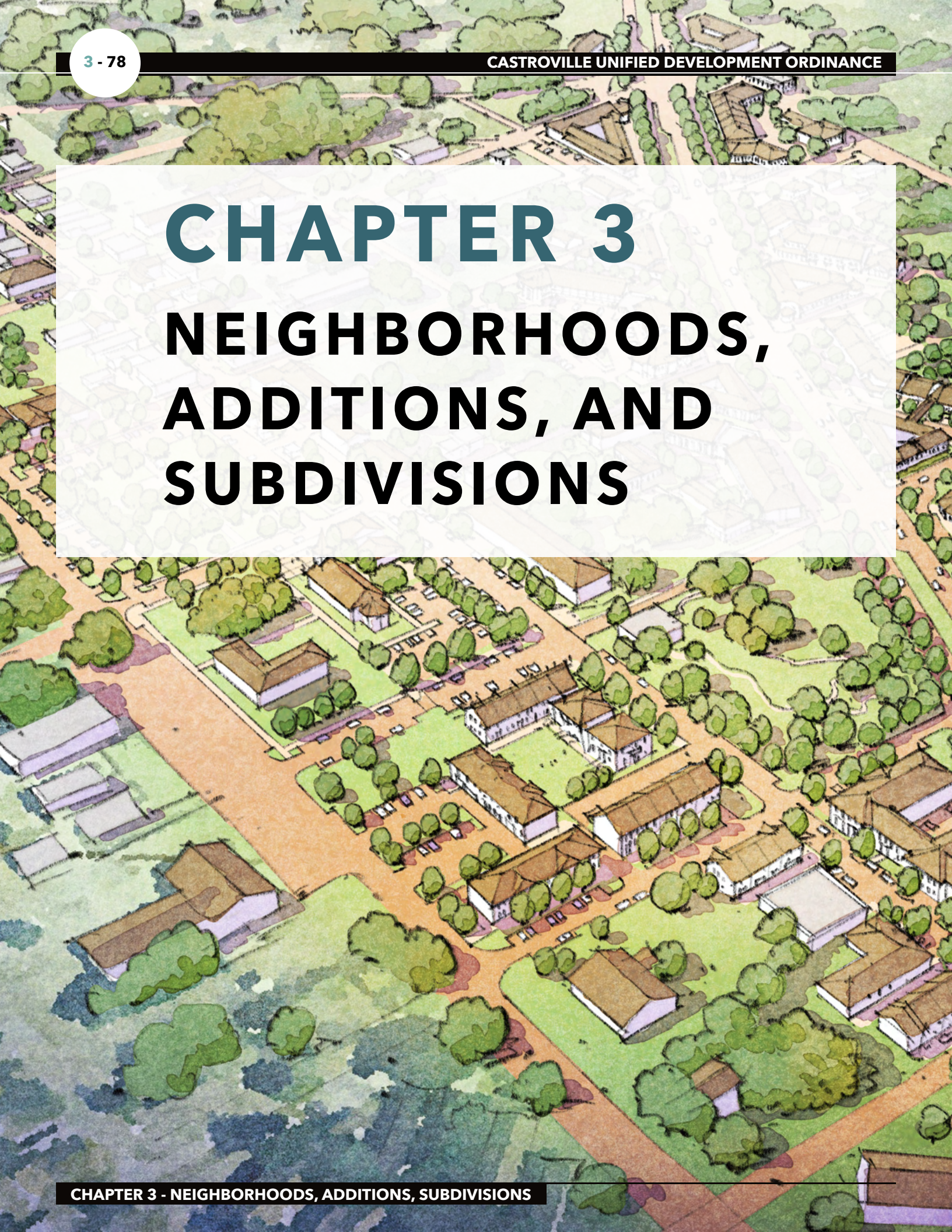
- (1) Community Development Department.
- (2) Building Permitting / Inspections Department.
- (3) Engineering Department.
- (4) Public Works Department (Water/Sewer/Drainage).
- (5) Parks and Recreation Department.
- (6) Fire Marshal or Public Safety.
- (7) Other designees as determined by the City Administrator.

#### 2.3.5.2 AUTHORITY.

- (1) Provide a series of technical reviews and analyses of each project in a holistic manner to provide quick turnaround reviews, reduce comment conflicts, provide consistent feedback to each applicant and project, and ensure all recommendations for disapproval have clear and convincing evidence to meet the requirements of state law and this UDO.
- (2) Approve applications that meet the intent, development standards, and UDO requirements, if Administrative Approval is allowed, is required by state law, or by the City's Charter.
- (3) Recommend approval or disapproval of exceptions or waivers to Planning & Zoning Commission in accordance with the City's Code of Ordinances, the Engineering Standards, or other standards.
- (4) Conduct an annual review of all technical manuals and provide a consolidated list of recommendations for City Council considerations, if needed.
- (5) Approve Warrants that meet the intent of the UDO.

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# CHAPTER 3

## NEIGHBORHOODS, ADDITIONS, AND SUBDIVISIONS



### 3.1 GENERAL PROVISIONS

### 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.

### 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 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.

### 3.4 ENGINEER REQUIRED.

The applicant shall retain the services of a professional engineer, licensed in the State of Texas, whose seal shall be placed on each sheet of the drawings, and who shall be responsible for the design and inspection of the drainage, roads, and streets, and sewer, and water facilities within the subdivision.

## 3.5 APPLICABILITY.

### 3.5.1 PLAT REQUIRED

Prior to the subdivision, resubdivision, assembly or development of any land within the City or its extraterritorial jurisdiction (ETJ), a subdivision plat and, where public improvements are proposed, subdivision improvement plans must be approved in accordance with all relevant City requirements.

The owner of a tract of land located within the city limits or the ETJ who divides the tract into two or more parts to lay out a subdivision of the tract or to lay out streets, parks, or other parts of the tract intended to be dedicated to public use shall submit a plat of the subdivision in accordance with this UDO.

A division of a tract under this section includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract for sale or other executory contract to convey or by using any other method.

No permit or certificate of occupancy may be issued, or utility services established for any parcel or tract of land unless such property has been platted or determined to be exempt from platting in conformity with the provisions of this UDO.

The division of any lot or any parcel of land by the use of a metes and bounds description for the purpose of development is prohibited.

### 3.5.2 EXCEPTIONS FROM REQUIRED PLAT.

Exceptions to the requirement for a recorded plat prior to the issuance of a development permit may be approved as follows:

- (1) Assertion of a statutory exemption from platting pursuant to Chapter 212 of the Local Government Code shall be made and reviewed pursuant to a Plat Certification application.
- (2) A request for a warrant from the requirement for platting prior to the issuance of a development permit may be submitted to the DRC for review and may be approved if the request is in keeping with the intent of the UDO and the Comprehensive Plan.
- (3) A request for a variance from the requirement for platting prior to the issuance of a development permit may be submitted to the Planning and Zoning Commission for consideration.



### **3.6 NEIGHBORHOOD AND EMPLOYMENT CENTER PLANS.**

Additions or new neighborhoods add to the fabric of the community. It is intended that new neighborhoods be built based on key standards from the existing neighborhoods. Castroville's neighborhoods offer a variety of residential buildings, house-form office or commercial buildings, to downtown commercial buildings. The standards within the Neighborhood Plan and Pedestrian Shed Allocation sections of this UDO support fiscally productive and flexible neighborhoods for Castroville's future. Employment Centers are areas of the community designated for job creation and industrial development. Employment Center plans allow for flexible design standards that recognize the unique characteristics of major employment and industrial buildings and sites.

#### **3.6.1 DEVELOPMENT PATTERNS.**

##### **3.6.1.1 DESCRIPTION.**

Development Patterns are used for projects with acreage amounts of a Pedestrian Shed (approximately 80 acres) or greater. The physical landscape in Castroville lends itself to supporting a range of development pattern. Neighborhood Plans may opt to extend the city grid or select an alternative development pattern.

Projects greater than 2.5 acres but less than a pedestrian shed shall use the TND development pattern or the development pattern of the adjacent and surrounding neighborhood. Alternative Development Patterns may be requested by Warrant from the DRC.

##### **3.6.1.2 INTENT.**

Development Patterns are the manner in which a neighborhood is configured. Different geographies accept different Development Patterns. To accommodate Castroville's range of natural landscapes, three (3) Development Patterns provide adequate facilitation of development. The Development Pattern type will guide the creation of the Neighborhood Plan configurations suitable for different geographies.

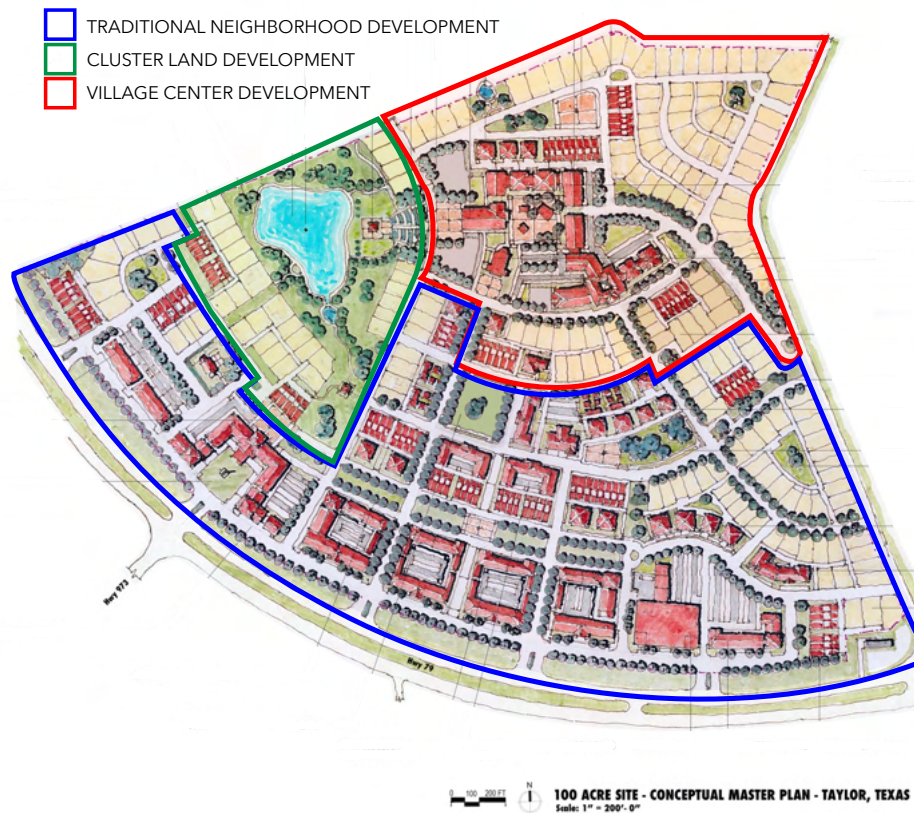
##### **3.6.1.3 NEIGHBORHOOD PLAN PLACE TYPE ZONING ALLOCATION PER DEVELOPMENT PATTERN.**

Projects with eighty (80) acres or a pedestrian shed or greater shall allocate a variety of Place Types on a Neighborhood Plan (see Table 3.6.1(A)): Place Type Allocation Per Development Pattern. If subdividing and/or a Place Type zoning change is required, a Neighborhood Plan can be submitted simultaneously with a plat and Place Type Zoning change submission.

For properties within the city limits, Place Types shall be allocated within neighborhoods based upon the Development Pattern of the neighborhood and the percentages in Table 3.6.1(A). The Planning and Zoning Commission and City Council may approve modifications to the Place Type allocation percentages through the Neighborhood Plan adoption process. Neighborhood Plans less than a full pedestrian shed shall consider the existing and planned Place Type allocation within the pedestrian shed that the new neighborhood is a part of in determining the Place Type allocation percentages for the new neighborhood.

**TABLE 3.6.1(A): PLACE TYPE ALLOCATION PER DEVELOPMENT PATTERN.**

DEVELOPMENT PATTERNS	PLACE TYPES								
	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
TRADITIONAL NEIGHBORHOOD DEVELOPMENT	5%	0%	0%	10-30%	0%	40-60%	10-30%	10%	0%
CLUSTER LAND DEVELOPMENT	5%	50%	0%	10-30%	0%	20-40%	0-15%	10%	0%
VILLAGE CENTER DEVELOPMENT	5%	5%	0%	10-30%	0%	10-30%	40-60%	10%	0%
EMPLOYMENT CENTER	TBD	0%	0%	0%	0%	0-20%	0-20%	10%	50% MIN.

**FIGURE 3.6.1(B): EXAMPLE OF DEVELOPMENT PATTERNS.**

#### 3.6.1.4 TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND).

- (1) Intent: Traditional Neighborhood Development is the historic development pattern of Castroville. TND characteristics include: small, walkable blocks; the continuation of the street grid as new neighborhoods are planned; a variety of lot sizes that accommodate a variety of building types; a range of housing types; well-defined public spaces; a definable neighborhood center; and they contain amenities such as stores, schools, and places to meet and linger within a comfortable walking distance of residences. TND is the primary and default development pattern in the City of Castroville.
- (2) Standards:
  - (a) Location: The TND is located within an area that allows for the development pattern.
  - (b) Place Types: The TND shall include an allocation of Place Types as shown in Table 3.6.1(A) or as approved in the Neighborhood Plan.
  - (c) Size: A TND shall be organized around one pedestrian shed as described in Section 3.6.1.7. TNDs larger than one pedestrian shed shall be organized as multiple pedestrian sheds, each with a definable center.
- (3) Example: The 100-acre concept plan in Castroville, Texas depicts how a mix of development patterns can be incorporated within one development project. The image in Figure 3.6.1(B) has an example of Traditional Neighborhood Development with small blocks, walkable streets, a variety of buildings types and alternative block patterns with pedestrian breaks.

#### 3.6.1.5 CLUSTER LAND DEVELOPMENT (CLD).

- (1) Intent: Cluster Land Development offers an alternative to TND for the purpose of:
  - (a) Assuring the permanent preservation of open space, agricultural lands, and other natural resources through land reservations or conservation easements;
  - (b) Encouraging the use of land in accordance with its character and adaptability;
  - (c) Allowing innovation and greater flexibility in the design of residential developments to ensure the same overall amount of development normally permitted with the conventional home lot size;
  - (d) Facilitating the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner—increasing affordability and reducing the cost of building and maintaining infrastructure;
  - (e) Ensuring compatibility of design and use between neighboring properties; and,
  - (f) Encouraging a less sprawling form of development, thus preserving open space as undeveloped land.

- (2) Standards:
  - (a) A minimum of fifty percent (50%) of the Neighborhood Plan shall be permanently allocated to P1 Nature and/or P2 Rural Place Types.
  - (b) The dedicated P1 lands shall be deemed civic or open space and will be set aside by the applicant through an irrevocable conservation easement or similarly determined method, as approved by the City Council.
  - (c) Areas not considered civic or open space:
    - i. The area of any street right-of-way proposed to be dedicated to the public.
    - ii. Any submerged land area.
- (3) Example: The 100-acre concept plan in Castroville, Texas depicts how a mix of development patterns can be incorporated within one development project. The image in Figure 3.6.1(B) has an example of Cluster Land Development where lots are clustered to protect the natural landscape.

#### 3.6.1.6 VILLAGE CENTER DEVELOPMENT (VCD).

- (1) Intent: A Village Center Development is a series of small streets lined with buildings at the street edge, creating a unique village-style community. VCD consists of a small dense grouping of predominately P4 and P5 buildings serving as residential, live/work, commercial, and office buildings organized in a vernacular, curvilinear grid, or grid network of blocks and streets. The streets are small and serve as shared streets. Vehicles are kept on the exterior of the developments. Buildings are located at or very close to the street edge.
- (2) Standards:
  - (a) Location: VCDs may be located in any new neighborhood to create an area or an entire neighborhood that is intended to be mostly free of motorized vehicles within the main pedestrian streets.
  - (b) Place Types: The VCD shall include an allocation of Place Types as shown in Table 3.6.1(A) or as approved in the Neighborhood Plan.
  - (c) Size: A VCD may be organized around one pedestrian shed as described in Section 3.6.1.7 or may be its own, smaller pedestrian shed within a standard pedestrian shed.
  - (d) Special Requirements: Buildings are located at or very close to the street edge at the frontage line and occupy eighty percent (80%) to one hundred percent (100%) of the lot frontage. Vehicle access is kept in the rear of the property, served by alleys or the rear lanes.
- (3) Example: The 100-acre concept plan in Castroville, Texas depicts how a mix of development patterns can be incorporated within one development project. The image in Figure 3.6.1(B) has an example of a Village Center Development with a tight, pedestrian-friendly core that has a mix of building types and shared walkable streets.

### 3.6.1.7 PEDESTRIAN SHED.

- (1) Description: A pedestrian shed is the basic building block of walkable neighborhoods. A pedestrian shed is the area encompassed by the walking distance from a town center, neighborhood center, or the main Civic Space. Pedestrian sheds are often defined by a 5-minute walk, about 1,320 feet. They may be drawn as perfect circles, but in practice, pedestrian sheds have irregular shapes because they cover the actual distance walked, not the straight-line distance.
- (2) Applicability:
  - (a) In TND developments, every 1/4 mile radius or "Pedestrian Shed," i.e. approx. 80 acres, is to contain a mix/allocation of Place Type zoning districts as shown in Table 3.6.1(A). Measuring development by the pedestrian shed will ensure walkable neighborhoods are created.
  - (b) The pedestrian shed is the area encompassed by the walking distance from a town or neighborhood center or main Civic Space. They are often defined as the area covered by a 5-minute walk (about 1/4 mile or 1,320 feet) from the center.
  - (c) Pedestrian Sheds in VCD or CLD Development Patterns vary in size.

### 3.6.1.8 EMPLOYMENT CENTER.

- (1) Intent: Employment Centers are areas within the community that are intended to provide locations for major employment and industrial development. As such, these areas may not be able to meet the development standards or character of the other neighborhood development patterns. Employment Centers should still be developed in a manner that is consistent with the City's overall master plans, street network, and adjacent neighborhoods, but may require modifications to block dimensions, Civic Space locations, building types and sizes, etc.
- (2) Standards.
  - (a) Location: Employment Centers are located in areas designated on the City's Future Land Use Plan as Employment Center.
  - (b) Place Types: The Employment Center shall include an allocation of Place Types as shown in Table 3.6.1(A) or as approved in the Employment Center Plan. The area within an Employment Center Plan Allocated too the EC Place Type should be sufficient to preserve areas within the plan for major employment and industrial uses that have unique characteristics that do not meet the standards of a traditional neighborhood. The remaining area within an Employmet Center Plan should be allocated to traditional Place Types such as CS, P4 and P5 to create walkable, mixed use neighborhoods within the Employment Center that provide areas for housing, retail, and service uses to support the needs of those working in the Employment Center.

### 3.6.2 ALLOCATION AND SEQUENCE OF PLACE TYPE DETERMINATION

- (1) Determination of Place Type designations shall be made based on the following factors considered in the following sequence:
  - (a) Development Patterns and intensities compliant with the Comprehensive Plan in Chapter 4. For specific process directions, see 4-8, development organization.
  - (b) The existing streets and Master Thoroughfare Plan;
  - (c) Proximity to existing Place Types (built or planned);
  - (d) Size of new development; and
  - (e) Pedestrian Shed distribution.
- (2) The Place Type designation on the Castroville Place Type zoning map for undeveloped properties or properties proposing redevelopment determines the maximum allowed intensity of a development and does not entitle the entire property to be allocated with that Place Type.
- (3) Before preparing a Neighborhood Plan, the Applicant must review permitted Development Patterns, the associated standards, and Place Type percentage allocation per Pedestrian Shed.

### 3.6.3 NEIGHBORHOOD PLAN EXEMPTIONS

Properties within the city limits of 2.5 acres or less on already platted lots are not required to complete a Neighborhood Plan.

### 3.6.4 IN-CITY NEIGHBORHOOD AND EMPLOYMENT CENTER PLANS.

The City of Castroville is made up of a collection of complete neighborhoods. Each neighborhood has a variety of building types, lot sizes, shops and services, Civic Spaces, and more. New neighborhoods will continue this pattern through standards developed through the Neighborhood or Employment Center Plan process.

Creating a Neighborhood Plan is a three-step process and may require an urban design consultation or charrette to be accomplished. Specific development requirements and standards are located in the Engineering Standards. Additional requirements may be determined at pre-application meeting and site visit.

The specific requirements for an application will be determined at the pre-submittal meeting. The following steps apply to all new neighborhoods and employment centers within the city limits.

#### 3.6.4.1 NEW NEIGHBORHOOD OR EMPLOYMENT CENTER PLAN

A new Neighborhood or Employment Center Plan is the first step in designing a new neighborhood or employment center. The plan begins with a master plan that lays out the street network, open spaces, and Civic Spaces, and allocates Place Types. A master plan may be developed by the property owner or authorized applicant following the standards in this UDO and reviewed for compliance by the City or it may be developed collaboratively through a design charrette process. The applicant shall choose the method of developing the master plan when they submit the Neighborhood Plan application.



The Planning and Zoning Commission and City Council may approve deviations from the standards in the UDO that are in keeping with the intent of the Comprehensive Plan and UDO. Any deviations shall be recorded in the approved Neighborhood or Employment Center Plan.

The Neighborhood Plan application follows the requirements in Chapter 2 and the content of the application in the Application Checklist.

#### **3.6.4.2 PRELIMINARY PLAT**

Following approval of the Neighborhood or Employment Center Plan, the applicant shall submit a Preliminary Plat that provides the preliminary engineering of streets, paths, trails, transportation improvements, blocks, lots, Civic Spaces, utilities and drainage for the new neighborhood or employment center.

The Preliminary Plat application follows the requirements in Chapter 2 and the content of the application in the Application Checklist.

#### **3.6.4.3 SUBDIVISION IMPROVEMENT PLANS**

Following approval of the Preliminary Plat, the applicant shall submit the Subdivision Improvement Plans that provide the detailed engineering consistent with the requirements in the Engineering Standards for all public infrastructure within the new neighborhood or employment center.

The Subdivision Improvement Plans application follows the requirements in Chapter 2 and the content of the application in the Application Checklist.

#### **3.6.4.4 FINAL PLAT**

Upon completion of construction of the improvements within the approved Subdivision Improvement Plans, the applicant shall submit the Final Plat which provides the final, recordable copy of the subdivision. The applicant may choose to submit the Final Plat prior to the completion of construction of the improvements within the approved Subdivision Improvement Plans, in which case, the applicant shall post a performance bond equal to 110% of the cost of all the uncompleted improvements within the approved Subdivision Improvement Plans at the time of submitting the Final Plat application. The City Engineer shall be responsible for reviewing and approving the applicant's estimate of the cost of the uncompleted improvements.

The Final Plat application follows the requirements in Chapter 2 and the content of the application in the Application Checklist.

#### **3.6.4.5 SITE DEVELOPMENT PLANS AND BUILDING PERMIT**

After the Final Plat is recorded with the Medina County Clerk, the owner of lots within the plat may submit applications for Site Development Plans and Building Permits.

The Site Development Plans application follows the requirements in Chapter 2 and the content of the application in the Application Checklist.

The Build Permit application follows the requirements of the adopted building codes and the application materials published by the Community Development Director.

### 3.6.5 ETJ NEIGHBORHOOD AND EMPLOYMENT CENTER PLANS.

All new neighborhoods and employment centers within the ETJ of the City of Castroville shall follow the procedures outlined in Section 3.6.4 with the following exceptions:

- (1) During the Neighborhood or Employment Center Plan process, no Place Type zoning districts are allocated on the plan.
- (2) Upon approval of the Final Plat, no Site Development Plans or Building Permits are required to be submitted to the City.

## 3.7 INFILL PLANS.

Infill development is the process of reconstructing within or increasing the development intensity of an already developed area or neighborhood.

There are two scales of infill development. First, is development using existing lots that may require minor changes or divisions. Second, is development that proposes to significantly reconfigure existing lots, blocks or streets and proposes to change the allocation of Place Types within the infill development.

### 3.7.1 APPLICABILITY.

Infill development proposed on existing platted lots that do not require any modifications to the existing plat and are not proposing a change to the Place Type may proceed directly to site development plan or building permit.

Infill development that proposes modifications to existing platted lots but does not trigger the requirement of an Infill Neighborhood Plan may submit the required plat applications, Place Type zoning change, and any necessary engineered plans for street, sidewalk, water, sewer or drainage improvements concurrently. Pursuant to Texas Local Government Code Section 212.016(10), up to six lots may be created from a previously platted lot using the Amending Plat application process in a residential improvement area.

Existing platted lots may be amended to create additional lots as long as the following conditions are met:

- (1) All lots are required to have individual water and sewer taps unless a warrant is approved by the DRC.
- (2) New lots may have frontage on any public right-of-way type including street, path, alley or Civic Space.
- (3) Lots that do not have frontage on a street must have the following:
  - (a) A dedicated ten (10) feet wide pedestrian access easement from the street to the lot;
  - (b) An address sign at the street
- (4) Lots without street frontage may be granted a warrant from compliance with the frontage build-out requirement.



### 3.7.2 INFILL NEIGHBORHOOD PLANS.

Infill Neighborhoods Plans are required for properties greater than 2.5 acres and that are proposing to modify the Place Type allocation or change the street, lot or block configuration in a way that is not permitted by the Infill Lot-Scale Plan process.

Infill Neighborhood Plans shall follow the procedures in Section 3.6.4 for new Neighborhood Plans with the following exceptions:

- (1) The property owner may process any necessary vacating, amending or re-plat applications with the initial Neighborhood Plan application.
- (2) The DRC may authorize the use of the Infill Neighborhood Plan as the Preliminary Plat instead of requiring a separate Preliminary Plat application.

The Infill Neighborhood Plan application follows the requirements in Chapter 2 and the content of the application in the Application Checklist.

## 3.8 NEIGHBORHOOD DESIGN STANDARDS.

### 3.8.1 STREETS, PATHS, TRAILS, AND ALLEYS.

The street pattern of a neighborhood shall follow the traditional grid pattern of Castroville, providing walkable blocks and an interconnected network of streets that extend to and from adjacent neighborhoods and undeveloped properties. The applicant shall be responsible for the construction of all interior street improvements.

The applicant shall be responsible for the construction of the adjacent half of all perimeter streets surrounding the subdivision that are not improved to city standards. Perimeter street subdivision requirements include any residential subdivision with greater than four (4) lots. In lieu of constructing perimeter streets, the Community Development Director may approve an escrow of one-half (½) of the cost. The cost must be approved by the City Engineer.

#### 3.8.1.1 INTENT.

- (1) Streets serve as the key public spaces that connect people to places. Castroville's street grid is core to its success and is a pattern that represents the past and will guide its future. The Public Frontage is the space where public investments and land is used to connect people to places.
- (2) Pedestrian comfort shall be the primary consideration for the design of streets. Design conflicts between vehicular and pedestrian movement shall be decided in favor of the Pedestrian.
- (3) A diversity of street tree and plant species should be planted throughout the City of Castroville to promote resistance to disease and insect blight. Street Trees and/or landscaping should be planted to create a visually unified streetscape.

### 3.8.1.2 GENERAL.

- (1) Development located within the city limits shall be subject to the requirements of this section. Development in the ETJ shall comply with the rules of this UDO and all environmental regulations as allowed by State law and the rules established by the Inter-local Agreement with Medina County.
- (2) Streets are intended for use by vehicular and pedestrian traffic and to provide access to lots and Civic Spaces. New streets shall be required when block lengths exceed the maximum length allowed in the Place Type.

### 3.8.1.3 STREET ARRANGEMENT.

The original grid pattern within Castroville establishes the foundation for the street network. Unless otherwise approved by the City Council, provision shall be made for the extension of streets through any new neighborhood. Off-center street intersections with streets in adjacent neighborhoods shall be avoided. All streets shall be continuous or in alignment with existing streets unless variations are deemed advisable by the Council due to topography and requirements of traffic circulation.

FIGURE 3.8.1(A): STREET EXTENSIONS.



### 3.8.1.4 INTERSECTION.

- (1) Typically, streets are to intersect at a ninety (90) degree angle. Variations may be approved by the City Engineer.
- (2) Acute angle intersections approved by the City Engineer are to have twenty-five (25) foot radius at acute corners.
- (3) Street intersections with or extending to meet an existing street will be tied to the existing street on centerline with dimensions and bearings to show relationship.

### 3.8.1.5 PARTIAL OR HALF-STREETS.

Partial or half-streets may be provided where the City Council believes that a street should be located on a property line.

### 3.8.1.6 STREET NAMES.

Street names shall be continuations of existing street names adjacent to or in-line, if they are not duplications. Proposed new names shall be submitted to the Community Development Director, or their designee, for approval prior to the submittal of a final plat.

### 3.8.1.7 RIGHT-OF-WAY (ROW) WIDTHS.

All street and road rights-of-way within new subdivisions shall be subject to the minimum right-of-way and street widths as determined by the City Engineer and the Engineering Standards.

### 3.8.1.8 CUL-DE-SACS.

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

### 3.8.1.9 STREET LIGHTING.

The developer is responsible for furnishing and erecting street lighting as required by the Outdoor Lighting Requirements in the Engineering Standards.

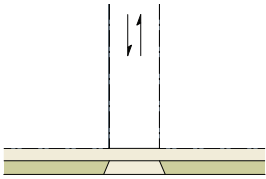
### 3.8.1.10 EMERGENCY ACCESS AND FIRE LANES

Emergency Access Provisions:

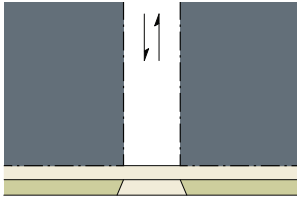
- (1) The Community Development Director and the Fire Marshal will review all proposed developments for safe and appropriate fire and other emergency access items.
- (2) Fire access shall meet the standards of the International Fire Code (IFC) as adopted by the City.

### 3.8.1.11 STREET TYPES.

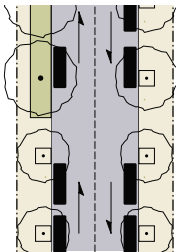
The following street types were developed using the Castroville Back To Our Future Comprehensive Plan street sections. Street types for new neighborhoods are to be determined during the Neighborhood Plan process.

**(1) RURAL STREET.**

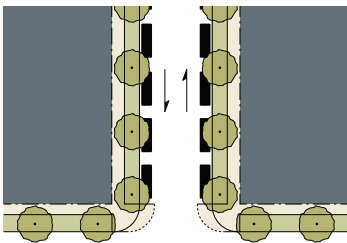
A rural street has open swales and drains by percolation. The street has wide shoulder or bicycle trails, and no on-street parking. The landscaping consists of the natural condition or multiple species arranged in naturalistic clusters.

**(2) SIDE STREET (NO ON-STREET PARKING)**

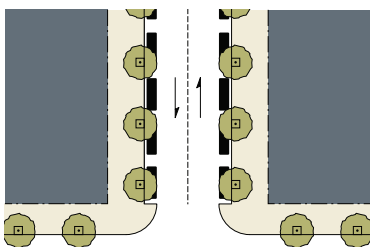
A side street is intended to be less formal in nature than the other street types. It is used to facilitate the connection between key streets and shall provide the ability for less stringent street requirements. Side streets contain no on-street parking lanes. Side streets are appropriate in low or high-density areas when serving as a secondary point of access.

**(3) CASTRO STREET.**

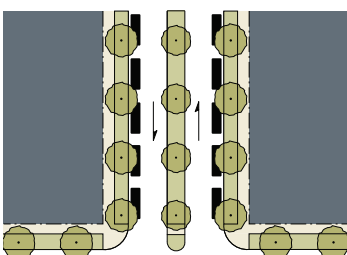
A neighborhood Castro Street is a low-capacity and low-speed street seen in original parts of Castroville's settlement. The street width is limited in order to encourage slower traffic. On-street parking is permitted on both sides but is not continuous or designated by striping. Bicyclists can travel in the street with vehicular traffic due to the low speeds. Sidewalks are separated from the street by a continuous tree zone.

**(4) NEIGHBORHOOD STREET.**

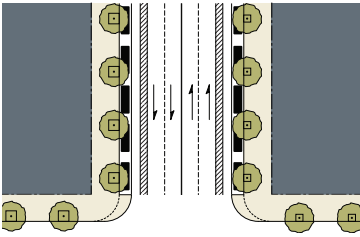
A neighborhood street is a low-capacity and low-speed street that provides more space for continuously parked vehicles. Bicyclists can travel in the street with vehicular traffic due to low speeds and sidewalks are separated from the street by a continuous tree zone. These streets are appropriate where there are higher-density building types adjacent to the street or in commercial and mixed-use areas.

**(5) NEIGHBORHOOD AVENUE.**

A neighborhood avenue is a street with moderate vehicular capacity and low speeds. Neighborhood avenues are typically used as cross-town streets and are used to travel between different centers throughout the city. Neighborhood avenues should accommodate all modes of transportation including transit. Neighborhood avenues are appropriate for areas with high-density housing adjacent to the street or in areas of more intense mixed-use and commercial land uses. Vehicular access to the lots is from alleys and side streets.

**(6) 2-LANE COMMUNITY BOULEVARD.**

A two-lane community boulevard is a long distance street that is designed for the most intense mixed-use and commercial areas with moderate to high traffic volumes. Turning movements should be limited on community boulevards when possible and vehicular access to private lots shall be from secondary streets or alleys. Bicyclists and pedestrians are typically separated from vehicular traffic and transit should be prioritized along community boulevards.

**(7) 4-LANE COMMUNITY BOULEVARD.**

A four lane community boulevard is a long distance street that is designed for the most intense mixed-use and commercial areas with high traffic volumes. Turning movements should be limited on community boulevards when possible, and vehicular access to private lots should be from secondary street or alleys. Bicyclists and pedestrians are typically separated from vehicular traffic and transit should be prioritized along community boulevards.

**3.8.1.12 PATHS AND TRAILS.****(1) PATH**

A path is a non-vehicular right-of-way type that provides pedestrian access to lots. Paths are typically located within Civic Spaces but may also be located mid-block as a non-vehicular connection between streets. Paths are permitted in all Place Types and may be considered block breaks for the purpose of complying with maximum block length standards. Paths may be considered legal frontage for the purpose of lot configuration.

The minimum right-of-way width for a path is ten (10) feet and the minimum travel surface is six (6) feet.

**(2) TRAIL**

A trail is a shared-use right-of-way for pedestrians and bicycles located within Civic Space and open space or in locations designated on the Transportation Plan. The minimum right-of-way width for a trail is twenty (20) feet and the minimum travel surface width is ten (10) feet.

Integrating trails in a neighborhood can provide various benefits, such as promoting physical activity, enhancing community connectivity, and improving property values.

The applicant is responsible to note the location of trails on the plat.

- (1) During the Neighborhood Plan planning process, trails shall be integral to the overall design and be compliant with the Transportation Plan.
- (2) First, identify potential trail locations in the neighborhood.
- (3) Integrate trips plan in the Neighborhood Plan. Develop a plan for the trail that includes the route, trail width, materials, and any additional amenities like benches, trash cans, and signs.
- (4) Check for compliance with the Parks Masterplan.
- (5) The construction standards for building the path or trail are located in the Engineering Standards.
- (6) Regular maintenance ensures paths and trails longevity and continued use. This can be done through volunteer efforts or contracted services.

### 3.8.1.13 ALLEYS.

#### (1) RESIDENTIAL ALLEY.

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

#### (2) COMMERCIAL ALLEY.

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.

- (a) Where access for vehicles is prohibited or minimal, commercial alleys may be constructed using low-impact pavement materials, such as pervious or modular paving.
- (b) Bicycle traffic may use commercial alleys. Similar regulations to those of shared space should apply.
- (c) Commercial alleys can be restricted for traffic during non-delivery hours for outdoor seating or other uses.

#### (3) 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.

- (a) Alleys surface types will vary by Place Type zoning district. Detailed standards are located in the Engineering Standards.
- (b) Alleys shall be designed by a registered engineer meeting the specifications of this UDO and other City of Castroville construction standards.

#### (4) 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.

### 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:

**TABLE 3.8.1 (B). REQUIRED STREET IMPROVEMENTS.**

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

### 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.

### 3.8.1.16 STREET, PATH, AND TRAIL STANDARDS.

**TABLE 3.8.1(C): STREET, PATH, AND TRAIL STANDARDS BY PLACE TYPE ZONING DISTRICT.**

STREET STANDARDS	PLACE TYPES								
PUBLIC FRONTAGE	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
PUBLIC FRONTAGE SHALL BE DETERMINED BY STREET TYPE									
STREET TYPES	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
RURAL STREET	P	P	NP	NP	NP	NP	NP	P	NP
RESIDENTIAL ALLEY	NP	NP	NP	P	P	P	NP	NP	NP
COMMERCIAL ALLEY	NP	NP	NP	NP	NP	NP	P	NP	P
CASTRO STREET	P	P	P	P	P	P	P*	P	NP
NEIGHBORHOOD STREET	P	P	P	P	P	P	P	P	P
NEIGHBORHOOD AVENUE	NP	NP	P	P	P	P	P	NP	P
SIDE STREET	NP	NP	NP	P	P	P	P	P	P
2 LANE COMMUNITY BOULEVARD	NP	NP	NP	P	P	P	P	NP	P
4 LANE COMMUNITY BOULEVARD	NP	NP	NP	NP	NP	P	P	NP	P
PATHS	P	P	P	P	P	P	P	P	P
TRAILS	P	P	P	P	P	P	P	P	P
P = PERMITTED    NP = NOT PERMITTED    *= CANT BE USED IN PRIMARY FRONTAGE									

### 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 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

### 3.8.1.18 STREET WIDTHS.

- (1) Street types shall be determined during the Neighborhood Plan process. Below are general standards for street width:
  - (a) Rural Streets in P2 - Rural, - Rural Commercial, or P2.5 - Historic Residential place types and the ETJ shall generally be constructed with concrete ribbon curbs, and the right-of-way may vary.
  - (b) Castro Streets serving Original Castro Area- Castroville's uniquely narrow streets and ROW in the historic plat of the city is most translatable to traditional Castro Streets. These will have a minimum dedicated right-of-way of 40' and a minimum (paving) width curb to curb of 20'
  - (c) Neighborhood Streets used to primarily serve neighborhoods and serving P2.5 - Historic Residential, P3 - Neighborhood, P4 - Neighborhood Commercial, or P5 - Urban District place types shall have a minimum dedicated right-of-way of sixty (60) feet and a minimum (paving) width curb to curb of twenty-four (24) feet.
  - (d) Boulevards serving P5 - Urban District Place Type shall have a minimum dedicated right-of-way of eighty (80) feet and a minimum paving width curb to curb of thirty-two (32) feet.

### 3.8.1.19 STREET GEOMETRY STANDARDS

(1) General requirements.

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

**TABLE 3.8.1 (E). STREET GEOMETRY STANDARDS.**

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'

(2) 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.

(3) 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.

(4) 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.

## (5) 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 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

## (6) 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.

## (7) 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 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	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

(8) 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.

### 3.8.1.20 MINIMUM PAVEMENT DESIGN STANDARDS 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.

**TABLE 3.8.1 (E). MINIMUM PAVEMENT DESIGN STANDARDS AND TESTING.**

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"

Laboratory testing shall meet the following requirements and shall be performed by a recognized testing laboratory during construction.

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

### 3.8.1.21 STANDARDS FOR ALTERNATE PAVEMENT DESIGNS

The city may approve alternative pavement designs provided such alternative is so designed, in the judgment of the city, as to assure reasonable durability and economy of maintenance and provided the alternative is in accordance with Tables 3.8.1 (D) and Tables 3.8.1 (E) and the following provisions of this section.

## (1) 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.

## (2) Pavement design loads.

Pavement design shall be based on the Texas Department of Transportation tri-axial design standards in the following table.

**TABLE 3.8.1 (G). MINIMUM PAVEMENT LOAD STANDARDS.**

STREET CLASSIFICATION	TOTAL EQUIV 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

### 3.8.2 BLOCKS.

- 3.8.2.1 A block is an arrangement of lots, and in some cases alleys, bounded on all sides by streets (see Figure 3.8.2(A): Block Perimeter). A neighborhood consists of lots within blocks that are surrounded by streets. Blocks are flexible, allowing incremental change and a gradual increase in density over time.
- 3.8.2.2 In Figures 3.8.2(B) - (F) there are different types of block configurations that can be requested to be used in Neighborhood Plans.

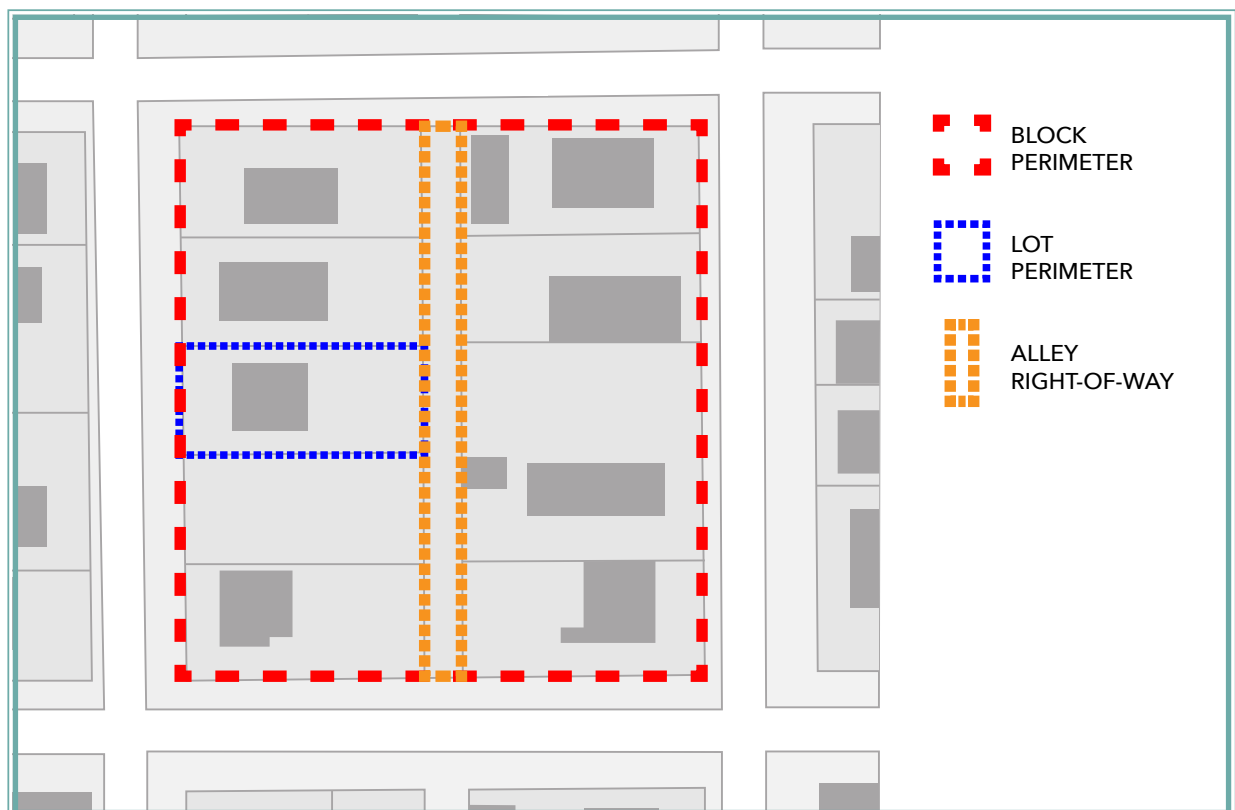
FIGURE 3.8.2(A): BLOCK PERIMETER.

FIGURE 3.8.2(B): SQUARE.

A tight, repetitive square street grid can be found in Downtown, Castroville. The grid pattern produces a consistent module of lot width and depth. The pattern is extremely conducive for walkability and efficient vehicle traffic dispersal.

FIGURE 3.8.2(C): ELONGATED.

The elongated block pattern, provides equal exposure to both sides of the north-south streets. The blocks provide light to both the front and rear of the lot and limits exposure to western sun. Civic Spaces allow for a variation in the repetitive grid pattern.





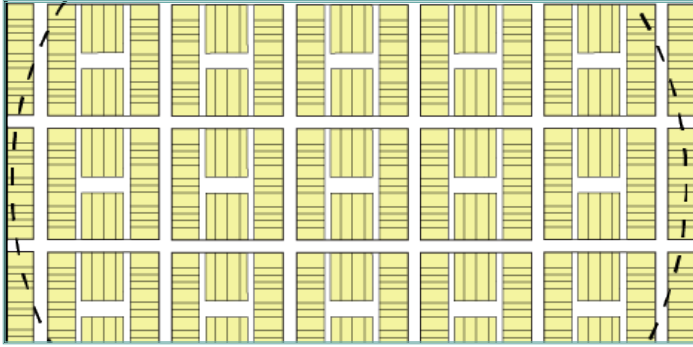


FIGURE 3.8.2(D): IRREGULAR.

Irregular blocks were used in Medieval cities, like Paris, and in isolated examples in the US, like Boston. The blocks allow for the dispersal of traffic through the street network, flexibility with topography, and terminated vistas.

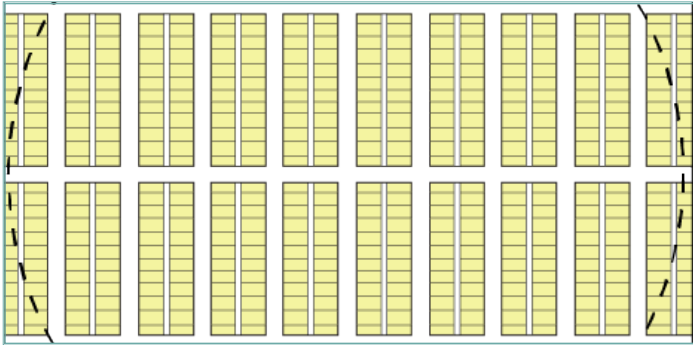


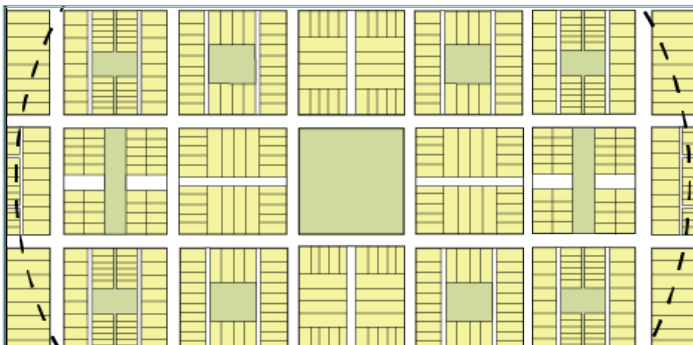
FIGURE 3.8.2(E): RADIAL GEOMETRIC.

Produces terminated vistas that can be used for civic buildings. There is a clear hierarchy of streets with diagonals carrying the through traffic. It may be disorienting and difficult to navigate and remember. Similar to the organic block structure, the resulting block and lot shapes are diverse and challenging to resolve architecturally.



FIGURE 3.8.2(F): CURVILINEAR ORGANIC.

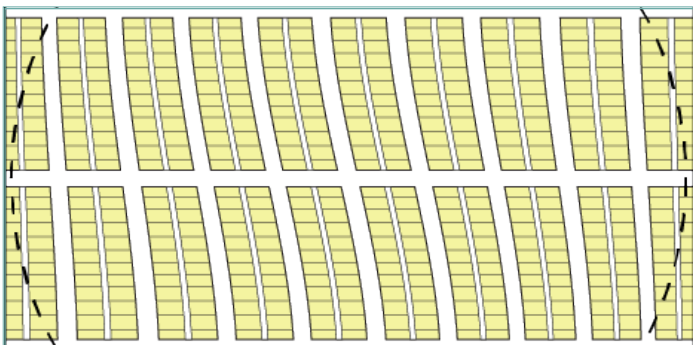
Consists of curved roads that create an abundance of deflected vistas. The pattern is responsive to topography, mediates environmental interruptions, and can disperse traffic through its network. The structure may be extremely difficult to navigate. In addition, lot sizes vary and consistency is hard to achieve.

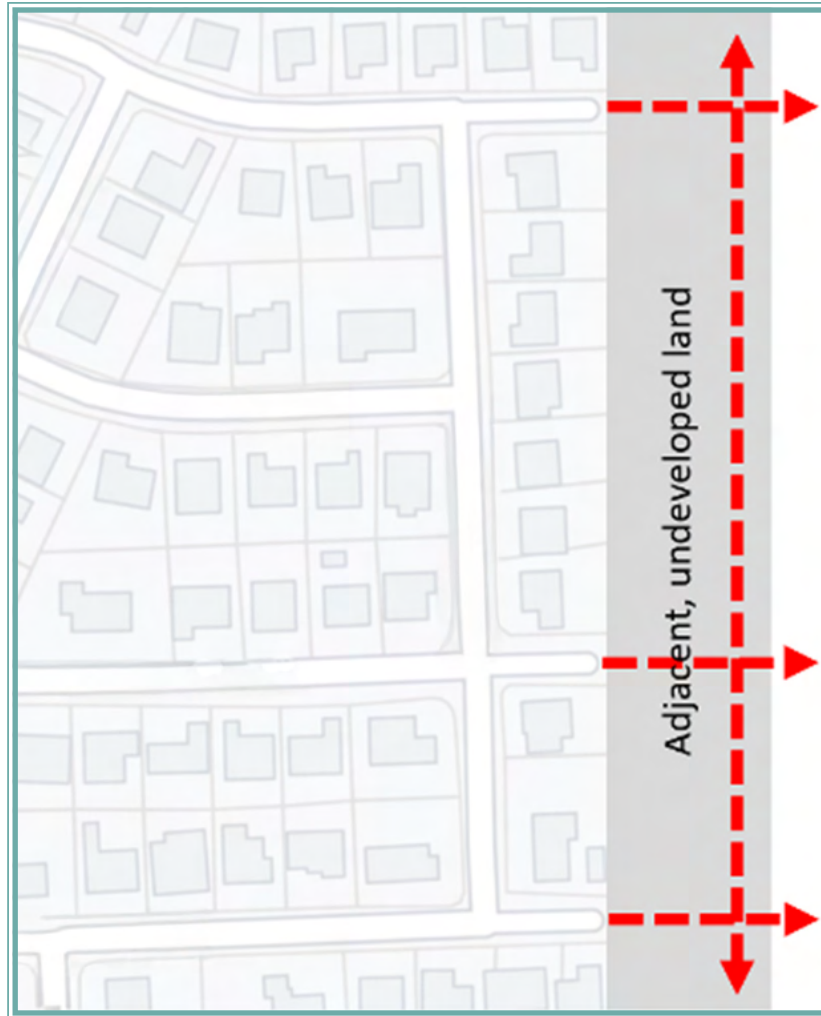


3.8.2.3 Exceptions to the requirement for a block to be bounded on all sides by streets may be approved by the Planning & Zoning Commission at the Preliminary Plat stage and may be considered when the provision of a street is not feasible due to natural or man-made features.

3.8.2.4 A applicant may propose to create a portion of a block along the boundary of the property being subdivided if the applicant can demonstrate that the remainder of the block can feasibly be completed on the adjacent property and, that upon completion, the block will comply with the maximum dimensions of this UDO (see Figure 3.8.2(G) Block Adjacency.)

FIGURE 3.8.2(G): BLOCK ADJACENCY.





- 3.8.2.5 An exception to the requirement for new subdivisions to create complete blocks may be approved for minor plats of four (4) or fewer lots if the exception will not adversely impact the existing or future street network or the development of adjacent properties.
- 3.8.2.6 Blocks are to be numbered consecutively within the overall plat and/or sections of an overall plat as recorded. All lots are to be numbered consecutively within each block. Lot numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plat.
- 3.8.2.7 Block length is measured along the front of lots within a block face between intersecting streets. A cul-de-sac does not create a break in the block for the purposes of measuring block length.

FIGURE 3.8.2(H): BLOCK LENGTH.

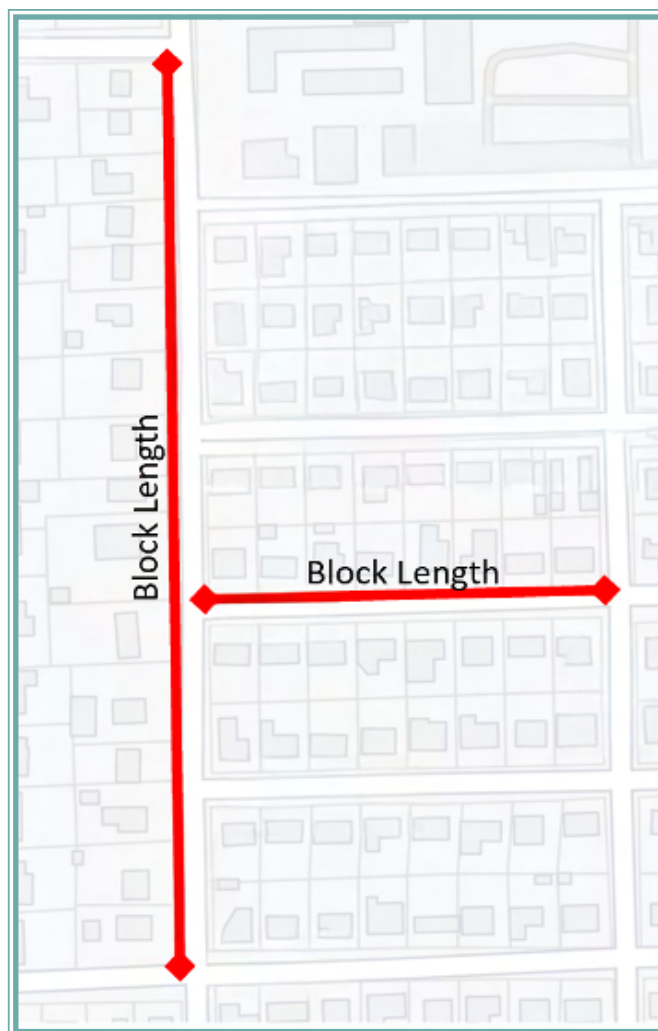
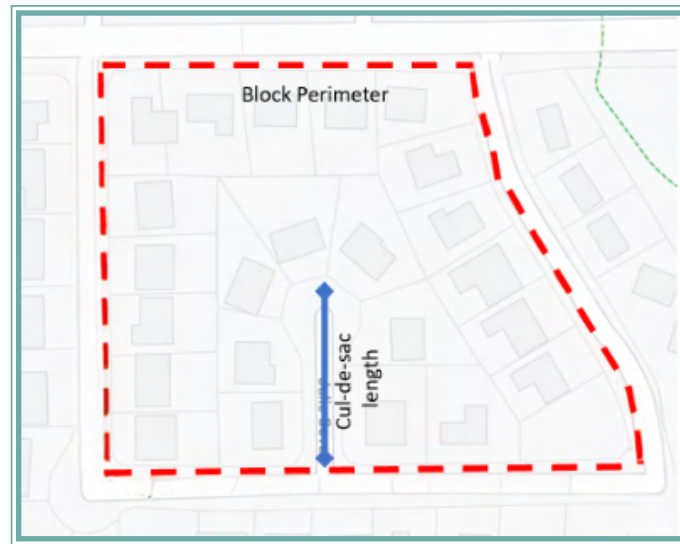


FIGURE 3.8.2 (I): CUL-DE-SAC BLOCK LENGTH.



- 3.8.2.8 The internal street network shall be structured to define blocks with the following maximum block lengths and block perimeters (not including exterior ROW dedication).

**TABLE 3.8.2(J). BLOCK LENGTH AND PERIMETER.**

	PLACE TYPES							
	P1	P2	P2.5	P3	P3M	P4	P5	EC
BLOCK LENGTH	N/A	720 FT	720 FT	330 FT	330 FT	330 FT	330 FT	720 FT
BLOCK PERIMETER	N/A	2,880 FT	2,880 FT	1,330 FT	1,320 FT	1,330 FT	1,330 FT	2,880 FT

- 3.8.2.9 Maximum block length: In the city limits the maximum block length shall follow the standards in Table 3.8.2(J). In the ETJ the maximum block length is three hundred and thirty (330) feet and the minimum block length is two hundred (200) feet, except upon approval of a Warrant by unless a longer block length is approved by warrant or variance.
- 3.8.2.10 Maximum block length for P2, P2.5, CS and EC: Seven hundred and twenty (720) feet with a reservation of block breaks of three hundred and thirty (330) feet, and the minimum block length is three hundred and thirty (330) feet, except upon approval of a warrant by the DRC.
- 3.8.2.11 Block faces within P3, P3M, P4, and P5, exceeding three hundred and thirty (330) feet shall be equipped with a twenty (20) foot, mid-block pedestrian path.
- 3.8.2.12 Blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete

blocks may be exempt from block face length and block perimeter requirements by warrant.

3.8.2.13 Blocks with more than one Place Type zoning designation shall use the most intense designation to inform the block face length and block perimeter.

3.8.2.14 Alternative block configurations, meeting the intent of this UDO, may be designed and submitted for approval through the Neighborhood Plan process.

### 3.8.2.15 TRANSITION SETBACKS.

Transition building lines having a minimum angle of forty five (45) degrees are to be provided where an offset in building lines is greater than five (5) feet.

## 3.8.3 LOTS.

3.8.3.1 The lot design of a neighborhood should provide for lots of adequate width and depth to provide open area and to eliminate overcrowding. Lots should be rectangular so far as practicable and should have the side lot lines at right angles to the streets on which the lot faces or radial to curved street lines.

3.8.3.2 All lots must front on a public street, path or trail right-of-way or a Civic Space as determined in the Neighborhood Plan.

3.8.3.3 Double frontage lots are prohibited.

3.8.3.4 All lots shown must conform to the minimum requirements of the Place Type zoning district in which it is located.

3.8.3.5 An individual sewer tap and water tap, as required, shall be installed for each lot.

3.8.3.6 Lots shall not be consolidated if the resulting consolidation yields less housing units or development intensity than the pre-consolidation configuration would permit.

3.8.3.7 Lots shall be sized to provide the least amount of frontage necessary to accommodate the building type proposed for the lot. This will ensure the most efficient use of public infrastructure to support private development.

## 3.8.4 DRAINAGE AND FLOOD HAZARDS.

### 3.8.4.1 GENERAL REQUIREMENTS

(1) 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.

(2) Land clearing restrictions.

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

(1) 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.
- (i) Proposed routing of drainage ways.
- (j) All proposed drainage easements, including width of easement and configuration of channel.

(2) 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.

### 3.8.4.3 DRAINAGE EASEMENTS

(1) 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.

(2) 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.

(3) 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.

(4) 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

(1) 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.

(2) Method of computing runoff.

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

**TABLE 3.8.4 (A). BLOCK LENGTH AND PERIMETER.**

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

**TABLE 3.8.4 (B). 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

(3) 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.

(4) 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.

(5) 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.

(6) 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.

(7) 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

(8) 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.

(9) 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.

(a) From the top of the concrete lining to the top of the ditch, the side slope shall not be steeper than three horizontal to one vertical, nor shall the slope be less than 12 horizontal to one vertical.

(b) 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.

- (c) 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.
  - (d) Vertical walls shall not exceed a depth of two feet unless the channel is properly fenced or enclosed.
  - (e) Vertical walls shall not exceed a depth of two feet unless the channel is properly fenced or enclosed.
  - (f) 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.
  - (g) Where conditions warrant, the design of alternative composite sections is encouraged.
- (10) 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.

- (a) The side slope shall not be steeper than three horizontal to one vertical.
- (b) 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 ½ inch per foot toward the channel.
- (c) The minimum N value of 0.035 shall be used for the roughness coefficient in Manning's formula for sod-lined and earth channels.

#### 3.8.4.6 FLOOD HAZARDS

- (1) General policy.

All subdivisions shall conform to the "Flood Disaster Protection Act of 1973," Public Law 93-234, and the latest revisions thereof. The Flood Damage Prevention Ordinance as amended and policies as dictated by the Federal Emergency Management Agency shall be adhered to.

- (2) 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.

(3) 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.

(4) 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.

- (a) Review of proposed subdivision flood hazards. Proposed subdivisions shall be reviewed to assure that:
- (b) All such proposals are consistent with the need to minimize flood damage;
- (c) 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
- (d) Adequate drainage is provided so as to reduce exposure to flood hazards.

(5) 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:

- (6) The area is accessible to high ground by a street elevated above the 100-year flood level; or
- (7) 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.

### 3.8.4.7 WATERS AND SEWERS

### 3.8.4.8 GENERAL REQUIREMENTS FOR WATER SYSTEM

(1) Service required.

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 Conservation 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 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.

(2) 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.

### 3.8.4.9 WATER SYSTEM DESIGN STANDARDS

- (1) 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

- (1) 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.

(2) 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.

(3) 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 this ordinance for the type of area to be served.

(4) Looping requirements.

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

(5) 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.

(6) 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.

(7) 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.

(8) 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	3/4
2	1
3 to 4	1 1/2
5 to 10	2
11 to 50	4
51 to 80	6
Greater than 80	8

### 3.8.4.12 DRAINAGE.

Adequate drainage shall be provided within the limits of the subdivision. The protection of adjoining property will be considered in the review of plans submitted. The applicant shall be responsible for constructing all drainage improvements.

(1) Design.

Design of all drainage facilities, including but not limited to streets, inlets, storm sewers, outfalls, culverts, ditches and channels shall conform to normally accepted engineering standards as determined by the City Engineer. Under no circumstances will drainage be allowed to result in a negative effect upstream or downstream.

(2) Maintenance agreement required for drainage facilities.

If the City requires that the developer (or landowner, PID, HOA, or other entity or person specifically approved by the City) shall be responsible for the maintenance of the drainage facilities, a maintenance agreement, as both are hereinafter defined, will be written and approved by the City that shall include terms and provisions deemed necessary by the City to provide maintenance of the drainage facilities.

(3) Maintenance agreement noted on final plat.

If a developer requests, and the City approves, that a Public Improvement District (PID),

Home Owners Association (HOA), or other entity be responsible for the maintenance of the drainage facilities, the maintenance agreement shall be included as part of the platting process and must be approved by the City prior to final plat approval. The plat shall include the information that a maintenance agreement is required for the drainage facility in the development and any term and provisions of the maintenance agreement the City deems necessary shall be noted on the final plat, which may include all terms of the maintenance agreement.

- (4) Maintenance agreement if preliminary plat not required.

The maintenance agreement must be negotiated during the preliminary platting process, or earlier in the planning process if required by the City, when a preliminary plat is not required.

- (5) City maintenance of drainage facilities.

If the City determines it will maintain the drainage facilities, it shall be noted on the final plat. The real and personal property included as the drainage facility shall be deeded and conveyed to the City as part of the platting process using instruments deemed reasonable and necessary to the City prior to final plat approval. The deed or other conveyance documents to the City must be free and clear of all liens, debts or other encumbrances, and the City may require evidence and title assurances of that requirement, including without limitation an owner's title insurance policy.

- (6) Role of the Home Owners Association (HOA), Public Improvement District (PID), or special financing district.

Ongoing role of the HOA/PID: The Community Development Department shall be the City liaison to a HOA and/or PID maintaining drainage facilities. Requirements concerning the HOA or PID operation to assure continued operation of drainage facilities shall be required by the City, including without limitation, financial reports filed with the City at least annually, a limitation against dissolution without City consent, and an assessment deemed adequate by the City to operate the maintenance facilities, allowing the City to collect dues directly and to assess liens against the subdivision for maintenance of the drainage facilities.

- (7) City Council approval of land restrictions.

All deed restrictions, covenants running with the land, and easements needed to operate the drainage facility must be approved by the City, filed of record, and contain provisions necessary to operate the drainage facilities and preventing amendment or dissolution without prior written consent from the City in the books and records of the entity.

### 3.8.4.13 UTILITIES.



#### 3.8.4.14 GENERAL REQUIREMENTS.

(1) 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.

(2) 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.

(3) 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.

(4) 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.

(5) 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.

(6) 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.

#### 3.8.4.15 Private Utilities.

Within new subdivisions, all private utilities, except for distribution mains, shall be placed underground by the developer. There shall be no overhead power lines for street lights. Gas meters shall be placed underground in an appropriate box located in the parkway as approved by the City, or placed adjacent to the residential structure. If adjacent to the residential structure, the backside of the meter and pressure reducing valve shall be at least one (1) foot from the finished edge of the residence, but not more than two (2) feet.

#### 3.8.4.16 Fire Flow Requirement.

No building permit shall be issued by the City for construction, if that proposed construction does not meet the fire flow requirements. Minimum acceptable flow for fire protection is five hundred (500) gallons per minute (gpm) for a duration of not less than two (2) hours. This flow must be met with the water supply system remaining at or above a pressure of twenty (20) pounds per square inch (psi). All water mains must be a minimum of eight inches (8") diameter. Water mains shall be Polyvinyl Chloride Pipe (PVC) and shall be designed, manufactured, and tested in accordance with the applicable requirements of AWWA C-900 and AWWA M-23. Eight inch (8") through twelve inch (12") pipe shall be pressure class 150, DR18. Pressure class requirements for larger diameter pipes shall be subject to the approval of the City Engineer. These requirements apply to all new development. Any variation in these requirements is subject to the approval of the City Engineer.

#### 3.8.4.17 SURVEY REQUIREMENTS.

- (1) Placement of lot markers and street monuments.

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.

- (2) 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 COST OF UTILITY EXTENSIONS.

- (1) 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.

- (2) 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 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.

- (3) 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.

- (4) 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.

- (5) 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:

- (a) 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.
- (b) The availability of funds for the extension of such mains and distribution lines.
- (c) The contribution, if any, by the subdivider for the extension of the mains and distribution lines.

#### 3.8.4.19 COST OF DISTRIBUTION FOR OVERSIZE FACILITIES.

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

#### 3.8.4.20 MINIMUM SIZES FOR OVER-SIZING CALCULATIONS

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 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

#### 3.8.4.21 WATER AND SEWER MAIN EXTENSION REIMBURSEMENTS

- (1) 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.

- (2) Formula for reimbursement.

The amount of the reimbursement under this section shall be calculated as follows.

- (a) 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.
- (b) Determine the cost of extension of the trunk mains minus any oversizing costs contributed by the city.
- (c) Determine the trunk main unit cost per acre by dividing the total adjusted cost,

subsection (b)(2) by the total acreage, subsection (b)(1).

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

(3) 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.

(4) 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.

### 3.8.5 CIVIC SPACES.

#### 3.8.5.1 INTENT.

Civic Spaces are public or semi-public places that provide opportunities to gather and celebrate together. They are places for people to exercise, relax or recreate. Civic Space functions as parkland for new neighborhoods. Dedication of Civic Space shall be required per the standards of the UDO for all Neighborhood Plans. (1) CS requirements will be provided for each Neighborhood Plan as Civic Space (CS). Developments where Civic Space is provided less than 600 ft away may be exempted from this requirement as determined during the Neighborhood Plan process.

- (1) Civic Space requirements will be provided for each Neighborhood Plan as Civic Space (CS). Developments where Civic Space is provided less than six hundred (600) feet away may be exempted from this requirement as determined during the Neighborhood Plan process.
- (2) The DRC will review surrounding existing and/or entitled developments to determine if Civic Space dedication is necessary to fulfill the intent of a Pedestrian Shed.
  - (a) Civic Space sites are permanently dedicated to public activities.
  - (b) Parking for Civic Spaces shall be approved by the DRC. Civic parking lots may remain unpaved if graded, compacted, and landscaped.

- (c) Civic Space shall conform with specifications on 4.2.3.9 Civic Space Table.
- (d) Where the DRC determines it to be feasible, land along floodplains, tributaries, and creeks, or where identified in the Neighborhood Plan shall be dedicated as Civic Space.

### 3.8.5.2 CRITERIA.

- (1) Each Pedestrian Shed (see 3.6.1.7 Pedestrian Shed) shall have an assignment of at least ten percent (10%) of its land area dedicated to Civic Space.
- (2) Civic Spaces shall be designed as generally described in 4.2.3.9 Place Type CS: Civic Space Table, and distributed throughout the Place Types and is subject to approval by DRC.
- (3) Those portions of P1 that occur within a development shall be part of the Civic Space allocation and should conform to the Civic Space standards.
  - (a) The Neighborhood Plan shall designate at least one Main Civic Space per pedestrian shed. The Main Civic Space shall be within six hundred and sixty (660) feet of the geographic center of each Pedestrian Shed, unless topographic conditions, pre-existing street alignments or other circumstances prevent such location, and shall be developed as a Green, Square, Park, and/or Plaza.
  - (b) Within one thousand three hundred and twenty (1,320) feet of every lot in residential use, a Civic Space designed and equipped with amenities shall be provided.
- (4) Storm and drainage facilities, if equipped to provide Civic Space, may be counted toward the ten percent (10%) Civic Space Place Type allocation requirement by warrant.
- (5) The Neighborhood Plan shall designate Civic Space (CS) Place Types dedicated for public use within six hundred and sixty (660) feet of every lot with a residential use. The Civic Space must be active with a playground, fountains, benches, tables, and/or other public furniture to spur the gathering of people.

### 3.8.5.3 CIVIC SPACES INCLUDING PLAYGROUNDS.

Properties within the city limits shall refer to Chapter 4 Place Type Zoning Districts in this UDO for criteria and standards. For a residential subdivision in the ETJ going through a Neighborhood Plan process, the applicant is required to dedicate five percent (5%) of the total area of the subdivision that is not in the floodplain for park purposes or pay an escrow, with terms established by the City, in lieu of the parkland dedication. All dedication of land is subject to the approval of the City.

- (1) Park and playground sites shall be reserved as indicated on the Future Land Use Plan. Size shall be in accordance with the City's Comprehensive Plan for the park system.
- (2) Parkland improvements are critical to ensure the use of the Civic Spaces are inviting to the public. A parkland or Civic Space improvements shall be provided to the DRC. Parkland improvements may include items such as trails, playgrounds, benches, lighting, fountains, or other Civic Space activities appropriate for the neighborhood.
  - (a) Proposed parkland or Civic Space improvements shall be provided to the DRC with the submittal of a Neighborhood Plan.

#### 3.8.5.4 SCHOOL SITES.

Neighborhood schools are part of Castroville's neighborhoods. Schools are discouraged from being disconnected and isolated from the neighborhoods. Location and size of school sites to be in accordance with the requirements of the school district and approved by the City of Castroville. All other conditions of this UDO shall also apply.

#### 3.8.5.5 CIVIC BUILDINGS.

- (1) The owner shall covenant to construct a Meeting Hall or a Third Place in proximity to the Main Civic Space of each Pedestrian Shed. Its corresponding Public Frontage shall be equipped with a shelter and bench for a transit stop.
- (2) One Civic Building Lot shall be reserved for an elementary school. Its area shall be one (1) acre for each increment of one hundred (100) dwelling units provided by the Neighborhood Plan, with a minimum of three (3) acres for the school. The school site may be within any Place Type other than P1 or EC.
- (3) One Civic Building Lot suitable for a childcare building shall be reserved within each Pedestrian Shed. The owner or an HOA or other community group may organize, fund and construct an appropriate building as the need arises.
- (4) Civic Building Sites shall not occupy more than twenty percent (20%) of the area of each Pedestrian Shed.
- (5) Civic Building Sites should be located within or adjacent to a Civic Space, or at the visual terminus of a significant thoroughfare.
- (6) Civic Buildings may be permitted within Employment Center (EC) Place Types by Warrant.

#### 3.8.6 EASEMENTS.

The applicant platting property shall dedicate easements as follows:

- (1) All easements created prior to the subdividing of any tract of land must be shown on the preliminary plat. The applicant shall plat lots and dedicate easements for utilities and drainage ways in the following manner:

Easements for utilities, drainage ways, or transmission lines shall be retained on the front, side, and/or rear lot lines as required by the City and utility companies. Easements across parts of a lot other than as described above shall be required as deemed necessary and most appropriate by the City. The Community Development Director shall require access for ease of maintenance of all easements.

- (2) Off-site easements:

Easements in areas adjoining a proposed development necessary to provide adequate drainage thereof or to serve such development with utilities shall be obtained by the applicant prior to final plat approval.

- (3) Privately-owned easements:

See Engineering Standards for standards for privately owned easements.

## **3.9 BUILDING PERMITS AND FEES**

### **3.9.1 GENERAL.**

Plans submitted for building permits shall not be approved and no permits shall be issued until the public and private improvements are accepted by the City, all appropriate fees are paid, and the plat is filed for record with the Medina County Clerk's Office except as otherwise provided below:

- (1) A plat is not required for any modification to an existing structure if said modification is within the existing footprint of said structure.
- (2) A plat is not required for expansion to existing structures or site modifications, unless said expansion or site modification triggers a traffic impact analysis, requires the extension of public utilities or roadways, or encroaches upon the one hundred (100) year floodplain as set forth by this UDO.
- (3) A plat is not required for approval of a sign permit.
- (4) A building permit may be issued prior to acceptance of the public improvements if the project is designated by the City Administrator under an expedited permitting process.

### **3.9.2 PERMIT EXPIRATION AND PROJECT DORMANCY**

#### **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 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.



### 3.9.2.3 PERMIT EXPIRATION.

3.9.2.4 The 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.

3.9.2.5 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 has been made towards completion of the project.

### 3.9.2.6 DORMANT PROJECTS

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:

- (1) 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
- (2) 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.



# CHAPTER 4

## PLACE TYPE ZONING DISTRICTS





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## 4.1 ZONING CLASSIFICATION

### 4.1.1 PLACE TYPE ZONING MAP PLACEMENT.

The boundaries of Place Type zoning districts set out herein are delineated upon a Place Type Zoning Map of the City, adopted as part of this UDO as fully as if the same were set forth herein in detail.

The Place Type designation on the Castroville Place Type zoning map for undeveloped properties or properties proposing redevelopment determines the maximum allowed intensity of a development and does not entitle the entire property to be allocated with that Place Type. The final allocation of Place Types shall be determined through the adoption of a Neighborhood or Employment Center Plan.

### 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 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.

### 4.1.3 PLACE TYPE ZONING MAP.

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.

## 4.2 PLACE TYPE ZONING DISTRICTS.

### 4.2.1 GENERAL

The establishment of Place Types in the City of Castroville, Texas, are intended to promote compatible patterns of land and site development consistent with the City's adopted Comprehensive Plan.

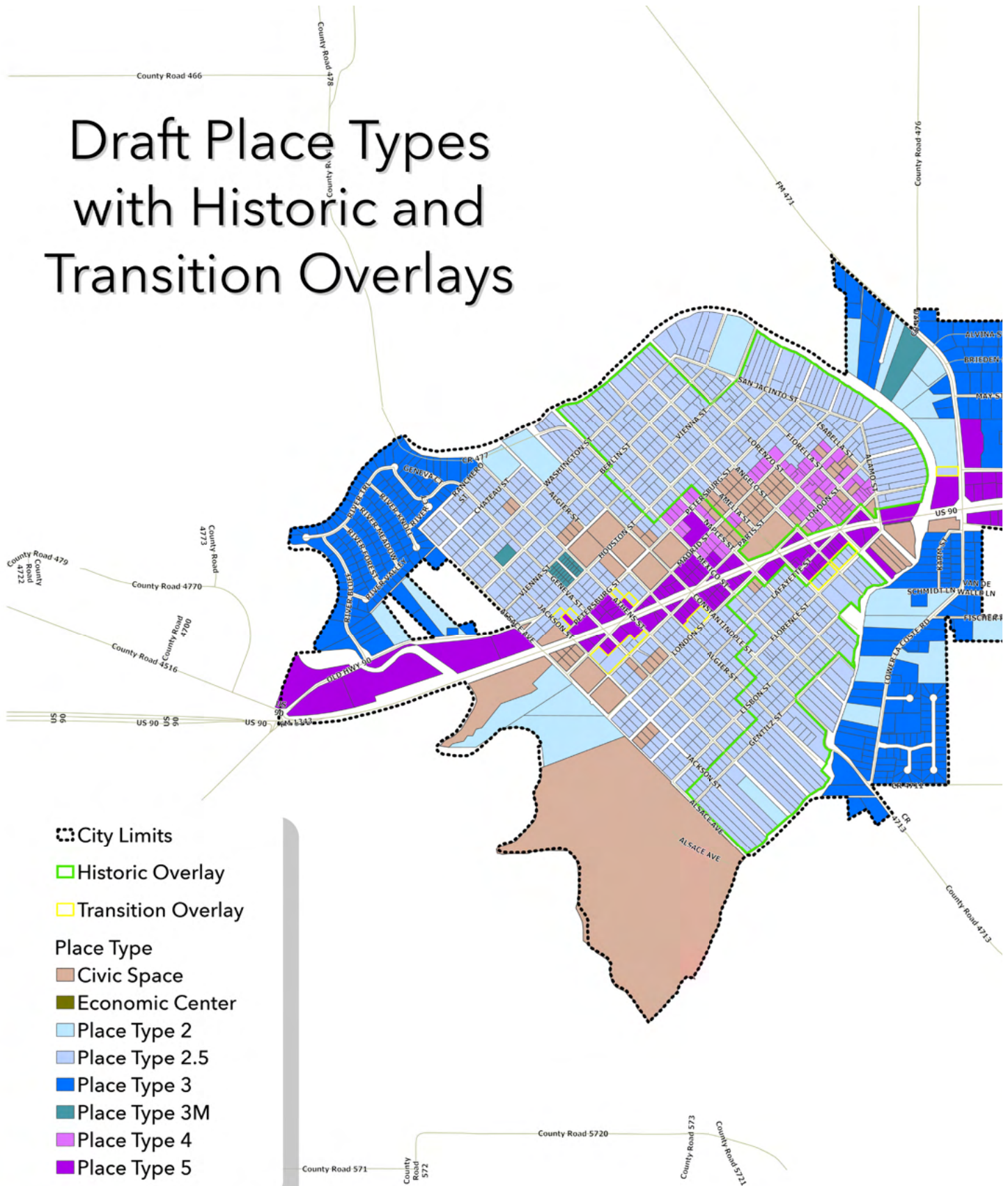
### 4.2.2 DESCRIPTION.

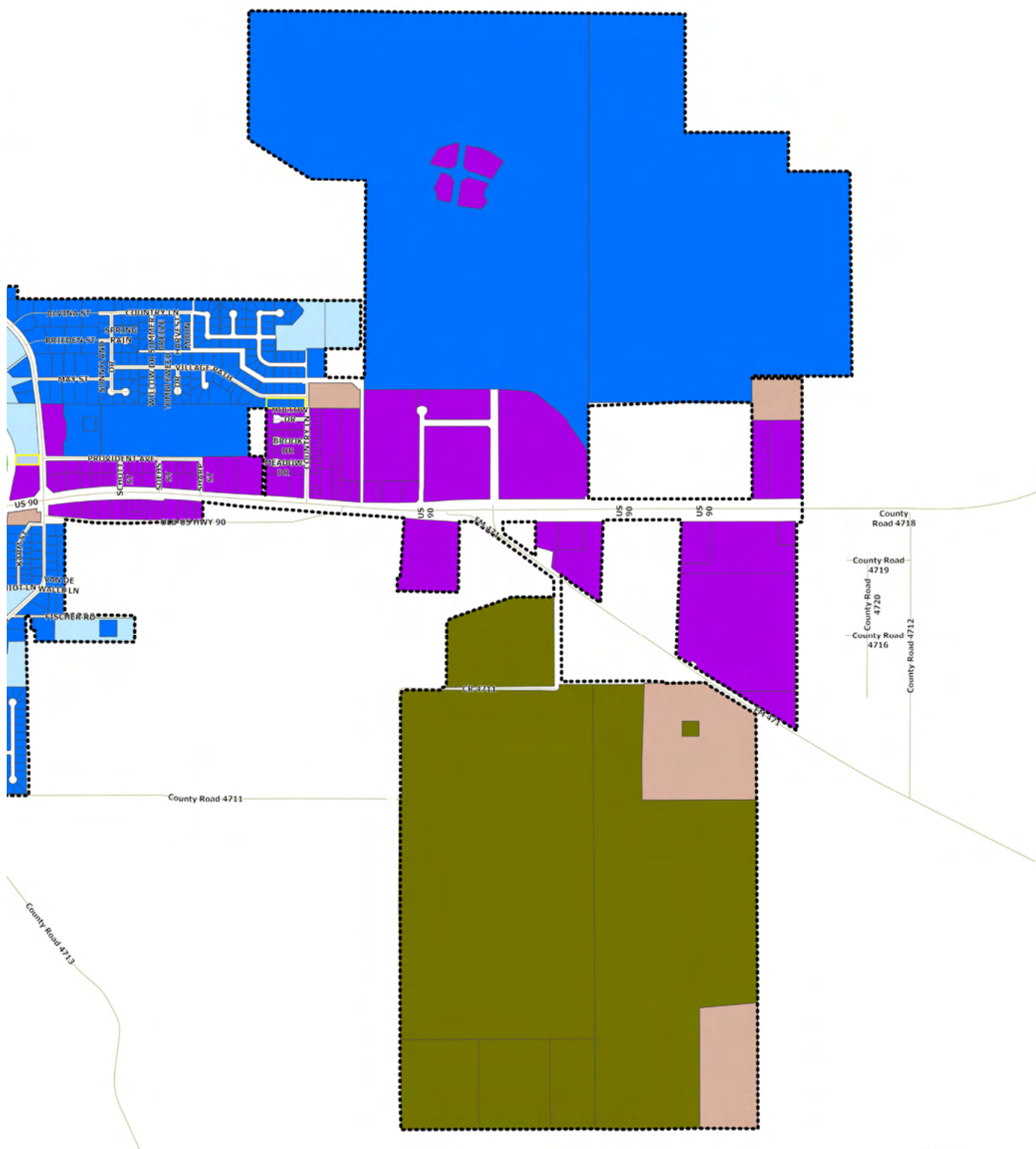
Place Types are the transition of places from natural to urban through the use of specific standards. Place Types replace conventional zoning districts with identifiable characteristics that represent the arrangements of places. They are intended to promote compatible patterns of land use and site development consistent with the City's adopted Comprehensive Plan. The DNA of the Castroville community inspired the Place Types zoning district standards.

### 4.2.3 ESTABLISHMENT OF DISTRICTS.

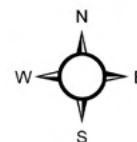
Pursuant to Section 211.005 of the Texas Local Government Code, the City of Castroville is hereby divided into Nine (9) Place Types Zoning Districts. The Place Types zoning districts follow identifiable transitions in land development, establishing a hierarchy of places from the most natural to the most urban using specific localized standards. The areas are primarily classified by development intensity and building types, the relationship between nature and the built environment, and the mix of uses. All land within the city limits shall be classified into one of the following Nine (9) Place Types:

# Draft Place Types with Historic and Transition Overlays





The Place Type designation on the Castroville Place Type zoning map for undeveloped properties or properties proposing redevelopment determines the maximum allowed intensity of a development and does not entitle the entire property to be allocated with that Place Type. The final allocation of Place Types shall be determined through the adoption of a Neighborhood or Employment Center Plan.







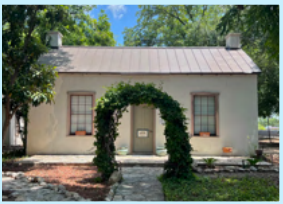
#### 4.2.3.1 P1: NATURE

The P1 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. P1 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.



#### 4.2.3.2 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.



#### 4.2.3.3 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.



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



#### 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.



#### 4.2.3.6 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.





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

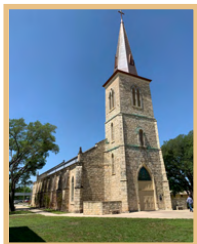


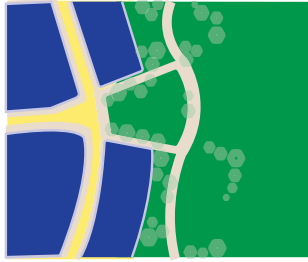
#### 4.2.3.8 EC: EMPLOYMENT CENTER

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.

#### 4.2.3.9 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. The following page are types of park Civic Spaces:





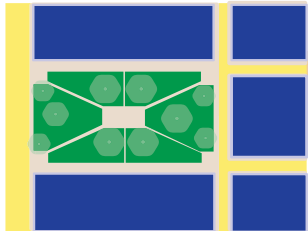
### (1) PARK

A park is a natural preserve available for unstructured recreation. It is standalone from building frontages. Its landscape shall consist of paths and trails, meadows, water bodies, woodlands and open shelters, all naturalistically disposed. Parks may be linear, following the trajectories of natural corridors.



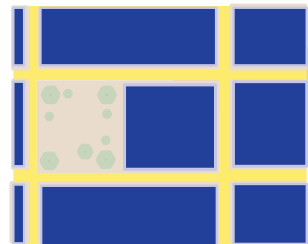
### (2) GREEN

A green is a Civic Space, available for structured recreation. A green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed.



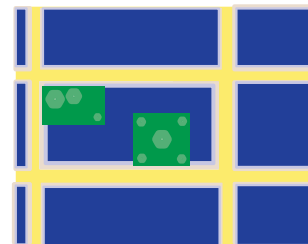
### (3) SQUARE

A square is a Civic Space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets.



### (4) PLAZA

A plaza is a Civic Space available for civic purposes and commercial activities. A plaza shall be spatially defined by building frontages. Its landscape should consist of pavement-related materials. Trees are optional. Plazas should be located at the intersection of important streets.



### (5) POCKET PARK

A pocket park is a Civic Space available for civic purposes, playgrounds, and commercial activities. A pocket park shall be spatially defined by building frontages, landscaping, or residential lots. Pocket parks may be located in neighborhood infill areas or in higher density commercial places. Pocket parks provide relief to busy environments.

### 4.3 PLACE TYPE ZONING DISTRICT DEVELOPMENT STANDARDS.

The following table contain the details necessary to develop using this UDO to create complete neighborhoods in a variety of forms and patterns.

STANDARDS	PLACE TYPES								
BLOCKS	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
BLOCK LENGTH (MAXIMUM)	N/A	720'	720'	330'	330'	330'	330'	TBD	TBD
BLOCK PERIMETER (MAXIMUM)	N/A	2,880'	2,880'	1,320'	1,320'	1,320'	1,320'	TBD	TBD

PUBLIC FRONTAGE	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
PUBLIC FRONTAGE SHALL BE DETERMINED BY STREET TYPE									

STREET TYPES	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
RURAL STREET	P	P	P	NP	NP	NP	NP	P	NP
RESIDENTIAL ALLEY	NP	NP	NP	P	P	P	NP	NP	NP
COMMERCIAL ALLEY	NP	NP	NP	NP	NP	NP	P	NP	P
CASTRO STREET	P	P	P	P	P	P	P*	P	NP
NEIGHBORHOOD STREET	P	P	P	P	P	P	P	P	P
NEIGHBORHOOD AVENUE	NP	NP	NP	P	P	P	P	NP	P
SIDE STREET	NP	NP	NP	P	P	P	P	P	P
2 LANE COMMUNITY BLVD.	NP	NP	NP	P	P	P	P	NP	P
4 LANE COMMUNITY BLVD.	NP	NP	NP	NP	NP	P	P	NP	P
PATH	P	P	P	P	P	P	P	P	P
TRAIL	P	P	P	P	P	P	P	P	P

LOTS	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
WIDTH (MINIMUM)	None	None	None	None	None	None	None	TBD	None
AREA (MINIMUM)	None	2.5 acre	12,000 sq ft	3,500 sq ft	3,500 sq ft	3,500 sq ft	None	TBD	None
LOT COVERAGE (MAXIMUM)	N/A	30%	40%	60%	40%	75%	80-100%	TBD	TBD
BUILD-TO-LINE (RANGE)	N/A	10'-No max	10'- 80'	0'- 35'	10'- 35'	0'- 15'	0'- 15'	TBD	TBD
FACADE BUILDOUT (MINIMUM)*	N/A	N/A	40%	40%	40%	60%	80%	TBD	TBD

\*CARPORTS AND GARAGES SHALL NOT COUNT TOWARD THE FACADE BUILDOUT PERCENTAGE

**P** = PERMITTED **NP** = NOT PERMITTED **N/A** = NOT APPLICABLE **TBD** = "TO BE DECIDED" DURING NEIGHBORHOOD OR EMPLOYMENT CENTER PLAN PROCESS \*= CANT BE USED IN PRIMARY FRONTAGE

STANDARDS	PLACE TYPES								
BUILDING DISPOSITIONS	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
EDGEYARD	NP	P	P	P	P	P	NP	N/A	P
SIDEYARD	NP	NP	NP	P	P	P	P	N/A	P
COURTYARD	NP	NP	NP	P	NP	P	P	N/A	P
REARYARD	NP	NP	NP	NP	NP	P	P	N/A	P

RESIDENTIAL BUILDINGS	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
DETACHED DWELLING	NP	P	P	P	P	P	NP	NP	TBD
ATTACHED DWELLING	NP	NP	NP	P	NP	P	NP	NP	TBD
COTTAGE COURT	NP	NP	NP	P	NP	P	NP	NP	TBD
DUPLEX	NP	NP	NP	P	NP	P	NP	NP	TBD
TRIPLEX	NP	NP	NP	NP	NP	P	NP	NP	TBD
QUADRAPLEX	NP	NP	NP	NP	NP	P	NP	NP	TBD
SMALL APARTMENT	NP	NP	NP	NP	NP	P	P	NP	TBD
LARGE APARTMENT	NP	NP	NP	NP	NP	NP	P	NP	TBD
MANUFACTURED HOME	NP	NP	NP	NP	P	NP	NP	NP	TBD
ACCESSORY DWELLING UNIT	NP	P	P	P	P	P	NP	NP	TBD
RECREATIONAL VEHICLE PARK	NP	P	NP	NP	NP	NP	NP	NP	TBD
ACCESSORY BUILDING	NP	P	P	P	P	P	NP	NP	TBD

COMMERCIAL BUILDINGS	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
SMALL COMMERCIAL	NP	NP	NP	NP	NP	P	P	P	P
LIVE/WORK	NP	NP	NP	NP	NP	P	P	NP	P
MIXED-USE COMMERCIAL	NP	NP	NP	NP	NP	NP	P	NP	P
LARGE COMMERCIAL	NP	NP	NP	NP	NP	NP	P	NP	P
HIGHWAY COMMERCIAL	NP	NP	NP	NP	NP	NP	NP	NP	P
CART, KIOSKS, FOOD TRAILERS	P	NP	NP	NP	NP	P	P	P	P
TEMPORARY COMMERCIAL	P	NP	NP	NP	NP	P	P	P	P
COMMERCIAL ACCESSORY	NP	NP	NP	NP	NP	P	P	NP	P
INDUSTRIAL	NP	NP	NP	NP	NP	NP	NP	NP	P
CIVIC BUILDINGS	P	P	P	P	P	P	P	P	P

**P** = PERMITTED **NP** = NOT PERMITTED **N/A** = NOT APPLICABLE **TBD** = "TO BE DECIDED" DURING NEIGHBORHOOD OR EMPLOYMENT CENTER PLAN PROCESS \* = CANT BE USED IN PRIMARY FRONTAGE

STANDARDS	PLACE TYPES								
PRIVATE FRONTAGE	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
COMMON YARD	NP	P	P	P	P	P	NP	P	P
PORCH WITH OPTIONAL FENCE	NP	P	P	P	P	P	NP	P	P
STOOP	NP	P	P	P	NP	P	P	NP	P
GALLERY	NP	NP	NP	NP	NP	P	P	P	P
ARCADE	NP	NP	NP	NP	NP	P	P	P	P
SHOPFRONT	NP	NP	NP	NP	NP	P	P	P	P
FORE COURT	NP	P	P	P	NP	P	P	P	P
TERRACE	NP	P	P	P	NP	P	P	P	P

BUILDING STORIES LIMIT	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
PRINCIPAL BUILDING	NP	2 1/2 max	2 1/2 max	2 1/2 max	2 max	2 1/2 max	3 max	TBD	TBD
ACCESSORY DWELLING UNIT	NP							NP	TBD

Civic Space TYPES	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
PARK	P	P	P	P	P	NP	NP	P	P
GREEN	P	P	P	P	P	NP	NP	P	P
SQUARE	NP	NP	NP	P	P	P	P	P	P
PLAZA	NP	NP	NP	P	P	P	P	P	P
POCKET PARK	NP	P	P	P	P	P	P	P	P

NEIGHBORHOOD PLAN	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
TRADITIONAL NEIGHBORHOOD DEVELOPMENT	5%	0%	0%	10-30%	0%	40-60%	10-30%	10%	0%
CLUSTER LAND DEVELOPMENT	50%		0%	10-30%	0%	20-40%	0-15%	10%	0%
VILLAGE CENTER DEVELOPMENT	5%	5%	0%	10-30%	0%	10-30%	40-60%	10%	0%
EMPLOYMENT CENTER	TBD	0%	0%	0%	0%	0-20%	0-20%	10%	50% MIN.

**P** = PERMITTED **NP** = NOT PERMITTED **N/A** = NOT APPLICABLE **TBD** = "TO BE DECIDED" DURING NEIGHBORHOOD OR EMPLOYMENT CENTER PLAN PROCESS \* = CANT BE USED IN PRIMARY FRONTAGE

STANDARDS	PLACE TYPES								
SIGNAGE TYPES	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
ADDRESS	P	P	P	P	P	P	P	P	P
NAMEPLATE	NP	NP	NP	NP	NP	NP	P	P	P
OUTDOOR DISPLAY CASE	NP	NP	NP	NP	NP	NP	P	P	P
AWNING	NP	NP	NP	NP	NP	NP	P	P	P
WINDOW	NP	NP	NP	NP	NP	P	P	P	P
BAND	NP	NP	NP	NP	NP	NP	P	P	P
BLADE/HANGING	NP	NP	NP	NP	NP	P	P	P	P
MARQUEE	NP	NP	NP	NP	NP	NP	P	NP	P
SIDEWALK	NP	NP	NP	NP	NP	P	P	P	P
YARD	NP	NP	NP	NP	NP	NP	P	NP	P
ROOF	NP	NP	NP	NP	NP	NP	NP	NP	NP
BANNERS	NP	NP	NP	NP	NP	NP	P	P	P
MONUMENT	NP	NP	NP	NP	NP	NP	NP	P	P
POLE	NP	NP	NP	NP	NP	NP	NP	NP	P

PARKING LOCATION	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
FIRST LAYER	NP	P	NP	NP	NP	NP	NP	P	P
SECOND LAYER	NP	P	P	P	P	P	NP	P	P
THIRD LAYER	NP	P	P	P	P	P	P	P	P
ON-STREET	P	NP	NP	P	P	P	P	P	P
RV STORAGE (IN THIRD LAYER)	NP	P	P	P	NP	P	NP	NP	NP

**P** = PERMITTED **NP** = NOT PERMITTED **N/A** = NOT APPLICABLE **TBD** = "TO BE DECIDED" DURING NEIGHBORHOOD OR EMPLOYMENT CENTER PLAN PROCESS **\*** = CANT BE USED IN PRIMARY FRONTAGE

### 4.3.1 PLACE TYPE ZONING DISTRICT DETAILS.

#### 4.3.1.1 P1- NATURE

##### LOTS

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	NONE
LOT COVERAGE (MAXIMUM)	N/A
BUILD-TO-LINE (RANGE)	N/A
FACADE BUILDOUT (MINIMUM)	N/A
STORIES (MAXIMUM)	N/A

##### BUILDING TYPES

DETACHED DWELLING	<input type="radio"/>
ATTACHED DWELLING	<input type="radio"/>
COTTAGE COURT	<input type="radio"/>
DUPLEX	<input type="radio"/>
TRIPLEX	<input type="radio"/>
QUADRAPLEX	<input type="radio"/>
SMALL APARTMENT	<input type="radio"/>
LARGE APARTMENT	<input type="radio"/>
MANUFACTURED HOME/PARK	<input type="radio"/>
ACCESSORY DWELLING UNIT	<input type="radio"/>
RECREATIONAL VEHICLE PARK	<input type="radio"/>
ACCESSORY BUILDING	<input type="radio"/>
SMALL COMMERCIAL	<input type="radio"/>
LIVE/WORK	<input type="radio"/>
MIXED-USE COMMERCIAL	<input type="radio"/>
LARGE COMMERCIAL	<input type="radio"/>
HIGHWAY COMMERCIAL	<input type="radio"/>
INDUSTRIAL	<input type="radio"/>
CARTS, KIOSKS, FOOD TRAILERS	<input checked="" type="radio"/>
TEMPORARY COMMERCIAL	<input checked="" type="radio"/>
CIVIC BUILDINGS	<input checked="" type="radio"/>
COMMERCIAL ACCESSORY	<input type="radio"/>

##### PRIVATE FRONTAGE TYPES

COMMON YARD	<input type="radio"/>
PORCH WITH OPTIONAL FENCE	<input type="radio"/>
STOOP	<input type="radio"/>
GALLERY	<input type="radio"/>
ARCADE	<input type="radio"/>
SHOPFRONT	<input type="radio"/>
FORECOURT	<input type="radio"/>
TERRACE	<input type="radio"/>

##### BUILDING DISPOSITION

EDGEYARD	<input type="radio"/>
SIDEYARD	<input type="radio"/>
COURTYARD	<input type="radio"/>
REARYARD	<input type="radio"/>

PERMITTED ☒

NOT PERMITTED ☐

##### BLOCKS

BLOCK LENGTH (MAXIMUM)	N/A
BLOCK PERIMETER MAXIMUM	N/A

##### PUBLIC FRONTAGE (RIGHT OF WAY)

SIDEWALK ZONE WIDTH	N/A
LANDSCAPE ZONE	N/A
VEHICULAR PARKING ZONE WIDTH	0' / 10'
VEHICULAR TRAVEL ZONE WIDTH	20'-24'

##### STREET TYPES

RURAL STREET	<input checked="" type="radio"/>
RESIDENTIAL ALLEY	<input type="radio"/>
COMMERCIAL ALLEY	<input type="radio"/>
CASTRO STREET	<input checked="" type="radio"/>
NEIGHBORHOOD STREET	<input checked="" type="radio"/>
NEIGHBORHOOD AVENUE	<input type="radio"/>
SIDE STREET	<input type="radio"/>
2 LANE COMMUNITY BOULEVARD	<input type="radio"/>
4 LANE COMMUNITY BOULEVARD	<input type="radio"/>
PATH	<input checked="" type="radio"/>
TRAIL	<input checked="" type="radio"/>

##### PARKING LOCATION

FIRST LAYER	<input type="radio"/>
SECOND LAYER	<input type="radio"/>
THIRD LAYER	<input type="radio"/>
ON-STREET	<input checked="" type="radio"/>
RV STORAGE	<input type="radio"/>



## 4.3.1.2 P2-RURAL

**LOTS**

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	2.5 ACRE MINIMUM
LOT COVERAGE (MAXIMUM)	30%
BUILD-TO-LINE (RANGE)	10'- NO MAXIMUM'
FACADE BUILDOUT (MINIMUM)	N/A
STORIES (MAXIMUM)	2.5 STORIES

**BUILDING TYPES**

DETACHED DWELLING	●
ATTACHED DWELLING	○
COTTAGE COURT	○
DUPLEX	○
TRIPLEX	○
QUADRAPLEX	○
SMALL APARTMENT	○
LARGE APARTMENT	○
MANUFACTURED HOME/PARK	○
ACCESSORY DWELLING UNIT	●
RECREATIONAL VEHICLE PARK	●
ACCESSORY BUILDING	●
SMALL COMMERCIAL	○
LIVE/WORK	○
MIXED-USE COMMERCIAL	○
LARGE COMMERCIAL	○
HIGHWAY COMMERCIAL	○
INDUSTRIAL	○
CARTS, KIOSKS, FOOD TRAILERS	○
TEMPORARY COMMERCIAL	○
COMMERCIAL ACCESSORY	○
CIVIC BUILDINGS	●

**BLOCKS**

BLOCK LENGTH (MAXIMUM)	720'
BLOCK PERIMETER (MAXIMUM)	2,880'

**PUBLIC FRONTAGE (RIGHT OF WAY)**

SIDEWALK ZONE WIDTH	5'
LANDSCAPE ZONE	NOT PERMITTED
VEHICULAR PARKING ZONE WIDTH	PARALLEL - 8' ANGLED - 17'
VEHICULAR TRAVEL ZONE WIDTH	20'-24'

**PRIVATE FRONTAGE TYPES**

COMMON YARD	●
PORCH WITH OPTIONAL FENCE	●
STOOP	●
GALLERY	○
ARCADE	○
SHOPFRONT	○
FORECOURT	●
TERRACE	●

**BUILDING DISPOSITION**

EDGEYARD	●
SIDEYARD	○
COURTYARD	○
REARYARD	○

PERMITTED	●
NOT PERMITTED	○

**STREET TYPES**

RURAL STREET	●
RESIDENTIAL ALLEY	○
COMMERCIAL ALLEY	○
CASTRO STREET	●
NEIGHBORHOOD STREET	●
NEIGHBORHOOD AVENUE	○
SIDE STREET	○
2 LANE COMMUNITY BOULEVARD	○
4 LANE COMMUNITY BOULEVARD	○
PATH	●
TRAIL	●

**PARKING LOCATION**

FIRST LAYER	●
SECOND LAYER	●
THIRD LAYER	●
ON-STREET	○
RV STORAGE	●

## 4.3.1.3 P2.5 HISTORIC RESIDENTIAL

**LOTS**

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	12,000 SQ FT LOTS MINIMUM
LOT COVERAGE (MAXIMUM)	40%
BUILD-TO-LINE (RANGE)	0'-80'
FACADE BUILDOUT (MINIMUM)	40%
STORIES (MAXIMUM)	2.5 STORIES

**BLOCKS**

BLOCK LENGTH (MAXIMUM)	720'
BLOCK PERIMETER (MAXIMUM)	2,880'
<b>PUBLIC FRONTAGE (RIGHT OF WAY)</b>	
SIDEWALK ZONE WIDTH	5'-15'
LANDSCAPE ZONE	3'-8'
VEHICULAR PARKING ZONE WIDTH	PARALLEL - 8'
VEHICULAR TRAVEL ZONE WIDTH	20'-24'

**BUILDING TYPES**

DETACHED DWELLING	<input checked="" type="radio"/>
ATTACHED DWELLING	<input type="radio"/>
COTTAGE COURT	<input type="radio"/>
DUPLEX	<input type="radio"/>
TRIPLEX	<input type="radio"/>
QUADRAPLEX	<input type="radio"/>
SMALL APARTMENT	<input type="radio"/>
LARGE APARTMENT	<input type="radio"/>
MANUFACTURED HOME/PARK	<input type="radio"/>
ACCESSORY DWELLING UNIT	<input checked="" type="radio"/>
RECREATIONAL VEHICLE PARK	<input type="radio"/>
ACCESSORY BUILDING	<input checked="" type="radio"/>
SMALL COMMERCIAL	<input type="radio"/>
LIVE/WORK	<input type="radio"/>
MIXED-USE COMMERCIAL	<input type="radio"/>
LARGE COMMERCIAL	<input type="radio"/>
HIGHWAY COMMERCIAL	<input type="radio"/>
INDUSTRIAL	<input type="radio"/>
CARTS, KIOSKS, FOOD TRAILERS	<input type="radio"/>
TEMPORARY COMMERCIAL	<input type="radio"/>
COMMERCIAL ACCESSORY	<input type="radio"/>
CIVIC BUILDINGS	<input checked="" type="radio"/>

**PRIVATE FRONTAGE TYPES**

COMMON YARD	<input checked="" type="radio"/>
PORCH WITH OPTIONAL FENCE	<input checked="" type="radio"/>
STOOP	<input checked="" type="radio"/>
GALLERY	<input type="radio"/>
ARCADE	<input type="radio"/>
SHOPFRONT	<input type="radio"/>
FORECOURT	<input checked="" type="radio"/>
TERRACE	<input checked="" type="radio"/>

**BUILDING DISPOSITION**

EDGEYARD	<input checked="" type="radio"/>
SIDEYARD	<input type="radio"/>
COURTYARD	<input type="radio"/>
REARYARD	<input type="radio"/>

PERMITTED	<input checked="" type="radio"/>
NOT PERMITTED	<input type="radio"/>

**STREET TYPES**

RURAL STREET	<input type="radio"/>
RESIDENTIAL ALLEY	<input type="radio"/>
COMMERCIAL ALLEY	<input type="radio"/>
CASTRO STREET	<input checked="" type="radio"/>
NEIGHBORHOOD STREET	<input checked="" type="radio"/>
NEIGHBORHOOD AVENUE	<input checked="" type="radio"/>
SIDE STREET	<input type="radio"/>
2 LANE COMMUNITY BOULEVARD	<input type="radio"/>
4 LANE COMMUNITY BOULEVARD	<input type="radio"/>
PATH	<input checked="" type="radio"/>
TRAIL	<input checked="" type="radio"/>

**PARKING LOCATION**

FIRST LAYER	<input type="radio"/>
SECOND LAYER	<input checked="" type="radio"/>
THIRD LAYER	<input checked="" type="radio"/>
ON-STREET	<input type="radio"/>
RV STORAGE	<input checked="" type="radio"/>

## 4.3.1.4 P3 - NEIGHBORHOOD

**LOTS**

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	3,500 SQ FEET
LOT COVERAGE (MAXIMUM)	60%
BUILD-TO-LINE (RANGE)	0'-35'
FACADE BUILDOUT (MINIMUM)	40%
STORIES (MAXIMUM)	2.5 STORIES

**BLOCKS**

BLOCK LENGTH (MAXIMUM)	330'
BLOCK PERIMETER (MAXIMUM)	1,320'
<b>PUBLIC FRONTAGE (RIGHT OF WAY)</b>	
SIDEWALK ZONE WIDTH	5'-15'
LANDSCAPE ZONE	3'-8'
VEHICULAR PARKING ZONE WIDTH	PARALLEL - 8'
VEHICULAR TRAVEL ZONE WIDTH	20'-24'

**BUILDING TYPES**

DETACHED DWELLING	●
ATTACHED DWELLING	●
COTTAGE COURT	●
DUPLEX	●
TRIPLEX	○
QUADRAPLEX	○
SMALL APARTMENT	○
LARGE APARTMENT	○
MANUFACTURED HOME/PARK	○
ACCESSORY DWELLING UNIT	●
RECREATIONAL VEHICLE PARK	○
ACCESSORY BUILDING	●
SMALL COMMERCIAL	○
LIVE/WORK	○
MIXED-USE COMMERCIAL	○
LARGE COMMERCIAL	○
HIGHWAY COMMERCIAL	○
INDUSTRIAL	○
CARTS, KIOSKS, FOOD TRAILERS	○
TEMPORARY COMMERCIAL	○
COMMERCIAL ACCESSORY	○
CIVIC BUILDINGS	●

**PRIVATE FRONTAGE TYPES**

COMMON YARD	●
PORCH WITH OPTIONAL FENCE	●
STOOP	●
GALLERY	○
ARCADE	○
SHOPFRONT	○
FORECOURT	●
TERRACE	●

**BUILDING DISPOSITION**

EDGEYARD	●
SIDEYARD	●
COURTYARD	●
REARYARD	○

PERMITTED	●
NOT PERMITTED	○

**STREET TYPES**

RURAL STREET	○
RESIDENTIAL ALLEY	●
COMMERCIAL ALLEY	○
CASTRO STREET	●
NEIGHBORHOOD STREET	●
NEIGHBORHOOD AVENUE	●
SIDE STREET	●
2 LANE COMMUNITY BOULEVARD	●
4 LANE COMMUNITY BOULEVARD	○
PATH	●
TRAIL	●

**PARKING LOCATION**

FIRST LAYER	○
SECOND LAYER	●
THIRD LAYER	●
ON-STREET	●
RV STORAGE	●

## 4.3.1.5 P3M - MANUFACTURED HOUSING

**LOTS**

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	NONE
LOT COVERAGE (MAXIMUM)	40%
BUILD-TO-LINE (RANGE)	10'-35'
FACADE BUILDOUT (MINIMUM)	40%
STORIES (MAXIMUM)	2 STORIES

**BLOCKS**

BLOCK LENGTH (MAXIMUM)	330'
BLOCK PERIMETER (MAXIMUM)	1,320'

**PUBLIC FRONTAGE (RIGHT OF WAY)**

SIDEWALK ZONE WIDTH	5'-15'
LANDSCAPE ZONE	3'-8'
VEHICULAR PARKING ZONE WIDTH	PARALLEL - 8'
VEHICULAR TRAVEL ZONE WIDTH	20'-24'

**BUILDING TYPES**

DETACHED DWELLING	<input checked="" type="radio"/>
ATTACHED DWELLING	<input type="radio"/>
COTTAGE COURT	<input type="radio"/>
DUPLEX	<input type="radio"/>
TRIPLEX	<input type="radio"/>
QUADRAPLEX	<input type="radio"/>
SMALL APARTMENT	<input type="radio"/>
LARGE APARTMENT	<input type="radio"/>
MANUFACTURED HOME/PARK	<input checked="" type="radio"/>
ACCESSORY DWELLING UNIT	<input checked="" type="radio"/>
RECREATIONAL VEHICLE PARK	<input type="radio"/>
ACCESSORY BUILDING	<input checked="" type="radio"/>
SMALL COMMERCIAL	<input type="radio"/>
LIVE/WORK	<input type="radio"/>
MIXED-USE COMMERCIAL	<input type="radio"/>
LARGE COMMERCIAL	<input type="radio"/>
HIGHWAY COMMERCIAL	<input type="radio"/>
INDUSTRIAL	<input type="radio"/>
CARTS, KIOSKS, FOOD TRAILERS	<input type="radio"/>
TEMPORARY COMMERCIAL	<input type="radio"/>
COMMERCIAL ACCESSORY	<input type="radio"/>
CIVIC BUILDINGS	<input checked="" type="radio"/>

**PRIVATE FRONTAGE TYPES**

COMMON YARD	<input checked="" type="radio"/>
PORCH WITH OPTIONAL FENCE	<input checked="" type="radio"/>
STOOP	<input type="radio"/>
GALLERY	<input type="radio"/>
ARCADE	<input type="radio"/>
SHOPFRONT	<input type="radio"/>
FORECOURT	<input type="radio"/>
TERRACE	<input type="radio"/>

**BUILDING DISPOSITION**

EDGEYARD	<input checked="" type="radio"/>
SIDEYARD	<input checked="" type="radio"/>
COURTYARD	<input type="radio"/>
REARYARD	<input type="radio"/>

PERMITTED	<input checked="" type="radio"/>
NOT PERMITTED	<input type="radio"/>

**STREET TYPES**

RURAL STREET	<input type="radio"/>
RESIDENTIAL ALLEY	<input checked="" type="radio"/>
COMMERCIAL ALLEY	<input type="radio"/>
CASTRO STREET	<input checked="" type="radio"/>
NEIGHBORHOOD STREET	<input checked="" type="radio"/>
NEIGHBORHOOD AVENUE	<input checked="" type="radio"/>
SIDE STREET	<input checked="" type="radio"/>
2 LANE COMMUNITY BOULEVARD	<input checked="" type="radio"/>
4 LANE COMMUNITY BOULEVARD	<input type="radio"/>
PATH	<input checked="" type="radio"/>
TRAIL	<input checked="" type="radio"/>

**PARKING LOCATION**

FIRST LAYER	<input type="radio"/>
SECOND LAYER	<input checked="" type="radio"/>
THIRD LAYER	<input checked="" type="radio"/>
ON-STREET	<input checked="" type="radio"/>
RV STORAGE	<input type="radio"/>

## 4.3.1.6 P4 - MIX

**LOTS**

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	3,500 MINIMUM
LOT COVERAGE (MAXIMUM)	75%
BUILD-TO-LINE (RANGE)	0'-15'
FACADE BUILDOUT (MINIMUM)	60%
STORIES (MAXIMUM)	2.5 STORIES

**BUILDING TYPES**

DETACHED DWELLING	●
ATTACHED DWELLING	●
COTTAGE COURT	●
DUPLEX	●
TRIPLEX	●
QUADRAPLEX	●
SMALL APARTMENT	●
LARGE APARTMENT	○
MANUFACTURED HOME/PARK	○
ACCESSORY DWELLING UNIT	●
RECREATIONAL VEHICLE PARK	○
ACCESSORY BUILDING	●
SMALL COMMERCIAL	●
LIVE/WORK	●
MIXED-USE COMMERCIAL	○
LARGE COMMERCIAL	○
HIGHWAY COMMERCIAL	○
INDUSTRIAL	○
CARTS, KIOSKS, FOOD TRAILERS	●
TEMPORARY COMMERCIAL	●
COMMERCIAL ACCESSORY	●
CIVIC BUILDINGS	●

**PRIVATE FRONTAGE TYPES**

COMMON YARD	●
PORCH WITH OPTIONAL FENCE	●
STOOP	●
GALLERY	●
ARCADE	●
SHOPFRONT	●
FORECOURT	●
TERRACE	●

**BUILDING DISPOSITION**

EDGEYARD	●
SIDEYARD	●
COURTYARD	●
REARYARD	●

PERMITTED



NOT PERMITTED

**BLOCKS**

BLOCK LENGTH (MAXIMUM)	330'
BLOCK PERIMETER (MAXIMUM)	1,320'

**PUBLIC FRONTAGE (RIGHT OF WAY)**

SIDEWALK ZONE WIDTH	5'-18'
LANDSCAPE ZONE	3'-8'
VEHICULAR PARKING ZONE WIDTH	PARALLEL - 8' ANGLED - 17'
VEHICULAR TRAVEL ZONE WIDTH	20' - 24'

**STREET TYPES**

RURAL STREET	○
RESIDENTIAL ALLEY	●
COMMERCIAL ALLEY	○
CASTRO STREET	●
NEIGHBORHOOD STREET	●
NEIGHBORHOOD AVENUE	●
SIDE STREET	●
2 LANE COMMUNITY BOULEVARD	●
4 LANE COMMUNITY BOULEVARD	●
PATH	●
TRAIL	●

**PARKING LOCATION**

FIRST LAYER	○
SECOND LAYER	●
THIRD LAYER	●
ON-STREET	●
RV STORAGE (THIRD LAYER)	●

## 4.3.1.7 P5 - URBAN CENTER

**LOTS**

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	NONE
LOT COVERAGE (MAXIMUM)	80%-100%
BUILD-TO-LINE (RANGE)	0'- 15'
FACADE BUILDOUT (MINIMUM)	80%
STORIES (MAXIMUM)	3 STORIES

**BUILDING TYPES**

DETACHED DWELLING	<input type="radio"/>
ATTACHED DWELLING	<input type="radio"/>
COTTAGE COURT	<input type="radio"/>
DUPLEX	<input type="radio"/>
TRIPLEX	<input type="radio"/>
QUADRAPLEX	<input type="radio"/>
SMALL APARTMENT	<input checked="" type="radio"/>
LARGE APARTMENT	<input checked="" type="radio"/>
MANUFACTURED HOME/PARK	<input type="radio"/>
ACCESSORY DWELLING UNIT	<input type="radio"/>
RECREATIONAL VEHICLE PARK	<input type="radio"/>
ACCESSORY BUILDING	<input type="radio"/>
SMALL COMMERCIAL	<input checked="" type="radio"/>
LIVE/WORK	<input checked="" type="radio"/>
MIXED-USE COMMERCIAL	<input checked="" type="radio"/>
LARGE COMMERCIAL	<input checked="" type="radio"/>
HIGHWAY COMMERCIAL	<input type="radio"/>
INDUSTRIAL	<input type="radio"/>
CARTS, KIOSKS, FOOD TRAILERS	<input checked="" type="radio"/>
TEMPORARY COMMERCIAL	<input checked="" type="radio"/>
COMMERCIAL ACCESSORY	<input checked="" type="radio"/>
CIVIC BUILDINGS	<input checked="" type="radio"/>

**PRIVATE FRONTAGE TYPES**

COMMON YARD	<input type="radio"/>
PORCH WITH OPTIONAL FENCE	<input type="radio"/>
STOOP	<input checked="" type="radio"/>
GALLERY	<input checked="" type="radio"/>
ARCADE	<input checked="" type="radio"/>
SHOPFRONT	<input checked="" type="radio"/>
FORECOURT	<input checked="" type="radio"/>
TERRACE	<input checked="" type="radio"/>

**BUILDING DISPOSITION**

EDGEYARD	<input type="radio"/>
SIDEYARD	<input checked="" type="radio"/>
COURTYARD	<input checked="" type="radio"/>
REARYARD	<input checked="" type="radio"/>

PERMITTED	<input checked="" type="radio"/>
NOT PERMITTED	<input type="radio"/>

**BLOCKS**

BLOCK LENGTH (MAXIMUM)	330'
BLOCK PERIMETER (MAXIMUM)	1,320'

**PUBLIC FRONTAGE (RIGHT OF WAY)**

SIDEWALK ZONE WIDTH	8'-18'
LANDSCAPE ZONE	3'-8'
VEHICULAR PARKING ZONE WIDTH	PARALLEL - 8'-12' ANGLED - 17'-22'
VEHICULAR TRAVEL ZONE WIDTH	20'- 40'

**STREET TYPES**

RURAL STREET	<input type="radio"/>
RESIDENTIAL ALLEY	<input type="radio"/>
COMMERCIAL ALLEY	<input checked="" type="radio"/>
CASTRO STREET*	<input checked="" type="radio"/>
NEIGHBORHOOD STREET	<input checked="" type="radio"/>
NEIGHBORHOOD AVENUE	<input checked="" type="radio"/>
SIDE STREET	<input checked="" type="radio"/>
2 LANE COMMUNITY BOULEVARD	<input checked="" type="radio"/>
4 LANE COMMUNITY BOULEVARD	<input checked="" type="radio"/>
PATH	<input checked="" type="radio"/>
TRAIL	<input checked="" type="radio"/>

**PARKING LOCATION**

FIRST LAYER	<input type="radio"/>
SECOND LAYER	<input type="radio"/>
THIRD LAYER	<input checked="" type="radio"/>
ON-STREET	<input checked="" type="radio"/>
RV STORAGE (THIRD LAYER)	<input type="radio"/>

\*Cant be used as primary frontage

## 4.3.1.8 EC - EMPLOYMENT CENTER

**LOTS**

WIDTH (MINIMUM)	NONE
AREA (MINIMUM)	NONE
LOT COVERAGE (MAXIMUM)	TBD
BUILD-TO-LINE (RANGE)	TBD
FACADE BUILDOUT (MINIMUM)	TBD
STORIES (MAXIMUM)	TBD

**BUILDING TYPES**

DETACHED DWELLING	<input type="radio"/>
ATTACHED DWELLING	<input type="radio"/>
COTTAGE COURT	<input type="radio"/>
DUPLEX	<input type="radio"/>
TRIPLEX	<input type="radio"/>
QUADRAPLEX	<input type="radio"/>
SMALL APARTMENT	<input type="radio"/>
LARGE APARTMENT	<input type="radio"/>
MANUFACTURED HOME/PARK	<input type="radio"/>
ACCESSORY DWELLING UNIT	<input type="radio"/>
RECREATIONAL VEHICLE PARK	<input type="radio"/>
ACCESSORY BUILDING	<input type="radio"/>
SMALL COMMERCIAL	<input checked="" type="radio"/>
LIVE/WORK	<input checked="" type="radio"/>
MIXED-USE COMMERCIAL	<input checked="" type="radio"/>
LARGE COMMERCIAL	<input checked="" type="radio"/>
HIGHWAY COMMERCIAL	<input checked="" type="radio"/>
INDUSTRIAL	<input checked="" type="radio"/>
CARTS, KIOSKS, FOOD TRAILERS	<input checked="" type="radio"/>
TEMPORARY COMMERCIAL	<input checked="" type="radio"/>
COMMERCIAL ACCESSORY	<input checked="" type="radio"/>
CIVIC BUILDINGS	<input checked="" type="radio"/>

**PRIVATE FRONTAGE TYPES**

COMMON YARD	<input checked="" type="radio"/>
PORCH WITH OPTIONAL FENCE	<input checked="" type="radio"/>
STOOP	<input checked="" type="radio"/>
GALLERY	<input checked="" type="radio"/>
ARCADE	<input checked="" type="radio"/>
SHOPFRONT	<input checked="" type="radio"/>
FORECOURT	<input checked="" type="radio"/>
TERRACE	<input checked="" type="radio"/>

**BUILDING DISPOSITION**

EDGEYARD	<input checked="" type="radio"/>
SIDEYARD	<input checked="" type="radio"/>
COURTYARD	<input checked="" type="radio"/>
REARYARD	<input checked="" type="radio"/>

PERMITTED ☒NOT PERMITTED ☐TBD = TO BE DECIDED BY  
DURING DEVELOPMENT  
PROCESS**BLOCKS**

BLOCK LENGTH (MAXIMUM)	TBD
BLOCK PERIMETER (MAXIMUM)	TBD

**\*PUBLIC FRONTAGE (RIGHT OF WAY)**

SIDEWALK ZONE WIDTH	8'-24'
LANDSCAPE ZONE	PERMITTED
VEHICULAR PARKING ZONE WIDTH	PARALLEL - 8'-12' ANGLED - 17'-22'
VEHICULAR TRAVEL ZONE WIDTH	16'-40'

**STREET TYPES**

RURAL STREET	<input type="radio"/>
RESIDENTIAL ALLEY	<input type="radio"/>
COMMERCIAL ALLEY	<input checked="" type="radio"/>
CASTRO STREET	<input type="radio"/>
NEIGHBORHOOD STREET	<input checked="" type="radio"/>
NEIGHBORHOOD AVENUE	<input checked="" type="radio"/>
SIDE STREET	<input checked="" type="radio"/>
2 LANE COMMUNITY BOULEVARD	<input checked="" type="radio"/>
4 LANE COMMUNITY BOULEVARD	<input checked="" type="radio"/>
PATH	<input checked="" type="radio"/>
TRAIL	<input checked="" type="radio"/>

**PARKING LOCATION**

FIRST LAYER	<input checked="" type="radio"/>
SECOND LAYER	<input checked="" type="radio"/>
THIRD LAYER	<input checked="" type="radio"/>
ON-STREET	<input checked="" type="radio"/>
RV STORAGE	<input type="radio"/>

\*Already developed properties with Place Type EC zoning shall follow the development standards of Place Type 5 until an Employment Center Plan has been adopted for the property.



## 4.3.1.9 CS - CIVIC SPACE

**LOTS**

WIDTH	TBD
AREA	TBD
LOT COVERAGE (MAXIMUM)	TBD
BUILD-TO-LINE (RANGE)	TBD
FACADE BUILDOUT (MINIMUM)	TBD
STORIES (MAXIMUM)	TBD

**BUILDING TYPES**

DETACHED DWELLING	<input type="radio"/>
ATTACHED DWELLING	<input type="radio"/>
COTTAGE COURT	<input type="radio"/>
DUPLEX	<input type="radio"/>
TRIPLEX	<input type="radio"/>
QUADRAPLEX	<input type="radio"/>
SMALL APARTMENT	<input type="radio"/>
LARGE APARTMENT	<input type="radio"/>
MANUFACTURED HOME/PARK	<input type="radio"/>
ACCESSORY DWELLING UNIT	<input type="radio"/>
RECREATIONAL VEHICLE PARK	<input type="radio"/>
ACCESSORY BUILDING	<input type="radio"/>
SMALL COMMERCIAL	<input type="radio"/>
LIVE/WORK	<input type="radio"/>
MIXED-USE COMMERCIAL	<input type="radio"/>
LARGE COMMERCIAL	<input type="radio"/>
HIGHWAY COMMERCIAL	<input type="radio"/>
INDUSTRIAL	<input type="radio"/>
CARTS, KIOSKS, FOOD TRAILERS	<input checked="" type="radio"/>
TEMPORARY COMMERCIAL	<input checked="" type="radio"/>
COMMERCIAL ACCESSORY	<input type="radio"/>
CIVIC BUILDINGS	<input checked="" type="radio"/>

**PRIVATE FRONTAGE TYPES**

COMMON YARD	<input type="radio"/>
PORCH WITH OPTIONAL FENCE	<input type="radio"/>
STOOP	<input type="radio"/>
GALLERY	<input type="radio"/>
ARCADE	<input type="radio"/>
SHOPFRONT	<input type="radio"/>
FORECOURT	<input type="radio"/>
TERRACE	<input type="radio"/>

**BUILDING DISPOSITION**

EDGEYARD	<input type="radio"/>
SIDEYARD	<input type="radio"/>
COURTYARD	<input type="radio"/>
REARYARD	<input type="radio"/>

PERMITTED	<input checked="" type="radio"/>
NOT PERMITTED	<input type="radio"/>

**STREETS**

BLOCK PERIMETER (MAXIMUM)	TBD
BLOCK LENGTH (MAXIMUM)	TBD

**PUBLIC FRONTAGE (RIGHT OF WAY)**

SIDEWALK ZONE	TBD
LANDSCAPE ZONE	TBD
VEHICULAR PARKING ZONE	TBD
VEHICULAR TRAVEL ZONE	TBD

**STREET TYPES**

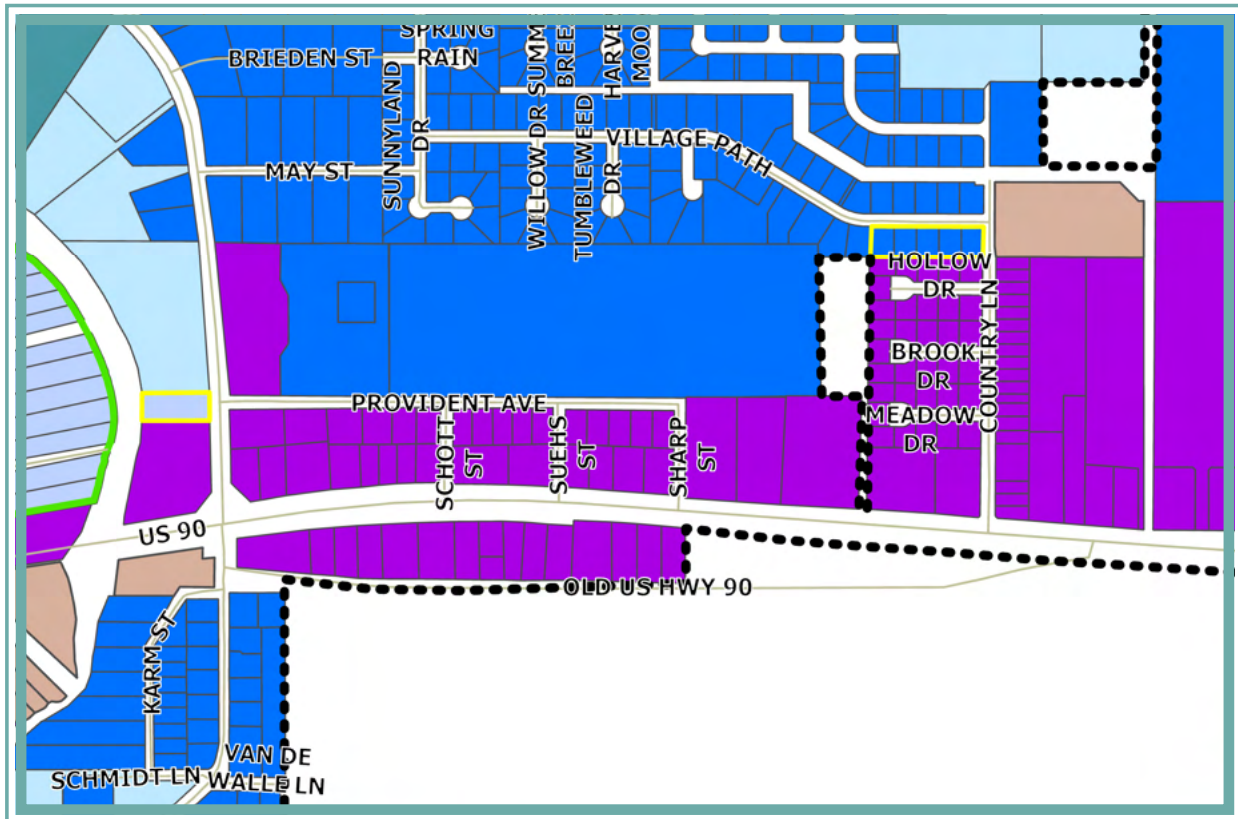
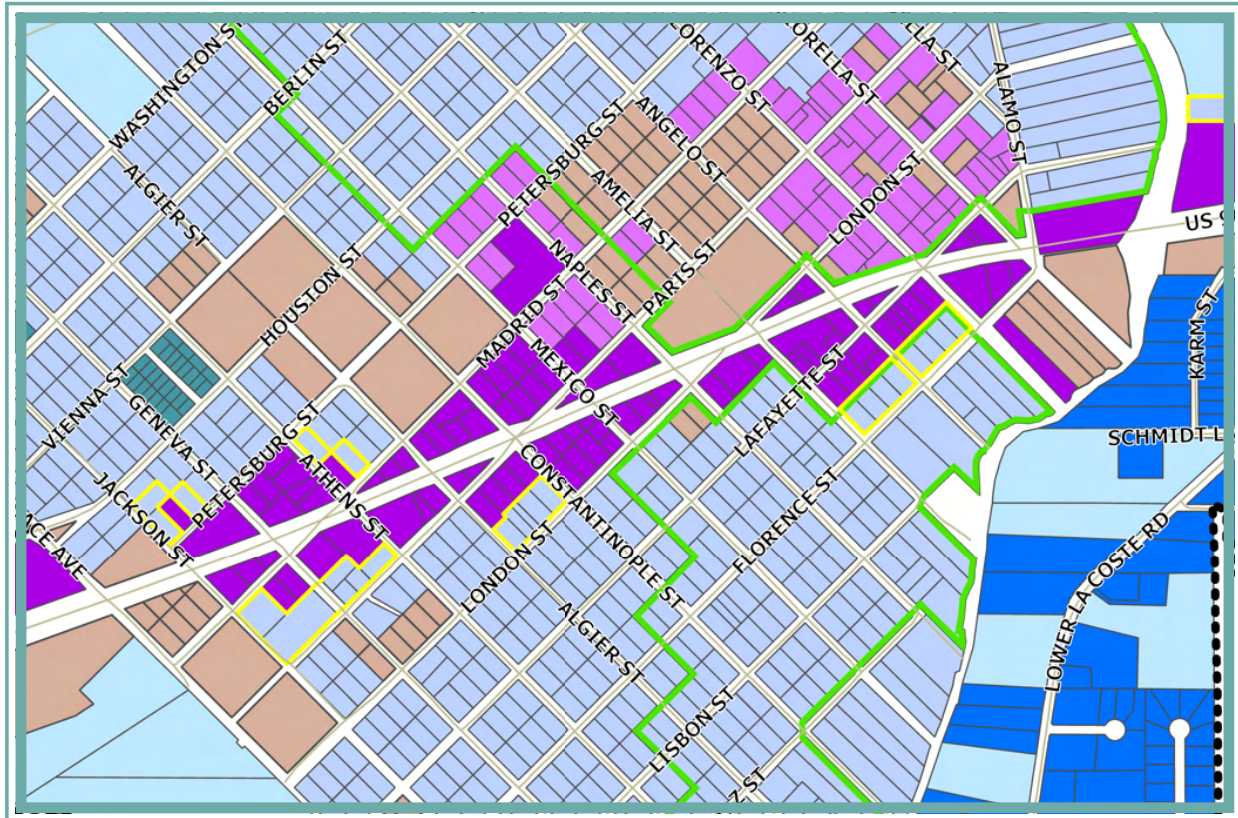
RURAL STREET	<input checked="" type="radio"/>
RESIDENTIAL ALLEY	<input checked="" type="radio"/>
COMMERCIAL ALLEY	<input checked="" type="radio"/>
CASTRO STREET	<input checked="" type="radio"/>
NEIGHBORHOOD STREET	<input checked="" type="radio"/>
NEIGHBORHOOD AVENUE	<input checked="" type="radio"/>
SIDE STREET	<input checked="" type="radio"/>
2 LANE COMMUNITY BOULEVARD	<input checked="" type="radio"/>
4 LANE COMMUNITY BOULEVARD	<input checked="" type="radio"/>
PATH	<input checked="" type="radio"/>

**PARKING LOCATION**

FIRST LAYER	TBD
SECOND LAYER	TBD
THIRD LAYER	TBD
ON-STREET	TBD
RV STORAGE	TBD

### 4.3.2 BUSINESS/RESIDENTIAL TRANSITION ZONES.

- 4.3.2.1 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.
- 4.3.2.2 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 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:
- (1) 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.
  - (2) 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
- 4.3.2.3 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 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.

FIGURE 5.1 :BUSINESS/RESIDENTIAL  
TRANSITION ZONES.



# CHAPTER 5

## PRIVATE LOT DEVELOPMENT STANDARDS



## 5.1 LOT STRUCTURE.

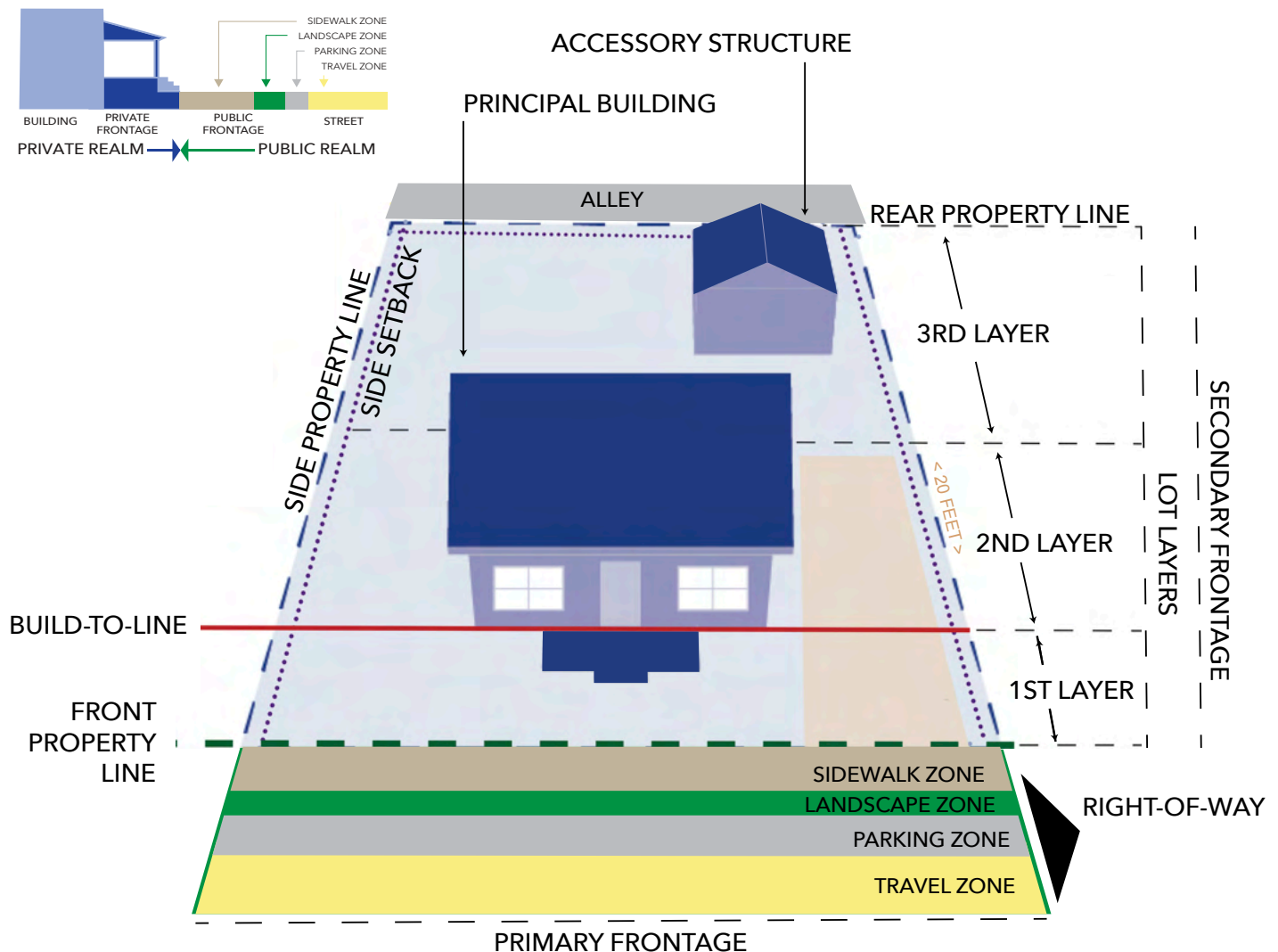
### 5.1.1 GENERAL.

Lots and buildings located within the City of Castroville shall be subject to the requirements of this Chapter. Regulatory terminology related to lots used in this section is diagrammed for illustrative purposes only. Building types diagrammed are provided for illustrative purposes only.

### 5.1.2 ELEMENTS OF A LOT.

The diagram below represents a general lot within the City of Castroville. The lot elements are described in Table 5.1.2(B): Lot Structure Diagram Descriptions.

FIGURE 5.1.2(A): ELEMENTS OF A LOT.



**TABLE 5.1.2(B): LOT STRUCTURE DIAGRAM DESCRIPTIONS.****BUILDINGS**

<b>PRINCIPAL BUILDING</b>	The main building on a lot.
<b>ACCESSORY STRUCTURES</b>	A secondary building located toward the rear of the same lot as a principal building may include a dwelling unit called an Accessory Dwelling Unit (ADU).

**LOT LAYERS**

Lots shall be divided into regulatory layers as illustrated in the Lot Structure Diagram and frontage lines below. Standards for the second and third layers pertain only to the primary frontage. Standards for the first layer pertain to both frontages.

<b>FIRST LAYER</b>	The first layer is the area of a lot from the front property line to the facade of the principal building. It is the private frontage of a lot.
<b>SECOND LAYER</b>	The second layer is the area of the lot set behind the first layer to a depth of 20 feet in all Place Types.
<b>THIRD LAYER</b>	The third layer is the area of a lot set behind the second layer and extending to the rear lot line.

**LOT**

<b>BUILD-TO-LINE</b>	The build-to-line is the location where the principal front facade will be located.  The location of the build-to-line, is established per Place Type, and for new neighborhoods, on the Neighborhood Plan.
<b>REAR PROPERTY LINE</b>	Where the property line meets alley R.O.W. or an adjoining side/rear property line.  All buildings and structures must be located at or behind the side or rear property line in compliance with the building separation requirements of the adopted building code.
<b>LOT WIDTH</b>	The length of the principal frontage line of a lot. Lot width is measured between the side lot lines at the build-to-line.
<b>FRONT PROPERTY LINE</b>	Where private property align with publicly controlled right-of-way.  Lots may have multiple frontages. On lots with multiple frontages, such as corner lots, one property line is designated as the primary frontage.
<b>SIDE SETBACK</b>	The separation between any building on the lot and the side property boundary.



**DEVELOPMENT REALMS**

<b>PRIVATE REALM</b>	Privately owned areas in large part developed with buildings and associated improvements. It is more limited in its accessibility to the public.
<b>PUBLIC REALM</b>	The streets, parks, squares, green spaces, and other interconnected outdoor places that require no key to access them and are available without charge for everyone to use.

**FRONTAGE TYPES**

<b>PUBLIC FRONTAGE</b>	This area consists primarily of the right-of-way between the street and the front property line where the sidewalk, public landscaping, public lighting, and the furniture zone are on a lot. It also includes other publicly accessible Civic Spaces such as parks, squares, plazas, courtyards, and alleys. It plays a critical role in an area's character and function.
<b>PRIVATE FRONTAGE</b>	This area consists of the portion of the private lot within the first layer. These areas are in large part developed with buildings and associated improvements, and is more limited in its accessibility to the public.

**PUBLIC FRONTAGE ZONE**

<b>SIDEWALK ZONE</b>	The sidewalk zone includes a sidewalk that is usually clear of all obstructions. The purpose is to allow for pedestrian movement in parallel with the street.
<b>LANDSCAPE ZONE</b>	The landscape zone refers to all areas where plants and trees are used in the public realm including tree wells, garden beds and planter pots serving a variety of purposes including buffering, water quality, aesthetic enhancement, shade and habitat.
<b>PARKING ZONE</b>	On-street parking should be accommodated on most public streets. On-street parking provides the opportunity for easy access and connectivity to the street-scape and the adjacent land uses.
<b>TRAVEL ZONE</b>	The travel zone is the space within the right-of-way where multiple types of vehicles travel.
<b>RIGHT-OF-WAY</b>	The land within which the travel zone, parking zone, landscape zone, sidewalk zone and, in most cases, city utilities are located. The right-of-way is accessible to the public.



## **5.2 BUILDING TYPES.**

### **5.2.1 INTENT.**

- 5.2.1.1 Focusing on appropriate building types within Place Types instead of focusing on the uses within the buildings, ensures the City develops properties that reflect the walkable character within Castroville's core and protect the surrounding open space and agricultural lands. A mix of residential and commercial building types provides options for development that support a variety of people with different lifestyles, income levels, and age groups.
- 5.2.1.2 The Castroville Back To Our Future Comprehensive Plan calls for a variety of residential building types that support all types of households, including missing middle housing. Missing middle housing refers to a range of house-scale buildings with multiple units, compatible in scale and form with detached homes, located in a walkable neighborhood.
- 5.2.1.3 Building types diagrammed are provided for illustrative purposes only (see 5.2.3 Residential Building Type Descriptions and 5.2.4 Commercial Building Type Descriptions).

### **5.2.2 PRINCIPLE STRUCTURES**

- 5.2.2.1 One principle building is allowed in all Place Types per lot. Additional buildings would be considered accessory buildings. Cottage Courts are exempt from this section.
- 5.2.2.2 Accessory Dwelling Unit (ADU) buildings must follow Place Type standards assigned to each lot.

**TABLE 5.2(A): BUILDING TYPES PERMITTED BY PLACE TYPE ZONING DISTRICTS.**

BUILDING TYPES	PLACE TYPES								
RESIDENTIAL	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
DETACHED DWELLING	NP	P	P	P	P	P	NP	NP	TBD
ATTACHED DWELLING	NP	NP	NP	P	NP	P	NP	NP	TBD
COTTAGE COURT	NP	NP	NP	P	P	P	NP	NP	TBD
DUPLEX	NP	NP	NP	P	NP	P	NP	NP	TBD
TRIPLEX	NP	NP	NP	NP	NP	P	NP	NP	TBD
QUADRAPLEX	NP	NP	NP	NP	NP	P	NP	NP	TBD
SMALL APARTMENTS	NP	NP	NP	NP	NP	P	P	NP	TBD
LARGE APARTMENTS	NP	NP	NP	NP	NP	NP	P	NP	TBD
MANUFACTURED HOME	NP	NP	NP	NP	P	NP	NP	NP	TBD
ACCESSORY DWELLING UNIT	NP	P	P	P	P	P	NP	NP	TBD
RECREATIONAL VEHICLE PARK	NP	P	NP	NP	NP	NP	NP	NP	TBD
Accessory Building	NP	P	P	P	P	P	NP	NP	TBD
COMMERCIAL	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
SMALL COMMERCIAL	NP	NP	NP	NP	NP	P	P	P	P
LARGE COMMERCIAL	NP	NP	NP	NP	NP	NP	P	NP	P
LIVE/WORK	NP	NP	NP	NP	NP	P	P	NP	P
MIXED-USE COMMERCIAL	NP	NP	NP	NP	NP	NP	P	NP	P
HIGHWAY COMMERCIAL	NP	NP	NP	NP	NP	NP	NP	NP	P
CART, KIOSKS, FOOD TRAILERS	P	NP	NP	NP	NP	P	P	P	P
TEMPORARY COMMERCIAL	P	NP	NP	NP	NP	P	P	P	P
COMMERCIAL ACCESSORY	NP	NP	NP	NP	NP	P	P	NP	P
INDUSTRIAL	NP	NP	NP	NP	NP	NP	NP	NP	P
CIVIC	P	P	P	P	P	P	P	P	P
P = PERMITTED    NP = NOT PERMITTED    TBD="TO BE DECIDED" DURING DEVELOPMENT PROCESS									

### 5.2.3 BUILDING FUNCTION BY BUILDING TYPES.

Building Types are intended to establish the anticipated intensity within each Place Type. This section establishes allowable uses within the Building Types by Place Type. Section 5.9.3 Neighborhood Compatibility will apply to all uses and buildings in the City.

#### 5.2.3.1 RESIDENTIAL BUILDING TYPES.

Within residential buildings the following uses are permitted with the stated limitations.

- (1) P2, P2.5, P3, P3M.
  - (a) Dwelling
  - (b) Home Occupation
  - (c) Within the transition zone accessory Commercial Use with Special Use Permit
- (2) P4, P5
  - (a) Dwelling
  - (b) Home Occupation
  - (c) Lodging
  - (d) Accessory Commercial Use
- (3) EC- as determined in Employment Center Plan

#### 5.2.3.2 COMMERCIAL BUILDING TYPES.

Uses within commercial buildings are governed by the adopted building and health and safety codes and must comply with the Performance Standards of this chapter.

Within commercial buildings the following uses are permitted with the stated limitations.

- (1) P1
  - (a) Temporary retail with Special Use Permit
- (2) P4
  - (a) Retail excluding drive-through services and vehicle services. Outdoor retail activities with Special Use Permit
  - (b) Office
- (3) P5
  - (a) Retail excluding vehicle services. Drive-through services in the third layer with Special Use Permit
  - (b) Office
  - (c) Commercial, outdoor storage in the third layer with Special Use Permit

- (4) CS
  - (a) Temporary retail
  - (b) Retail with Special Use Permit
  - (c) Commercial, outdoor storage in the third layer with Special Use Permit
- (5) EC - as determined in Employment Center Plan including:
  - (a) Retail including drive-through services, vehicle services and outdoor activities
  - (b) Office
  - (c) Commercial including outdoor storage
  - (d) Industrial

### 5.2.3.3 ADU ALLOWANCE

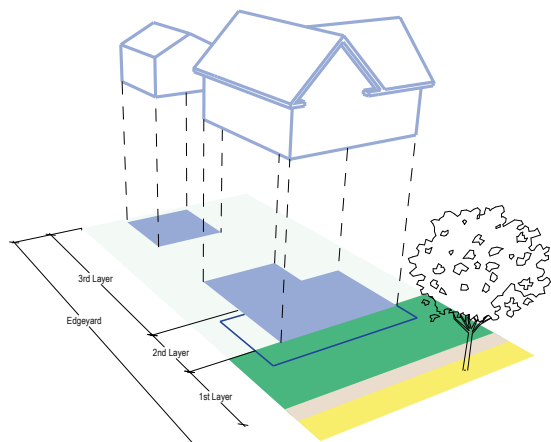
ADUs must adhere to the Place Type zoning standards. A proposal varying from the Place Type standards may be requested through a Special Use Permit if a similar ADU is constructed within 200 feet of the subject property and submitted for approval to the Planning and Zoning Commission.

A max of 1 ADU's are allowed as long as the lot coverage percentage does not exceed total lot coverage percentage of the lot's respected Place Type. The ADU lot coverage is in addition to the primary structure.

**TABLE 5.2(A): ADU'S PERMITTED BY PLACE TYPE ZONING DISTRICTS.**

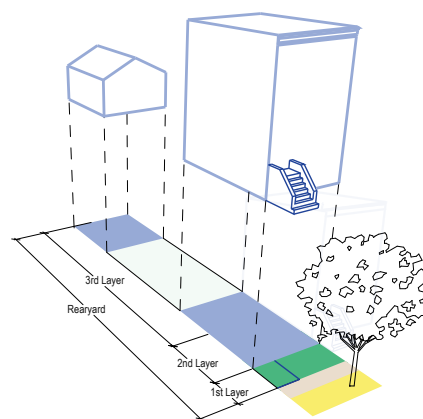
	PLACE TYPES							
	P1	P2	P2.5	P3	P3M	P4	P5	EC
# Of ADU's Allowed	NP	1	1	1	1	1	1	NP
P = PERMITTED    NP = NOT PERMITTED    OO = OWNER OCCUPIED								

### 5.2.3: RESIDENTIAL BUILDING TYPES



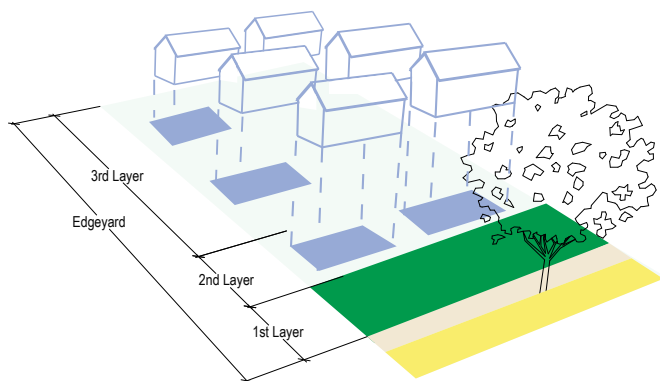
**DETACHED DWELLING**

An individual dwelling unit on its own lot. The detached dwelling is the most prevalent dwelling type in Castroville. This building type is typically disposed on the lot with edge yards. On small to medium sized lots, this building type should be set close to the front property line to encourage interaction with pedestrians. This building type has a front door facing the street or path from which it takes primary access. A HUD code manufactured house is a detached dwelling that is only permitted in certain Place Types.



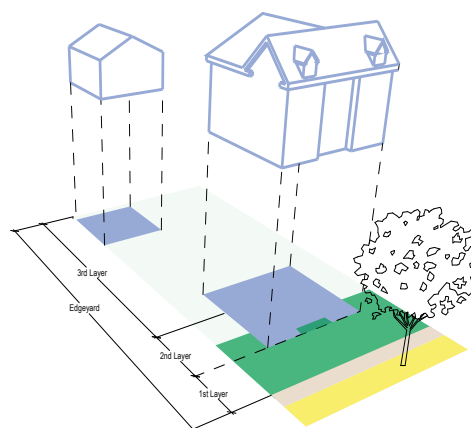
**ATTACHED DWELLINGS**

An individual dwelling unit on its own lot that shares a common wall with a unit on one or more adjacent lots. This building type is often referred to as a townhouse. This building type is typically disposed on the lot with a side yard or rear yard. This building type should be set close to or at the front property line to encourage interaction with pedestrians. This building type has a front door facing the street or path from which it takes primary access.



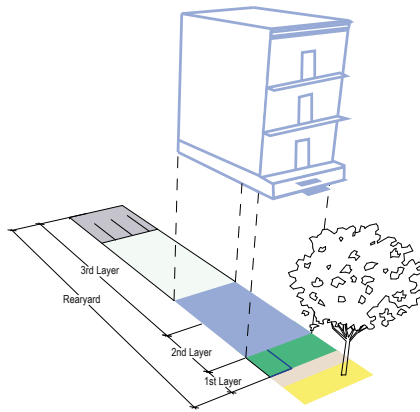
**COTTAGE COURT**

A group of individual, small dwelling units on a single lot that share a central courtyard. A maximum number of four (4) cottages are allowed. The cottages adjacent to the street have front doors facing the street and the cottages whose primary access is from the courtyard have front doors facing the courtyard. For the purposes of platting, cottage lots may have legal frontage onto a courtyard with a public access easement from the street.

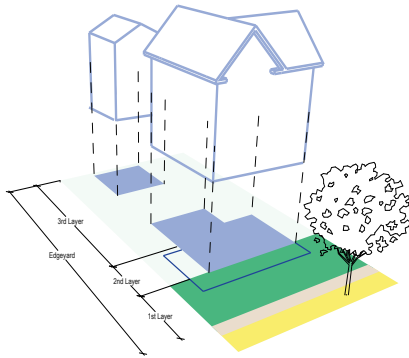


**DUPLEX**

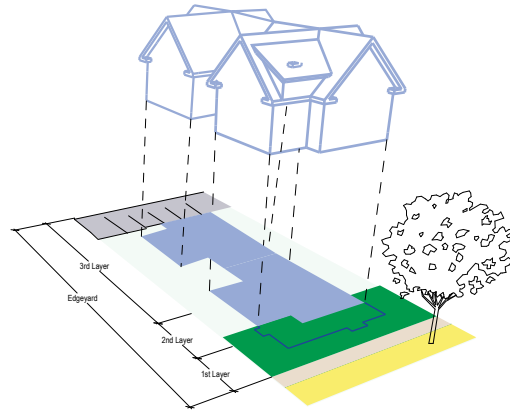
Two dwelling units on a single lot. The dwelling units are typically in a single building arranged side by side or stacked, or they may be in separate buildings by warrant. This building type is typically disposed on the lot with edge yards. On small to medium sized lots, this building type should be set close to the front property line to encourage interaction with pedestrians. This building type has at least one front door facing the street or path from which it takes primary access.

**TRIPLEX**

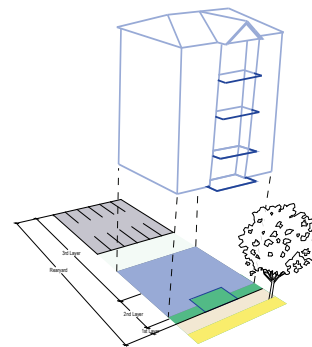
Three dwelling units on a single lot. The dwelling units are typically in a single building arranged side by side or stacked, or they may be in separate buildings by warrant. This building type is typically disposed on the lot with edge yards. On small to medium sized lots, this building type should be set close to the front property line to encourage interaction with pedestrians. This building type has at least one front door facing the street or path from which it takes primary access.

**SMALL APARTMENTS**

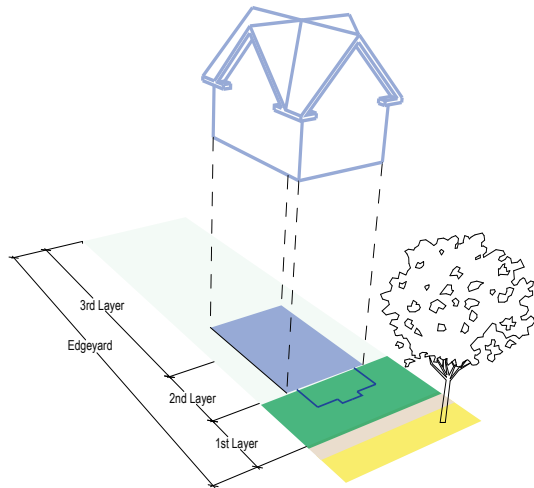
A detached building on a single lot that includes multiple dwelling units, no more than 9. The building typically has a shared entrance facing the street. This building type may be disposed on the lot with edge yards, side yard, courtyard, or rear yard. This building type should be set close to the front 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.

**QUADRAPLEX**

Four dwelling units on a single lot. The dwelling units are typically in a single building and share a central entry but may have individual entries. The dwelling units may be in separate buildings by warrant. This building type is typically disposed on the lot with edge yards. On small to medium sized lots, this building type should be set close to the front property line to encourage interaction with pedestrians. This building type has at least one front door facing the street or path from which it takes primary access.

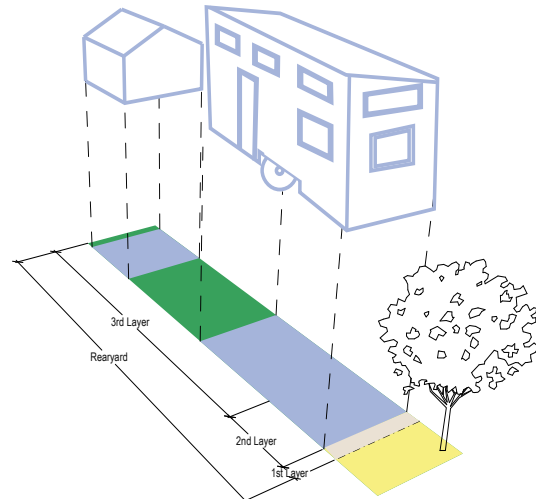
**LARGE APARTMENTS**

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



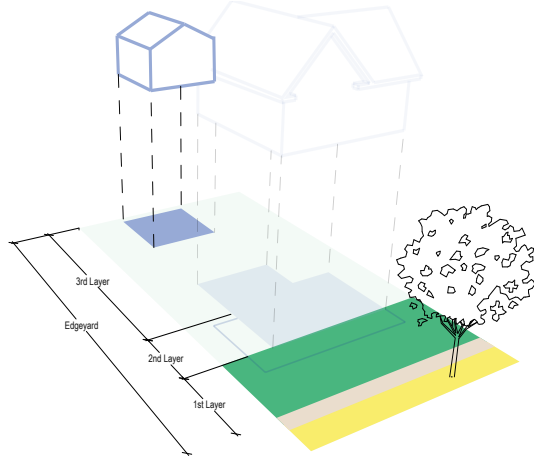
### MANUFACTURED HOME PARK

A neighborhood of HUD code manufactured homes intended for long-term residency. Manufactured home parks shall follow the requirements in this UDO and Chapter 16, Article III of the City of Castroville Code of Ordinances. Manufactured Home Parks are permitted in P2 and P3M. Individual Manufactured Homes are permitted as a principal dwelling unit building in P2, P2.5 and P3M and as an accessory dwelling unit in P2, P2.5, P3, and P3M.



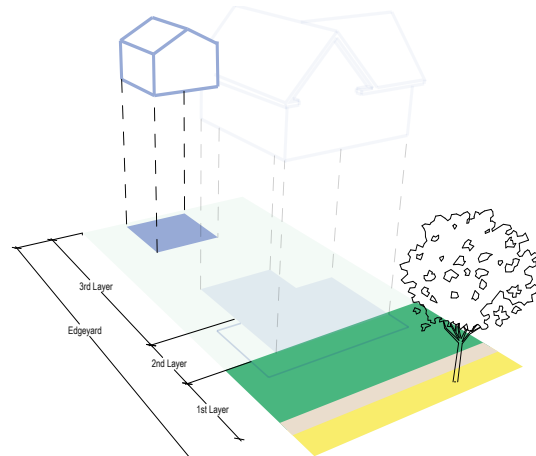
### RECREATIONAL VEHICLE PARK

A neighborhood of recreational vehicles intended for short-term residency. Recreational vehicle parks shall follow the requirements of this UDO and Chapter 16, Article III of the City of Castroville Code of Ordinances.



### ACCESSORY DWELLING UNIT

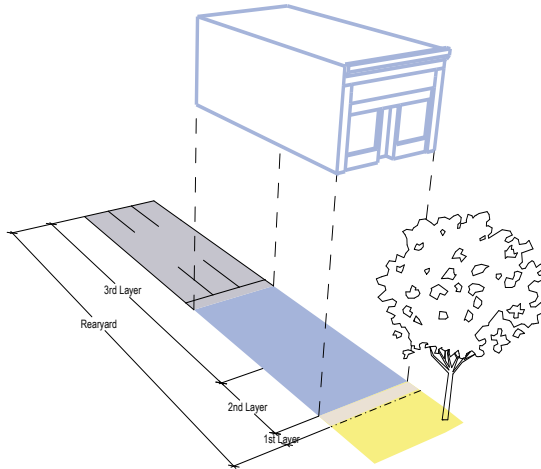
A secondary dwelling unit on the same lot as a principal dwelling unit building. ADUs may be individual detached structures, apartments within or above a garage or integrated into the primary dwelling unit with a separate entrance. ADUs are smaller than and subordinate to the principal building and are typically located in the third layer of the lot. ADUs may be allowed by warrant to be constructed and occupied prior to the principal dwelling unit building.



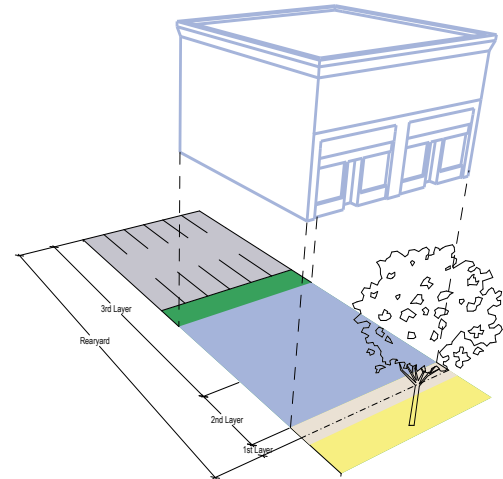
### ACCESSORY BUILDING

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.

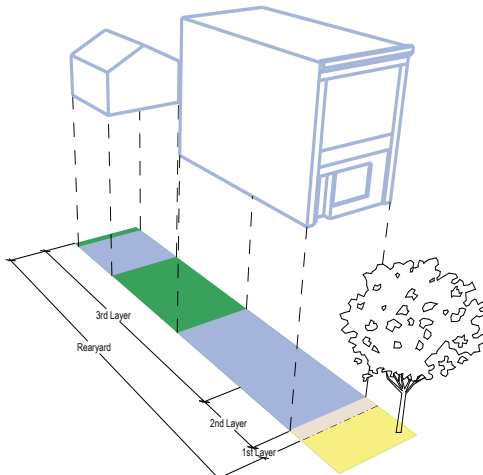


**5.2.4: COMMERCIAL BUILDING TYPES****SMALL COMMERCIAL**

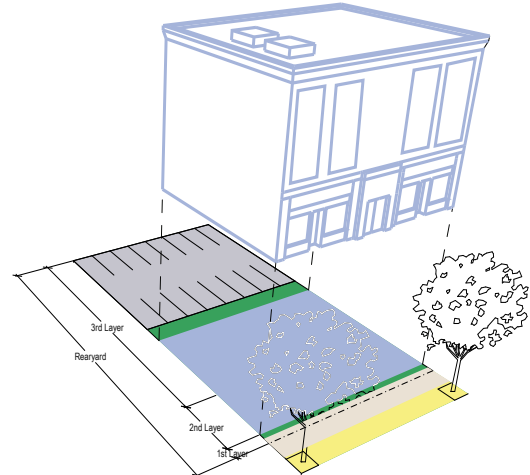
An individual commercial building on its own lot. Small commercial buildings are the primary building type for small to medium sized businesses in Castroville. They are typically sized to fit on a single commercial lot within a typical City block. The building is typically disposed on the lot with a rear yard to accommodate parking (if off-street parking is provided), outdoor areas and services accessed from a rear alley or service drive.

**LARGE COMMERCIAL**

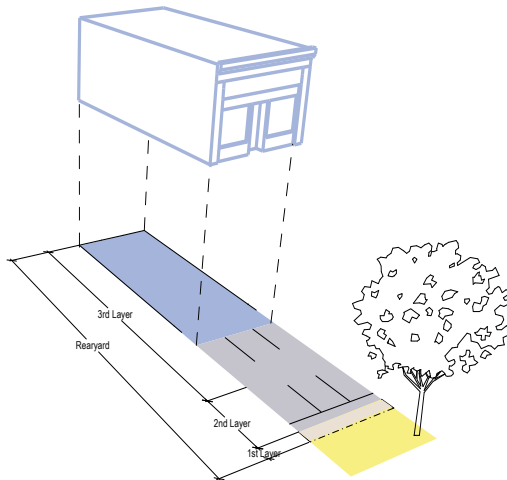
An individual building that may occupy multiple lots or a significant portion of a block. Large commercial buildings are typically occupied by a single tenant and may be one or more stories in height. The building is typically disposed on the lot with a rear yard to accommodate parking (if off-street parking is provided), outdoor areas and services accessed from a rear alley or service drive.

**LIVE/WORK**

An individual building on its own lot that includes a commercial use(s) on the ground floor and a dwelling unit(s) on the upper floor(s). They are typically sized to fit on a single commercial lot within a typical City block. The building is typically disposed on the lot with a rear yard to accommodate parking (if off-street parking is provided), outdoor areas and services accessed from a rear alley or service drive.

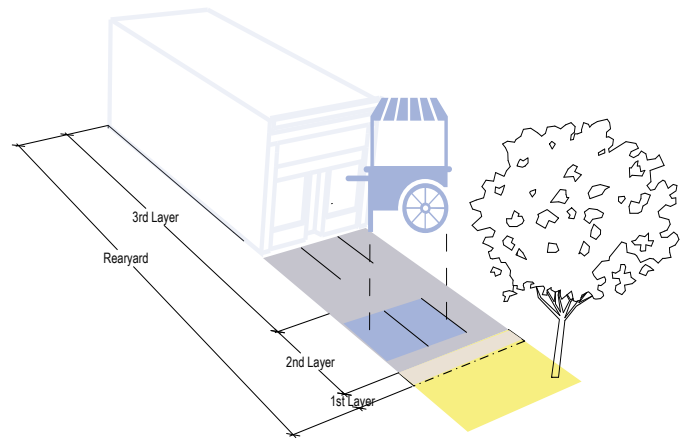
**MIXED-USE**

An individual building that may occupy multiple lots or a significant portion of a block. Mixed use buildings are occupied by multiple tenants and are typically multi-story and often include dwelling units on upper stories. The building is typically disposed on the lot with a rear yard to accommodate parking (if off-street parking is provided), outdoor areas and services accessed from a rear alley or service drive.



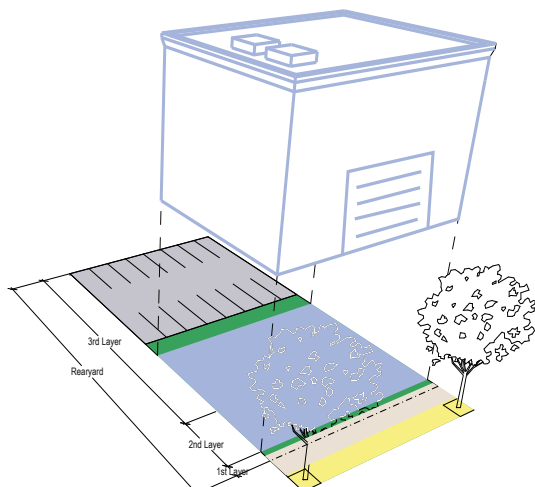
### HIGHWAY COMMERCIAL

An individual building on its own lot along a highway or regional road. The building may be occupied by one or more businesses. The building is typically disposed on the lot with edge yards and often includes surface parking lots, outdoor storage or display, drive-through services and other auto-oriented features.



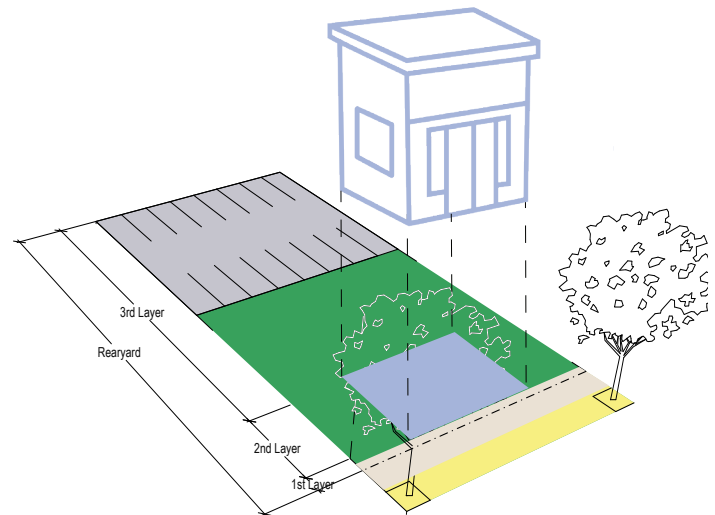
### CART, KIOSKS, FOOD TRAILERS

Freestanding, mobile structures that occupy a lot on a temporary basis. Typically, these structures are associated with an existing principal building on a lot. They may also occupy Civic Space or public right-of-way through a separately granted permit or license agreement.



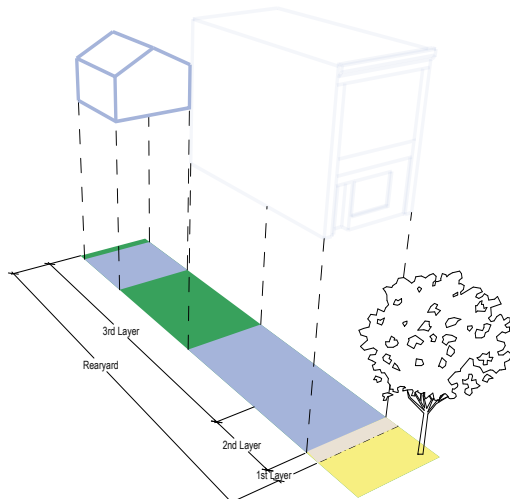
### INDUSTRIAL

An individual building on its own lot within an industrial park or employment center. The building may be occupied by one or more businesses. The building is typically disposed on the lot with edge yards and often includes large, paved areas around the building used for parking, loading/unloading, truck bays, and outdoor storage or display.



### TEMPORARY COMMERCIAL

Small individual buildings intended to provide commercial space on a temporary basis in new or existing neighborhoods. These buildings may be used as incubation space for businesses before they move into permanent buildings or in new neighborhoods before there is sufficient market demand to justify the construction of permanent commercial buildings in a neighborhood center.



### COMMERCIAL ACCESSORY

A detached structure located on the same lot as the principal commercial building. An accessory building may be used as a storage building, or other accessory use to the principal commercial building. Commercial accessory buildings are smaller than and subordinate to the principal building and are typically located in the third layer of the lot.

## **5.3 BUILDING PLACEMENT ON THE LOT.**

### **5.3.1 GENERAL.**

Lots and buildings located within the City of Castroville shall be subject to the requirements of this section. Regulatory terminology related to lots used in this section is diagrammed for illustrative purposes only. Building types diagrammed are provided for illustrative purposes only.

### **5.3.2 LOT OCCUPATION**

- 5.3.2.1 Stories may not exceed fourteen (14) feet in height from the finished floor to the finished ceiling, except for a first-floor commercial building, which shall be a minimum of eleven (11) feet with a maximum of twenty-five (25) feet.
- 5.3.2.2 In the 100-year floodplain, a first-level residential or lodging shall be raised a minimum of 2 feet from the base flood elevation.

### **5.3.3 DEVELOPMENT STANDARDS.**

The development standards for each Place Type zoning district are consolidated in 4.3 Place Type Zoning District Development Standards within this UDO.

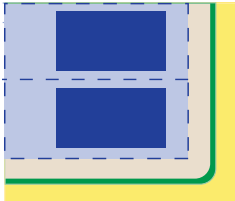
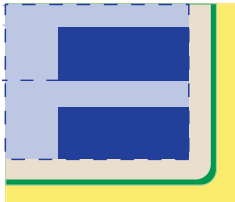
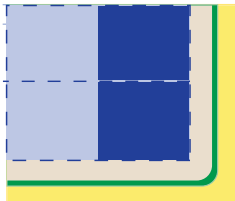
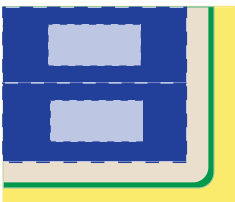
### **5.3.4 BUILDING SEPARATION**

All Place Type zoning districts require separation between building/structure and side property boundary in accordance with the adopted building code. A warrant or variance application is required for encroachments into the required building separation. Fences and screening walls may extend into the setback.

### **5.3.5 BUILDING DISPOSITION.**

Principal buildings shall be positioned on a lot in accordance with the building standards per Place Type. There are four (4) types of building dispositions permitted in Castroville. See Table 5.3.5(A): Building Disposition by Place Type Zoning District for descriptions of each and the Place Type zoning districts where the building dispositions are permitted.





TABLE 5.3.5(A): BUILDING DISPOSITION BY PLACE TYPE ZONING DISTRICT.





BUILDING DISPOSITION		PLACE TYPES								
		P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
EDGEYARD	<div></div> <p>A building that occupies the center of its lot with setbacks on all sides from the lot lines. The front yard is intended to be visually continuous with the yards of adjacent buildings.</p>	NP	P	P	P	P	P	NP	P	P
SIDEYARD	<div></div> <p>A building that occupies one side of the lot with the setback to the other side.</p>	NP	NP	NP	P	P	P	P	P	P
REARYARD	<div></div> <p>The placement of a building within the boundaries of its lot to create a rearyard, leaving the rear of the lot as private space or available for dedicated parking in its commercial form. The frontage line is a continuous line of frontages that define the public realm.</p>	NP	NP	NP	NP	NP	P	P	P	P
COURTYARD	<div></div> <p>A building placed within the boundaries of its lot to create a private courtyard, while internally defining one or more private patios. Common walls shared with adjacent buildings create a continuous façade along the frontage line that steadily defines the public frontage.</p>	NP	NP	NP	P	NP	P	P	P	P
P = PERMITTED    NP = NOT PERMITTED										

### 5.3.6 PRIVATE FRONTAGE TYPES.

The private frontage consists of privately-owned areas in large part developed with buildings and associated improvements. It is more limited in its accessibility to the public. It is the area within the first layer of a lot between the front building facade, or the build-to-line, and the front property line. The private frontage types in the chart below are built on the front facades of buildings at the build-to-line. Private frontages may encroach into the right-of-way with an approved encroachment permit.

**TABLE 5.3.6(A):PRIVATE FRONTAGE PERMITTED BY PLACE TYPE ZONING DISTRICT.**

PRIVATE FRONTAGE TYPES	PLACE TYPES								
	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
<div>COMMON YARD</div> <div></div> <div>Residential buildings are set back from the front property line with an unfenced front yard that is visually continuous with neighboring yards supporting a common landscape.</div>	NP	P	P	P	P	P	NP	P	P
<div>PORCH WITH OPTIONAL FENCE</div> <div></div> <div>Many residential buildings in Castroville have front porches. The build-to-line is setback from the front property line to create room for a wide porch and a fenced-in yard. The optional fence helps maintain a strong street edge and allows the homeowner extra fenced-in yard space. Fence height within first layer may be no more than 4 feet in height above grade/ground level.</div>	NP	P	P	P	P	P	NP	P	P
<div>STOOP</div> <div></div> <div>The main facade of the building is near the frontage line and the elevated stoop engages the sidewalk. The stoop shall be elevated above the sidewalk to ensure privacy within the building. Stairs from the stoop may lead directly to the sidewalk or may be side-loaded. This type is appropriate for residential uses with small setbacks.</div>	NP	P	P	P	NP	P	P	NP	P
<div>GALLERY</div> <div></div> <div>A frontage seen on historic storefronts in Castroville, the facade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This frontage type provides shade for pedestrians on the sidewalk.</div>	NP	NP	NP	NP	NP	P	P	P	P

PRIVATE FRONTAGE TYPES		PLACE TYPES								
		P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
<b>ARCADE</b>  <p>A colonnade supporting habitable space that overlaps the sidewalk, while the facade at sidewalk level remains at or behind the frontage line. This type is conventional for retail use.</p>		NP	NP	NP	NP	NP	P	P	P	P
<b>SHOPFRONT</b>  <p>A popular retail frontage in Castroville, commercial shopfront build-to-lines are aligned close to the frontage line with the building entrance at sidewalk grade. Shopfronts have substantial glazing on the sidewalk level and an awning that may overlap the sidewalk.</p>		NP	NP	NP	NP	NP	P	P	P	P
<b>FORECOURT</b>  <p>A portion of the facade is close to the frontage line and the central portion is setback. Forecourts are suitable for vehicle drop-offs and courtyards.</p>		NP	P	P	P	NP	P	P	P	P
<b>TERRACE</b>  <p>The facade is setback from the frontage line by an elevated terrace. This frontage type buffers residential use from urban sidewalks and removes the private yard from the public encroachment. Terraces are suitable for conversions into outdoor cafe patios.</p>		NP	P	P	P	NP	P	P	P	P
P = PERMITTED    NP = NOT PERMITTED										

### 5.3.7 PRIVATE FRONTAGE DEVELOPMENT STANDARDS.

- 5.3.7.1 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.
- 5.3.7.2 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.



- 5.3.7.3 Buildings in P5 shall be glazed with clear glass, no less than seventy percent (70%) of the first story.
- 5.3.7.4 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.
- 5.3.7.5 All openings, including porches, galleries, arcades, and windows, with the exception of shopfronts, shall be square or vertical in proportion.

### 5.3.8 PRIVATE FRONTAGE DEVELOPMENT STANDARDS TABLE.

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

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

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.

## 5.4 PARKING AND VEHICLE CIRCULATION ON THE LOT.

### 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.

The location of the parking shall be established and shown on the Neighborhood Plan, and/or site plan:

- (1) Parking requirements will be market driven. Lot coverage shall not exceed the standards within 4.3.1 Place Type Zoning District Development Standards.
- (2) In P4, P5, and EC the parking area can not be larger than one and a half (1.5) the size of the building.
- (3) On-site surface parking must be located in the second layer or third layer of each lot as defined by the Place Type zoning district standards.
- (4) Residential garage access is permitted from the public street or from an alley but must be taken from the alley if present. Garage access from the street on a property with alley access may be granted by warrant. Access shall be taken from the side street on corner lots, in which case the garage doors may face the side street.
- (5) Residential garage front facades must begin twenty (20) feet or greater from the front property line and may not be replaced forward of the front facade of the principal building.
- (6) Carports are allowed in the second layer but do not count toward the facade buildout percentage.
- (7) Open parking areas, garages and carports shall be screened from the property line by building, fencing or landscaping and will be regulated in size by lot cover requirements of the Place Type zoning district.
- (8) Parking spaces provided internal to a lot shall be located entirely within the third layer of lot as specified within 4.3.1 Place Type Zoning District Development Standards.

## 5.4.2 PARKING LOCATION.

### 5.4.2.1 Vehicle Parking.

Designated parking spaces and drive aisle locations shall be placed in the second or third layer of the lot, except in , P2, P5, and EC, as stated in Section 4.3.1 Place Type Zoning District Details and in accordance with this UDO.

### 5.4.2.2 Bike Parking.

- (1) This section applies to civic buildings and Place Types P4, P5, and EC.
- (2) Short-term bicycle parking must be located within 100 feet of the main public entrance of the building or facility.
- (3) Long-term bicycle parking must be located within 500 feet of the main public entrance of the building or facility.
- (4) Bicycle parking facilities shall not interfere with accessible paths of travel or accessible parking as required by the Americans with Disabilities Act, as amended.
- (5) When a rack is placed within a sidewalk or pedestrian right-of-way, a minimum of four (4) feet from the required rack dimension shall be provided for pedestrian clearance.

- (6) Bicycle racks shall be located in highly visible and well-lit areas to minimize theft and vandalism.
- (7) When automobile parking spaces are provided in a structured parking garage, all required long-term and short-term bicycle spaces shall be located inside the garage on the ground level. Alternative layout and design of racks to maximize space may be approved by the DRC.
- (8) Alternative Locations: In the event that compliance may not be feasible because of demonstrable hardship, the DRC may approve an alternative location.

### 5.4.3 PARKING LOT DESIGN.

#### 5.4.3.1 Parking Stall and Drive Aisle Design Standards.

- (1) Use asphalt pavement, concrete, or a similar material approved by the DRC for all parking areas in P5.
- (2) At a minimum, use dust palliative or other surfacing materials that minimize the generation of fine dust particulates for P2, P2.5, P3, P3M and P4.
- (3) At a minimum, use a stable dust-free material on drive aisles of Civic Spaces and other recreational facilities. The Development Review Committee or City Engineer may require an alternative surface, such as concrete or asphalt, in some circumstances.
- (4) The parking stalls may be improved with a soil mix treated with a dust palliative.

#### 5.4.3.2 Bicycle Parking Design Standards.

- (1) The number of bicycle parking racks shall be based on the amount of automobile parking spaces and shall be provided in accordance with the following. Where fractional bicycle parking spaces result, the spaces required shall be rounded up to the nearest whole number.

- (2) Layout and Design

Each bicycle rack shall be designed to accommodate two (2) bicycle parking spaces (two (2) bicycle spaces per rack) while using the allowed bike rack designs below:

- (a) Racks shall be designed to accommodate "U"-shaped locking devices and support the bicycle horizontally in two places.
  - (b) The racks shall be constructed of durable materials to withstand permanent exposure to the elements, such as powder-coated metal or stainless steel.
  - (c) All bicycle parking spaces must be hard-surfaced or at minimum a compact gravel base.
  - (d) All bicycle racks shall be securely anchored to the ground using a concrete footing and tamper-proof anchors.
  - (e) Decorative bicycle racks that enhance the sense of place and contribute to the character of the development are encouraged, but are subject to approval by the DRC.
- (3) Bicycle Parking Space Size, Access Aisles, and Vertical Clearance

- (a) Bicycle racks shall provide clearance from other objects by using a standard footprint that is at least four (4) feet wide by six (6) feet long, as depicted below, and shall hold at least two (2) bicycles.
- (b) In cases where bicycle parking spaces are not visible from the primary drive aisle approaching the building, signage shall be used to direct cyclists safely to bicycle parking areas (Manual for Uniform Traffic Devices Sign D4-3). These signs shall not be placed in the public right-of-way.

#### 5.4.3.3 Parking Lot Traffic Control.

When traffic control devices are utilized in on-site parking lots, it is recommended that the general principles and standard traffic control device designs be used to regulate the flow of traffic.

#### 5.4.3.4 Parking Lot Cross Access Connections.

- (1) Cross-access easements and connections to adjoining properties shall be required to connect driveways and parking lots where no alley is present.
- (2) Internal vehicular circulation areas shall be designed and installed to allow for cross-access between abutting lots;
- (3) In the event, these conditions cannot be met without undue hardship or if such connections would create undesirable traffic flow, the Development Review Committee or City Engineer may waive the connection requirement.
- (4) Where a parking lot connection is required, an easement for ingress and egress to adjacent lots shall be recorded on the plat or by separate instrument as appropriate.

#### 5.4.3.5 Parking Lot Landscaping.

- (1) Incorporate parking lot landscaped areas and medians into parking lots every twelve (12) spaces.
- (2) Use landscape plant materials that are drought tolerant, have minimal dropping of pods and sap, and have canopies that can have a canopy bottom at least ten (10) feet above the ground.
- (3) Use single-trunk trees in parking lot landscape areas in accordance with the approved tree list by the City of Castroville.

### 5.4.4 VEHICLE CIRCULATION.

- 5.4.4.1 Vehicle Queuing. Adequate depth on site must be provided to prevent vehicle queuing in the public right away. The adequate vehicle queuing depth will be determined during the site plan process.

### 5.4.5 DRIVE-THROUGH FACILITIES.

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.

### 5.4.6 DRIVEWAYS.

- 5.4.6.1 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.
- 5.4.6.2 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.
- 5.4.6.3 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.
- 5.4.6.4 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.

### 5.4.7 PARKING SPACE REQUIREMENTS.

- 5.4.7.1 Minimum and Maximum Parking Space Requirements.

(1) Minimum Parking Requirements.

(a) Accessible Spaces.

Adequately designed accessible parking spaces shall be provided as required by the Texas Accessibility Standards (TAS) and designed in accordance with the parking area landscaping.

(b) Bicycle Spaces.

**TABLE 5.4.7(A): MINIMUM BIKE PARKING REQUIREMENTS**

AMOUNT OF PARKING SPACES	MINIMUM BIKE PARKING REQUIRED
0-40	1 short-term bicycle parking spaces minimum
41-60	2 short-term bicycle parking spaces minimum
61-80	4 short-term bicycle parking spaces minimum
81-100	6 short-term bicycle parking spaces minimum
101+	Minimum 10 short-term bicycle parking spaces or two and one-half percent (2.5%) of required automobile spaces, whichever is greater, will be provided as short-term bicycle parking spaces.

**MULTIFAMILY**

The minimum number of long-term bicycle parking spaces shall be equal to eight percent (8%) of the auto spaces.

**ALL P5 AND P4 PLACE TYPE ZONING DISTRICTS WITH NON-RESIDENTIAL USES.**

- i. Bicycle parking for residential uses is only required with multifamily building types.
- ii. The number of provided automobile parking spaces and bicycle parking spaces shall be shown in a chart format on the site plan. The location and footprints of bicycle rack corrals shall be shown on the site, as well as the location of any bicycle parking signage.
- iii. In all cases where bicycle parking is required, no fewer than 2 spaces (one rack) shall be required.
- iv. Up to half of the required short-term bicycle parking spaces may be substituted with long-term bicycle parking spaces.

## (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.

## 5.5 OUTDOOR STORAGE AND ACTIVITIES.

The two (2) types of outdoor storage shall be allowed in the Place Type zoning district designated in the Table below.

OUTDOOR STORAGE TYPE	PLACE TYPES							
	P1	P2	P2.5	P3	P3M	P4	P5	EC
OUTDOOR DISPLAY, TEMPORARY*	NP	P	NP	NP	P	P	P	P
OUTDOOR DISPLAY, GENERAL*	NP	P	NP	NP	P	P	P	P
*See 5.2.2 for additional outdoor standards					P = PERMITTED    NP = NOT PERMITTED			

### 5.5.1 OUTDOOR DISPLAY, TEMPORARY.

- 5.5.1.1 Temporary outdoor sale of produce goods, holiday goods, outdoor-related goods, and general merchandise shall be permitted for a period not to exceed three (3) days, four (4) times per year.
- 5.5.1.2 All other outdoor display, storage, and sale of goods are prohibited. A temporary outdoor display not listed may request a Special Use Permit from the Community Development Department to be established.
- 5.5.1.3 Limited outdoor display of general merchandise on covered porches and deck areas immediately adjacent to established retail businesses shall be permitted.

### 5.5.2 OUTDOOR DISPLAY, GENERAL.

- 5.5.2.1 Permanent outdoor display, storage, and sale of outdoor-related goods and general merchandise shall include, but are not limited to, goods that are customarily used outside, including outdoor furniture, sporting goods for outdoor sports activities, mannequins, plants, flowers, fertilizers, mulch, sod, gardening tools, lawn equipment, storage sheds, grills, wheelbarrows, and firewood, as determined by the Community Development Director.
- 5.5.2.2 Outdoor display of general merchandise on covered porches and deck areas immediately adjacent to established retail businesses shall be permitted.

### 5.5.3 OUTDOOR DISPLAY LIMITATIONS.

- 5.5.3.1 The proposed display, storage, and/or sale area shall not impede pedestrian or vehicular traffic.
- 5.5.3.2 If applicable, building, electrical, fire-prevention codes, and hazardous use permits shall be obtained.
- 5.5.3.3 Outdoor storage in crates, trailers, and similar storage units for the purpose of storing supplies or excess inventory to be sold in connection with an established business is not permitted.
- 5.5.3.4 Off-site storage of vehicles must submit a site layout with a Special Use Permit request to the Community Development Director.



- 5.5.3.5 Indoor vehicle sales are preferred. Vehicle sales shall not occur in the first layer of the lot. Vehicle sales lot must be located in the second layer or third layer of the lot.

## **5.6 LANDSCAPING STANDARDS.**

### **5.6.1 LANDSCAPE DESIGN IN THE PRIVATE REALM.**

- 5.6.1.1 Landscape design in the private realm must comply with the standards of this section. The maximum height of any shrubs, ornamental plants, boulders, walls, or other such materials within designated sight distances and traffic safety triangles is eighteen (18) inches. For plants, this shall be the natural mature height of the plant. Any trees that are to be placed in the sight distance and traffic safety triangles shall have a canopy that is kept 8 feet above the ground height and a maximum mature trunk diameter of eight (8) inches. If the tree canopy overhangs the roadway, then the canopy shall be a minimum of fourteen and a half (14.5) feet above the street pavement.
- 5.6.1.2 All landscape materials shall be selected from a palette of native, adaptive and drought tolerant species that require the least amount of supplemental irrigation possible. Plant and tree placement shall consider the natural culture of that type of plant or tree. Trees (or shrubs) shall not be placed in a Public Utility Easement (PUE), emergency vehicle access easement, or their equivalent without the approval of the owner of the easement. Landscape and tree placement in proximity to utilities shall follow the requirements in the Engineering Standards.

### **5.6.2 LANDSCAPING IN ALL PLACE TYPES.**

The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization, and maintenance.

### **5.6.3 SPECIFIC TO PLACE TYPES P1, P2, P2.5, P3, P3M, & P4:**

Private frontages may choose from various landscapes; naturalistic, lawn, garden, etc. All lots with sufficient yard area require the planting of at least two native trees. One tree is required in the front yard and one tree is required in the rear yard. A street tree may be counted toward the requirement of a front yard tree if the front yard is of insufficient size to accommodate a tree. Modifications to the tree planting requirement may be considered by warrant.

### **5.6.4 PLACE TYPE P5.**

- 5.6.4.1 The introduced landscape shall consist primarily of durable species tolerant of soil compaction.
- 5.6.4.2 Landscape plans shall be prepared by a landscape architect or professional and submittals shall include submittals shall include all of the required information found in the Application Checklist checklist and follow all of the landscape standards found in the Engineering Standards:

### **5.6.5 PLACE TYPE CS**

Civic Spaces within new Neighborhood and Employment Center Plans shall require the preparation of a landscape plan prepared by a landscape architect or professional and submittals shall include all of the required information in the Application Checklist checklist and follow all of the landscape standards found in the Engineering Standards. Civic Space landscape plans shall be submitted with the Subdivision Improvement Plans.

## 5.7 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.

**TABLE 5.7(A): PUBLIC LIGHTING TYPES.**

**Public Lighting Standards**

	P1 Nature	P2 Rural	P2.5 Historical Residential	P3 Neighborhood	P4 Neighborhood Commercial	P5 Urban Center	EC Employment Center
<b>Ambient Light levels</b>	None	Very Low	Very Low	Very Low	Low	Moderately High	High
<b>Minimal electric lighting; should be turned off most of the time</b>	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, some non-Full Cutoff lighting; controlled with dimmers, time switch or motion
<b>Maximum Allowed Initial Lamp Lumens/sf</b>	1.25 - 1.6 lu/sf	2.5 - 3.2 lu/sf	2.5 - 3.2 lu/sf	2.5 - 3.2 lu/sf	3.3 - 4.2 lu/sf	7.6 - 9.7 lu/sf	10.9 - 13.9 lu/sf
<b>Maximum lamp allowance (Lumens)</b>	6,500 lu	17,000 lu	17,000 lu	17,000 lu	24,000 lu	44,000 lu	60,000 lu
<b>Required Shielding</b>	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
<b>Lighting Curfew for Non-residential</b>	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

### 5.7.1 SCOPE.

5.7.1.1 This section applies within the city limits for public and private lighting and within the ETJ for lighting required as part of a subdivision application.

5.7.1.2 Nothing herein shall be construed as preventing or limiting the City from applying this article to private lighting in the ETJ through agreements with property owners or as a term affixed to a conditional approval (such as a variance).

### 5.7.2 EXEMPTION.

The following are exempt from the application of the Standards of this article:

- (1) Lighting equipment required by law to be installed on motor vehicles; and
- (2) Lighting required for the safe take-off and landing of aircrafts.

### 5.7.3 PROHIBITION.

A person commits an offense by doing the following:

- (1) Installs outdoor lighting contrary to this article.
- (2) Fails to comply with any terms or conditions set forth in a permit issued under this article.
- (3) Installs outdoor lighting without obtaining a permit when the total number of the lumen outputs for all lights installed within any ninety (90)-day period is greater than 2,500 lumens.

### 5.7.4 NONCONFORMING EXISTING LIGHTING.

- 5.7.4.1 All existing outdoor lighting that was legally installed before the enactment of this article which does not conform with the Standards specified imposed by this article shall be considered nonconforming. Nonconforming outdoor lighting is allowed to remain until required to be replaced pursuant to the terms of this article.
- 5.7.4.2 If more than fifty percent (50%) of the total appraised value of a structure (as determined from the records of the county's appraisal district), has been destroyed, the nonconforming status expires and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
- 5.7.4.3 Nonconforming outdoor lighting shall be brought into conformance with this article as follows:
- (1) Nonresidential application. All existing outdoor lighting located on a subject property that is part of an application for a rezoning application, subdivision approval, or a building permit for a major addition is required to be brought into conformance with this article before final inspection, issuance of a certificate of occupancy, or final plat recordation, when applicable. For the following permits issued by the City, the applicant shall have a maximum of ninety (90) days from date of permit issuance to bring the lighting into conformance: Site development permit, sign permit for an externally or internally illuminated outdoor sign, initial alcoholic beverage permit, initial food establishment permit, and on-site sewage facility permit.
  - (2) Residential addition or remodel. Nothing herein shall be construed to terminate a residential property's nonconforming status as a result of an addition or remodel.
  - (3) Abandonment of nonconforming. A nonconforming structure shall be deemed abandoned if the structure remains vacant for a continuous period of six (6) months. In that instance, the nonconforming status expires and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
- 5.7.4.4 It is unlawful to expand, repair or replace outdoor lighting that was previously nonconforming, but for which the prior nonconforming status has expired, been forfeited, or otherwise abandoned.
- 5.7.4.5 Outdoor lighting on property used for commercial purposes that is not in conformance with this article shall be brought into conformance with this article within ten (10) years from the date of adoption of this article. For property annexed into the city limits after the date of the adoption of this UDO, the ten (10) year period established by this subsection shall commence upon the effective date of the annexation. Nothing in this subsection may be construed to allow light trespass or any other form of nuisance from outdoor lighting. A new purchaser of property may request a three-year extension to come into compliance if property is purchased within ten (10) years of the enactment of this article.

### 5.7.5 NEW LIGHTING.

5.7.5.1 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.

**TABLE 5.7(B): PUBLIC LIGHTING TYPES.**

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									

## 5.8 FENCING STANDARDS.

- 5.8.5.1 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.
- 5.8.5.2 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.
- 5.8.5.3 Fences are required to meet the site triangle standards in Section 5.6 Landscaping Standards.
- 5.8.5.4 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.

## 5.9 PERFORMANCE AND COMPATIBILITY STANDARDS.

### 5.9.1 INTENT.

- 5.9.1.1 The performance standards protect the public health, safety, and welfare by regulating potential nuisance features associated with certain land uses. Uses that generate nuisances as defined by this section or as defined by the Texas Health and Safety Code and Section 28 of The City of Castroville's Code of Ordinances shall be constructed to mitigate negative effects and separated from P3 Neighborhood zoning district.
- 5.9.1.2 The performance standards of this section shall apply to all uses, buildings, and structures within the City unless otherwise specifically exempted.

## 5.9.2 EXEMPTIONS.

The following are exempt from the performance standards of this section.

- (1) Temporary Construction. Temporary construction, excavation, and grading associated with the development and the installation of streets or utilities for which applicable permits or authorization have been issued.
- (2) Demolition Activities. Demolition activities that are necessary and incidental to permitted development on the same lot, on another of several lots being developed at the same time or in the public right-of-way or easement.

## 5.9.3 NEIGHBORHOOD COMPATIBILITY.

### 5.9.3.1 APPLICABILITY

Neighborhood compatibility standards apply to all infill development that does not require the approval of a Neighborhood Plan.

### 5.9.3.2 BUILDING DISPOSITION

Building disposition shall follow the predominant building disposition within the block face of the infill site. Alternative building disposition may be approved by warrant.

### 5.9.3.3 BUILDING SETBACKS

Front building setbacks shall be within twenty-five percent (25%) of the median front setback of the buildings within the same block as the infill site. Alternative building setbacks may be approved by warrant.

### 5.9.3.4 PARKING ACCESS AND LOCATION

Parking access and location shall be in keeping with the Place Type standards for the infill site. If the predominant parking access and location within the same block as the infill site is different than the Place Type standards, an alternative parking access and location standard to match the neighborhood standard may be approved by warrant.

### 5.9.3.5 BUILDING HEIGHT AND MASS

Building shall be constructed in concert with building massing of the buildings surrounding the property to prevent overshadowing of adjacent properties.

### 5.9.3.6 ARCHITECTURAL CHARACTER

All buildings shall be constructed to be harmonious with and architecturally integrated within the existing neighborhood.

#### 5.9.4 PERFORMANCE STANDARDS.

##### 5.9.4.1 ADAPTABILITY.

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.

##### 5.9.4.2 NOISE.

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

##### 5.9.4.3 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.

##### 5.9.4.4 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.

##### 5.9.4.5 LIGHT AND GLARE.

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.

##### 5.9.4.6 ELECTROMAGNETIC INTERFERENCE.

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



#### 5.9.4.7 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.

#### 5.9.5 VIOLATIONS OF PERFORMANCE STANDARDS.

Any use existing prior to the effective date of this UDO, that does not comply with one or more of the standards of this section shall not be deemed nonconforming uses for the purposes of this UDO.

#### 5.9.6 WARRANTS AND VARIANCES.

- 5.9.6.1 The Development Review Committee (DRC) has the discretion to approve any Administrative Plat, Site Development permit, and/or building permit that deviates less than five percent (5%) from any specific standard prescribed in the UDO. If not approved or the deviation is greater than five percent (5%).

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## 5.10 SIGN STANDARDS.

### 5.10.1 SCOPE AND PURPOSE.

Signs perform an important function by identifying businesses, services and events. Signs also direct vehicular and pedestrian traffic and warn people of dangers. The purpose of this Chapter is to regulate the size, illumination, movement, location, height, and condition of all signs placed on private property for exterior observation and provide uniform sign standards that:

- (1) Promote community pride and a positive image of the City;
- (2) Protect the rights of persons and businesses to freedom of speech under State of Texas [Texas Constitution Article I, Section 8] and Federal [United States Constitution, First Amendment] law;
- (3) Ensure consistency with State statutes relating to sign regulation;
- (4) Facilitate economic development;
- (5) Reduce the confusion and traffic hazards that result from excessive and prolific use of sign displays;
- (6) Promote public safety and protect persons and property by ensuring that signs do not create a hazard by:
  - (a) Collapsing, catching fire, or otherwise deteriorating or decaying;
  - (b) Confusing or distracting motorists;
  - (c) Impairing drivers' ability by obstructing the awareness or visibility of pedestrians, obstacles, or other vehicles, or to read traffic-control devices or signs; or
  - (d) Obstructing sidewalks and intersections which would hinder pedestrian safety;
- (7) Control the number, size, height, location, lighting, and design characteristics of signs to avoid visual clutter which leads to decline in the community's appearance and property values, and reduces the effectiveness of the signs;
- (8) Clearly identify various sign types by their physical and structural characteristics in order to:
  - (a) Make the regulations easy to use;
  - (b) Ensure proper dimensioning and placement with respect to existing and planned architectural features; and
  - (c) To maintain or improve the aesthetic character of the context where the sign(s) are located;
  - (d) Protect the residential amenities of people living in any adjoining residential units;
  - (e) Implement the Castroville Back To Our Future Comprehensive Plan and other related plans; and,
  - (f) Coordinate the City's sign regulations with the applicable Place Type zoning districts, in order to protect and promote the purpose and character of the Place Type zoning

districts.

#### 5.10.1.1 AUTHORITY:

- (1) Authority to regulate signs. This section is authorized by Article XI § 4 of the Texas Constitution, and the Texas Local Government Code including, but not limited to Chapter 211, Municipal Zoning Authority, and Chapter 216, Regulation of Signs by Municipalities.
- (2) Authority of sign administration. The Community Development Director or their designee shall administer and enforce the provisions of this section, including without limitation:
  - (a) Permits and fees. Issuing permits and collecting the fees required by this Chapter;
  - (b) Inspections. Conducting appropriate inspections to insure compliance with this Chapter;
  - (c) Appeals. Receiving and processing variances to the Zoning Board of Adjustment;
  - (d) Requiring compliance. Instituting legal proceedings, including suits for injunctive relief when necessary, to ensure compliance with this Chapter; and
  - (e) Violations. Investigating complaints of alleged violations of this Chapter.

#### 5.10.1.2 APPLICABILITY:

- (1) As of the effective date of this UDO, all erection, construction, modification, relocation, repair, maintenance, or conversion of signs within the City and its ETJ shall conform to the standards and requirements of this UDO, all State and Federal regulations concerning signs and advertising, and all applicable Building Codes.
- (2) Signs are approved by issuance of a sign permit, as provided in Section 5.10.5 Sign Administration.
- (3) There are some signs that do not require a permit, which are provided in Section 5.10.4 Signs Exempt from Requiring a Sign Permit. No sign permit is required for an exempt sign.
- (4) Signs not expressly permitted as being allowed by right or by permit under this UDO, by specific requirements in another portion of this UDO, by master plan, or otherwise expressly allowed by the City Council or the Zoning Board of Adjustment are not allowed with the city limits or the ETJ. Prohibited Signs are discussed further in Section 5.10.11 Prohibited Signs.
- (5) No restriction on content. No provision of this UDO shall be construed to regulate or restrict sign content or message. This UDO shall not be interpreted in a manner inconsistent with the United States Constitution's First Amendment guarantee of free speech.
- (6) If any provision of this UDO is found by a court of competent jurisdiction to be invalid, such



finding shall not affect the validity of other provisions of this UDO that can be given effect without the invalid provision.

- (7) These regulations are not intended to eliminate all the harm that may be created by the installation and display of signs. Rather, they seek to strike an appropriate balance that preserves alternative means of visual display while reducing and mitigating the extent of the harm caused by signs.
- (8) It is unlawful for any person to erect, construct, modify, relocate, repair, or convert any sign within the City or its ETJ without first obtaining a sign permit from, and paying a permit fee to, the Community Development Director or their designee unless specifically noted otherwise in this Chapter.
- (9) No person may install a sign or structurally alter an existing sign in conformity with this Chapter and other applicable City ordinances.
- (10) A sign described in this Chapter shall comply with the restrictions provided in the sign standards and all applicable restrictions of this Chapter, other requirements of the City of Castroville Code of Ordinances, and applicable State or Federal law. In the case of any conflicts between this and other sign regulations, the most restrictive regulation applies unless the City's authority is preempted by a higher order of government.

## 5.10.2 TYPES OF SIGNS PERMITTED WITHIN EACH PLACE TYPE ZONING DISTRICT.

**TABLE 5.10.2(A): PERMITTED SIGNS BY PLACE TYPE**

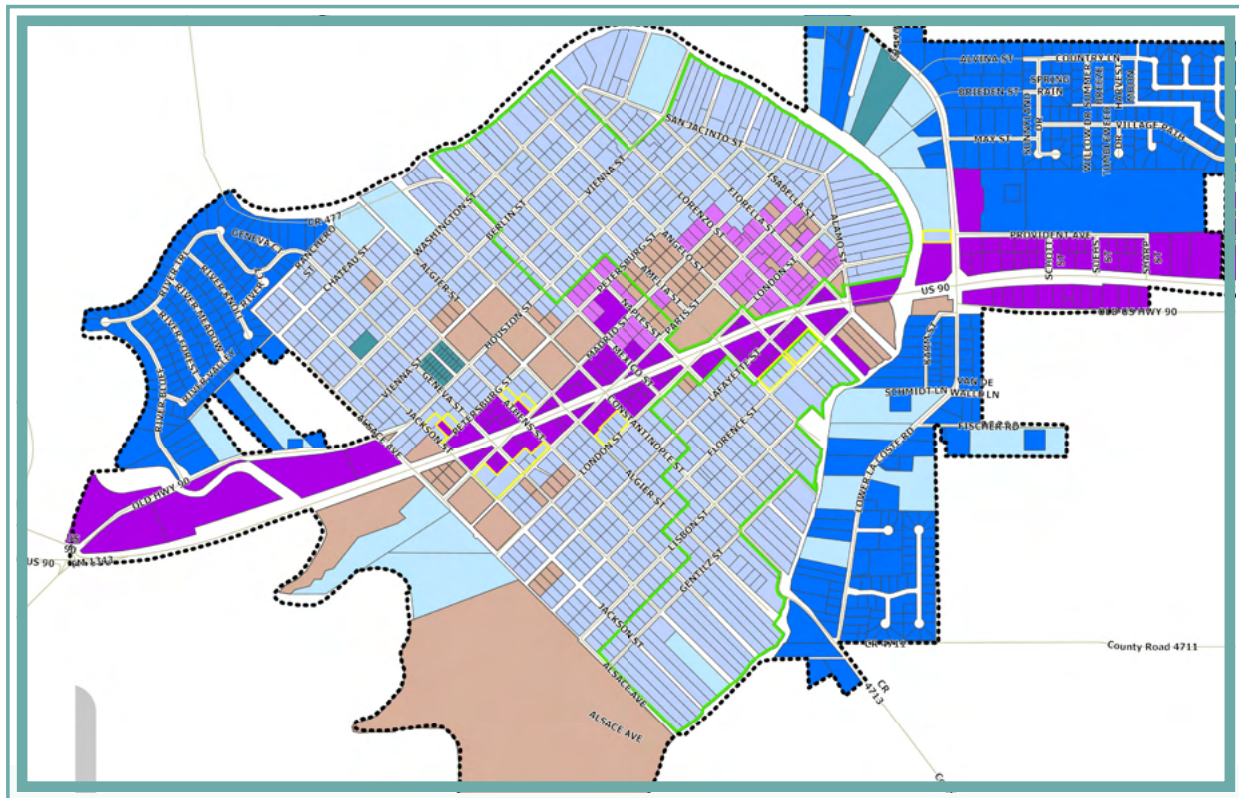
SIGN TYPES	PLACE TYPES								
	P1	P2	P2.5	P3	P3M	P4	P5	CS	EC
ADDRESS	P	P	P	P	P	P	P	P	P
NAMEPLATE	NP	NP	NP	NP	NP	NP	P	P	P
OUTDOOR DISPLAY CASE	NP	NP	NP	NP	NP	NP	P	P	P
AWNING	NP	NP	NP	NP	NP	NP	P	P	P
WINDOW	NP	NP	NP	NP	NP	P	P	P	P
BAND	NP	NP	NP	NP	NP	NP	P	P	P
BLADE / HANGING	NP	NP	NP	NP	NP	P	P	P	P
MARQUEE	NP	NP	NP	NP	NP	NP	P	NP	P
SIDEWALK	NP	NP	NP	NP	NP	P	P	P	P
YARD	NP	NP	NP	NP	NP	NP	P	NP	P
ROOF	NP	NP	NP	NP	NP	NP	NP	NP	NP
BANNERS	NP	NP	NP	NP	NP	NP	P	P	P
MONUMENT	NP	NP	NP	NP	NP	NP	NP	P	P
POLE	NP	NP	NP	NP	NP	NP	NP	NP	P

P = PERMITTED NP = NOT PERMITTED

### 5.10.3 TYPES OF SIGNS PERMITTED IN HISTORIC OVERLAY.

This section creates a special signage criteria for illuminated signs within the historic district of Downtown Castroville. The historic district is defined in the Historic Preservation chapter (see Chapter 6 and Figure 5.10.3(A) Historic District Map). The historic district incorporates Place Type zoning districts P2.5, P4 and CS. The only permitted form of illumination in the historic district is external illumination or neon or faux neon signs.

FIGURE 5.10.3(A): HISTORIC OVERLAY MAP.



#### 5.10.3.1 ILLUMINATION OF SIGNS.

- (1) The standards for individual sign types in this UDO, indicate whether illumination is allowed, and the type of illumination allowed (external illumination, neon, faux neon or halo lit).
- (2) The following illumination requirements apply to all new signs:
  - (a) Illuminated signs shall comply with all applicable provisions of the Electrical Code of the City. All electrical connections to the sign shall be placed underground. Electrical transformer boxes and raceways shall be concealed from public view. If a raceway cannot be mounted internally behind the finished exterior wall, the exposed metal surfaces of the raceway shall be finished to match the background wall or integrated into the overall sign design. If raceways are necessary, they shall never extend in width or height beyond the area of the sign's lettering or graphics.



- (b) Artificial light used in conjunction with the lighting of any sign shall not be directed or reflected onto any structure or constitute a hazard to the safe and efficient operation of vehicles upon a street or highway.
- (c) No rotating beam or flashing beacon light shall be used on any sign or sign structure.
- (d) The light source shall be shielded from view or directed so that the light intensity or brightness is directed away from the public right-of-way or any residentially used property. Ground-mounted external floodlighting shall be shielded and properly placed and directed to avoid direct visibility of the directed light to passing motorists.
- (e) No sign or associated luminaire shall create light spillover of more than 0.1 footcandles at any property line within or bounding a residential use.
- (f) Illumination by a projected light shall be an indirect spotlight or gooseneck down light. External lighting fixtures shall not cast light or glare in any direction other than on the elements of the sign. Such lighting shall be placed so as to provide even illumination to the signage and to avoid hot spots or dark areas on the signage.
- (g) Illuminated signs adjacent to residentially used property shall shut off between the hours of 11:00 p.m. and 6:00 a.m. The sign shall include an automatic shut-off mechanism to ensure that the signs are not illuminated during the time provided above.
- (h) Illuminated signs shall not operate at brightness levels of more than 0.3 footcandles above ambient light conditions at the property line, as measured using a footcandle meter. Illumination levels shall be measured in footcandles with a meter sensor in a horizontal position at an approximate height of three (3) feet above grade. Maximum illumination readings are to be taken directly beneath the luminaire. The point at which readings shall be taken is dependent upon the area classification and fixture arrangements.
- (i) An illuminated sign shall not:
  - i. Be illuminated by flashing, intermittent, or moving lights;
  - ii. Include audio, pyrotechnic, or bluecasting (bluetooth advertising) components; or

- iii. Consist of static image projected upon a stationary object.
- iv. Animated or changeable electronic variable messages.

### 5.10.3.2 CONSTRUCTION STANDARDS.

General regulations.

- (1) All signs and their locations shall comply with the provisions of the City's adopted Building and Electrical Codes as applicable and any additional standards stated in this section and other ordinances of the City.
- (2) Supports and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view to the extent technically feasible.
- (3) Freestanding signs shall be self-supporting structures and be permanently attached to sufficient foundations.
- (4) Attached signs must derive their principle and total support from the building to which they are attached.
- (5) Electrical service to illuminated signs shall be concealed to the maximum extent practicable.

### 5.10.3.3 SIGN MAINTENANCE.

All signs in the City and ETJ shall be maintained in good repair, safe, in clean condition, and in working order at all times. The Community Development Director or their designee may order the painting, repair, or removal of a sign and accompanying landscaping that constitutes a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

### 5.10.4 SIGNS EXEMPT FROM REQUIRING A SIGN PERMIT.

The following signs authorized under this section are authorized in every Place Type zoning district or property in the ETJ without a permit unless specifically required below:

- 5.10.4.1 Government signs including signs placed by the City, State, or Federal government governing in their official capacity.
- 5.10.4.2 Traffic control devices that are erected and maintained to comply with the Texas Manual on Uniform Traffic Control Devices.
- 5.10.4.3 Signs required by other law, including Federal, State, or local law, including a sign that a property owner is required to post on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically; the owner must comply with the Federal, State, or local law to post a sign on the property.
- 5.10.4.4 Official governmental notices and notices posted by governmental officers in the performance of their duties for regulatory purposes such as neighborhood crime watch areas, to identify streets, or to warn of danger including those placed by the City, County, Federal, or State.
- 5.10.4.5 Signs displayed on trucks, buses, trailers, mobile food vendors, or other vehicles that are less than thirty-two (32) square feet and are being operated as motor vehicles, provided that the primary

purpose of the vehicles is not for the display of signs and provided that they are parked in areas appropriate to their use as vehicles, are in operable condition and carry a current and valid license plate and state inspection tag. Vehicle signs shall conform to the following restrictions:

- (1) Vehicular signs shall contain no flashing or moving elements;
- (2) Vehicular signs shall not be attached to a vehicle so that the driver's vision is obstructed from any angle; and,
- (3) Signs, lights, and signals used by authorized emergency vehicles shall not be restricted.

5.10.4.6 Vending machine signs where the sign face is not larger than the normal dimensions of the machine to which the sign is attached.

5.10.4.7 Memorial signs or tablets when cut into any masonry surface or attached to a building when constructed of bronze or other metal, up to six (6) square feet as part of a building.

5.10.4.8 Real estate signs.

- (1) Signs containing the message that the real estate where the sign is located is for sale, lease, or rent together with information identifying the owner or agent.
- (2) A real estate sign may not exceed four (4) square feet in size for residential properties or sixteen (16) square feet in size for nonresidential properties.

5.10.4.9 Any sign wholly within the confines of a building and oriented to be out of view from outside the building more than three (3) feet from the shop window.

5.10.4.10 Any sign that is wholly within the confines of a sports field or court and oriented to be out of view from outside the field or court. No sign under this section may be larger than thirty-two (32) square feet. The maximum height for a field sign shall not exceed six (6) feet.

5.10.4.11 A non-commercial sign that is carried by a person or is a bumper sticker on a vehicle.

5.10.4.12 Business-related signs on or visible through doors or windows indicating: store hours, security systems, trade organization memberships, credit cards accepted, no solicitation, and open/closed. These signs will not count towards the cumulative sign area limits so long as their total cumulative sign area does not exceed five (5) square feet.

5.10.4.13 Signs at a residential property within Place Type zoning districts P2, P2.5, P3, P3M, and P4 and comply with the following conditions:

- (1) A property owner may place no more than three (3) signs on the residential property at any one time.
- (2) The maximum surface area of the sign shall not exceed three (3) square feet.
- (3) No external or internal illumination is permitted on the sign.
- (4) The sign shall not be located in, on, or over a right-of-way or utility easement.
- (5) If ground mounted, the maximum height of the sign shall not exceed three (3) feet above grade.
- (6) If attached to a building or structure, the maximum height of the sign shall not exceed six (6)

feet above grade.

- (7) The sign must be a freestanding frame or building, wall, or fence securely attached to a securely fastened to a and be well-maintained.

5.10.4.14 Flags used as political symbols being the United States and the state flags only.

5.10.4.15 One freestanding corporate flag per premise, not to exceed thirty-five (35) feet in height or one hundred (100) square feet in area is allowed in multi-family, commercial, and industrial zones or developments. Flag poles exceeding eight (8) feet in height still require a building permit.

## 5.10.5 SIGN ADMINISTRATION

### 5.10.5.1 SIGN PERMIT REQUIREMENTS.

- (1) Application for permit. An application for a sign permit must be filed with the Community Development Director or their designee.

An application shall include:

- (a) Authorization letter (signed and dated) from the property owner giving landowners permission for the sign placement on the property;
- (b) Name and address of the property where the sign(s) are to be placed;
- (c) Name, address, email address and telephone number of the owner of the property;
- (d) Name, address, email address and telephone number of the applicant;
- (e) Name, address, email address and telephone number of the contractor, if any, installing the sign;
- (f) Name, address, email address and telephone number of the electrician, if any, doing electrical work on the proposed sign;
- (g) Written description of the proposed signage;
- (h) Date when the sign(s) are to be installed;
- (i) Site plan or location plan to clearly identify the property and the position of the proposed sign(s);
- (j) An accurate (scaled or clearly dimensioned) illustration including but not limited to, height, width, appearance of the proposed sign(s);
- (k) For attached signs, an accurate (scaled or clearly dimensioned) illustration of the building façade the signs will be attached to showing the height, width, window areas, and design features of the building;
- (l) For freestanding signs, an accurate site plan (scaled or clearly dimensioned) to show

the position of the freestanding sign and the set back from the curb/pavement. Set back distances are listed in Table 5.10.6.2 (A).

- (m) Electrical plan, if applicable, showing all lighting details and shut-off switch;
  - (n) Details of the foundation for freestanding signs, if applicable;
  - (o) Details of any angle irons, chains or wires to be used as supports or braces for the proposed signs;
  - (p) Any warrant (or variance) that will be requested or has been approved and;
  - (q) The fee;
- (2) Review and decision. After a complete application is filed, the Community Development Director or their designee shall approve, approve with conditions as needed to ensure compliance with this Chapter, or deny the sign permit. If the sign permit is denied the reasons for the denial will be provided in writing.
- (3) Final inspection. After the sign permit has been issued and the sign is being constructed or erected, the sign contractor performing the work or service shall request that the Community Development Director or their designee conduct necessary inspections such as, but not limited to, foundation inspection, electrical inspection, and final inspection.
- (4) Fees. Fees for sign permits shall be as specified in the City of Castroville Fee Schedule for City Services - Planning and Community Development section. The sign permit fees shall be paid prior to plan review of the sign permit.
- (5) Expiration of sign permits. If the approved sign(s) are not completely installed within six (6) months following the issuance of a sign permit, the permit shall be voided.

## 5.10.6 SIGNS REQUIRING A SIGN PERMIT.

### 5.10.6.1 ATTACHED OR BUILDING SIGNS.

An attached or building sign is an on-premises sign that is directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign.

Building signs types:

- (1) Address Sign
- (2) Nameplate Sign
- (3) Outdoor Display Sign
- (4) Awning Sign
- (5) Window Sign
- (6) Band Sign

- (7) Blade Sign
- (8) Marquee Signs

General Requirements:

- (1) Size. The total maximum size of all the building signs combined may not exceed fifteen percent (15%) of the facade area of the tallest floor of the building to which the signs are attached are attached.
- (2) Number. More than one building sign may be erected, provided the total surface area allowed, fifteen percent (15%) of the facade area of the tallest floor, is not exceeded.
- (3) Height. No building sign may extend above the parapet wall or roof line of the building.
- (4) Projection/Clearance. With the exception of a blade and marquee signs, no building sign may project more than six (6) inches from the building wall. The blade and marquee signs that project more than six (6) inches from the wall must maintain a clear height of at least eight (8) feet above the ground.
- (5) Illumination. Building signs may only be externally illuminated. No sign may be illuminated except during operating hours of the use with which it is associated. Lighting shall be directed down toward the sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. An exception is made for neon-lit or faux neon-lit signs, which are internally illuminated. All standards must meet lighting standards within this UDO and the Outdoor Lighting Section of the Engineering Standards.
- (6) No internally illuminated signs are permitted in the Historic District of Downtown Castroville except for neon or faux neon lit signs.

#### 5.10.6.2 FREESTANDING SIGNS.

A freestanding sign is an on-premises sign not directly attached to, erected on, or supported by a building or other structure having a principal function other than the support of such sign, but instead attached to, erected on, or supported by some structure such as a pole, frame, or other structure that is not a part of the building.

Freestanding Signs Types:

- (1) Sidewalk Sign
- (2) Yard Sign
- (3) Monument and Pole Signs

General Requirements:

- (1) Size. Allocation of sign area is based on the linear frontage of the project site. A maximum sign area of one (1) square foot for each two (2) linear feet of frontage, provided that the maximum surface area does not exceed fifty (50) square feet.

- (2) Number. One freestanding sign is allowed on any lot with a single frontage. On corner lots, two (2) freestanding signs are permitted but the combined surface area of both freestanding signs cannot exceed fifty (50) square feet.
- (3) Illumination. Freestanding signs may only be externally illuminated. Lighting shall be directed down toward the sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. An exception is made for neon and faux neon-lit signs, which are internally illuminated. All standards must meet the City's Code of Ordinances.
- (4) Distance from curb/pavement:
  - (a) Distance from the curb/pavement shall mean the distance in feet from the curb or pavement edge to the nearest part of the sign.
  - (b) Height shall mean the sign measured from the ground level at the curb or pavement edge.

**TABLE 5.10.6.2 (A): DISTANCE FROM CURB/PAVEMENT**

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+



- (5) Any requests for a pole sign higher than twenty-nine (29) feet above ground level and/or increase in maximum sign surface area of fifty (50) square feet require a sign variance unless a master sign proposal has been approved.

#### 5.10.6.3 TEMPORARY SIGN(S) OR BANNER(S).

- (1) Temporary signs of all types may be approved for 30 consecutive days only. An applicant may request a warrant from the DRC for
- i. A longer time period to display a temporary sign;
  - ii. Permitted materials;
  - iii. A larger temporary sign. A larger temporary sign may be approved by warrant if the location the sign is being placed is of sufficient size to warrant the larger temporary sign. An appeal of a warrant denial by the DRC shall be heard by the ZBA for action.
- (2) Temporary sign(s) or banner(s) to advertise special events within the city limits and the ETJ are permitted providing:
- (a) A sign permit is submitted prior to the display of any temporary sign(s) or banner(s) for the special event being advertised; and
  - (b) All of the following conditions are met:
    - i. No more than three (3) temporary special event signs shall be displayed, at any one time, per non-residential property;
    - ii. Maximum of ten (10) different non-residential locations within the city limits and ETJ for each special event;
    - iii. No external or internal illuminations are permitted;
    - iv. The temporary sign shall not be located in, on, or over a right-of-way or utility easement or on public property, unless the event is sponsored by the public entity whose property the temporary sign is located;
    - v. The maximum surface area of each temporary sign shall not exceed thirty-two (32) square feet;
    - vi. The maximum height of each temporary sign above grade shall not exceed five (5) feet;
    - vii. The maximum duration for each temporary sign would be thirty (30) days prior to the special event and shall be removed within forty-eight (48) hours of the end of the special event;
    - viii. Each temporary sign or banner shall be securely attached and fastened to a building, wall, fence, or freestanding frame; and

- ix. The event organizer obtained prior authorization from each landowner and identified the position and size of each sign at each location before submitting one (1) sign permit for up to ten (10) different locations.
- (c) Banners are allowed only in non-residentially used locations. Applicants must apply for a banner sign permit prior to displaying the sign. Approved banner signs shall be displayed for thirty (30) consecutive days and for a maximum of ninety (90) days per calendar year. The following organizations shall be exempt from paying the banner permit fee:
  - i. Government/public agencies.
  - ii. Faith-based organizations.
  - iii. Non-profit organizations.
  - iv. Service clubs.
- (d) Real Estate/Finance/Construction Signs.
  - i. One (1) real estate, finance, or construction sign not exceeding sixteen (16) square feet in total area for non-residential use or mixed-use use in P4, P5, and EC may be erected at any time while a building is under construction with a valid building permit, offered for sale or lease to the public.
  - ii. Properties with a minimum frontage of at least one hundred and fifty (150) feet shall be allowed one real estate sign, finance, or construction sign not exceeding thirty-two (32) square feet in total area while a building is under construction with a valid building permit, offers for sale or lease to the public.
  - iii. All such signs shall be maintained by the persons in control of the premises so as to remain erect and in good repair. Such signs shall be removed by the property owner or other person in control of the premises if they are damaged, broken or incapable of remaining erect.
  - iv. Such signs must be removed by the owner or person in control of the premises when either the property has sold or been leased and/or when performance under the construction contract or subcontract (in the case of construction signs) has been completed. In all cases, financing and construction signs shall be removed prior to issuance of a certificate of occupancy.

## 5.10.7 SIGN STANDARDS.

### 5.10.7.1 ADDRESS SIGN

**DESCRIPTION:** A sign, generally applied to a building wall, that displays a building's address.



#### ADDRESS SIGN SPECIFIC STANDARDS

- (1) Address sign numerals applied to a house-form residential, commercial, or office buildings shall be between four (4) and six (6) inches tall. Address sign numerals applied to individual dwelling units in apartment buildings shall be at least two (2) inches tall.
- (2) Address signs shall be easily visible by using colors or materials that contrast with their background.
- (3) Address signs shall be constructed of durable materials.
- (4) The address sign shall be attached to the front of the building in proximity to the principal entrance or at a mailbox.
- (5) Address signs shall not be internally illuminated.

#### SPECIFICATIONS

<b>QUANTITY</b>	1 per address maximum.	<b>DEPTH</b>	3 inch maximum.
<b>AREA</b>	2 square feet maximum.	<b>CLEARANCE</b>	4.5 feet maximum.
<b>WIDTH</b>	24 inch maximum.	<b>LETTER HEIGHT</b>	6 inch maximum.
<b>HEIGHT</b>	12 inch maximum.	<b>ADDITIONAL</b>	See 5.10.7 & 5.10.4

### 5.10.7.2 MARQUEE SIGN

**DESCRIPTION:** A structural feature of a building that provides shelter and sign space.



#### MARQUEE SIGN SPECIFIC STANDARDS

- (1) Marquees shall be located only above the principal entrance of a building.
- (2) Marquees may encroach the public frontage to within two (2) feet of the curb.
- (3) Marquees shall be located only above the principal entrance of a building.
- (4) No marquee shall be wider than the entrance it serves, plus two (2) feet on each side thereof.
- (5) Marquee signs that encroach into the public frontage shall clear the sidewalk by at least ten (10) feet measured vertically.
- (6) Columns or posts may be used as supports for marquees eight (8) feet deep or deeper if approved by the Development Review Committee.
- (7) All marquees, including anchors, bolts, supporting rods, and braces, shall be constructed of non-combustible materials and shall be designed by a structural engineer and submitted for approval to the building official.
- (8) Marquee components and materials may vary. Anchors, bolts, and supporting rods should be limited to the interior of the marquee.
- (9) Non-illuminated and static message boards shall be permitted as part of marquees.
- (10) A band sign shall be permitted above a marquee.
- (11) Marquee signs shall not be internally illuminated.

#### SPECIFICATIONS

<b>QUANTITY</b>	1 per business maximum.	<b>PROJECTION</b>	4 feet - 10 feet.
<b>AREA</b>	N/A	<b>CLEARANCE</b>	10 feet minimum.
<b>WIDTH</b>	Entrance plus 2 feet each side.	<b>LETTER HEIGHT</b>	N/A
<b>HEIGHT</b>	50% story height maximum.	<b>DISTANCE FROM CURB</b>	2 feet minimum.
		<b>ADDITIONAL</b>	See 5.10.7 & 5.10.4

### 5.10.7.3 WINDOW SIGN

**DESCRIPTION:** A sign affixed to the interior or exterior of a window or placed within three (3) feet of a window for the purpose of being visible from the exterior of the window.



#### WINDOW SIGN SPECIFIC STANDARDS

- (1) Window signs shall not interfere with the primary function of windows, that is to enable passersby and public safety personnel to see through windows into premises and view product displays.
- (2) Only the following window sign types shall be permitted:
  - (a) Vinyl applique letters applied to the window. Appliques shall consist of individual letters or graphics with no visible background.
  - (b) Letters painted directly on the window.
  - (c) Hanging signs that hang from behind the window.
  - (d) Neon or faux neon signs.
  - (e) Door signs applied to or hanging inside the glass portion of an entrance doorway.
- (3) Window signs shall not cover more than thirty percent (30%) of the total area of the window space onto which they are applied. Sign area shall be measured using smallest rectangle that fully encompasses the entire extent of letters, logo and background.
- (4) Window signs may list services and/or products sold on the premises, or provide phone numbers, operating hours or other messages, provided that the total aggregate area of these messages not exceed the limit provided above.

#### SPECIFICATIONS

QUANTITY	1 per window maximum.	DEPTH	N/A
AREA	30% coverage per window.	CLEARANCE	4 feet minimum.
WIDTH	N/A	LETTER HEIGHT	8 inch maximum.
HEIGHT	N/A	ADDITIONAL	5.10.7 & 5.10.4

#### 5.10.7.4 NAMEPLATE SIGN

**DESCRIPTION:** A sign consisting of either a panel or individual letters applied to a building, listing the names of businesses or building tenants.



#### NAMEPLATE SIGN SPECIFIC STANDARDS

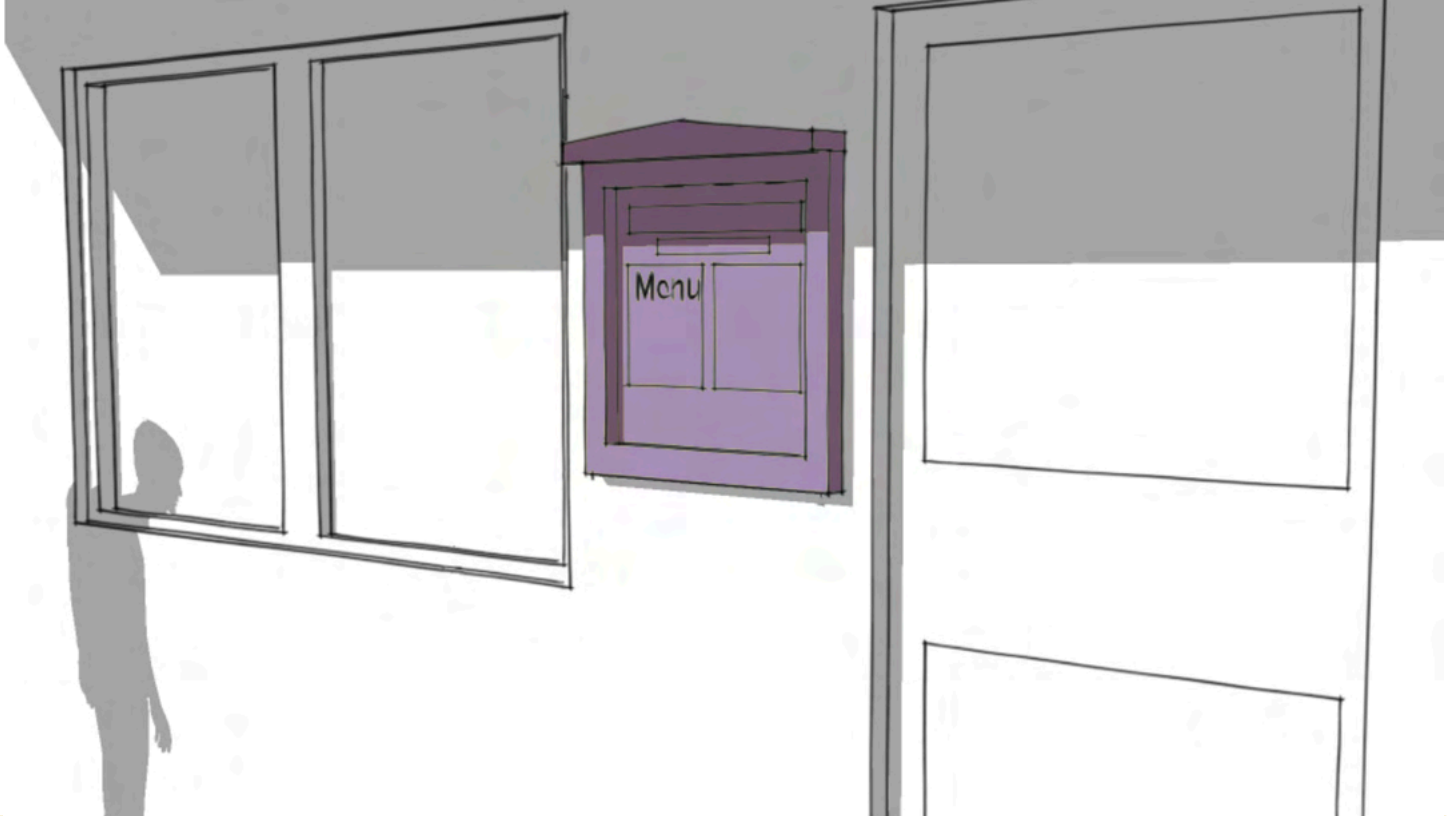
- (1) One (1) nameplate per address.
- (2) Nameplates shall consist of either a panel or individual letters applied to a building wall within ten (10) feet of an entrance to the building.
- (3) One (1) nameplate shall be permitted per address.
- (4) Nameplates shall not exceed three (3) square feet.
- (5) Nameplates shall be constructed of durable materials.
- (6) Alley signs follow nameplate sign standards. Nameplate signs in alleys may be further than ten (10) feet from the entrance of the building if building does not have a public entrance from the alley.

#### SPECIFICATIONS

<b>QUANTITY</b>	1 maximum. 1 maximum alley sign in addition.	<b>DEPTH</b>	3 inches maximum.
<b>AREA</b>	3 square feet maximum. 6 square feet maximum for alley signs.	<b>CLEARANCE</b>	4 feet maximum.
<b>WIDTH</b>	18 inches maximum. 24 inches for alley signs.	<b>LETTER HEIGHT</b>	N/A
<b>HEIGHT</b>	2 feet maximum. 3 feet for alley signs.	<b>APEX</b>	7 feet maximum.
		<b>ADDITIONAL</b>	See 5.10.7 & 5.10.4

### 5.10.7.5 OUTDOOR DISPLAY CASE SIGN

**DESCRIPTION:** A sign consisting of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a building wall or freestanding support. It allows the contents, such as menus or maps, to be maintained and kept current.



#### OUTDOOR DISPLAY CASE SIGN SPECIFIC STANDARDS

- (1) Outdoor display case shall not exceed six (6) square feet measured externally.
- (2) Outdoor display cases may be externally or internally illuminated.
- (3) Theaters may be permit larger outdoor display cases by variance.
- (4) Outdoor display cases shall not be attached to shopfront windows.

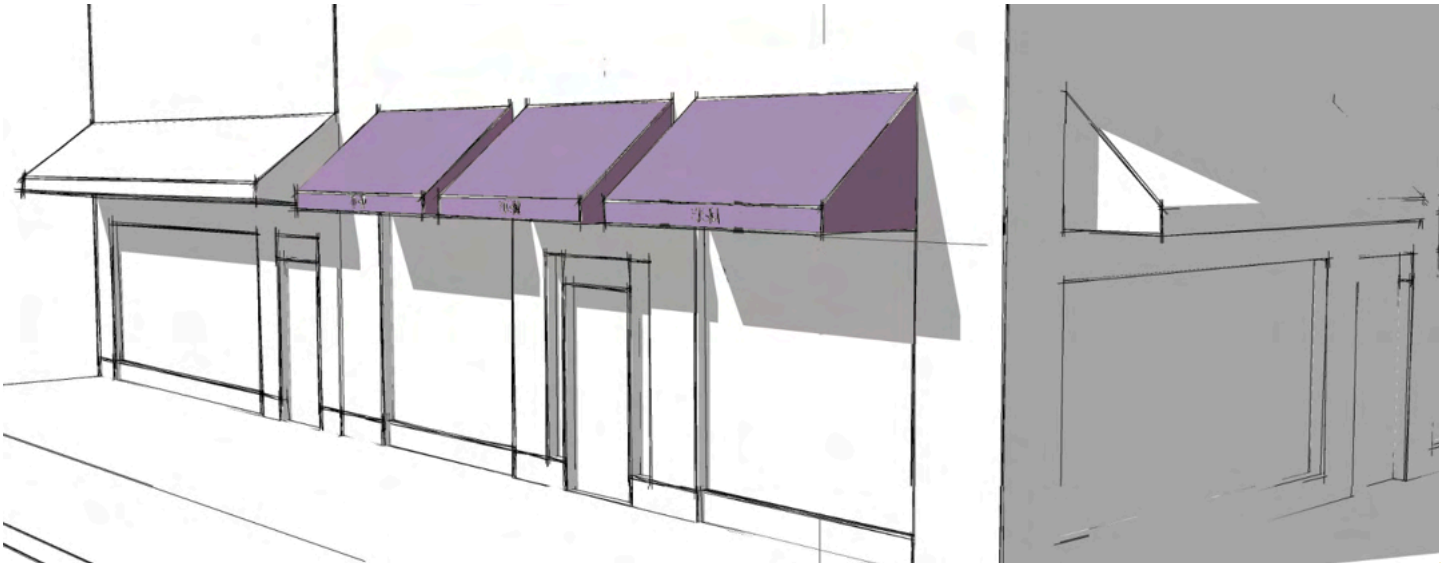
#### SPECIFICATIONS

QUANTITY	1 maximum.	DEPTH	5 inches maximum.
AREA	6 square feet maximum.	CLEARANCE	4 feet minimum.
WIDTH	3.5 feet maximum.	LETTER HEIGHT	N/A
HEIGHT	3.5 feet maximum.	ADDITIONAL	See 5.10.7 & 5.10.4



### 5.10.7.6 AWNING SIGN

**DESCRIPTION:** Lettering applied directly on the valance or other vertical portion of an awning.



#### AWNING SIGN SPECIFIC STANDARDS

- (1) Awning signage shall be limited to no more than seventy percent (70%) of valance of the awning or the vertical portion of a dome awning.
- (2) The height of the valance shall not exceed twelve (12) inches.
- (3) Awning signs shall contain only the business name, logo, and/or street address.
- (4) The following variations of awnings, with or without sign bands, are permitted: (a) fixed or retractable; awnings; (b) shed awnings; (c) dome awnings.
- (5) Other awning types may be permitted by variance.
- (6) Signage shall be limited to the valance of the awning or the vertical portion of a dome awning.
- (7) No portion of an awning shall be lower than eight (8) feet clearance.
- (8) Awnings shall be a minimum of four (4) feet in depth.
- (9) Awnings shall not extend beyond the width of the building or tenant space, nor encroach above the roof line or the story above.
- (10) Letters, numbers, and graphics shall cover no more than seventy percent (70%) of the valance area.
- (11) Awning signs shall not be internally illuminated or backlit.

#### SPECIFICATIONS

<b>QUANTITY</b>	1 per window maximum.	<b>DEPTH/PROJECTION</b>	4 feet minimum.
<b>AREA</b>	N/A	<b>CLEARANCE</b>	8 feet minimum.
<b>WIDTH</b>	70% of the width of face maximum.	<b>LETTER HEIGHT</b>	5 - 12 inches.
<b>HEIGHT</b>	N/A	<b>DISTANCE FROM CURB</b>	2 feet minimum.
<b>VALANCE HEIGHT</b>	12 inch maximum.	<b>ADDITIONAL</b>	See 5.10.7 & 5.10.4

### 5.10.7.7 BAND SIGN

**DESCRIPTION:** A sign that is attached flat on the exterior front, rear, or side wall of any building or other structure.



#### BAND SIGN SPECIFIC STANDARDS

- (1) Band sign limited to ninety percent (90%) of the width of the building facade shall be permitted for each building with a commercial use and a valid certificate of occupancy.
- (2) One (1) band sign is permitted on each first story facade of the building.
- (3) Band signs shall include only letters, background, lighting, and an optional logo. Information shall consist only of the name and/or logo of the business. Band signs shall not list products, sales, or other promotional messages, or contact information.
- (4) The following band sign construction types are permitted except for the Historic District of Downtown Castroville (See 5.10.3):
  - (a) Cut-out letters. Letters shall be individually attached to the wall or on a separate background panel, and shall be externally illuminated.
  - (b) Flat Panel. Letters shall be printed or etched on same surface as the background, that is then affixed to the wall and externally illuminated.
  - (c) Channel letters by variance. Each letter shall have its own internal lighting element, individually attached to the wall or onto a separate background panel. The letter shall be translucent, or solid to create a backlit halo effect.

#### SPECIFICATIONS

<b>QUANTITY</b>	1 maximum. 2 maximum for corner buildings.	<b>DEPTH/PROJECTION</b>	7 inch maximum.
<b>AREA</b>	1.5 square feet per linear feet of facade.	<b>CLEARANCE</b>	7 feet minimum.
<b>WIDTH</b>	90% maximum width of facade.	<b>LETTER HEIGHT</b>	18 inch maximum.
<b>HEIGHT</b>	3 feet maximum.	<b>CLEARANCE</b>	7 feet minimum.
<b>ILLUMINATION</b>	External permitted, internal requires variance	<b>ADDITIONAL</b>	See 5.10.7 & 5.10.4

### 5.10.7.8 BLADE SIGN

**DESCRIPTION:** A sign mounted on the building facade, projecting at a 90-degree angle.



#### BLADE SIGN SPECIFIC STANDARDS

- (1) Blade signs shall be permitted only for businesses that have a principal entrance on the first story and have a valid certificate of occupancy.
- (2) One (1) blade sign shall be permitted for each unit if the facade is no more than five (5) feet from the front property line.
- (3) Businesses that have a secondary property line that is no more than two (2) feet from the facade shall be permitted one (1) additional blade sign on the secondary facade.
- (4) Blade signs may encroach into the public frontage up to four (4) feet and shall clear the sidewalk by at least eight (8) feet measured vertically.
- (5) Blade signs shall be limited to the name and/or logo of the business.
- (6) Slogans, address labels, operating hours and contact information shall not be permitted on a blade sign.
- (7) Blade signs may be double-sided.
- (8) Blade signs shall not encroach above the roof line nor above the bottom of the second story window.
- (9) Mounting hardware, such as supports and brackets, may be simple and unobtrusive or highly decorative, but shall complement the design of the sign, the building, or both.
- (10) For buildings with multiple signs, mounting hardware or sign shapes, sizes and colors shall be coordinated.
- (11) Blade signs shall be internally illuminated.

#### SPECIFICATIONS

<b>QUANTITY</b>	1 per facade maximum. 2 maximum for corner buildings.	<b>DEPTH/PROJECTION</b>	4 feet maximum.
<b>AREA</b>	6 square feet maximum.	<b>CLEARANCE</b>	8 feet minimum.
<b>WIDTH</b>	4 feet maximum.	<b>LETTER HEIGHT</b>	8 inches maximum.
<b>HEIGHT</b>	4 feet maximum.	<b>ADDITIONAL</b>	See 5.10.7 & 5.10.4

### 5.10.7.9 SIDEWALK SIGN

**DESCRIPTION:** A movable freestanding sign that is typically double-sided, placed at the entrance to a business to attract pedestrians.



#### SIDEWALK SIGN SPECIFIC STANDARDS

- (1) Sidewalk signs shall consist of freestanding, double-sided temporary signs placed at the entrance to a business in a primarily pedestrian environment.
- (2) Sidewalk signs shall be removed at the close of business each day.
- (3) One (1) sidewalk sign shall be permitted per business with a valid certificate of occupancy at that location.
- (4) Sidewalk signs shall not exceed four (4) feet in height or three (3) feet in width.
- (5) Sidewalk signs shall be moved inside during high winds or other weather conditions that might pose a hazard to public safety.
- (6) Sidewalk signs must be weighed down to prevent tipping, collapsing or being blown away.
- (7) Sidewalk signs shall not be left out on the sidewalk overnight.

#### SPECIFICATIONS

QUANTITY	1 per building maximum.	PROJECTION	3 feet maximum.
AREA	12 square feet maximum.	CLEARANCE	4 feet maximum.
WIDTH	3 feet maximum.	LETTER HEIGHT	N/A
HEIGHT	4 feet maximum.	APEX	4 feet maximum.
		ADDITIONAL	See 5.10.7 & 5.10.4

### 5.10.7.10 YARD SIGN

**DESCRIPTION:** A permanent freestanding sign in the Private Frontage, including a supporting post or posts.



#### YARD SIGN SPECIFIC STANDARDS

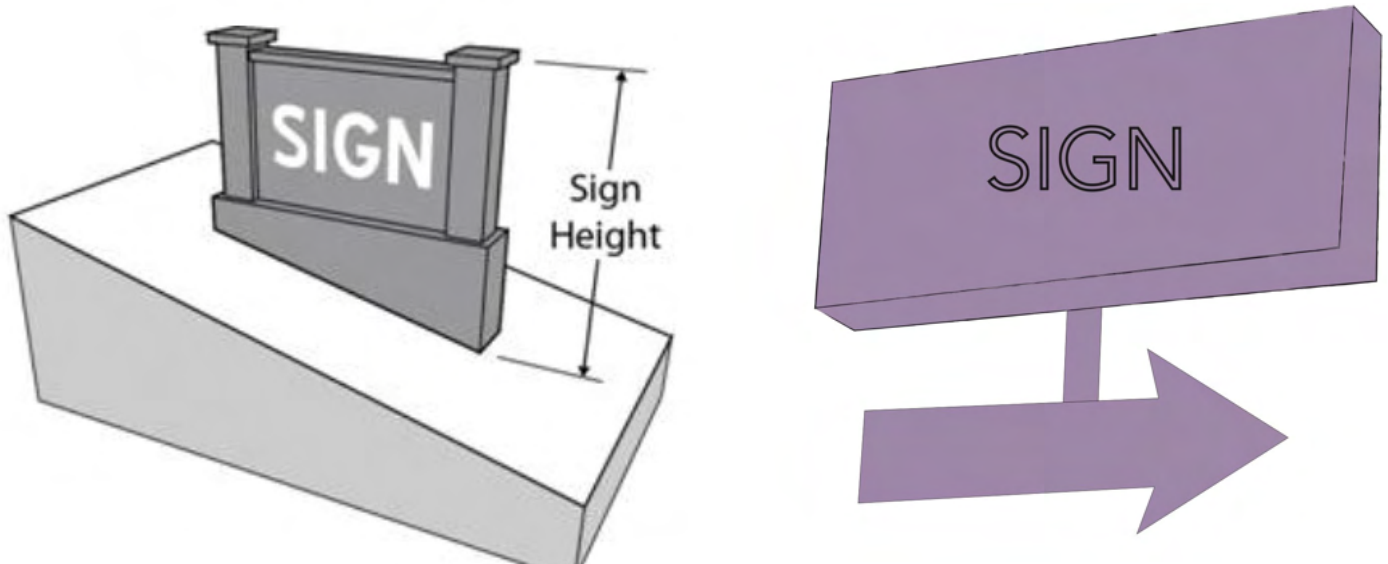
- (1) One (1) single or double-post yard sign may be placed within the private frontage and first layer of a lot.
- (2) One (1) single or double-post yard sign for each business may be permitted by variance.
- (3) The yard sign must be set back at least six (6) feet from the front property line, does not exceed six (6) square feet in area excluding posts, and does not exceed six (6) feet high including posts, measured from the ground at the post location.

#### SPECIFICATIONS

<b>QUANTITY</b>	1 per lot maximum.	<b>DEPTH</b>	N/A.
<b>AREA</b>	6 square feet maximum.	<b>CLEARANCE</b>	Minimum 3 feet above ground level.
<b>WIDTH</b>	3 feet maximum (not counting post.)	<b>LETTER HEIGHT</b>	8 inch maximum.
<b>HEIGHT</b>	2 feet maximum (not counting post.)	<b>APEX</b>	Maximum 6 feet to top of post from ground level.
		<b>ADDITIONAL</b>	See 5.10.7 & 5.10.4

### 5.10.7.11 MONUMENT AND POLE SIGN

**DESCRIPTION:** A sign permanently affixed to the ground at its base or by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to any part of a building. Pole(s) may be used to construct a monument sign so long as the poles are not visible below the sign.



#### MONUMENT AND POLE SIGN SPECIFIC STANDARDS

- (1) A monument sign can be defined as a ground sign generally having a low profile with little or no open space between the ground and the sign and having a structure constructed of masonry, wood, or materials similar in appearance.
- (2) One (1) monument or pole sign permitted on each lot with a valid certificate of occupancy.
- (3) See setback requirements in Section 5.10.6.2 Freestanding Signs.
- (4) How to measure:
  - (a) Maximum total height is measured from the finished grade at the center of the sign. If the finished grade at the center of the sign is higher than the finished grade of the closest paved surface, then the height shall be measured from the finished grade of the closest paved surface.
  - (b) The monument base shall be a maximum of two (2) feet in height and shall be included in the calculation of maximum total height.
  - (c) A monument sign width cannot exceed four (4) times the allowable sign height.

#### SPECIFICATIONS

QUANTITY	1 maximum per frontage.	HEIGHT TO WIDTH RATIO	4:1 minimum.
AREA	16 square feet maximum for monument sign. 50 square feet maximum for pole sign.	HEIGHT	See table 5.10.6.2
		ADDITIONAL	See 5.10.7 & 5.10.4



## 5.10.8 CASTROVILLE MUNICIPAL AIRPORT

No sign shall be constructed to a height that violates any maximum height restrictions established by the State Department of Transportation and/or the Federal Aviation Administration.

## 5.10.9 POLITICAL SIGNS.

Except as provided in subsection 5.10.9.1 below, it shall be unlawful for any person to post a political campaign sign on or over any public property in the City.

5.10.9.1 A temporary political campaign sign or literature may be placed on public property that serves as an early voting location or an election day voting location. Only signs and literature that refer to a candidate or issue that is on the ballot at a particular voting location may be placed at that voting location. A maximum of ten (10) signs per candidate or issue may be placed at each polling location. Each temporary political sign or literature placed on public property being used as a polling location may not:

- (1) Have an effective area greater than three (3) square feet;
- (2) Be more than four (4) feet high;
- (3) Be illuminated or have any moving elements;
- (4) Be within one hundred (100) feet of an outside door through which a voter may enter the public building;
- (5) Be on driveways, parking areas, or medians within parking areas on the premises, with the exception of political campaign signs attached to vehicles lawfully parked at the premises;
- (6) Be attached, placed or otherwise affixed in any area designated as a planting or landscaped area or to any tree, shrub, building, pole or other improvement;
- (7) Be placed within ten (10) feet of the public roadway adjacent to the premises;
- (8) Be placed on the premises earlier than twenty-four (24) hours before the commencement of early voting if being placed at an early voting location or the commencement of election day voting if being placed at an election day voting location; and
- (9) Remain on the premises more than twenty-four (24) hours after early voting has ended if placed at an early voting location or after election day voting has ended if being placed at an election day voting location.

5.10.9.2 In a campaign for political office, the candidate for such office shall be deemed the person responsible for the posting of political campaign signs, unless he first notifies the City Clerk of another person who is responsible. In such cases, the candidate shall provide the name, address, telephone number, and signed consent of such other responsible person. In a campaign regarding a ballot measure, the president of the committee supporting or opposing such ballot measure shall be deemed responsible, unless he first notifies the City Clerk of another person responsible, in the manner described above. Such candidate, committee president, or other designated person shall be subject to prosecution for any violation of this section.

5.10.9.3 Members of the City staff are hereby authorized and directed to remove any political campaign sign found posted within the corporate limits of the City when such sign is in violation of the provisions of this section.



5.10.9.4 All political campaign signs posted on public property in violation of this section are hereby declared to be public nuisances and may be abated as such by the City. All political campaign signs posted on public property shall be deemed to be abandoned and shall become the property of the City and may be disposed of at the discretion of the City.

#### 5.10.10 SIGN ADMINISTRATION - PERMITTING.

5.10.10.1 The City shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within twenty-one (21) calendar days after full payment for the sign permit. Any application that complies with all provisions of this UDO, the Building Code, and other applicable laws, standards, and ordinances shall be approved after a plan review of the sign document.

- (1) If the application is rejected, the City shall provide, in writing, a list of the reasons for the rejection. An application shall be rejected for non-compliance with the terms of this UDO, Building Code, Engineering Standards, or other applicable laws, standards, or ordinance. If the permit application does not comply with the City ordinances after one resubmission and review by City and no variances have been applied for, the applicant must pay a reapplication fee for each and every subsequent resubmission before the City will review each application again.
- (2) If the City have not determined the sign permit within twenty-one (21) calendar days after full payment of the sign permit, the applicant can request a determination by the ZBA. This does not apply to Master Sign Plans.

5.10.10.2 If a sign is not completely installed within six (6) months following the issuance of a sign permit, the permit shall be void. The City may revoke a sign permit under any of the following circumstances:

- (1) The City determines that information in the application was materially false or misleading;
- (2) The sign as installed does not conform to the sign permit application;
- (3) The sign violates this UDO, Building Code, Engineering Standards, or other applicable law, standard, or ordinance; or
- (4) The City determines that the sign is not being properly maintained or has been abandoned.

5.10.10.3 If the City denies a permit, the applicant may appeal through a variance to the City Council.

5.10.10.4 All applications for permits shall include a drawing to scale of the proposed sign and all existing signs maintained on the premises and visible from the right-of-way, a drawing of the lot plan or building facade indicating the proposed location of the sign, and specifications for its construction, lighting, motion, and wiring, if any. All drawings shall be of sufficient clarity to show the extent of the work.

5.10.10.5 Only those individuals who properly obtained a permit from the City, the City's designee, or other statutorily required permit or approval shall receive a permit to erect or alter any sign. Permits for the installation, erection, or alteration of any electrical components on a sign shall be issued only to those individuals who hold a commercial sign operator's license and master electrician's license. It is an offense for any person licensed under the provisions of this UDO to obtain a permit on behalf of, or for the benefit of, any unlicensed person whose business activities are such that such

unlicensed person would need a license to obtain a permit.

5.10.10.6 No permit for the erection or alteration of any sign over any sidewalk, alley, or other public property, or on or over any roof or building shall be issued to any person except upon the condition that the permit may be withdrawn at any time, at which time the sign shall be immediately removed by the responsible party, who will also be liable under the penalties provided for in this UDO.

5.10.10.7 A new permit shall not be issued when:

- (1) An existing billboard (off-premises) sign is in a deteriorated, unsafe, or unsightly condition.
- (2) A sign on the premises is not in compliance with this UDO.
- (3) Written authorization of the property owner where the sign is to be placed has not been obtained.
- (4) No inspections have been scheduled or there are failed inspections on a previous site permit issued at the property.
- (5) No permit shall be issued until all applicable fees have been paid to the City. Fees may be subject to change without prior notification. The sign permit fee schedule shall be in accordance with the fee schedule enacted by the City Council.
- (6) Before any permit may be issued for a new sign under this Chapter, the responsible party shall modify or remove any of its own nonconforming signs on the same property which they are responsible for to conform to the provisions of this Chapter. This provision does not apply to real estate signs, banners, temporary signs, or sidewalk signs. This provision does not apply to nonconforming signs with a variance.

### 5.10.11 PROHIBITED SIGNS.

5.10.11.1 All signs are prohibited in the city limits and the ETJ unless:

- (1) Constructed, maintained, structurally altered, or improved pursuant to a valid permit when required under this UDO; and,
- (2) Expressly authorized under this UDO.

5.10.11.2 Signs that cannot be expressly authorized include:

- (1) All Internally illuminated signs except for
  - (a) Neon signage and faux neon signage in the Historic District of the City of Castroville, and
  - (b) Neon signage, faux neon signage, halo backlighting and channel cut letters where only the letters or business symbols are illuminated outside the Historic District.

- (2) Animated or changeable electronic variable message signs.
- (3) Signs located in or projected over any public right-of-way or across the public right-of-way extended across a railroad right-of-way, except when attached to and projecting no more than eighteen (18) inches from a building wall legally located at or near the right-of-way line in the city limits or in the ETJ.
- (4) Portable signs.
- (5) Off-premise signs (including billboards) containing commercial advertising for the sale, rent, or lease of goods, real property, or services.
- (6) Signs with lights that blink, fluctuate, flash, or move. Light rays must shine only upon the sign and upon the property within the premises where the sign is located.
- (7) Signs that emit sound, odor, pyrotechnic, blue casting (bluetooth advertisements) or visible matter components.
- (8) Signs of size, location, movement, coloring, or manner of illuminating that may be confused with or construed as a traffic control device.
- (9) Signs that are attached to any utility pole or wire, traffic sign, or public easement, trees, shrubs, mailboxes, benches, tires, pallets, or similar structures, or are placed on a government-owned property unless placed by written permission of the governmental entity.
- (10) Signs that obstruct any fire escape, required exit, window, or door opening intended as a means of egress.
- (11) Feather banners.
- (12) Commercial signs or advertising materials that are worn, held, or attached to a person's body advertising the sale of goods, real property, or services.
- (13) Balloon signs.
- (14) Banners in Place Type zoning districts: P1, P2, P2.5, P3, P3M.
- (15) Inflatable signs.
- (16) Pennants.
- (17) Pole signs other than along lots addressed off of Highway 90.
- (18) Roof signs (including signs that are otherwise authorized but are placed on a roof or on a mobile food vendor or vehicle).
- (19) Signs on vacant lots or undeveloped property without a building permit except for a valid real estate sign.
- (20) Signs painted on rooftops.
- (21) Signs placed or attached to trees, bushes, planters, benches, or other pedestrian elements.
- (22) Flags with a commercial message.
- (23) Signs with prohibited illumination.

(24) Off-premises signs (billboard)

- (a) No permit for alteration or relocation may be issued for an off-premises sign.
- (b) An off-premises sign may not be altered regarding the amount of surface area, shape, orientation, height, illumination, or location without the prior issuance of a sign alteration or relocation permit. Ordinary and routine necessary repairs that do not change the size, shape, orientation, height, illumination, or location of an inventoried off-premises sign do not require an alteration permit. A sign alteration permit expires if the approved modifications are not completed within ninety (90) days of permit issuance.
- (c) If the City finds that any off-premises sign is not maintained in good repair, the City will notify and order the owner to repair the sign within thirty (30) calendar days. If the City finds that the sign structure or sign area of an off-premises sign has deteriorated more than sixty percent (60%) of its replacement value or is not repaired within thirty (30) calendar days, the City shall notify the owner of the off-premises sign and the owner of the real property where the off-premises sign is located to remove the off-premises sign or poster panel from the property within a specified time. Replacement of more than sixty percent (60%) of an off-premises sign during one calendar year shall void the legal nonconforming status of the sign and require immediate removal or conformance with current standards. All off-premises signs ordered to be removed shall be stricken from the authorized list.
- (d) No existing billboard shall exceed forty (40) feet in height from the ground level. No existing billboard shall interfere with the visibility of pedestrians or drivers of motor vehicles at street intersections or otherwise obstruct traffic or create a traffic hazard.

### 5.10.12 NONCONFORMING SIGNS.

- 5.10.12.1 Signs in existence prior to this UDO. A sign existing on the effective date of this UDO that violates this UDO or any other ordinance, and a sign that comes under the jurisdiction of this UDO due to the expansion of the City, is a legal nonconforming sign and may be continued, repaired, and maintained in good condition, but may not be otherwise altered, enlarged upon, or expanded. However, the content of the sign can be changed.
- 5.10.12.2 Voluntary removal of a nonconforming sign for purposes other than maintenance shall terminate its status as a legal nonconforming sign. Replacing a sign cabinet is not considered maintenance.

## 5.11 ENFORCEMENT

### 5.11.1 BENEFICIARY PRESUMED.

- 5.11.1.1 The primary beneficiary of any sign installed, used, or maintained in violation of this sign Ordinance, as amended, is presumed to have authorized or caused, either directly or indirectly, the installation, use or maintenance of the sign in violation of this Ordinance.
- 5.11.1.2 If the Sign Administrator determines that any sign is installed, used, or maintained in violation of this Sign Ordinance, as amended, the Sign Administrator shall provide written notice to the owner or primary beneficiary of such sign. A reasonable period of time will be given to remove the sign, or, to remedy all nonconforming or nuisance elements of the sign and bring it into compliance with the Sign Ordinance. This notice shall be provided to the owner or primary beneficiary of the sign by certified and first class mail or by personal delivery.
- 5.11.1.3 The owner or primary beneficiary who violates or causes, allows or permits a violation of this sign Ordinance shall be deemed guilty of a misdemeanor and upon conviction in the Municipal Court of the City shall be subject to a fine in accordance with the general penalty for violations of the City of Castroville Land Development Code and City of Castroville Code of Ordinances, as amended.
- 5.11.1.4 In addition, and without prejudice to, the penalties and remedies stated herein, the City may also enforce these provisions and pursue any and all available legal remedies, including but not limited to injunctive relief and recovery of damages and/or civil penalties under chapter 54 of the Texas Local Government Code, as amended.
- 5.11.1.5 If the person fails to alter or remove the sign or comply with this sign Ordinance within the period of time prescribed by the notice of violation or, the Municipal Court ruling, the Sign Administrator may enter the property and cause the sign to be altered or removed to effect the compliance with this sign Ordinance, as amended, at the expense of the primary beneficiary. A sign removed under this provision shall be held for a period of no less than 30 days after its removal and before disposal of the removed sign. The Sign Administrator shall return the sign to its owner upon payment of the incurred removal expenses and storage fees.
- 5.11.1.6 The Sign Administrator shall notify the owner or person entitled to possession of the sign or property of the total actual expenses incurred for the alteration or removal of the sign. If that person fails within 30 days after the date of notification to pay the entire expenses of the repair, alteration, removal or storage costs, then the expenses may be recorded as a lien against the property. These expenses shall include:
- (A) The actual cost of repair or removal of the sign plus storage costs and administrative costs;
  - (B) An amount representing penalty and interest at the prevailing judgment rate for the cost of collection; and
  - (C) Reasonable attorney's fees.
- 5.11.1.7 If expenses are incurred for the alteration or removal of a sign pursuant to this subsection, no permit shall be renewed or issued for the property upon which any such sign exists or existed unless and until such expenses authorized by this subsection are paid in full.

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# CHAPTER 6

## HISTORIC PRESERVATION



## 6.1 HISTORIC PRESERVATION

### 6.1.1 PURPOSE

The City Council of Castroville, Texas, hereby declares that as a matter of public policy, the protection, enhancement, and perpetuation of designated landmarks and districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. This ordinance is intended to:

- (1) Protect and enhance the designated landmarks and historic districts which represent distinctive elements of Castroville's historic, architectural, and cultural heritage;
- (2) Foster civic pride in the accomplishments of the past;
- (3) Protect and enhance Castroville's attractiveness to visitors and the support and stimulus to the economy thereby provided;
- (4) Ensure the harmonious, orderly, and efficient growth and development of the City that is sensitive to its historic resources;
- (5) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of historic properties within the City;
- (6) Encourage stabilization, restoration, and improvements of such properties and their values by offering incentives for rehabilitation.

### 6.1.2 HISTORIC PRESERVATION OFFICER

The City Administrator or their designee shall appoint a qualified City official or staff person to serve as Historic Preservation Officer (HPO). The City may utilize in-house staff or contract using those individuals whose expertise are required to deliberate on specific, related matters. In addition, the planning department will be responsible for coordinating the City's preservation activities with those of state and federal agencies and with local state, and national preservation organizations.

Responsibilities. The HPO shall be empowered to:

- (1) Administer this UDO and advise the HLC on matters submitted to it.
- (2) Maintain and hold open for public inspection all documents and records pertaining to the provisions of this UDO.
- (3) Receive and review all applications pursuant to this UDO to ensure their completeness.
- (4) Review and take action on all certificates of appropriateness applications subject to administrative review pursuant to this UDO.
- (5) Review and forward with any recommendations all applications for certificates of appropriateness subject to review by the HLC pursuant to this UDO.
- (6) Ensure proper posting and noticing of all Commission meetings, schedule applications for Commission review, provide information packets to its members prior to the meetings, record meeting minutes, and facilitate all Commission meetings.

- (7) Review and help coordinate the City's preservation and urban design activities with those of local, state, and federal agencies and with local, state, and national preservation organizations in the private sector.

### 6.1.3 CONTINUATION OF HISTORIC PROPERTIES AND DISTRICTS

- 6.1.3.1 Properties that, as of the date of the adoption of this UDO, are within the existing historic districts and designated landmark properties regulated by the HLC under the existing code of ordinances and that are listed as a Recorded Texas Historic Landmark (RTHL) or State Archaeological Landmark (SAL), or that are listed individually or within a historic district on the National Register of Historic Places (NR) are hereby designated as historic landmarks and historic district overlays within this UDO pursuant to State Law.
- 6.1.3.2 The HLC may establish a process by which it identifies additional properties recognized on the National Register or by the State, either to amend or expand the historic overlay districts for those properties, pursuant to the standards of State Law and this UDO.

### 6.1.4 CRITERIA FOR DESIGNATION OF HISTORIC PROPERTIES OR DISTRICTS

- 6.1.4.1 The HLC shall use criteria for evaluation of the significance of a historic landmark as established by The Overlay Design Guidelines for Historic Properties (Appendix A).
- 6.1.4.2 At least two of the following criteria shall be considered in determining whether an individual property is to be listed as a historic landmark or for the creation of a historic district:
  - (1) Association with events that have made a significant contribution to the broad patterns of Castroville's history.
  - (2) Association with the lives of persons significant in Castroville's past.
  - (3) Embodiment of the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction.
  - (4) Archaeological value, in the sense that the property has yielded, or may be likely to yield, information important in prehistory or history.
- 6.1.4.3 Where the designation is made based on the general character of the proposed historic district, these findings may include, but shall not necessarily be limited to:
  - (1) Scale of buildings and structures that reflect the established period of significance.
  - (2) Architectural style that reflect the established period of significance.
  - (3) Architectural period typical of the area.
  - (4) Building materials typical of the area.
  - (5) Colors used in buildings typical of the area.
  - (6) Signage and street furniture typical of the area.

- (7) Landscapes typical of the area.
- (8) Typical relationships of buildings to the landscapes in the area.
- (9) Typical relationships of buildings in the area to the street.
- (10) Setbacks and other physical patterns of buildings in the area.
- (11) Typical patterns of rooflines of buildings in the area.
- (12) Typical patterns of porch and entrance treatments of buildings in the area.

Where the designation is made based on the character of individual properties and proposed landmarks, the findings may include, but shall not necessarily be limited to::

- (1) Architectural style of the buildings.
- (2) Architectural period of the buildings.
- (3) Textures of materials used in the buildings.
- (4) Colors of the materials used in the buildings.
- (5) Rooflines of the buildings.
- (6) Porch and entrance treatments of the buildings.
- (7) Height and mass of the buildings.
- (8) Relative proportions of the buildings (width to height, width to depth).

### 6.1.5 DESIGNATION PROCESS FOR LOCAL HISTORIC LANDMARKS AND DISTRICTS

- 6.1.5.1 The provisions for designating historic properties are part of the City's comprehensive zoning plan. When extending or creating a historic district, this process must adhere to state law. Property owners within the proposed district will be notified before the Historic Landmark Commission (HLC) hearing on the proposed designation. At the HLC's public hearing, property owners, interested parties, and technical experts may present testimony or documentary evidence, which will become part of the record to assess the historic, architectural, or cultural significance of the proposed district extension. The City may designate a historic landmark without the property owner's approval." This is not allowed without a  $\frac{3}{4}$  vote by P&Z and City Council.
- 6.1.5.2 The procedure for designating a historic landmark or to establish or amend a historic district may be initiated by the City, or by the individual property owner(s), or by at least twenty percent (20%) of the residents of the potential historic district. An application for designation shall be made on forms as prescribed by the City and shall be filed with the HPO along with any fees in accordance with the municipal fee schedule. Buildings, structures, sites or areas located within the City which substantially comply with the criteria found in this UDO may be recommended by the HLC to the City Council as historic designated landmarks or historic districts.

The application shall contain:

- (1) For a proposed historic designated landmark, the name, address, telephone number of applicant, and physical address of the property.
- (2) For a proposed historic district, the name, address, telephone number of applicant, and no more than ten percent (10%) negative responses from owners of properties in the proposed historic district; where a poll has been taken, each property is counted separately, and no response is considered an affirmative response.
- (3) Site plan of the proposed designated landmark property, or map indicating the geographic boundaries of the proposed historic district, showing all affected buildings and/or structures.
- (4) Detailed historic description and background on the proposed designated landmark or proposed historic district that meets 2 or more of the criteria listed in Section 6.1.3.1.
- (5) Current photographs of the overall property or area, along with any historical photographs, if available.
- (6) Any other information which the HPO or Commission may deem necessary.

6.1.5.3 Upon receipt of a completed designation application, the HPO shall schedule a hearing at a regularly scheduled HLC meeting. Notice of the application shall be mailed to the property owner(s) and properties within two hundred (200) feet of the properties and advertised in the official newspaper and posted on the property as required by this UDO and state law..

6.1.5.4 A proposed historic landmark or district for which an application for designation has been received shall be protected by and subject to all the provisions of this UDO regarding demolition, minimum maintenance standards, and penalties until a final decision by the City Council becomes effective, not to exceed one hundred and eighty (180) days.

6.1.5.5 At the hearing, the applicant shall have an opportunity to present testimony and evidence to demonstrate the historical significance or insignificance of the subject property or district. Other interested parties and technical experts may also present testimony or documentary evidence, which will become part of a record. The burden of proof shall be upon the applicant. The HLC may take action to approve, postpone requesting additional information, or deny the application. The HPO shall forward any final recommendation to the Planning & Zoning Commission within thirty (30) days of the hearing. Denials may be appealed directly to City Council.

6.1.5.6 The P&Z shall give notice and conduct its hearing upon receipt of the recommendation from the HLC. Notice for such hearing shall be in the same manner and the hearing held according to the same procedures as specifically provided in the general zoning ordinance of the City. The P&Z shall review the application to ensure that the recommended designation will not pose a conflict with the underlying Place Type zoning and shall forward its recommendation to the City Council within thirty (30) days after taking action on the application.

6.1.5.7 Upon receipt of the joint recommendation on the application from the Historic Landmark Commission and the Planning & Zoning Commission, the City Council shall schedule a hearing on the application within thirty (30) days. Notice for such hearing shall be in the same manner and the hearing held according to the same procedures as specifically provided in the general zoning ordinance of the City. Significance shall be considered only on the record made before the Historic Landmark Commission and the Planning & Zoning Commission.

- 6.1.5.8 Upon designation of a historic designated landmark or historic district by the City Council, the designation shall be recorded by legal description on the City's official Place Type zoning maps, in the records of real property of Medina County, and with the tax appraisal office.
- 6.1.5.9 The applicant or any persons adversely affected by any determination of the HLC may appeal the decision to City Council. Appeal requests shall be on forms as prescribed by the City and shall be filed with the HPO within seven (7) days of the HLC's decision and scheduled for the next available regularly scheduled City Council meeting. Notice for such hearing shall be in the same manner and the hearing held according to the same procedures as specifically provided in this UDO.
- 6.1.5.10 Appeals to the City Council shall be considered only on the record made before the HLC and may only allege that the Historic Landmark Commission's decision was arbitrary, capricious, or illegal.

## 6.1.6 ORDINARY MAINTENANCE

Nothing in this UDO shall be construed to prevent the routine maintenance and repair of any exterior architectural feature of an historic designated landmark or a property within an historic district which does not involve a change in design, material, or outward appearance that require the issuance of a building permit.

In-kind repair/replacement and repainting is included in this definition of ordinary maintenance unless painting involves an exterior masonry surface that was not previously painted. "Ordinary maintenance" will be determined as repairing and/or replacing exterior parts of the building with like materials and does not involve a change in material, configuration, or outward appearance.

## 6.1.7 MINIMUM MAINTENANCE STANDARDS

No owner or person with an interest in real property designated as an historic designated landmark or a property located within an historic district shall permit the property to fall into a serious state of disrepair so as to result in the significant deterioration of any exterior architectural feature which would, in the judgment of the HLC, create a detrimental effect upon the historic character of the designated landmark or district.

- 6.1.7.1 Examples of serious disrepair or structurally significant deterioration include:
- (1) Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling.
  - (2) Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling.
  - (3) Deterioration or crumbling of exterior plaster finishes, surfaces or mortars.
  - (4) Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.
  - (5) Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering.
  - (6) Rotting, holes, and other forms of material decay.
  - (7) Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes de-lamination, instability, loss of shape and form, or crumbling.

- (8) Deterioration that has a detrimental effect upon the special character of the historic district as a whole or the unique attributes and character of the contributing structure.
- (9) Deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other property.

### 6.1.8 PROCEDURE TO MITIGATE DEMOLITION BY NEGLECT

Demolition by Neglect refers to the gradual deterioration of a property when routine or minimum maintenance is not performed. The HPO and the Community Development Department staff shall work together to reduce Demolition by Neglect involving designated landmarks or properties located within historic districts within the City. A Demolition by Neglect citation, as determined by the HLC, may be issued against the owner of the property for failure to comply with the minimum maintenance standards by permitting the subject property to exhibit serious disrepair or significant deterioration as outlined.

- 6.1.8.1 While the Community Development Department will act as the primary point of contact, the HPO shall, when needed, assist with inspections. If there is a dispute between the HPO and Community Development Department staff, the City Administrator may be consulted as a mitigating party.
- 6.1.8.2 Furthermore, while the HPO will act as the point of contact, the Planning Department staff shall, when needed, assist with inspections. If there is a dispute between the HPO and Planning Department staff, the City Administrator shall make the final determination.
- 6.1.8.3 The procedure for citing a property owner for Demolition by Neglect shall be as follows:
  - (1) Initial identification is made by visual inspection of the area by the HPO or a Commission member or by referral from someone in the area. All referrals shall be made in writing and shall be submitted to the HPO.
  - (2) Once the initial identification is made, followed by preliminary determination by the HPO, the property owner shall be notified by U.S. mail of the defects of the building and informed of any incentive programs that may be available for repair. The owner shall be given thirty (30) days in which to respond to the preliminary determination by submitting a stabilization proposal to the HPO. The stabilization proposal will be presented to the HLC at the next available meeting. If the HLC approves the proposal, a certificate of appropriateness (if necessary) may be issued administratively by the HPO. The approval will detail the specific work that is necessary to correct the Demolition by Neglect conditions, as well as specify a time period to begin and to complete the work. The HPO shall update the HLC on the status of the property every thirty (30) days, once work begins on the property. If there are major changes the HPO can determine if a HLC hearing is necessary.
  - (3) If the property owner receives the letter regarding the preliminary determination, but fails to respond, a second notice shall be sent in the same manner as described above.
  - (4) If the property owner fails to receive and/or respond to the letter regarding the preliminary determination after two (2) attempts, the matter returns to the HLC for a citation hearing. The HPO shall send a third notice via certified mail informing the owner of the hearing, the property shall be posted with a notice of the violation in accordance with the provisions of this UDO, and a public hearing on the citation shall be scheduled.

- (5) At the public hearing, the owner will be invited to address the HLC's concerns and to show cause why a citation should not be issued. The HLC may take action to approve any proposed work, defer the matter to give the owner more time either to correct the deficiencies or make a proposal for stabilization, or issue a citation to the owner of the property for failure to correct the Demolition by Neglect conditions.
- (6) If the owner is cited for the condition of Demolition by Neglect of the property, they shall be given fourteen (14) days to submit a stabilization proposal to the HPO, and at the discretion of the HLC, up to one (1) year to correct the defects. The HPO shall update the HLC on the status of the property every thirty (30) days once work begins on the property.
- (7) If the owner does not respond with a stabilization proposal, the matter shall be turned over to the City Attorney's office for recommendation to the City Council for legal action.

6.1.8.4 The City may create programs, or enter into partnerships with local non-profit organizations, to assist low-income and/or elderly homeowners with maintenance. City Council shall provide direction and funding for pursuing these initiatives.

#### **6.1.9 CERTIFICATES OF APPROPRIATENESS FOR ALTERATIONS OR NEW CONSTRUCTION AFFECTING DESIGNATED LANDMARKS OR HISTORIC DISTRICTS**

No person shall carry out any construction, reconstruction, alteration, restoration, rehabilitation, or relocation of any designated landmark or any property within a historic district, nor shall any person make any material change in the light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements visible from a public right-of-way which affect the appearance and cohesiveness of any designated landmark or any property within a historic district without a Certificate of Appropriateness application. The application must be reviewed and approved by the HPO or the HLC prior to the issuance of any building permit involving any designated landmark or property located within a historic district. The application shall be required in addition to, and not in lieu of, any required building permit.

#### **6.1.10 REVIEW CRITERIA FOR CERTIFICATES OF APPROPRIATENESS FOR ALTERATIONS OR NEW CONSTRUCTION AFFECTING DESIGNATED LANDMARKS OR HISTORIC DISTRICTS**

In considering an application for a Certificate of Appropriateness, the HPO and the HLC shall review it for compliance with Castroville's Historic Design Guidelines (Appendix A).

All review criteria shall be made available to the applicant, property owners of designated landmarks and properties located within historic districts. The HLC shall promulgate and make recommendations to update the adopted Design Guidelines as necessary, provided that the changes do not pose a conflict with underlying land-use zoning and the changes do not take effect until ratified by the City Council.

6.1.10.1 Applicability. A certificate of appropriateness shall be required in the following circumstances before the commencement of development within or work upon any property with historic overlay zoning or designated as a local, state, or national landmark:



- (1) Whenever such work or development requires a building permit or certificate of zoning compliance issued by the City;
- (2) Whenever such work includes the erection, moving, demolition, reconstruction, restoration, or alteration of the exterior of a property with historic overlay zoning or designated as a local, state, or national landmark, except when such work satisfies all the requirements of ordinary maintenance and repair as defined in Chapter 7, Definitions, of this UDO

6.1.10.2 Certificate of appropriateness required. No building permit shall be issued by the building official for any property with historic overlay zoning or designated as a local, state, or national landmark until the application for such permit has been reviewed and a certificate of appropriateness has been approved by the HPO or the HLC.

6.1.10.3 Procedures. The procedure for obtaining a Certificate of Appropriateness may be initiated by the City for all designated landmarks or proposed work within a historic district, or by the individual property owner(s) of the subject designated landmark or for a property located within a historic district. The application must be submitted for review and approved by the HPO or the HLC prior to the commencement of any work. An application for Certificate of Appropriateness shall be made on forms as prescribed by the City and shall be filed with the HPO along with fees in accordance with the municipal fee schedule.

#### **6.1.11 ADMINISTRATIVE DESIGN REVIEW AFFECTING DESIGNATED LANDMARKS AND PROPERTIES LOCATED IN HISTORIC DISTRICTS:**

6.1.11.1 Upon receipt of a completed Certificate of Appropriateness application as determined by the HPO, the HPO shall review the application for a preliminary determination of compliance with the adopted Design Guidelines. The applicant is encouraged to schedule a meeting with the HPO prior to the submittal of an application to discuss the proposed work and get initial design direction. The HPO reserves the right to forward any Certificate of Appropriateness application to the HLC for review and approval when direction on design policy is needed or if unable to determine compliance with the Secretary of the Interior's Standards for Rehabilitation or the Design Guidelines. Proposed work to all designated landmarks, all proposed work within a historic district, and for all City preservation-related incentive programs or federal projects must be reviewed by the HLC.

6.1.11.2 An application shall be eligible for administrative review by the HPO for the following:

- (1) The placement and screening, if necessary, and other mechanical equipment of various types;
- (2) The placement and design of screening treatments for trash and recycling receptacles;
- (3) Fences to be installed in the rear and/or side yard, unless an historic precedence exists for fences in the front yards;
- (4) Replacing roofing materials or color on a flat roof that will not be visible from the ground or from immediately adjacent taller buildings;
- (5) Gutters and downspouts;
- (6) Installation or removal of landscaping, including trees;
- (7) Landscape elements, including but not limited to walks, paving, planters, trellises, arbors and

gazebos;

- (8) Installation of any elements required by other codes such as emergency lighting;
- (9) Modifications that are considered non-permanent such as, but not limited to, window films and temporary features to weatherize or stabilize a historic resource;
- (10) Minor modifications to an existing certificate of appropriateness that still meets the intent of the original approval;
- (11) Renewal of an expired certificate of appropriateness.

6.1.11.3 If an application for administrative review is approved or approved with conditions, the HPO shall issue a certificate of appropriateness. However, the HPO may forward the application to the HLC for their consideration for the following reasons:

- (1) The application does not meet the approval criteria;
- (2) If the HPO does not act on the application within ten (10) business days of receipt of the complete application;
- (3) The HPO disapproves the application; or
- (4) The applicant wishes to appeal the administrative decision or associated conditions of the certificate of appropriateness application.

An appeal to an administrative decision shall be filed with the HLC within ten (10) business days of said decision.

6.1.11.4 In the event an application is to be considered by the HLC, the HPO shall inform the applicant of the meeting date at which the application shall be considered. The applicant shall have the right to be heard and may be accompanied or represented by counsel and/or one or more construction or design professionals at the meeting.

6.1.11.5 The HPO shall review the application and make a recommendation to the HLC during the meeting at which the application shall be considered.

- (1) After hearing the applicant and any other interested parties, and considering the recommendation from the HPO, the HLC shall take one of the following actions:
  - (a) Approve the proposed work or development and issue a certificate of appropriateness.
  - (b) Approve the proposed work or development with conditions and issue a conditional certificate of appropriateness.
  - (c) Disapprove the certificate of appropriateness.
- (2) In the case of the disapproval of a certificate of appropriateness by the HLC, the HLC shall state in writing the reasons for such disapproval and may include suggestions in regard to actions the applicant might take to secure the approval of the HLC concerning future issuance of a certificate of appropriateness.

6.1.11.6 Certificate of Appropriateness.

- (1) It shall be the responsibility of the HPO to issue the actual certificate of appropriateness

following administrative approval or approval by the HLC with any designated conditions, and to maintain a copy of the certificate of appropriateness, together with the proposed plans. These shall be public documents for all purposes.

- (2) Work performed pursuant to the issuance of a certificate of appropriateness shall conform to the requirements of such certificate. It shall be the duty of the building official to inspect from time to time any work performed pursuant to a certificate of appropriateness to assure such compliance. In the event that such work is not in compliance, the building official shall issue a stop work order and/or citation as prescribed by ordinance. The HLC may request that the building official inspect the work and issue a stop work order.

6.1.11.7 Criteria. The HPO or the HLC shall determine whether to grant a certificate of appropriateness based on the following criteria:

- (1) The effect of the proposed change upon the general historic, cultural and architectural nature of the historic property or historic district;
- (2) The appropriateness of exterior architectural features, including parking and loading spaces, which can be seen from a public street, or walkway; and
- (3) The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in the historic district, contrast or other relation of such factors to other buildings or structures built at or during the period of significance, as well as the uniqueness of such features, considering the remaining examples of architectural, historical and cultural values.

6.1.11.8 Guidelines. In all of its determinations of architectural appropriateness and historical integrity in the design and construction of historic properties or signs, the HPO or the HLC shall use Castroville's Historic Design Guidelines (Appendix A):

- (1) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration, or to use a property for its originally intended purpose. Adaptive reuse is also recommended if the property falls nearby similar zoning.
- (2) The distinguishing original qualities or character of a historic property and its environment should not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) All historic properties shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.
- (4) Changes that may have taken place in the course of time are evidence of the history and development of an historic property and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship that characterize a historic property shall be treated with sensitivity.
- (6) Architectural features that are found to be appropriate are to be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the

material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other properties within the same period of significance.

- (7) Surface cleaning shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken without approval from the Historic Landmark Commission.
- (8) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
- (9) Contemporary design for alterations and additions shall not be discouraged when such alterations and additions do not destroy significant historic, architectural, or cultural material and when such design is compatible with the size, scale, color, material, a character of the property, neighborhood, or environment. Wherever possible, new additions or alterations shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.

6.1.11.9 Supplemental guidelines. The HPO or the HLC may develop, and the City Council may approve, such supplemental guidelines as it may find necessary to implement the regulations of historic overlay zoning or the findings applicable to the designation of a particular historic property. Such guidelines may include, but are not limited to the following:

- (1) Charts or samples of acceptable materials for siding, foundations, roofs, or other parts of buildings;
- (2) Illustrations of appropriate architectural details;
- (3) Specifications of appropriate relationships to streets, sidewalks, other structures, and buildings;
- (4) Illustrations of appropriate porch treatments or entrances; or
- (5) Illustrations of appropriate signage or street furniture.

6.1.11.10 Certificate of appropriateness for demolition.

- (1) Certificate required. No historic landmark or property that falls within a historic district shall be demolished or removed unless such demolition shall be approved by the HLC and a certificate of appropriateness for such demolition shall be granted.
- (2) Procedure for the issuance of a certificate of appropriateness for demolition shall be the same as for the issuance of other certificates of appropriateness with the following modification.
- (3) After the hearing, the HLC may approve the certificate of appropriateness, thereby authorizing the demolition, or the HLC may disapprove the certificate of appropriateness and postpone the demolition or removal for a period of one hundred and twenty (120) days. The purpose of such a postponement would be to allow the HLC and any interested parties to explore alternatives to demolition.
- (4) The HLC may extend the postponement period for an additional sixty (60) days to enable the completion of ongoing negotiations.

- (5) Notwithstanding any provision of this UDO, the City Council reserves the right to prohibit the demolition of a designated landmark structure with four (4) affirmative votes.
- (6) Supplemental demolition criteria. In determining whether to issue a certificate of appropriateness for demolition, the HLC, and, on appeal, the City Council, shall consider the following criteria, in addition to the criteria specified in this section:
  - (a) The uniqueness of the property as a representative type or style of architecture, historic association, or other element of the original designation criteria applicable to such structure or tract.
  - (b) The condition of the property from the standpoint of structural integrity and the extent of work necessary to stabilize the property.
- (7) The economically viable alternatives available to the demolition applicant, including:
  - (a) Donation of a part of the value of the subject structure or site to a public or nonprofit agency, including the conveyance of development rights and facade easement.
  - (b) The possibility of sale of the property, or any part thereof, to a prospective purchaser capable of preserving such property.
  - (c) The potential of the property for renovation and its potential for continuing use.
  - (d) The potential of the property for rezoning in an effort to render such property more compatible with the physical potential of the property. The ability of the property to produce a reasonable economic return on investment for its owner; provided, however, that this factor shall not have exclusive control and effect but shall be considered along with all other criteria contained in this section.

#### 6.1.11.11 Certificate of appropriateness for relocation:

- (1) Certificate Required. No historic resource shall be relocated unless such relocation shall be approved by the HLC and a certificate of appropriateness for such relocation shall be granted. For the purposes of this subsection concerning relocation, the term "historic landmark" shall be used to describe an individual building, structure, or object designated according to the procedures in this UDO.
- (2) Procedure. The procedure for issuance of a certificate of appropriateness for relocation shall be the same as for the issuance of other certificates of appropriateness with the following additions.
  - (a) If the historic resource is a Recorded Texas Historical Landmark or listed on the National Register of Historic Places, the applicant shall be required to notify the appropriate party at the Texas Historical Commission or National Park Service and receive a response in writing, prior to submitting an application for the relocation to the Historic Landmark Commission.

- (b) Documentation shall be provided to the HLC at the time of application for a certificate of appropriateness that provides the following information:
  - i. Overview of the proposed relocation of the historic resource, including:
    - » Reasons for relocating the historic resource; and
    - » Reasons for selection of destination site.
- (c) Photographs, which document all aspects of the historic resource. Requirements for photographs shall be provided by the HLC. At a minimum, photographs provided by the applicant s hall include but are not limited to:
  - i. Each elevation of the building;
  - ii. Street view;
  - iii. All prominent architectural features; and
  - iv. Any additional accessory buildings that also have historic overlay zoning, showing how they relate to the primary structure.
  - v. Requirements for photographs shall be maintained and provided by the HLC.
- (d) Site plan of historic resource in current location.
- (e) Site plan of historic resource in new location.
- (f) Public notices of the proposed relocation shall be required as follows:
  - i. Signed notice shall be posted within five (5) business days of receipt of an application for a certificate of appropriateness for relocation, the City shall post a sign showing notice of the application on the originating location and on the proposed destination location, for the purpose of notifying the public of the proposed relocation.
  - ii. Mailed notice shall be sent ten (10) business days prior to the HLC meeting when the application will be heard, written, notices shall be mailed to each owner, as indicated by the most recently approved City tax roll, of real property within three hundred (300) feet of the existing property with the resource proposed for relocation and three hundred (300) feet of the proposed new location. Notice may be served by its deposit in the Postal Service in the City, properly addressed with postage paid.

- iii. Mailed notices shall contain at least the following specific information:
  - The general location of land that is the subject of the application and/or a location map;
  - The legal description or street address;
  - The substance of the application;
  - The time, date, and location of the HLC meeting;
  - A phone number to contact the City; and
  - A statement that interested parties may appear at the hearing.
- (3) When a historic resource is relocated to a new site, the historic resource shall retain the historic overlay or landmark designation status and therefore continue to be subject to the requirements of a certificate of appropriateness.
- (4) Supplemental relocation criteria. In determining whether to issue a certificate of appropriateness for relocation, the HLC, and, if necessary, on appeal, the City Council, shall consider the following criteria, in addition to the criteria specified in this subsection:
  - (a) The historic resource is imminently threatened by demolition or removal of historic overlay zoning.
  - (b) Reasonable alternatives have been examined to mitigate the threat to the historic resource, in lieu of relocation. Alternatives may include, but are not limited to:
    - i. Modification of the proposed project affecting the historic resource to avoid its impact on the location of the historic resource.
    - ii. Incorporation of the historic resource, in its entirety, into the proposed project that would affect the location of the historic resource.
- (5) When relocated, the historic resource shall remain in the City of Castroville.
- (6) The structural condition of the historic resource has been examined so that it has been determined that the historic resource may be moved and that damage to the historic resource which would result from the move can be minimized. Stabilization of the historic resource prior to and/or during the move may be required.



- (7) A new location for the historic resource has been determined that would be compatible with the architectural aspects of the historic resource, to the extent possible. Consideration shall include the review of all of the following:
- (a) Size of the resource and destination lot;
  - (b) Massing;
  - (c) Architectural style;
  - (d) Review of all adopted design guidelines by the HLC in determining compatibility; and
  - (e) Other historic resources, which are not the primary resource on the site, but are historically associated with the primary resource, also should be relocated, if possible, and may be considered for relocation with the primary resource on the same certificate of appropriateness.
- (8) Any historic resource relocated pursuant to this section shall be required to conform to any siting conditions at the new location. These siting conditions shall include, but are not limited to, setback requirements, structural alteration requirements such as enclosed parking requirements, and architectural requirements such as exterior finishes and orientation.
- (9) The applicant agrees to the following additional conditions of the certificate of appropriateness:
- (a) The historic resource shall be secured from vandalism and other damage for the time that it remains vacant as a result of the relocation process.
  - (b) The applicant shall be required to display a plaque, provided and paid for by the City, which documents the historic resource's original location, date of relocation, and reason for relocation.
  - (c) The historic overlay shall convey with the historic resource to its new location.
- (10) The historic overlay shall be removed from the originating property, unless one of the following applies:
- (a) The property is located within an historic district; or
  - (b) Only an accessory structure has been moved and the primary structure on the site remains; or
  - (c) The site itself is historically significant.
- (11) The City may apply the historic overlay to the destination lot(s), by following the procedures for applying historic overlay of this UDO. If the historic resource is being moved into an already designated historic district, the historic overlay shall remain and apply.
- (12) The applicant shall provide photographs to the HPO of the relocated historic resource once relocation is complete.

- (13) Information regarding the relocation shall be filed in the appropriate City and county records.
- (14) If a certificate of appropriateness for relocation has been approved by the HLC, the following fees shall be waived:
  - (a) Building moving and permits fees
  - (b) Notice requirement fees.
- (15) Appeals of certificate of appropriateness decisions made by the HLC shall be made within fifteen (15) days to the City Council.

#### **6.1.12 ECONOMIC HARDSHIP INVOLVING CERTIFICATES OF APPROPRIATENESS FOR DEMOLITION AFFECTING DESIGNATED LANDMARKS AND HISTORIC DISTRICTS**

- 6.1.12.1 No certificate of appropriateness for demolition involving a claim of economic hardship may be approved, nor shall a demolition permit be issued by the City unless the owner proves compliance with the following standards for economic hardship:
  - (1) The property is incapable of earning a reasonable return in its current or rehabilitated state, regardless of whether that return represents the most profitable return possible; and
  - (2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
  - (3) Earnest and reasonable efforts to find a purchaser interested in acquiring the property and preserving it have failed; and
  - (4) The property cannot be moved or relocated to another site similar or within the historic district.
- 6.1.12.2 The City shall adopt by resolution separate criteria for review in considering claims of economic hardship for investment for income-producing and non-income-producing properties, as recommended by the HLC. Non-income-producing properties shall consist of owner-occupied single-detached dwellings and non-income-producing institutional properties. All standards for review shall be made available to the owner prior to the hearing. The information to be considered by the City may include, but not be limited to, the following:
  - (1) Purchase date price and financing arrangements
  - (2) Current market value
  - (3) Form of ownership
  - (4) Type of occupancy
  - (5) Cost estimates of demolition and post-demolition plans for development
  - (6) Maintenance and operating costs
  - (7) An inspection report by licensed architect or structural engineer that has experience working with historic properties

- (8) Costs and engineering feasibility for rehabilitation
- (9) Property tax information
- (10) Rental rates and gross income from the property
- (11) Other additional information as deemed appropriate

6.1.12.3 Claims of economic hardship by the owner shall not be based on conditions resulting from:

- (1) Evidence of demolition by neglect or other willful and negligent acts by the owner
- (2) Purchasing the property for substantially more than market value at the time of purchase
- (3) Failure to perform normal maintenance and repairs
- (4) Failure to diligently solicit and retain tenants
- (5) Failure to provide normal tenant improvements

6.1.12.4 Throughout the process, the applicant shall consult in good faith with the HPO, local preservation groups, and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be demonstrated to the HLC at the hearing.

### 6.1.13 ENFORCEMENT

All work performed pursuant to a certificate of appropriateness issued under this UDO shall conform to any requirements included therein. It shall be the duty of the building inspector to inspect periodically any such work to assure compliance. In the event that work is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the HLC and verification by the HPO, the building inspector shall issue a stop work order and all work shall immediately cease. The property owner shall then be required to apply for a hearing before the HLC to explain the non-compliance. No further work shall be undertaken on the project as long as a stop work order is in effect until a decision is rendered by the HLC on the application.

### 6.1.14 PENALTIES

It shall be unlawful to construct, reconstruct, significantly alter, restore, or demolish any building or structure designated with historic overlay zoning in violation of the provisions of this UDO. The City, in addition to other remedies, may institute any appropriate action or proceeding to prevent such unlawful construction, reconstruction, significant alteration, or demolition to restrain, correct, or abate such violation or to prevent any illegal act, business, or maintenance in and about such premises, including acquisition of the property. Any person, firm, or corporation violating any provision of this UDO shall be guilty of a Class C misdemeanor, punishable by a fine of not less than two hundred and fifty dollars (\$250.00) or more than two thousand dollars (\$2,000.00).

Each day the violation continues shall be considered a separate offense. Such remedy under this section is in addition to any abatement restitution.

## 6.2 HISTORIC OVERLAY DISTRICT

### 6.2.1 PURPOSE

The purpose of the Historic Overlay District (HO District) is to protect and preserve the historical and architectural integrity of Castroville's existing historic district through an overlay of the Historic Overlay Zoning District standards over the city's Place Type Zoning. The overlay will ensure that new developments and modifications to existing structures respect the unique character of Castroville's historical area.

### 6.2.2 APPLICABILITY

This overlay applies to all properties within the existing designated historic district of Castroville, as identified in the city's zoning map under the Historic Overlay Zoning District (figure 6.1). Any new development, redevelopment, or substantial alteration of existing properties within this boundary must adhere to the guidelines of both the base place type zoning and the historic overlay standards.

### 6.2.3 OBJECTIVES

- (1) Maintain the architectural styles and scale of historic structures that contribute to the district's identity and period of significance.
- (2) Promote development that enhances the historic character of the community.
- (3) Ensure compatibility of new construction and renovations with existing historic features.
- (4) Protect cultural designated landmarks, landscapes, and historically significant elements.
- (5) Encourage adaptive reuse of historic structures.

### 6.2.4 REGULATORY FRAMEWORK

6.2.4.1 All properties must comply with the base zoning regulations outlined in the city's place type zoning ordinance. The Historic Overlay utilizes the Overlay Design Guidelines (Appendix A) to protect the historic character.

6.2.4.2 The use of Architectural Guidelines are for:

- (1) New construction, renovations, and alterations should harmonize with the architectural character of the historic district.
- (2) Use of traditional materials, forms, and design elements in accordance with the existing historic structures is encouraged.
- (3) Any proposed demolition of structures within the historic district will require special approval by the Historic Landmark Commission.

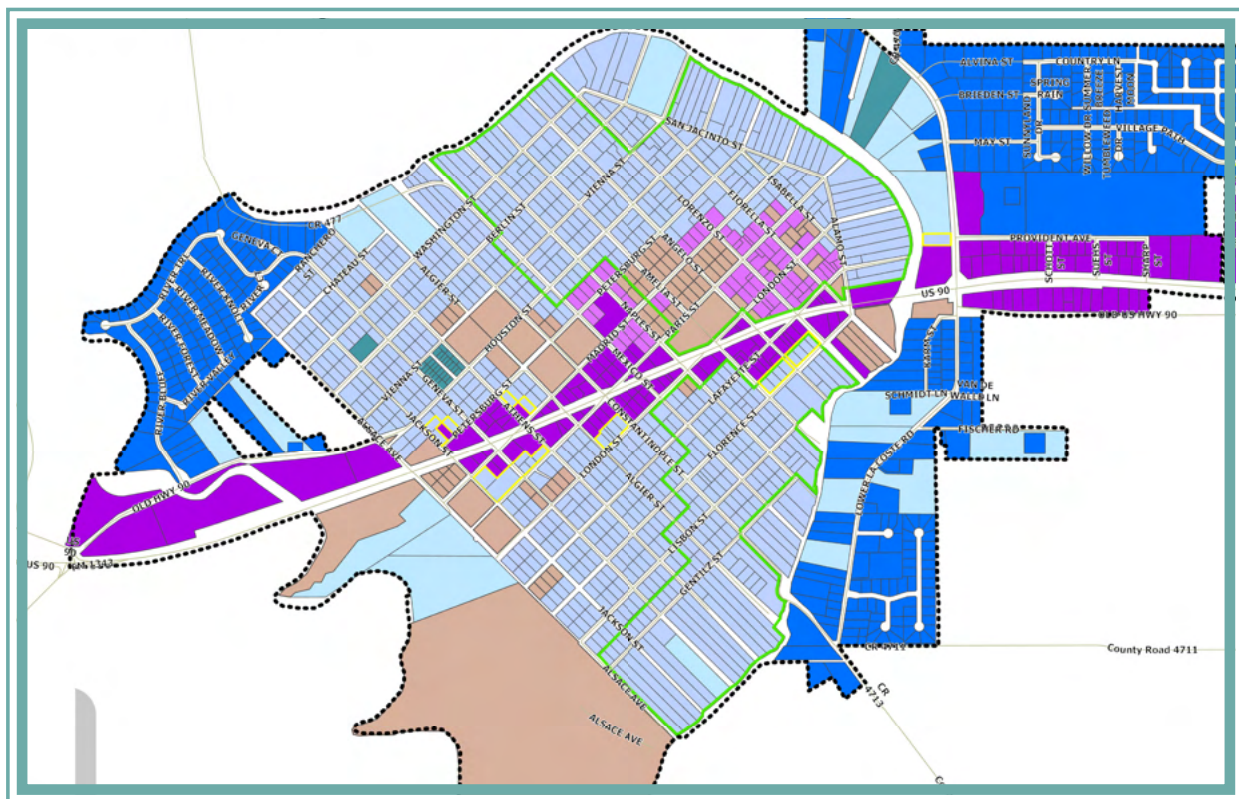
## 6.2.5 NON-CONFORMING USES

- 6.2.5.1 Properties with legally non-conforming uses or structures at the time of the overlay's adoption may continue to operate under their existing uses, but any expansions or significant modifications will need to comply with both the base zoning and the Historic Overlay guidelines.

## 6.2.6 CONCLUSION

- 6.2.6.1 The Historic Overlay District is essential in maintaining the heritage and identity of Castroville while accommodating modern growth. It provides a framework that respects both the city's past and its future.

FIGURE 6.1 :HISTORIC OVERLAY DISTRICT MAP.



# CHAPTER 7

## DEFINITIONS



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For the purposes of this UDO, certain terms and words are hereby defined; terms not defined herein shall be constructed in accordance with customary usage in municipal planning and engineering practices.

**ACCESSORY BUILDING** shall mean an outbuilding that is smaller than the main structure and is situated behind the main structure on the lot.

**ACCESSORY DWELLING** shall mean a secondary unit located toward the rear of the same lot as a principal building used as an additional dwelling unit.

**ADDITION** shall mean any construction that increases the size of a structure in terms of site coverage, height, or gross floor area.

**ADDRESS SIGN** shall mean a sign, generally applied to a building wall, that displays a building's address.

**ADMINISTRATIVE APPROVAL** shall mean the process by which the City Administrator reviews submitted administrative plats, public frontage, site, and/or building plans and provides approval based on compliance with this UDO.

**ADMINISTRATIVE PROCEDURE** shall mean the procedure to be followed for the approval of the subdivision or re-subdivision of an existing lot(s) when such subdivision meets certain limited conditions set by the City.

**ADMINISTRATIVE REVIEW** shall mean the process by which the City reviews submitted Neighborhood Plans, Public Frontage, site, and/or Building Plans to determine compliance with this UDO.

**ADMINISTRATOR** shall mean the City Administrator and/or designated City Staff.

**ALLEY** shall mean a vehicular drive located to the rear of lots providing access to service areas, parking, rear building access and may contain utility easements.

**ALLEY SIGN** shall mean a sign used to identify the alley entrance to a building or business.

**ALTERATION** shall mean any change, demolition, or modification to a structure or site designated as a historic landmark or located in a local historic area including, but not limited to, the following:

- (1) Exterior changes to or modifications of any buildings or structures, architectural details or visual characteristics.
- (2) Construction of new structures.
- (3) Disturbance of archaeological sites or areas; or
- (4) Disturbance, placement, or removal of exterior objects that affect the exterior qualities of the property.

**AMENDING PLAT** shall mean plat as defined in 212.016 of the Texas Local Government Code and the procedure for such plats shall be the same as the procedure as defined herein.

**APARTMENT BUILDING** shall mean a building or series of buildings containing greater than five (5) dwelling units in a building with exterior dwelling unit entrances, primarily rented or leased for terms longer than thirty (30) days.

**APEX** shall mean the highest point of a sign as measured from the point on the ground where its structure is located, or, if no sign structure is present, from the point on the ground directly below the sign itself.

**APPEAL** shall mean a means for obtaining a review of a decision, determination, order, or failure to act.

**APPLICANT** shall mean a person or entity who submits to the City an application for an approval required by this UDO. To be qualified as an applicant under this UDO, the person or entity must have sufficient legal authority or proprietary interests in the land to commence and maintain proceedings under this UDO. The term shall be restricted to include only the property owner(s), or a duly authorized agent and representative of the property owner.

**APPLICATION** shall mean a written request to the City for an approval required by this UDO that contains all information required by this UDO and that has been deemed administratively complete by the City.

**APPURTENANT** features shall mean the features that define the design of a building or property including but not limited to porches, railings, columns, shutters, steps, fences, attic vents, sidewalks, driveways, garages, carports, outbuildings, gazebos, and arbors.

**ARCADE** shall mean colonnade supported upper stories of a building projecting over the sidewalk, where the facade of the first story remains at or behind the frontage line.

**ARCHAEOLOGICAL** resource shall mean a site with archaeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

**ARCHITECTURAL ELEMENT** shall mean the unique details and component parts that combined form the architectural style of a structure, building, or object.

**ARCHITECTURAL FEATURES** shall mean ornamentation or decorative features attached to or protruding from or otherwise accentuating an exterior wall.

**AWNING** shall mean a cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. This term does not include canopies.

**AWNING SIGN** shall mean lettering applied directly on the valance or other vertical portion of an awning.

**BAND SIGN** shall mean a sign that is attached flat on the exterior front, rear, or side wall of any building or other structure.

**BANNER** shall mean a temporary sign, either attached or freestanding, with or without characters, letters, illustrations, or ornamentations, applied to cloth, paper, flexible plastic or fabric of any kind, attached to the exterior of the structure or freestanding on the site with temporary fastening devices such as rope, string, wire, twine, or similar materials, which is in addition to the permitted permanent signs, announcing a special event for a business, i.e., business openings, grand openings, sales, or promotion events.

**BICYCLE CORRAL** shall mean a group of either short-term or long-term bicycle parking spaces that are located in the vehicular parking area adjacent to the curb. The corral is generally surrounded by a painted white box on the street with flexible vertical delineators and a wheel stop where vehicles are likely to back into the adjacent parking spot.

**BICYCLE RACK, LONG-TERM** shall mean a bicycle parking fixture that provides at least two bicycle spaces and includes at least a four-foot-wide by six-foot-long dimension, is intended for parking more than three hours, and is fully protected from the elements.

**BICYCLE RACK, SHORT-TERM** shall mean a bicycle parking fixture that provides at least two bicycle spaces, includes at least a four-foot-wide by six-foot-long dimension, and is intended for parking less than three hours.

**BLADE SIGN** shall mean a sign mounted on the building facade, projecting at a 90-degree angle.

**BLOCK** shall mean an aggregate land area circumscribed by streets or thoroughfares.

**BLOCK FACE** shall mean the aggregate of all the principal frontage lines or alternatively the building facades on one side of a block.

**BUILDABLE WIDTH** shall mean the width of the building site left to be built upon after the required IBC setbacks are provided.

**BUILDING** shall mean a structure having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, real property, and business activity.

**BUILDING BLOCK** shall mean the 330' X 330' block size that is defined in Castroville's DNA. It is the foundation of the walkable environment.

**BUILDING LINE** shall mean the rear line of a required front build-to-line that is generally parallel to the street line forming the front line.

**BUILDING OFFICIAL** shall mean the inspector or administrative official charged with responsibility for issuing permits and enforcing the Building Code and this UDO where indicated.

**BUILDING TYPES** shall mean a range of structures with different standards to create a variety of options for human settlements.

**BUILD-TO-LINE** shall mean the line parallel to the street along which the primary mass of the front facade should be set. It is measured as a perpendicular distance from the street line to the nearest point of the building facade.

**BUSINESS** shall mean a place where a person practices their regular occupation, profession, or trade.

**BY RIGHT** shall mean characterizing a proposal or component of a proposal for a Neighborhood Plan or Site Plan that complies with this UDO and is permitted and processed administratively without public hearing.

**CALENDAR YEAR** shall mean between January 1 to December 31 of each year.

**CANOPY** shall mean any non-rigid material such as fabric or flexible plastic, that is supported by or stretched over a frame, that is attached to an exterior wall, and that may include a type that can be retracted, folded, or collapsed against the face of a supporting building.

**CERTIFICATE OF APPROPRIATENESS** shall mean the certificate issued by the City indicating approval of plans for alteration, construction, or removal affecting a designated landmark or property within historic overlay zoning.

**CERTIFICATE OF OCCUPANCY** shall mean an official certificate issued by the City through the Building Official that indicates conformance with the zoning standards and building codes and authorizes legal use of the premises that it is issued.

**CERTIFIED LOCAL GOVERNMENT** shall mean a local government certified or approved by the State Historic Preservation Office (SHPO), which has an appointed commission to oversee the survey and inventory of historic structures, to review areas for historically significant structures, and to develop and maintain the community planning and education process. This federal government program, authorized by the National Historic Preservation Act, 16 U.S.C. 470 et seq., provides for the participation of local governments in a federal/state/local partnership.

**CHANNEL LETTERS** shall have its own internal lighting element, individually attached to the wall or onto a separate background panel. The letter shall be translucent, or solid to create a backlit halo effect.

**CITY OR THE CITY** shall mean the City of Castroville and its authority of its city limits and extraterritorial jurisdiction (ETJ).

**CITY CLERK** shall mean the City Clerk of the City of Castroville or the authorized representative of the clerk.

**CITY COUNCIL** shall mean the governing body of the City of Castroville, Texas.

**CITY ENGINEER** shall mean a Licensed Engineer with the state of Texas or their representative with the City.

**CITY ADMINISTRATOR** shall mean the chief administrative officer of the City of Castroville and their designated representative.

**CIVIC** shall mean a designation for public sites dedicated for civic buildings and Civic Space.

**CIVIC BUILDING** shall mean a building operated by not-for-profit organizations dedicated to art, culture, education, recreation, government, transit, and municipal parking, or as approved by the Planning & Zoning Commission and City Council.

**CIVIC SPACE** shall mean an outdoor area dedicated for public use. Civic Space types are defined by the combination of certain physical constants including the relationships between their intended use, their size, their landscaping, and the buildings that front them.

**CLEARANCE** shall mean the height above the walkway, or another surface if specified, of the bottom edge of an element.

**CLUSTERED LAND DEVELOPMENT OR CLD** shall mean a Development Pattern structured by a pedestrian shed oriented toward a common destination such as a general store, meeting hall, schoolhouse, or church clustered together in order to preserve open space. CLD takes the form of a small settlement standing free in the countryside.

**COLLECTOR STREET** shall mean a street that continues through several residential districts and is intended as a connecting street between residential districts and arterial streets or thoroughfares or business districts. Such secondary or collector streets will also be indicated in the Thoroughfare Plan when adopted which will be placed on file with the City Engineer.

**COMMERCIAL** shall mean the term collectively defining workplace, office, retail, and lodging uses.

**COMMERCIAL SIGN** shall mean a sign that directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.

**COMMISSION** shall mean the Planning & Zoning Commission of the City of Castroville, Texas.

**COMMON DESTINATION** shall mean an area of focused community activity, usually defining the approximate center of a pedestrian shed. It may include, without limitation to, one or more of the following: a Civic Space, a Civic Building, a commercial center, or a transit station, and may act as the social center of a neighborhood.

**COMPREHENSIVE PLAN** shall mean a document adopted by the City that consists of graphic and textual policies that govern the future development of the City and that consists of various components governing specific geographic areas and functions and services of the City.

**CONSERVATION EASEMENT** shall mean a voluntary legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values.

**CONSTRUCTION** shall mean the act of adding an addition to an existing building, structure or object, or the erection of a new principal or accessory building, structure, or object on any lot, parcel, or site.

**CONSTRUCTION PLANS** shall mean the scaled and dimensioned drawings intended to identify exactly how a proposed project will be constructed. Construction plans include, but are not limited to, the following information: cover sheet, plat, site plan, landscape plan, sign plan, drainage plans and calculations, building plans, plans for both public and private utilities, construction details, etc.

**CONTRIBUTING** shall mean a building, structure, site, or object within a designated historic district which:

- (1) embodies the significant physical features and characteristics of the district, or adds to the historical association, historical architectural qualities, or archaeological values identified for the district; and
- (2) was present during the period of significance relating to the documented significance of the district; and
- (3) possesses historic integrity or is capable of yielding important information about the period.

**COURTYARD** shall mean the placement of a building within the boundaries of its lot to create a private courtyard, while internally defining one or more private patios. Courtyard is a building type.

**CURB** shall mean the edge of the vehicular pavement that may be raised or flush to a swale. It usually incorporates the drainage system.

**DANGEROUS STRUCTURE** shall mean a structure that poses an imminent threat to public health or safety.

**DEMOLITION** shall mean an act or process which: (1) destroys a lot, parcel or site or building, structure or object in its entirety, (2) destroys a part of a lot, parcel or site or building, structure or object and permanently impairs its structural, historic or architectural integrity, (3) removes the building, structure or object or any part thereof from the original lot, parcel or site without the requisite moving permit, or (4) removes architectural elements and features from the exterior of a building, structure or object.

**DEMOLITION BY NEGLECT** shall mean improper maintenance, neglect in the maintenance of, or lack of maintenance of any structure or property with historic overlay zoning, which results in deterioration of the structure and threatens the preservation of the structure.

**DESIGNATION** shall mean the process by which the City Council may designate certain buildings, land, areas, and districts in the City with historic overlay zoning and define, amend, and delineate the boundaries thereof.

**DESIGN GUIDELINES** shall mean the "Design Guidelines for Historic Castroville, Texas" as adopted by the City Council and as may be amended from time to time. These are guidelines of appropriateness or compatibility of building design within a community or historic district. Design guidelines contain drawings accommodating "do's and don't's" for the property owner. The Historic Landmark Commission has the authority to administer design guidelines.

**DESIGN REVIEW** shall refer to the decision-making process conducted by the historic preservation board or an appointed historic preservation officer that is guided by established terms.

**DEVELOPMENT** shall mean any construction activity or alteration of the landscape, its terrain contour, or

vegetation, including the erection or alteration of structures or land use.

**DEVELOPMENT PATTERN** shall mean options for land configuration for a Neighborhood Plan. The three types addressed in this UDO are Cluster Land Development (CLD), Traditional Neighborhood Development (TND), and Village Cluster Development (VCD).

**DEVELOPMENT REVIEW COMMITTEE (DRC)** shall mean staff members from each department overseeing development, infrastructure, and public safety that administer the provisions of this UDO.

**DEVELOPMENT SIGN** shall mean a sign announcing a proposed subdivision or a proposed building project.

**DISPOSITION** shall mean the placement of a building on its lot.

**DISTRIBUTION MAINS** shall mean off-site utilities serving a subdivision and other areas that are not laterals or service lines.

**DRAINAGE** shall mean any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or groundwater. It may include the construction, deepening, extending, opening, installation, or laying of any canal, drain, or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

**DRAINAGE FACILITIES** shall mean all facilities constructed within a subdivision related to stormwater drainage, including but not limited to swales, lawn areas, fences, structures, drainage facilities, drainage pipes, pumps, and detention and retention ponds.

**DRIVEWAY** shall mean a vehicular lane within a lot, often leading to a garage.

**DUPLEX** shall mean a building with two (2) units within one (1) structure on a lot. The configuration can be side by side, stacked, front to back, etc.

**DWELLING** shall mean any building or portion thereof, that is designed or used as living quarters for one or more families.

**ECONOMIC HARDSHIP** shall mean the inability of an owner to obtain a reasonable return or a reasonable beneficial use from a property with historic overlay zoning as required by the United States Supreme Court in Penn Central Transportation Company v. New York City, 438 U.S. 104 (1978) and subsequent decisions. A reasonable economic return does not have to be the most profitable return possible or allow the highest and best use of the property.

**EDGEYARD BUILDING** shall mean a building that occupies the center of its lot with setbacks on all sides. Edgeyard is a Building Disposition.

**ELEVATION** shall mean the exterior wall of a building that is set along a frontage line.

**ENCROACHMENT** shall mean any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public frontage, or above a height limit.

**ENFORCEMENT OFFICER** shall mean a public official or employee responsible for ensuring compliance with local zoning regulations and ordinances.

**ENGINEERING STANDARDS** shall refer to the City of San Antonio's Design Guidance Manual

**EXTRATERRITORIAL JURISDICTION (ETJ)** shall mean the area adjacent to the city limits of the City as created and authorized under Chapter 42 of the Texas Local Government Code. The City is authorized to control, among other things, subdivision as prescribed or defined by law.

**EXTERIOR ARCHITECTURAL FEATURE** shall mean but not be limited to architectural style and general arrangement of such portion of the exterior of a structure as is designed to be open to the view from a public way.

**FACADE** shall mean the portion of any exterior elevation on the building extending from the grade to parquet, wall, or eaves, and the entire width of the building elevation which are adjacent to the front on any right-of-way. Where separate faces are oriented in the same direction, or in directions within 45 degrees of one another, they are to be considered as part of a single facade.

**FAUX NEON SIGNAGE** shall mean signage created by using light emitting diodes (LEDs) which are strung closely together so that the light they emit overlaps and creates a steady source of light encased in plastic tubes.

**FEATHER BANNER** shall mean a vertical portable sign, made of lightweight material that is prone to move in the wind, and that contains a harpoon-style pole or staff driven into the ground for support or is supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, feather, and U-shaped. For purposes of this Chapter, a feather banner is an advertising device and sign.

**FENCE** shall mean a barrier or enclosure made of stone, brick, pierced brick or block, wood, or other permanent material of equal character, density, and acceptable design, including but not limited to masonry walls, chain link fences, barbed wire fences, picket fences, and privacy fences.

**FILED** shall mean the date when a submission has been deemed an administratively complete application. A plan or permit application shall be reviewed for completeness and be deemed administratively complete to be considered filed.

**FINAL PLAT** shall mean a plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

**FLAG/PENNANT** shall mean a piece of fabric of distinctive design that is used as a symbol (as of a nation), identification, signaling device, or as decoration.

**FLOODPLAIN** shall mean an area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM (Flood Insurance Rate Map) of the City of Castroville.

**FREESTANDING COMMERCIAL SIGN** shall mean a sign supported by one or more columns, poles, or bars extended from the ground or from an object on the ground, or that is erected on the ground; the term includes all signs which are not substantially supported by a building or part thereof, or which are substantially supported by a building or part thereof, when the sole significant purpose of the building or part thereof, is to support or constitute the sign.

**FRONTAGE** shall mean the area between a building facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into private frontage and public frontage.

**FRONT PROPERTY LINE** shall mean a lot line bordering a public frontage. Facades facing front property lines define the public realm and are therefore more regulated than the elevations facing other lot lines.

**GALLERY** shall mean an attached cantilevered shed or a lightweight colonnade extending from a building facade to overlapping the sidewalk.



**GOVERNMENT** shall mean a federal, state or local government entity and includes the City of Castroville and Medina County.

**GOVERNMENT SIGN** shall mean a sign that is constructed, placed, or maintained by the federal, state, or local government or a sign that is required to be constructed, placed, or maintained by the federal, state, or local government either directly or to enforce a property owner's rights. Local government includes any political subdivision including the county, the City, the school district, or an emergency services district.

**GRADE** shall mean ground level.

**GREEN** shall mean a Civic Space Place Type (CS) for unstructured recreation, spatially defined by landscaping rather than building frontages.

**HALO LIT SIGN** shall mean aluminum faces and sides (returns) mounted onto standoffs away from the wall which project either LED's or neon illumination to the wall surface, giving the sign a halo effect.

**HANGING SIGN** shall mean a sign attached to underneath the canopy or awning.

**HISTORIC DESIGNATIONS** shall mean an official recognition of the significance of a building, property, or district. Designation can occur on three different levels:

- (1) Federal - The National Register of Historic Places (for both individual buildings and entire districts);
- (2) State - Recorded Texas Historic landmarks (only for individual buildings) and State Archaeological Landmarks; or
- (3) Local - designated under a municipal historic ordinance either individually as a landmark or as a locally designated district.

**HISTORIC DISTRICT** shall mean an area of the City containing a grouping of historic properties that are designated with historic overlay zoning and that may contain properties that are both contributing and non-contributing, but that is united historically or aesthetically. For the purpose of this section, the entirety of an historic district shall have historic overlay zoning.

**HISTORIC LANDMARK** shall mean any building, structure, object, site, or portion thereof with historic overlay zoning.

**HISTORIC PRESERVATION** shall mean the protection, reconstruction, rehabilitation, repair, and restoration of places and structures of historic, architectural, or archaeological significance.

**HISTORIC LANDMARK COMMISSION (HLC)** shall mean the five-member Board established under this UDO and appointed by City Council.

**HISTORIC PRESERVATION OFFICER (HPO)** shall mean the planning director or their designee who shall serve as the historic preservation officer for the City and who shall oversee the historic preservation program for the City.

**HISTORIC REHABILITATION** shall mean the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.

**HISTORIC RESOURCE** shall mean any building, structure, object, or site that is 50 years old or older or any resource that has been identified as a high or medium priority because of its unique history or architectural

characteristics.

**HISTORIC RESOURCES SURVEY** shall mean a systematic, detailed examination of an area designed to gather information about historic properties sufficient to evaluate them against predetermined criteria of significance.

**HOME OWNER'S ASSOCIATION (HOA)** shall mean an organization authorized by the Texas Property Code Section 202 that is established in part to provide for the maintenance of required drainage improvements.

**HOUSE** shall mean a single dwelling unit edgeyard building on a lot.

**HOUSE-FORM OFFICE/COMMERCIAL** shall mean a building type that is built at the same scale as a house but has been converted or intentionally constructed to serve an office of commercial purpose.

**IBC/ICC (INTERNATIONAL BUILDING CODE/INTERNATIONAL CODE COUNCIL)** shall mean the Code or Codes adopted by the City of Castroville to ensure public health and safety of buildings, including all related Codes.

**IMPROVEMENT** shall mean any building, structure, or object constituting a physical betterment of real property, or any part of such betterment, including but not limited to streets, alleys, curbs, lighting fixtures, signs and the like.

**INFLATABLE SIGN** shall mean an inflatable device, with or without a message, figure, or design attached to its surface designed to attract attention.

**INFILL/INFILL DEVELOPMENT** shall mean new development on land that had been previously developed, including most greyfield and brownfield sites, or remainder lands surrounded by developed lands and cleared land within urbanized areas.

**INITIATED DESIGNATION** shall mean the historic designation procedure is considered to be initiated immediately when the City Council, the Planning & Zoning Commission, or the Historic Landmark Commission votes to initiate it or, in the case of initiation by the property owner(s), when the designation report is filed with the planning director.

**INTEGRITY** shall mean the authenticity of a property's historic identity, evidenced by survival of physical characteristics that existed during the property's historic or prehistoric period.

**INVENTORY** shall mean a list of historic properties that have been identified and evaluated as meeting specified criteria of significance.

**LANDSCAPE** shall mean any improvement or vegetation including but not limited to shrubbery, trees, plantings, outbuildings, walls, courtyards, fences, swimming pools, planters, gates, street furniture, exterior lighting, and site improvements, including but not limited to subsurface alterations, site regarding, fill deposition, and paving.

**LAYER** shall mean a range of depth of a lot within those certain elements are permitted.

- (1) First Layer shall mean the area of a lot from the frontage line to the facade of the principal building.
- (2) Second Layer shall mean the area of a lot set behind the first layer to a depth of 20 feet in all Place Types
- (3) Third Layer shall mean the area of a lot set behind the second layer and extending to the rear lot line.

**LIGHTING** shall mean any source of light that does not include natural light emitted from celestial objects or fire. The term includes any type of lighting, fixed or movable, designed or used for outdoor illumination of buildings or homes, including lighting for billboards, streetlights, canopies, gasoline station islands, searchlights used for advertising purposes, externally or internally illuminated on- or off-premises advertising signs, and area-type lighting. The term includes luminous elements or lighting attached to structures, poles, the earth, or any other location.

**LIGHT TRESPASS** shall mean light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky.

**LOCAL HISTORIC DISTRICT** shall mean a geographically and locally defined area that possesses a significant concentration, linkage, or continuity of buildings, objects, sites, structures, or landscapes united by past events, periods, or styles of architecture, and that, by reason of such factors, constitute a distinct section of the City. Historic sites within a local district need not be contiguous for an area to constitute a district. All sites, buildings, and structures within a local historic district, whether individually contributing or not are subject to the regulations of the district.

**LOCAL HISTORIC LANDMARK** shall mean any site, building, structure, or landscape of historic significance that receives designation by the City pursuant to this UDO.

**LODGING** shall mean a place for temporary sleeping accommodation.

**LOT** shall mean a divided tract or parcel of land having frontage on a public right-of-way or on an approved Civic Space or open space having direct thoroughfare access and that is or may be offered for sale, conveyance, transfer or improvement that is designated as a distinct and separate tract, and that is identified by a tract, or lot number or symbol in a duly approved plat that has been properly filed of record.

- (1) Lot, Corner shall mean a building lot situated at the intersection of two streets, the interior angle of such intersection not to exceed one hundred thirty-five (135) degrees.
- (2) Lot, Double Frontage shall mean a building lot not a corner lot, both the front and rear lot lines which adjoin street lines. On a double frontage lot, both street lines shall be deemed front lot lines unless contrary to any restrictive covenant applicable to said property.
- (3) Lot, Interior shall mean a building lot other than a corner lot.
- (4) Lot, Reverse Corner shall mean a corner lot, the rear lot line of which abuts the side lot line of the lot to its rear.

**LOT AREA OR LOT SIZE** shall mean the amount of horizontal land area within lot lines. No building permit or development approval shall be issued for a lot that does not meet the minimum lot size requirements of this UDO.

**LOT AREA PER DWELLING UNIT** shall mean the lot area required for each dwelling unit located on a building lot.

**LOT COVERAGE** shall mean the percentage of the area of a lot covered by building, parking, or other impervious footprints.

**LOT LINE** shall mean the boundary that legally and geometrically demarcates a lot.

- (1) Lot Line, Front shall mean the boundary of a building lot which is the line of an existing or dedicated street. Upon corner lots, either street line may be selected as the front lot line provided a front and rear IBC setback are provided adjacent and opposite, respectively to the front line, and provided further that same front line does not violate any restrictive covenant applicable to said property.
- (2) Lot Line, Rear shall mean the boundary of a building lot which is most distant from and is, or is most nearly, parallel to the front lot line.
- (3) Lot Line, Side shall mean any boundary of a building lot which is not a front lot line or a rear lot line.

**LOT OF RECORD** shall mean a lot that is part of a plat that has been recorded in the office of the County Clerk of Medina County.

**LOW-INCOME HOMEOWNER** shall mean any homeowner that meets the U.S. Department of Housing and Urban Development (HUD) qualifications for low income.

**LOT WIDTH** shall mean the length of the principal frontage line of a lot.

**LOW PROFILE SIGN** shall mean a sign with a permanent foundation that is not attached to a building, but is a stand-alone sign which does not exceed 60 square feet in area and four feet in height.

**LUMEN** shall mean the unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture (as distinct from "watt," a measure of power consumption). The initial lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer. (Abbreviated lm)

**LUMENS PER ACRE** shall mean the total number of lumens produced by all lamps utilized in outdoor lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.

**LUMINOUS ELEMENTS (OF A LIGHT FIXTURE)** shall mean the lamp (light bulb), any diffusing elements, and surfaces intended to reflect or refract light emitted from the lamp individually or collectively comprise the luminous elements of a light fixture (luminaire).

**MAILBOX** type structure shall mean a small frame structure that resembles a mailbox support to which a swinging sign is attached and is located on the applicant's property.

**MAIN CIVIC SPACE** shall mean the primary outdoor gathering place for a community. The main Civic Space is often, but not always, associated with an important civic building.

**MAINTENANCE AGREEMENT** shall mean an agreement between the City of Castroville, Texas and a Developer that will insure that installed appurtenances will be maintained in accordance with best management practices.

**MANUFACTURED HOME** shall mean a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed for use with a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

**MASTER SIGN PLAN** shall mean a comprehensive document containing specific standards for an entire project or property's signs.

**MARQUEE** shall mean a structural feature of a building that provides shelter and sign space.

**MESSAGE BOARD** shall mean a sign with changeable text. Non-electronic Message Boards typically consist of letters attached to a surface within a transparent display case. Electronic Message Boards typically have a fixed or changing message composed of a series of lights.

**MINOR ALTERATIONS** shall mean the installation or alteration to awnings, fences, gutters, downspouts, and incandescent lighting fixtures; restoration of original architectural features that constitute a change from the existing condition; alterations to signs; and additions and changes not visible from any street to the rear of the main structure or to an accessory structure.

**MINOR PLAT** shall mean a plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

**MOBILE FOOD VENDORS** shall mean any Business that operates or sells food for human consumption, hot or cold, from a Mobile Food Vending Unit.

**MOBILE HOME** shall mean a factory-assembled structure approved by the municipality with the necessary service connections made so as to be movable on site and designed to be used as a permanent dwelling.

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

**MONUMENT SIGN** shall mean a ground Sign generally having a low profile with little or no open space between the ground and the sign and having a structure constructed of masonry, wood, or materials similar in appearance.

**MURAL** shall mean artwork applied to the wall of a building that covers all or substantially all of the wall and depicts a scene or event of natural, social, cultural, or historic significance. Excludes any commercial message.

**NAMEPLATE** shall mean a sign consisting of either a panel or individual letters applied to a building, listing the names of businesses or building tenants.

**NATIONAL HISTORIC LANDMARK** shall mean a district, site, building, structure, and/or object that has been formally designated as a National Historic Landmark by the U.S. Secretary of the Interior and possesses exceptional value or quality in illustrating or interpreting the heritage of the United States in history, architecture, archeology, engineering, and culture and that possesses a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association. National Historic Landmarks are automatically listed in the National Register.

**NATIONAL REGISTER OF HISTORIC PLACES** shall mean a federal list of cultural resources worthy of preservation, authorized under the National Historic Preservation Act of 1966 as part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect the nation's historic

and archaeological resources. The National Register Program is administered by the local Historic Landmark Commission, by the state historic preservation office, and by the National Park Service under the Department of the Interior. Significant federal benefits may accrue to owners of properties listed or determined eligible for listing in the National Register.

**NEIGHBORHOOD PLAN** shall mean a neighborhood design plan created through a series of maps defining the physical form, Place Type allocation, block types, and extent of a settlement as required the UDO. The three Development Patterns addressed in this UDO are CLD, TND, and VCD and allow for the creation of a variety of Neighborhood Plan patterns.

**NEIGHBORHOOD STREET** shall mean a street that continues through several residential districts and is intended as a connecting street between residential districts and arterial streets or thoroughfares or business districts. Such secondary or neighborhood streets are indicated in the Transportation Master Plan and will also be indicated in the Thoroughfare Plan when adopted, which will be placed on file with the City Engineer.

**NEON** signage shall mean electric signs illuminated by small gas-charged glass tubes containing neon or some other form of rarified gas.

**NONCONFORMING SIGN** shall mean a sign lawfully in existence on the date the provisions of this UDO are adopted that does not conform to the provisions of this UDO, but was in compliance with the applicable standards at the time they were constructed, erected, affixed, or maintained.

**NONCONTRIBUTING** shall mean a building, site, structure, or object that is located within a designated historic district, but does not add to the historic associations, historic architectural qualities, or archaeological values for which the district is significant because:

- (1) It was not present during the period of significance;
- (2) It does not relate to the documented significance of the property; and/or
- (3) To alterations, disturbances, additions, or other changes, it no longer possesses historic integrity and/or is capable of yielding important information about the period.

**NON-COMMERCIAL SIGN** shall mean a work of art or message which is political, religious, or pertaining to a point of view, expression, opinion, or idea that contains no reference to the endorsement, advertising of, or promotion of patronage, of a business, commodity, service, entertainment, or attraction that is sold, offered or existing.

**NON-CONTRIBUTING STRUCTURE** shall mean a structure within a designated local Historic District that is not considered to be of historical significance or which does not possess significant physical features, historical associations, or historical architectural qualities.

**NONRESIDENTIAL** shall mean a property used for purposes other than to residential.

**OBJECT** shall mean a physical item associated with a specific setting or environment that is movable by nature or design, such as statuary in a designed landscape. The term "object" is used to distinguish it from buildings or structures as objects are constructions that are primarily artistic in nature or are relatively small in scale or simply constructed.

**OFF-PREMISES COMMERCIAL SIGN** shall mean a sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than upon the premises where such sign is displayed. This definition includes but is not limited to freestanding and billboard signs.

**ON-PREMISE COMMERCIAL SIGN** shall mean a sign which directs attention to a business, commodity,

service, entertainment, or attraction sold, offered, or existing upon the premises where such sign is displayed. This definition does not include non-commercial signs.

**OFF-SITE IMPROVEMENTS** shall mean improvements made to a parcel of property in accordance with local policies that are not contained within the boundaries of the property.

**ON-SITE IMPROVEMENTS** shall mean improvements made to benefit a parcel or parcels of property in accordance with local policies that are within the boundaries of property being improved.

**OPEN SPACE** shall mean land intended to remain undeveloped; it may be for Civic Space, left natural, or integrate trails or other activities.

**ORDER OF DEMOLITION** shall mean a directive issued by the local Historic Landmark Commission indicating approval of plans for demolition of a designated landmark or property within a designated district.

**ORDINARY MAINTENANCE** shall mean activities relating to a property that would be considered ordinary or common for maintaining the property, such as a) repair using the same material and design as the original and does not require structural modifications; b) repainting; c) reroofing, using the same type; or d) repair of sidewalks and driveways.

**OSSF** shall mean on-site sewage facility, commonly referred to as septic systems, whether of a traditional or "engineered" design.

**OUTDOOR DISPLAY CASE** shall mean a sign consisting of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a building wall or freestanding support. It allows the contents, such as menus or maps, to be maintained and kept current.

**OVERLAY DISTRICT** shall mean zoning applied over one or more other districts, creating a second, mapped zone that is superimposed over the conventional zoning districts. Overlay district typically provide for a higher level of regulations in certain areas such as transit station areas, downtown areas, and historic districts, but may also be used to permit exceptions or less restrictive standards (fewer parking spaces in a downtown or transit station area, or more density in an economic development area).

**OWNER** shall mean the individual, corporation, partnership, or other legal entity in whom is vested the ownership, dominion, or title of property and who is responsible for payment of ad valorem taxes on that property; including a Lessor or Lessee if responsible for payment of ad valorem taxes.

**PARCEL** shall mean a contiguous tract of land owned by or controlled by the same person or entity.

**PARK** shall mean a Civic Space type that is a natural preserve available for unstructured recreation.

**PARK AND RECREATION, PUBLIC** shall mean an open recreation facility or park owned and operated by a public agency, such as the park department or school board and available to the general public.

**PARK OR PLAYGROUND (PRIVATE)** - Shall mean a structure or space on private land designated for recreation and play.

**PARK OR PLAYGROUND (PUBLIC)** - See "Public Recreation".

**PATH OR PATHWAY** shall mean a pedestrian way traversing a Park or rural area, with landscape matching the contiguous Open Space, ideally connecting directly with the urban Sidewalk network.

**PEDESTRIAN** shall mean any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a



bicycle. For the purposes of this paragraph, "motorized wheelchair" means a self-propelled wheelchair that is used by a person for mobility.

**PEDESTRIAN SHED** shall mean the area covered by a 5-minute walk from the center of a neighborhood (about 0.25 miles or 1,320 feet). The acreage of the pedestrian shed is determined by the development pattern.

**PERMANENT SIGN** shall mean a sign constructed of durable materials which is affixed or attached to real property by poles, stakes, or other members which are placed into the ground, or upon some other type of permanent foundation and are intended for long-term use. A permanent sign excludes a sign attached to a building or other permanent structural members with rope, string, wire, twine, or similar material.

**PID** shall mean a Public Improvement District as authorized by section 372 of the Texas Local Government Code.

**PLACE TYPES OR PLACE TYPE ZONES** shall mean geographic boundaries that use standards to establish the Building Types density, height, and other elements of the intended habitat. Each Place Type has associated standards relating to the private and public frontages.

**PLACE TYPE ZONING MAP** shall mean the official map or maps that are part of this UDO and delineate the boundaries of individual districts.

**PLANNING & ZONING COMMISSION** shall mean a board, appointed by the City Council, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the "Commission."

**PLAT** shall mean a of a division of land creating building lots or tracts, showing all essential dimensions, and other information necessary to comply with the standards of the City of Castroville, approved by the City of Castroville, and recorded in the plat records of Medina County. It shall include plan, plat or replat, both singular and plural.

**PLAZA** shall mean a Civic Space type designed for civic purposes and commercial activities in the more urban Place Types, generally paved and spatially defined by building frontages.

**POLE SIGN** shall mean a sign permanently affixed to the ground by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to a part of a Building.

**POLITICAL SIGN** shall mean any sign which promotes a candidate for any public office or which advocates a position on any social issue as its primary purpose. Political signs shall be considered in the category of non-commercial signs except where there are regulations pertaining to their removal after an election.

**PORTABLE SIGN** shall mean a sign which is not affixed or attached to real property by poles, stakes, or other members which are placed into the ground, or upon some other type of permanent foundation; trailer signs, any sign with wheels or skids, and any sign which is constructed so as to sit upon the surface of the ground, without subsurface attachment or extension.

**PRE-CONSTRUCTION** shall mean a formal meeting with the City Engineer before a Subdivision Improvement Plan or Subdivision Improvement Plan Agreement may be approved.

**PRE-DEVELOPMENT MEETING** shall mean a meeting with City Staff required before a formal application submission for any plat, replat, or plat vacation may be submitted to the City.

**PREMISES** shall mean land together with any buildings or structures situated thereon.

**PRESERVATION** shall mean the stabilization of a historic building, its materials and features in their present condition to prevent future deterioration. Preservation focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.

**PRESERVATIONIST** shall mean someone with experience, education or training in the field of preservation.

**PRIMARY FRONTAGE** shall mean the private frontage designed to bear the address and principal entrance(s) of a building.

**PRIMARY SIGN** shall mean the most dominant sign on the building. This may be a single sign or a combination of signs providing that the total square footage of the primary sign or signs does not exceed the total allowable square footage permitted for the building.

**PRINCIPAL BUILDING** shall mean the main building on a lot.

**PRINCIPAL BUILDING FACADE** shall mean the primary street side of the building facing the public realm.

**PRINCIPAL ENTRANCE** shall mean the main point(s) of access for pedestrians into a building or unit within a building.

**PRINCIPAL FRONTAGE** shall mean the private frontage designed to bear the address and principal entrance(s) of a building.

**PRIVATE FRONTAGE** shall mean the privately held first lot layer and the facade of the building.

**PRIVATE REALM** shall mean privately owned areas in large part developed with buildings and associated improvements. It is more limited in its accessibility to the public.

**PROJECT** shall have the same definition as "development".

**PROJECTING SIGN** shall mean a two-sided sign projecting from a building and placed perpendicular to the building's front facade or placed at the building's exterior corner.

**PUBLIC ENTITY** shall mean a federal, state, or local government entity and includes the City of Castroville, Medina County, and Castroville Independent School District.

**PUBLIC FRONTAGE** shall mean the area between the curb of the vehicular lanes and the front property line.

**PUBLIC IMPROVEMENTS** shall mean any water, wastewater, paving, and drainage facility that will be maintained by the City.

**PUBLIC INFRASTRUCTURE** shall mean any portion of a street, drainage, water, and wastewater improvement system, including but not limited to any and all appurtenances related to such system, whether on or off-site, which is intended to serve more than one parcel of property, connects to existing public infrastructure, or intended to provide for the public health, safety, and welfare of the community.

**PUBLIC REALM** shall mean the streets, parks, squares, green spaces, and other interconnected outdoor places that require no key to access them and are available without charge for everyone to use.

**PUBLIC RECREATION** shall mean publicly owned and operated parks, recreation areas, playgrounds, swimming pools and open spaces that are available for use by the general public without membership or affiliation. This land use shall include special event type uses such as rodeos, concerts, festivals and other special events.

**REAL ESTATE, FINANCE, AND CONSTRUCTION SIGN** shall mean an attached or freestanding sign erected

upon a lot or parcel of land for the purpose of advertising same for sale or lease, or advertising the furnishing of interim or permanent financing for a project, or for the furnishing of labor, materials or the practice of crafts on the job site.

**REARYARD BUILDING** shall mean a building that occupies the full frontage line, leaving the rear of the lot as the sole yard.

**RECONSTRUCTION** shall mean the act or process of reassembling, reproducing or replacing by new construction the form, detail and appearance of property and its setting as it appeared at a particular period of time by means of removal of later work or by the replacement of missing earlier work or by reuse of original materials.

**RECORDED TEXAS HISTORICAL LANDMARK** shall mean a state designation for buildings important for their historical associations and which have retained a high degree of their original historic fabric. They must be at least 50 years of age and retain their original exterior appearance. State historical landmarks receive greater legal protection than National Register of Historic Places designations.

**RECREATIONAL VEHICLE** shall mean a portable home designed as a temporary dwelling for travel and recreational and vacation uses. Such homes shall not exceed eight feet in width and 46 feet in length and shall be classified as a recreational vehicle whether or not its wheels, rollers, skids or other rolling equipment have been removed, and whether or not any addition thereto has been built on the ground; and shall also include pick-up campers, converted buses, self-powered motor homes, tent trailers, tents and analogous temporary portable housing and accessory buildings.

**REHABILITATION** shall mean the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

**RELOCATION** shall mean any change of the location of a structure in its present location to another location within the city limits.

**REMOVAL** shall mean permanently moving a structure or feature or tree from its current location.

**REPLAT** shall mean a plat as defined in Chapter 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

**RESIDENTIAL** shall mean a structure designated and built for someone to live in.

**RESPONSIBLE PARTY** shall mean the owner/operator of the business being identified on the sign; the owner of the property where the sign or sign structure is located; the owner of the sign or sign structure; the person who installs a sign or sign structure, contracts with or directs a person to accomplish the installation; and/or the person who retrieves a sign from the impound.

**RESTORATION** shall mean the act or process of accurately recovering the form and details of a building, structure or object or lot, parcel or site and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacements of missing earlier work.

**RE-SUBDIVISION** shall mean the division of an existing subdivision, together with any change of lot size therein, or with relocation of any street lines.

**RIGHT OF WAY** shall mean the land located between the property line and the edge of the pavement of a public street or a utility easement in which a governmental entity has an interest.

**ROOF SIGN** shall mean an outdoor advertising display sign erected, constructed, or maintained on the roof

of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof, six feet above the eave line of a building with a shed, gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

**SCREENED** shall mean shielded, concealed, and effectively hidden from view by a person standing at ground level on an abutting site, or outside the area or feature so screened by a fence, wall, hedge, berm, or similar architectural or landscape feature.

**SECONDARY FRONTAGE** shall mean on corner lots, the private frontage that is not the principal frontage.

**SECRETARY OF THE INTERIOR'S STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES** shall mean a federal document providing standards and guidelines for the appropriate rehabilitation, preservation, restoration, and reconstruction of historic buildings.

**SETBACK** shall mean the area of a lot measured from the lot line to a building facade or elevation that is maintained clear of permanent structures, with the exception of encroachments listed in this UDO. The Build-to-Line replaces the front setback in the zoning and subdivision standards. See Build-to-Line.

**SHALL OR MAY** shall mean the word "shall" shall be deemed mandatory, the word "may" shall be deemed permissive.

**SHED AWNING** shall mean an awning with two short sides in addition to the main canopy.

**SHINGLE SIGN** shall mean a small blade sign usually mounted on the ground floor level, displaying a building's professional tenant directory.

**SIDEWALK** shall mean a type of walkway paved with concrete or pavers.

**SIDEWALK SIGN** shall mean a movable freestanding sign that is typically double-sided, placed at the entrance to a business to attract pedestrians. (Var: sandwich board, A-frame sign.)

**SIDEYARD** shall mean the placement of a building within the boundaries of its lot to create a private sideyard, with a setback to one side. Sideyard is a Building Type.

**SIGHT TRIANGLE** shall mean a triangular shaped area required on corner lots at the intersection of two streets including alleys that impact multi-modal traffic safety.

**SIGN** shall mean a structure, sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other object that is designed, intended, or used that includes text or images designed to communicate. Signs located completely within an enclosed building and not exposed to view from outside the building or structure shall not be considered a sign. Each display surface of a sign or sign face shall be a sign.

**SIGN ADMINISTRATOR** shall mean the officer appointed by the City Council with the authority to enforce this UDO. The Sign Administrator or designee shall review sign standards and applications. In the absence of designation by the City Council, the City Administrator shall serve as the sign manager. The term also includes any person designated to act on behalf of the Sign Administrator.

**SIGN BAND** shall mean the horizontal signage area on a valance or marquee.

**SITE(S)** shall mean the location of a significant event, a prehistoric or historic occupation or activity, building or structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, architectural, or archaeological value regardless of the value of any existing structure.

**SITE PLAN** shall mean the engineered or surveyed drawings depicting proposed development of land.

**SKETCH DRAWING** shall mean a preliminary design of a subdivision and/or development that illustrates the layout of rights-of-way, blocks, lots, easements, civic/open spaces, drainage, and land uses. A sketch drawing is preliminary in nature but provides enough detail to define the physical form of a subdivision and/or development to allow staff to provide relative feedback to an applicant. Review of a sketch drawing is not considered the filing of an original application or plan for development for purposes of Chapter 245 of the Texas Local Government Code.

**SOIL CELL** shall mean structures designed to be filled between the voids with soil and covered with pavement. Tree roots grow in the soil between the structural supports.

**SQUARE** shall mean a Civic Space designed for unstructured recreation and civic purposes, circumscribed by thoroughfares, spatially defined by building frontages, and consisting of paths and/or sidewalks, lawn and trees, formally lining the space.

**STANDARD PROCEDURE** shall mean the procedure to be followed for the approval of a subdivision when the land proposed to be subdivided.

**STANDARDS** shall mean the mandatory requirements or rules of this UDO.

**STATE ARCHAEOLOGICAL LANDMARK** shall mean a designation made by the Texas Historical Commission and, in the case of privately owned property, with the landowner's permission. Although called "archaeological" landmarks, this designation can include buildings as well as archaeological sites. For a building to be designated as a State Archaeological Landmark, it must first be listed on the National Register of Historic Places. Damage to a State Archaeological Landmark is subject to criminal, not civil, penalties.

**STATE HISTORIC PRESERVATION OFFICE (SHPO)** shall mean the State Office responsible for administering federal historic preservation programs as defined in the National Historic Preservation Act of 1966 as amended and subsequent legislation. The Executive Director of the Texas Historical Commission serves as SHPO for the State of Texas.

**STORY** shall mean a habitable level within a building, excluding an attic or raised basement.

**STREET** shall mean a local urban thoroughfare of low speed and low to moderate capacity.

**STREET WIDTH** shall mean the measurement from back-of-curb to back-of-curb.

**STREET LINE** shall mean the right-of-way line of a street.

**STREET NETWORK PLAN** shall mean the system of thoroughfares identifying the physical location of each thoroughfare and its Street Type.

**STREET TREES** shall mean any tree that is growing in the City right-of-way, whether in improved (between the sidewalk and the curb) or unimproved (no sidewalk and/or curb) right-of-way.

**STREET TYPE** shall mean a particular type of street and its characteristics, including right-of-way width, number and dimensions of elements, and the intended purpose of the street.

**STRUCTURE** shall mean anything constructed or erected, the use of that requires location on the ground, or that is attached to something having a location on the ground.

**SUBDIVIDER** shall mean the person, firm, partnership, association, corporation or other legal entity subdividing a piece of land to be sold or otherwise handled for their own personal gain or use.

**SUBDIVISION** shall mean the division of any lot, tract or parcel of land into 2 or more parts in order to lay out a subdivision of the tract, including an addition to the City, to lay out a neighborhood, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.

**SUBDIVISION IMPROVEMENT PLAN** shall mean any project for the erection, construction, alteration, repair or improvement of any public structure, building, road, or other public improvement of any kind.

**SWALE** shall mean a low or slightly depressed area for drainage, usually vegetated.

**TERMINATED VISTA** shall mean a location at the axial conclusion of a Thoroughfare or Pedestrian way. A building located at a Terminated Vista, designated on a Neighborhood Plan, is required or recommended to be designed in response to the axis.

**TEXAS DEPARTMENT OF TRANSPORTATION AND/OR TXDOT** shall mean the state agency authorized by the State Legislature, or its successor agency, to regulate matters related to highway and road construction. (Note: When any TxDOT standard, "Item" regulation, definition, or other matter is referenced, utilized, or adopted herein, the City also specifically adopts by this note of reference, and shall automatically apply without further amendment to this UDO, the applicable successor TxDOT standard(s), "Item(s)", regulation(s), definition(s) or other matter(s), as amended by state law over time).

**THOROUGHFARE** shall mean a way for use by vehicular and pedestrian traffic and to provide access to lots and open spaces, consisting of vehicular lanes and the public frontage.

**UPLIGHTING** shall mean lighting that is directed in such a manner as to project light rays above the horizontal plane running through the lowest point on the fixture where light is emitted.

**USE** shall mean the purpose or activity for which the land, or building thereon, is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of such activity with respect to the standards of this UDO.

**UTILITY, MAJOR** shall mean public or quasi-public utility facilities less widely distributed than essential or limited utility facilities and of such a nature as to have an high degree of impact on adjoining properties. Typical uses include electrical generating plants, regional water and wastewater treatment plants, waste transfer stations, and sanitary landfills.

**UTILITY, MINOR** shall mean public or quasi-public utility facilities of such a nature as to have an intermediate impact on adjoining properties. Typical uses include electrical and natural gas substations, communication equipment exchanges, construction/demolition landfills, reservoirs and water tanks, and radio, television, and microwave transmission towers.

**UTILITY, PRIVATE** shall mean regulated enterprise, with or without a franchise, for providing needed service including but not limited to electric, natural gas, cable TV, and other communication systems, but not including cellular towers, that are not owned and operated by the city, county, state, federal government, or special utility district.

**VALANCE** shall mean the portion of an awning that hangs perpendicular to the sidewalk.

**VILLAGE CENTER DEVELOPMENT OR VCD** shall mean a development pattern structured by a pedestrian shed oriented toward a common destination such as a general store, meeting hall, schoolhouse, or church with dense P4 and P5 Place Types surrounded by Open Space. Vehicles are kept on the periphery and rear

of the development.

**WALKABILITY** shall mean a measure of how easy it is to travel a place by walking. Walkable places are safe, comfortable, interesting, and have useful destinations.

**WALKWAY** shall mean the section of the public frontage dedicated exclusively to pedestrian activity.

**WARRANT** shall mean a ruling that would permit a practice that is not consistent with a specific provision of this UDO, but that is justified by its intent. Warrants are granted administratively by the Development Review Committee.

**WINDOW SIGN** shall mean a sign affixed to the interior or exterior of a window or placed within three (3) feet of a window for the purpose of being visible from the exterior of the window. Merchandise displays shall not be considered window signs.

**YARD SIGN** shall mean a permanent freestanding sign in the private frontage, including a supporting post or posts.



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