

MAYOR AND CITY COUNCIL COMMUNICATION

DATE: July 15, 2025

TO: City Council

FROM: Susana Huerta, Planning and Zoning Director

THROUGH: Crystal Caldera, Ph.D., City Manager

SUBJECT: Presentation, Discussion and **Public Hearing** to Consider an Ordinance Amending Chapter 15, "Zoning," Appendix C. Sustainability, Gateway, and Commercial/Industrial Overlay District Standards to Delete the Sustainability and the Commercial/Industrial Overlay Districts. Revisions to Article 15.02 Zoning Ordinance, Sec. 15.02.052, "Definitions", Sec. 15.02.301, "Districts", Sec. 15.02.304 "Description and Purpose of Districts"; Sec. 15.02.305 "Regulation for All Districts"; Sec. 15.02.314 "Residential Use Table"; Amending Sec. 15.02.318 "PD Planned Development District" to a Different Section; and Deleting Sec. 15.02.318 "MX-1 Mixed Use District"; Amending Sections 15.02.319 "O-1 Office District", Sec. 15.02.320 "B-1 Small Business District", Sec. 15.02.321 "B-2 Retail District", Sec. 15.02.322 "B-3 Commercial District", and Sec. 15.02.323 "I-1 Industrial District" to Add Landscaping and Lighting Requirements; Amending Sec. 15.02.324 Table of Minimum Requirements to Add the R-7 District; Amending Sec. 15.02.381 "Permitted Use Table" to Delete the Sustainability and Commercial/Industrial Overlay Districts; Amending Sec. 15.02.441 "Parking Regulations" to Add Landscaping Regulations and Add Bicycle Parking; Deleting Exhibit 2 – Overlay Boundaries, Exhibit 2A – Sustainability Overlay and Exhibit 2C – Commercial/Industrial Overlay; and Renumbering Exhibit 2B (1st Read as Required by City Charter) – Gateway Overlay

PURPOSE

The purpose of this item is to consider approval of an Ordinance amending Chapter 15 Zoning, specifically to delete the Sustainability and Commercial/Industrial Overlay Districts, incorporate sections from these Overlay Districts into the body of the Code, and make housekeeping type revisions to other sections as necessary.

Chapter 15 Zoning should be reviewed and amended periodically as directed by City Council in order to incorporate new trends, comply with state law, and to comply with current building regulations.

The City Council has expressed their desire to revise Appendix C Sustainability, Gateway, and Commercial/Industrial Overlay Standards to remove these Overlay Districts. Staff agrees with these revisions, as they will assure regulatory compliance, make the Zoning Code more user friendly for the development community and staff, and bring several properties out of non-compliance with various land uses due to the implementation of Overlay zoning districts.

PROPOSED REVISIONS

- Appendix C. Sustainability, Gateway, and Commercial/Industrial Overlay District Standards - amended to delete Sustainability and the Commercial/Industrial Overlay Districts
- Sec.15.02.052 “Definitions” - amended to include definitions previously in Overlay Districts
- Sec. 15.02.301 “Districts” - amended to add the R-7 Single-Family Medium Density District
- Sec. 15.02.304 “Description and Purpose of Districts” - amended applicability to only Gateway Overlay District
- Sec. 15.02.305 “Regulation for All Districts” - amended to delete the Sustainability and Commercial Overlay Districts
- “RE-1” Residential Estate District – amended to move to the appropriate section of code and renumbered to Sec. 15.02.306. Changed following section numbers accordingly
- Masonry requirement - removed from all districts in accordance with state law
- Sec. 15.02.314 “Residential Use Table” - amended to add column for RE-1 zoning district
- “PD” planned development district – amended to move to Sec. 15.02.319 before the commercial/industrial districts
- Sec. 15.02.318 “MX-1” mixed use district – deleted as this zoning district has never been requested
- Sec. 15.02.305 “Regulation for All Districts” -amended to delete the Sustainability and Commercial Overlay Districts
- “RE-1” Residential Estate District – amended to move to section prior to R-1 Single-Family Dwelling District and renumbered to Sec. 15.02.306. Changed following section numbers accordingly.
- Parking, landscaping, and lighting regulations - moved from the Sustainability and Commercial Overlay Districts to the appropriate sections in the body of code
- Sustainability and Commercial/Industrial Overlay Districts Exhibits – amended to remove the Exhibits depicting map of overlay areas

STAFF COMMENTS

The proposed ordinance amendments address needed changes for readability, compliance with state law, undue hardship from sudden nonconformity, and ease of use by the development community and staff.

The Planning and Zoning Commission and City Council may wish to review the Table of Permitted Uses to ensure that the uses that were allowed in the underlying zoning district but prohibited in the Sustainability and Commercial/Industrial Overlay Districts are still appropriate for their underlying districts.

MASTER PLAN

The City's Comprehensive Master Plan will also have to be revised to delete references to these Overlay zoning districts, but this can be accomplished in-house by Staff and the Planning and Zoning Commission and should be ready for presentation to the City Council for their consideration by the end of the year.

Notification

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| • Letters mailed to property owners within 200' | 1,100 |
| • Letters received in favor | 1 |
| • Letters received in opposition | 11 |
| • Letters returned undeliverable | 54 |

FISCAL IMPACT:

These revisions will impact developers as vacant land becomes developed and as existing developments are remodeled or redeveloped and may increase ad valorem and sales taxes.

RECOMMENDATION

Staff recommends approval of the proposed ordinance amendments.

P&Z RECOMMENDATION

The Planning and Zoning Commission recommended approval of the ordinance amendment with a vote of 6 – 0.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Saundra Passailaigue
City Secretary