

# Workshop

## Amending Chapter 15 Zoning

Planning and Zoning Commission Meeting  
Planning & Zoning Director Mindy Teague  
7-25-23



# Purpose

- The purpose of this workshop is to discuss revisions to the Leon Valley Code of Ordinances, Chapter 15 Zoning:
  - To consider a recommendation for moving some regulations from Appendix C Sustainability, Gateway, and Commercial/Industrial Overlay Standards
  - To eventually eliminate the General, Sustainability, and Commercial/Industrial Overlay Standards and zoning districts
- This workshop will address only the Sustainability Overlay Standards
- Future workshops will address Commercial/Industrial Overlay Standards and districts

# Background

- Chapter 15 Zoning is to be reviewed and amended periodically, as directed by city council
- Codes should be reviewed and updated/adopted every 4 years in order to incorporate new trends and current building regulations
- Adopting codes assures a *minimum* standard
- City Council has expressed their desire to revise Appendix C Sustainability, Gateway, and Commercial/Industrial Overlay Standards
- Staff would also like to make these revisions in order to make the Zoning Code easier to understand for both internal and external users

# Proposed Revisions

- 1. Overlay District – Sustainability
  - A. Intent – Remove from Code
  - B. Land Use – Remove from Code
  - C. Building Height and site area regulations – Move to each district.
  - D. Building orientation – Remove from Code
  - E. Cross-access drives – Move to parking, Div. 9

# Proposed Revisions

- 1. Overlay District – Sustainability
  - F. Automobile Parking – Move to parking, Div. 9
  - G. Bicycle Parking - Move to parking, Div. 9
  - H. Supplementary Architectural Regulations
- Remove most regulations at the commission's recommendation
- Please see additional attachment for existing standards for sustainability overlay in our current code with staff recommendations

# State Law

- H.B. 2439 added Government Code Section 3000.002 to prohibit an applicable governmental entity from adopting or enforcing a regulation that either:
  - Directly or indirectly prohibits or limits the use or installation of a building product or material in the construction or alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or
  - Establishes a standard for a building product, material, or aesthetic method in the construction or alteration of such a building that is more stringent than a standard for the product, material, or aesthetic method under such a code that applies to the construction or alteration of the building

# State Law

- There are limited exceptions outlined in the code and most recently **SB 2453** added exceptions as follows:
  - **Exceptions to Building Material Preemption:** allows a governmental entity, including a city, to adopt a regulation regarding the building the use or installation of a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if that product, material or method relates to:
    - (1) certain energy codes adopted by the State Energy Conservation Office;
    - (2) certain energy and water conservation design standards established by the State Energy Conservation Office; or
    - (3) certain high-performance building standards approved by the board of regents of an institute of higher education. (Effective September 1, 2023.)

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# Fiscal Impact

- These revisions may impact developers as vacant land becomes developed and as existing developments are remodeled or redeveloped

# S.E.E. Statement

- *Social* – Updating regulatory codes protects the health, safety, and welfare of all citizens
- *Economic* – Assuring quality development maintains housing and business property values
- *Environmental* – Updating the Code to the present environmental standards assures clean air and water