CITY OF LEON VALLEY
PLANNING AND ZONING COMMISSION
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Wednesday, November 18, 2026, at 6:30 PM

AGENDA

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF ZONING COMMISSION MINUTES

1. Discussion and Possible Action Approving of the October 27, 2026, Planning and Zoning Commission Meeting Minutes- M. Gallardo, Planning and Zoning Director

3. NEW BUSINESS

1. Discussion and Recommendation Appointing New Commissioners and Alternates - M. Gallardo, Planning and Zoning Director

2. Presentation, **Public Hearing**, and Discussion to Consider Amending Chapter 15 Zoning, Division 2 Rules of Construction and Definitions, Section 15.02.052 Definitions to Amend the Definition of Assisted Living Facility- M. Gallardo, Planning and Zoning Director

3. Presentation, **Public Hearing**, and Possible Action to Consider Approval of a Replat and Subdivision Plat Establishing Sawyer Tract being a total of 6.583 acres, establishing Lots 1-36, Block 1 and Lots 1-42, 900-901, Block 2, Out of the Northwest Portion of Lots 10, 11, 12, 13, and the Western Portion of Lot 3, All of the Leon Valley Addition Subdivision as Shown on the Plat Recorded in Volume 980, Page 405, in the Plat Records of Bexar County, Texas- M. Gallardo, Planning and Zoning Director

4. Presentation, **Public Hearing**, Discussion, and Possible Recommendation, to Consider a Request for a Zone Change from B-3 Commercial to I-1 Industrial District on an Approximately .3400 Acre Tract of Vacant Land, Located at the SW Corner of Bandera Road and NW Industrial; More Specifically Described as Lot 1, CB 4428F, BLK 1 Northwest Industrial Park Subdivision- M. Gallardo, Planning and Zoning Director

4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF

In accordance with Section 551.0415 of the Government Code, topics discussed under this item are limited to expressions of thanks, congratulations or condolence; information regarding holiday schedules; recognition of a public official, public employee or other citizen;

a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial or community event; and announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

5. ADJOURNMENT

Executive Session - The Planning and Zoning Commission of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during this meeting to discuss any matter listed on the posted agenda, as authorized by the Texas Government Code, including but not limited to: **Section 551.071** – Consultation with Attorney, **Section 551.072** – Deliberations about Real Property, **Section 551.073** – Deliberations about Gifts and Donations, **Section 551.074** – Personnel Matters, **Section 551.076** – Deliberations about Security Devices, and **Section 551.087** – Economic Development

Continuation of Meetings (Sec. 551.0411, Texas Government Code) - A governmental body that recesses an open meeting to the following regular business day is not required to post a new notice if the action is taken in good faith and not to circumvent the law. If a recessed meeting is continued to another day beyond the following business day, written notice of the continued meeting must be given as required by law.

Attendance by Other Elected or Appointed Officials - Members of other City boards, commissions, and/or committees may attend this meeting in numbers that could constitute a quorum. Accordingly, this agenda is also posted as a meeting notice for those boards, commissions, and/or committees. Members present may participate in discussions but may not deliberate or take action on items listed on this agenda. *[Attorney General Opinion No. GA-0957 (2012)]*

Certification of Posting - I hereby certify that the above **Notice of Public Meeting(s) and Agenda of the Leon Valley Planning and Zoning Commission** was posted at Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until the conclusion of the meeting(s). This notice is also available on the City's website at www.leonvalleytexas.gov.

Accessibility: This building is wheelchair accessible. Requests for sign interpretation or other services must be made at least 48 hours in advance of the meeting. To arrange assistance, please call (210) 684-1391, Extension 212.



SAUNDRA PASSAILAIGUE, TRMC
City Secretary
November 10, 2026 3:10 PM

CITY OF LEON VALLEY
PLANNING & ZONING COMMISSION
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, October 27, 2026, at 6:30 PM

MINUTES

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1. CALL TO ORDER AND ROLL CALL

PRESENT–Voting Members
2nd Vice-Commissioner 1 David Perry
1st Vice Chair, Commissioner 2 Andrea Roofe
Commissioner 4 Donnie Britt
Commissioner 5 Olen Yarnell
Commissioner 6 Erick Matta
Chair- Commissioner 7 Russell Hernandez
1st Alternate Annette Ramirez

Also, in attendance was Planning and Zoning Director, Michael Gallardo and City Manager, Dr. Crystal Caldera.

Chair Hernandez called the meeting to order at 6:30 PM. Chair Hernandez asked 1st Alternate Annette Ramirez to sit on the dais to fill in for Commissioner Diaz who was not present. Then Chair Hernandez Led the Pledge of Allegiance.

The Commission was notified by the Planning and Zoning Director that Commissioner Diaz had resigned and thus agenda item 3.1 was pulled from the agenda.

2. APPROVAL OF ZONING COMMISSION MINUTES

Discussion and Possible Action Approving of July 28, 2026, Planning and Zoning Commission Meeting Minutes- M. Gallardo, Planning and Zoning Director

Commissioner Yarnell pointed out a typo and requested it be corrected.

Commissioner Britt made a motion to approve the minutes with the correction. The motion was seconded by Commissioner Yarnell.

Voting Yea: Chair, Commissioner 7 Hernandez, Commissioner 4 Britt, Commissioner 2 Roofe, Commissioner 5 Yarnell, Commissioner 1 Perry, Commissioner 6 Matta and 1st Alternate Ramirez.

The motion passed unanimously.

3. NEW BUSINESS

1. **Discussion and Possible Action Excusing Commissioners from the March 24, 2026, Planning and Zoning Commission Meeting in Accordance with Chapter 15 Article 15.02 Zoning Ordinance Division 13 Organization and Enforcement Section 15.02.721- M. Gallardo, Planning and Zoning Director**

   Director informed the group that the item would be pulled as Commissioner Diaz provided his resignation.

2. **Presentation, Public Hearing, and Discussion to Consider an Ordinance on a Specific Use Permit Request to Allow a Medical Spa Offering Advanced Aesthetic Treatments in a B-2 Retail District on Approximately 1.03 Acre Tract of Land, Located at 6502 Bandera Road Suite 200; and More Specifically Described as CB 4429A, Block 8, Lot 6 Seneca Estates Unit 9 – M. Gallardo, Planning and Zoning Director**

   Director Gallardo presented the item. Chair Hernanez opened the discussion to the Commission. Councilwoman Heyl asked if the business was in the same building as other businesses that provide aesthetic treatments. Director Gallardo informed her that there were other businesses providing the same type of services at that address.

   Chair Hernandez opened and closed the Public Hearing at 6:44pm. After a brief discussion, Commissioner Yarnell suggested the Code of Ordinances be amended so that SUP would not be required when backing up to a residential property. The Commission discussed the recommendation briefly.

   After discussion regarding the requirements for an SUP a motion was made by Commissioner Roofe to approve the request and seconded by Commissioner Perry.

   Voting Yea: Chair, Commissioner 7 Hernandez, Commissioner 4 Britt, Commissioner 2 Roofe, Commissioner 5 Yarnell, Commissioner 1 Perry, Commissioner 6 Matta and 1st Alternate Ramirez.

   The motion passed unanimously.

3. **Presentation, Discussion and Public Hearing to Consider a Recommendation on a Non-Specified Use Request to Revise Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 2 Rules of Construction and Definitions and Division 7 Permitted Use Table to Establish the Definition and Use "Logistics Center" as Being Allowed in the I-1 Industrial Zoning Districts by Right- M. Gallardo, Planning and Zoning Director**

   Director Gallardo presented the item. Chair Hernanez opened the discussion to the Commission. Commissioner Matta asked if the city had seen an increase in this type of

business. He was informed that the city was amending Chapter 15 in anticipation of such requests. After a brief discussion, Chair Hernandez opened and closed the Public Hearing at 7:02pm.

After discussion a motion was made by Commissioner Roofe to approve the request and seconded by Commissioner Perry.

The motion passed unanimously.

4. **Presentation, Discussion and Public Hearing to Consider a Recommendation on a Non-Specified Use Request to Revise Chapter 15 Zoning, Article 15.02 Zoning Ordinance, Division 2 Rules of Construction and Definitions and Division 7 Permitted Use Table to Establish the Definition and Use "Data Center" as Being Allowed in the I-1 Industrial Zoning Districts by Right- M. Gallardo, Planning and Zoning Director**

Chair Hernandez opened the discussion to the Commission and Commissioner Yarnell stated he did not have enough information to vote on the item. Director Gallardo informed Commissioner Yarnell that city wanted to ensure that Data Centers only be allowed in the Industrial District. He also informed Commissioner Yarnell that City Council would ultimately create an ordinance that would regulate data centers.

Dr. Caldera provided clarity to the Commission by informing the Commission that the city was being proactive in safeguarding the city by ensuring that Data Centers would only be allowed in the Industrial District. A Data Center request would not be allowed in another district.

Chair Hernandez opened the Public Hearing at 7:12pm. Teresa Moser spoke and asked if Data Centers would be allowed in other areas. Dr. Caldera reiterated that the attempt by the city would be to keep Data Centers in the Industrial District. Chair Hernandez closed the Public Hearing at 7:15pm.

After discussion a motion was made by Commissioner Matta to approve the request and seconded by Commissioner Britt.

Voting Yea: Commissioner 6 Matta, Chair, Commissioner 7 Hernandez, Commissioner 4 Britt, Commissioner 2 Roofe, Commissioner 5 Yarnell, Commissioner 1 Perry and 1st Alternate Ramirez.

The motion passed unanimously.

Director Gallardo did inform the Commission that a meeting is scheduled for Wednesday, November 18, 2026, at 6:30pm.

4. ADJOURMENT

Chair Hernandez announced the meeting adjourned at 7:17 PM.

These minutes were approved by the Leon Valley Planning & Zoning Commission on the 18th of November 2026.

APPROVED

_____

RUSSELL HERNANDEZ
CHAIR

ATTEST: _____

MICHAEL GALLARDO
PLANNING AND ZONING DIRECTOR

PLANNING AND ZONING COMMUNICATION

DATE: November 18, 2026

TO: Planning and Zoning Commission

FROM: Michael Gallardo, Planning and Zoning Director

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

SUBJECT: Recommendation for Appointment of New Commissioners and Alternates

PURPOSE

The resignation of Commissioner Diaz has created an open seat on the Planning and Zoning Commission. The Code of Ordinances provides the procedure to make a recommendation to the City Council to fill that vacancy.

Sec. 1.06.006 - Board appointments and succession

(a) All members and alternates shall be appointed by city council through resolution.

(b) For boards and commissions that have alternates, if a member position becomes vacant, the chairperson of that board, committee, or commission may ask the first alternate if he or she wishes to become a regular member. If the alternate consents to the appointment in writing, the board, committee, or commission shall vote to approve such recommendation and submit that recommendation to the city council that such alternate be appointed as a regular member and forward the written consent of the alternate. Should the first alternate position be vacant or the alternate does not consent in writing, the chairperson of that board, committee, or commission may ask the second alternate, vote, and then forward such recommendation and written consent to the city council for appointment, and so on until a recommendation and written consent is presented to city council. Should alternate positions be vacant or the alternates do not consent to the consideration of appointment, the city council may consider other candidates for the member position, when all alternates considered for recommendation have been exhausted.

RECOMMENDATION

Recommend two of the alternate members fill the vacancies following the code guidelines.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

_____

_____

_____

ATTEST:

_____
Michael Gallardo
Planning and Zoning Director

PLANNING AND ZONING COMMUNICATION

DATE: November 18, 2026

TO: Planning and Zoning Commission

FROM: Michael Gallardo, Planning and Zoning Director

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

SUBJECT: Presentation, **Public Hearing**, and Discussion to Consider Amending Chapter 15 Zoning, Division 2 Rules of Construction and Definitions, Section 15.02.052 Definitions to Amend the Definition of Assisted Living Facility- M. Gallardo, Planning and Zoning Director

PURPOSE

The purpose of this communication is to consider amending the definition of "Assisted Living Facility" to better regulate assisted living facilities and group homes.

Proposed Definition:

- *Assisted living facility (ALF).* An establishment licensed under Tex. Health and Safety Code Ch. 247 that furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment and provides personal care services or the administration of medication by a person licensed or otherwise authorized in this state to administer the medication, as defined in Tex. Health and Safety Code § 247.002, as amended. Types of assisted living facilities, as established by rules of the Texas Health and Human Services Commission (26 Tex. Admin. Code ch. 553), are summarized as follows; in the event of a conflict, the state rule controls:

(1) *Type A.* In a Type A facility, a resident:

a. Must be physically and mentally capable of evacuating the facility unassisted. This may include mobile or ambulatory persons such as those who are in wheelchairs or electric carts and have the capacity to transfer and evacuate themselves in an emergency;

b. Does not require routine attendance during nighttime sleeping hours; and

c. Must be capable of following directions under emergency conditions.

(2) *Type B.* In a Type B facility, a resident may:

a. Require staff assistance to evacuate;

b. Be incapable of following directions under emergency conditions;

c. Require attendance during nighttime sleeping hours; or

d. Not be permanently bedfast, but may require assistance in transferring to and from a wheelchair.

Regulatory Background:

Assisted Living Facilities are allowed in Residential Districts by Right. Assisted Living Facilities are regulated by Local Zoning and by State Legislation.

FISCAL IMPACT

The facility will be responsible for applicable registration, inspection and reinspection fees.

RECOMMENDATION

Staff recommends that Council approve the proposed amendment to Chapter 15 Zoning,

APPROVED : _____ DISAPPROVED : _____

APPROVED WITH THE FOLLOWING AMENDMENTS :

_____

_____

ATTEST :

_____

Michael Gallardo
Planning and Zoning Director

ARTICLE 15.02 ZONING ORDINANCE[1]

DIVISION 1. GENERALLY

Sec. 15.02.001 Title

These regulations shall be known as article 15.02 of the city Code of Leon Valley, Texas and will be referred to herein as "this article."

(1972 Code, sec. 30.101; 2008 Code, sec. 14.02.001)

Sec. 15.02.002 Purpose and effect

(a) The zoning regulations and districts as herein established have been made in accordance with a comprehensive master plan for the purpose of promoting health, safety, morals and the general welfare of the community by controlling the design, location, use or occupancy of all buildings through regulated and orderly development of land and land uses within this jurisdiction.

(b) The zoning regulations are intended to be in compliance with the Americans with Disabilities Act and the Fair Housing Act. Any portion of this article in conflict with either of the referenced acts is unintentional and shall be overridden by that act or acts, to the extent of such conflict.

(c) In fulfilling these purposes, this article is intended to benefit the public as a whole and not any specific person or class of persons.

(d) This article shall be reviewed and amended periodically, as directed by the city council.

(1972 Code, sec. 30.102; 2008 Code, sec. 14.02.002)

Sec. 15.02.003 Scope

(a) The provisions of this article shall apply to the construction, alteration, moving, repair and use of any building or parcel of land within this jurisdiction.

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[1]Editor's note(s)—This article consists of the zoning ordinance, Ordinance 07-013, adopted March 6, 2007, as amended, previously published as chapter 30 in the 1972 Code of Ordinances and as article 14.02 in the 2008 Code of Ordinances. Section numbers, style, capitalization and formatting have been changed to be consistent with the remainder of the Code of Ordinances, and this will be maintained in future amendments to this article. Changes in the names of state agencies have been incorporated without notation. The term "City of Leon Valley" has been changed to "city." References to "planning and zoning commission" and "zoning and land use commission" have been changed to "zoning commission" without notation. Obviously misspelled words have been corrected without notation. Except for these changes, such ordinance is printed herein as set out in the 2008 Code of Ordinances. Any other material added for purposes of clarification is enclosed in brackets.

State law reference(s)—Municipal zoning authority, V.T.C.A., Local Government Code, ch. 211.

(b) Where, in any specific case, different sections of this article specify different requirements, the more restrictive shall govern. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

(c) The provisions of this article shall not apply to property belonging to the city; or to property used to provide public utilities; or work located primarily in or on a public way, public utility towers and poles, or public utility easements, unless specifically mentioned in this article; provided that in the erection of buildings or other structures, the city and utility companies shall attempt to conform in architectural design or otherwise as nearly as possible to the buildings permitted in the district in which they are being erected.

(d) If any portion of this article is held invalid for any reason, the remaining portions herein shall not be thereby affected.

(1972 Code, sec. 30.103; 2008 Code, sec. 14.02.003)

Sec. 15.02.004 Compliance

Except as provided in this article, no building shall be erected, reconstructed or structurally altered, nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located; no building shall be erected, reconstructed or structurally altered to exceed the height or bulk limit herein established for the district in which such building is located; no lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this article, nor shall the yard or open spaces provided about any building for the purpose of complying with the provisions of this article be considered as providing a yard or open spaces for any other building.

(1972 Code, sec. 30.104; 2008 Code, sec. 14.02.004)

Sec. 15.02.005 Penalties for violations

Each violation of this article shall be punishable by a fine of not less than $5.00, nor more than $2,000.00, unless some other fine is specifically prescribed for a particular violation. Each day any violation occurs or continues to occur shall be considered a separate offense.

(1972 Code, sec. 30.105; 2008 Code, sec. 14.02.005)

Sec. 15.02.006 Adoption of legislative grant of power

Texas Local Government Code, chapter 211, is hereby adopted, and the provisions of this article are adopted in the exercise of power granted to municipalities by such statutes and pursuant to any and all other applicable laws.

(1972 Code, sec. 30.106; 2008 Code, sec. 14.02.006)

Secs. 15.02.007—15.02.050 Reserved

DIVISION 2. RULES OF CONSTRUCTION AND DEFINITIONS[2]

Sec. 15.02.051 Words and phrases, rules of construction

(a) Words, phrases and terms defined in this article shall be given the defined meaning.

(b) Words, phrases and terms not defined in this article but defined in the building code found in chapter three of the Leon Valley City Code ("this Code"), shall be construed as defined in the building code.

(c) Words, phrases and terms defined neither in this article nor in the building code adopted in chapter 3, shall be given their usual and customary meanings except where the context clearly indicates a different meaning.

(d) The text of this article shall control captions, titles and maps.

(e) The word "shall" is mandatory and not permissive; the word "may" is permissive and not mandatory.

(f) Words used in the singular include the plural, and words used in the plural include the singular.

(g) Words used in the present tense include the future tense, and words used in the future tense include the present tense.

(1972 Code, sec. 30.201; 2008 Code, sec. 14.02.051)

Sec. 15.02.052 Definitions

Access drive, major. Any privately owned on-site drive or lane intended to access the primary entrance to land parcels and parking areas, and which accommodates autos or pedestrians. Such major access drive will likely intersect a major roadway at a median break, subject to the director's approval. This is not a public street, but often serves as a shared access drive.

Accessory. An object or device not essential in itself, but adding to the beauty, convenience or effectiveness of another item.

Accessory building. A subordinate structure attached to or detached from the main building.

Accessory dwelling unit (ADU). A residential dwelling unit (but not a manufactured home, located on the same lot as a primary single-family dwelling unit - either within the same building as the single-family dwelling unit or in a detached building - complete with living facilities and designed in a manner in which it is capable of functioning without the use of the primary dwelling unit.

Accessory use. A use conducted on the same lot as the primary use of the structure to which it is related; a use which is clearly incidental to, and found in connection with, such primary use. See also, "incidental use."

Adult entertainment establishment. An establishment consisting of, including, or having the characteristics listed in article 4.08 of the Leon Valley Code.

[2]Editor's note(s)—The title of division 2 has been changed from "Rules of Construction, Definitions and Administration" to "Rules of Construction and Definitions," at the discretion of the editor, in order to more accurately reflect the subject matter.

Agriculture. The production, storage, keeping, harvesting, grading, packaging, processing, boarding, or maintenance, for sale, lease, or personal use, of plants and animals useful to humans, including but not limited to: the tilling of the soil, raising of crops, animals, fowl, horticulture, gardening, beekeeping and aquaculture.

Agronomy. The science and management of field crop production and soil management and soil conservation.

Alley. Minor public right-of-way, not intended to provide the primary means of access to abutting lots, which is used primarily for vehicular service access to the back of properties otherwise abutting on a street. An alley affords only a secondary means of access to property abutting thereon.

Alteration. Any change, addition or modification in construction, occupancy or use.

Alteration, apparel Any change, addition or modification to material, fabric, or style used for clothing, garments, attire, or accessories.

Alternative tower structure. Either a primary or an accessory use on any developed parcel including clock towers, bell steeples, light poles, and similar alternative antenna mounting structures, except for residential structures.

Amusement center. A facility used by the general public containing four or more games or game devices used for indoor and/or outdoor entertainment but not to include gambling or gambling devices prohibited by law. Also see "Entertainment - indoor/outdoor" [sic].

Animal clinic. A place where animals are given medical care, and the boarding of the animals is limited to short-term care incidental to the hospital use.

Animal shelter. Any profit or nonprofit business, the primary use of which is the provision of lodging or shelter to animals. Also see "Veterinary clinic."

Antenna. Any exterior apparatus designed for wireless radio, television, microwave or telephone communication through the sending and/or receiving of electromagnetic waves.

Antenna height. The distance measured from ground level to the highest point on the structure, even if the highest point is an antenna.

Antenna, receive-only antenna/amateur radio. Any tower or antenna that is under 70 feet in height and is owned or operated by a federally licensed amateur radio station operator or is used exclusively for reception only, including local television broadcast reception antennas, direct broadcast satellite antennas or multichannel multipoint distribution services. Receive-only/amateur antennas are not subject to regulation under this article.

Antenna, telecommunications. An antenna used to provide a telecommunications service. This excludes lightning rods, private mobile radio systems, amateur radio antennae less than 50 feet (150 meters) in height and whip antennae less than four inches (ten cm) in diameter and less than ten feet (three meters) in height.

Apartment. A single unit within an apartment house designed for independent housekeeping.

Apartment complex. Any structure, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three or more apartments or which is occupied as the home or residence of three or more families living independently of each other and maintaining separate kitchen facilities.

Appeal. A procedure whereby a decision is questioned to a higher authority than the administrator or body which made the original decision. For example, a decision of a zoning administrator to the board of adjustment or a decision of the board of adjustment to a court of law.

Appliance, major. A large device which is designed for household or office purposes, such as a refrigerator or air conditioner, the repair or maintenance of which involves the disposal, storage or use of a federally or state regulated chemical such as freon [Grab your reader’s attention with a great quote from the document or use this space to emphasize a key point. To place this text box anywhere on the page, just drag it.]

or large quantities of oil.

Appliance, minor. A device which is designed for household or office purposes, the repair or maintenance of which does not involve the disposal, storage, or use of any federally or state regulated chemical such as freon or large quantities of oil.

Arborist, certified. An individual who has a current and valid designation of "ISA Certified Arborist" by the International Society of Arboriculture.

Assembly/packaging. The fitting together and/or uniform wrapping or sealing of component parts to make a whole. This is commonly an intermediary step in the process to make a finished product and the products from which it is put together are generally not raw materials.

Assisted living facility (ALF). A licensed establishment under Tex. Health and Safety Code Ch. 247 that furnishes food and shelter and provides personal care services which consist of assistance with one or more of the following: meals, dressing, movement, bathing, or other personal needs or maintenance. This may also include assistance, supervision, or administration of medication by a licensed individual. Types of assisted living facilities as established by the State of Texas are as follows:

(1) *Type A.* In a Type A facility, a resident:

a. Must be physically and mentally capable of evacuating the facility unassisted. This may include mobile or ambulatory persons such as those who are in wheelchairs or electric carts and have the capacity to transfer and evacuate themselves in an emergency;

b. Does not require routine attendance during nighttime sleeping hours; and

c. Must be capable of following directions under emergency conditions.

(2) *Type B.* In a Type B facility, a resident may:

a. Require staff assistance to evacuate;

b. Be incapable of following directions under emergency conditions;

c. Require attendance during nighttime sleeping hours; or

d. Not be permanently bedfast, but may require assistance in transferring to and from a wheelchair.

Attended donation station. A manufactured building operated by an organization with nonprofit status, for the purpose of collecting goods, with an attendant present on-site during collection hours.

Automobile. A self-propelled free-moving vehicle licensed by the appropriate state agency as a passenger vehicle, not to include commercial vehicles.

Automobile and boat storage. Any location or structure used for long-term storage of automobiles, trucks, boats and/or recreational vehicles. Long-term shall mean for duration of one week or more.

Automobile sales. The use of any building, land area, or other premise for the display and sale of new or used automobiles generally but may include light trucks or vans, trailers, motorcycles or recreation vehicles and including any vehicle preparation or repair work conducted as an accessory use.

Automotive repair or *heavy installation.* The repair of motor vehicles, trailers and similar large mechanical equipment, including paint, body and fender, and major engine and engine part overhaul.

Awning. A roof-like cover extending over or before a place (as before a window) as a shelter, normally supported entirely from the exterior wall of a building.

Bail bond facility. A business that provides bail services, essentially acting as a surety. Bail bonds businesses post bonds with courts, guaranteeing that a defendant will appear for all scheduled court dates. In exchange for

the guarantee, the company charges a fee. Bail bonding companies are required to provide proof of current licensing with the state of Texas.

Bar. Premises used primarily for the sale and/or dispensing of liquor by the drink for on-site consumption as regulated by the state and where food may be available for consumption on the premises as accessory to the principal use.

Bar/tavern completely enclosed. An establishment with less than 5,000 square feet and under license from the Texas Alcohol and Beverage commission (TABC), which is principally engaged in the retail sale of alcoholic beverages, with food only incidental to the sale of alcohol. A bar/tavern use may include live entertainment for indoor use only.

Bar/tavern with outdoor entertainment area. An establishment with less than 5,000 square feet and under license from the Texas Alcohol and Beverage commission (TABC), which is principally engaged in the retail sale of alcoholic beverages, with food only incidental to the sale of alcohol. This use may include live entertainment both indoor and outdoor in designated areas.

Basement. That part of a building that is wholly or partly below ground level.

Bed and breakfast facility. A limited commercial activity, conducted within a structure, which may include dining and bathroom facilities with sleeping rooms for guest lodging for a short-term period of less than 30 consecutive days. A bed and breakfast must be a secondary use to a single-family residence. Also see "lodging" in the permitted use table.

Big box. A building with a single-tenant that comprises more than 50,000 square feet.

Block. Land or a group of lots, whether developed or undeveloped, surrounded by streets or other rights-of-way, other than an alley; or land which is designated as a block on any recorded subdivision tract.

Boarding home for sheltered care. A group home for the sheltered care of persons with special needs, which in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.

Boarding house. A dwelling containing a single dwelling unit and not more than ten guest rooms or suites of rooms, where lodging is provided with or without meals, for compensation for more than one week.

Board of adjustment. The Leon Valley board of adjustment. A public and quasi-judicial agency charged with the duty to hear and determine zoning appeals and other specific duties as laid out in this article and state law.

Boundary street. A public street which is adjacent to and abutting one or more sides of the proposed site.

Buffer zone. An area zoned so as to separate conflicting uses by zoning such property with a use which is compatible with both. For example, an office district might reasonably separate a single-family residential district from a commercial district. Dedicated park lands may shield a planned office development from nearby residential areas.

Buildable area. The area of a lot remaining after the minimum yard and open space requirements of this Code and article 10.02 (subdivision ordinance) have been met. For recreational property or uses such as golf courses and baseball, soccer, football or similar athletic facilities, and public works projects such as water or wastewater treatment plants, pump stations, storage tanks, and public streets and drainage improvements, the buildable area of the property shall include that portion of the property necessary for the construction of such recreational and public works improvements, including sufficient adjacent area to allow the normal operation of construction equipment.

Building. Any structure used or intended for supporting or sheltering any use or occupancy. The word "building" includes the word "structure."

Building code.

(1) Article 3.02, division 2 of the Leon Valley City Code, which incorporates the International Building Code.

(2) The International Building Code, promulgated by the International Code Council and adopted by the city.

Building, construction. A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.

Building, front of. That part of a building nearest the front property line.

Building height. The vertical distance above the average existing grade measured to the highest point of the building. The height of a stepped or terraced building is the maximum height of any segment of the building.

Building line, front. A line established under this article or article 3.02, division 2 of the Leon Valley City Code measured from the perimeter of that portion of a building nearest the front property line to the curbline or edge of the sidewalk and parallel thereto, or in the case of a corner lot, the side of such building if also parallel to a curbline or edge of a sidewalk, but in any case such measurement shall exclude open steps, terraces, cornices and other ornamental features projecting from the wall of the building.

Building line, rear. A line established under this article or article 3.02, division 2 of the Leon Valley City Code measured from the perimeter of that portion of a building nearest the rear property line of such property. Such measurement shall exclude open steps, terraces, cornices and other ornamental features projecting from the wall of the building.

Building line, side. A line established under this article or article 3.02, division 2 of the Leon Valley City Code measured from the perimeter of that portion of a building nearest the side property line of such property. Such measurement shall exclude open steps, terraces, cornices and other ornamental features projecting from the wall of the building.

Building, main. A building in which the principal use of the site is conducted.

Building permit. Authorization required for erection, construction, enlargement, alteration, repair, movement, improvement, removal, conversion, or demolition of any building.

Building restrictions. Regulations or restrictions under this article or article 3.02, division 2 of the Leon Valley City Code upon the materials allowed in the construction of buildings and any provisions of federal or state law, or other city ordinances implanting [implementing] the federal emergency management act or the duties of the city for floodplain regulation, applicable to the property.

Building specialty store. Any retail facility, the primary use of which is the sale or lease of specialized building materials; such as roofing, tile, or doors.

Building, temporary. A structure which is designed or intended to be used on a nonpermanent basis, authorized for a specific period of time through a specific use permit. Includes prefabricated structures and manufactured/mobile housing which are not used for living space.

Caliper. The diameter of a tree four feet above the natural grade measured with a tree caliper instrument or a flexible tape. If a tape is used, the circumference of the tree is measured and the result divided by 3.14 to determine diameter.

Caliper of multi-trunk trees. The caliper of the largest trunk at a point four feet above the natural grade added to half of the sum of the calipers of the remaining trunks measured at the same height. If branching occurs less than four feet above the natural grade, the diameter of the trunk may be measured below the branching for a single measurement.

Canopy. A roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows and other openings.

Canopy tree. A self-supporting woody plant with one well-defined trunk and a distinct and definite formed crown, which attains a height of at least 25 feet.

Car title loan business. An establishment that makes small short-term consumer loans secured by a title to a motor vehicle.

Carport. An open-sided automobile shelter sometimes formed by extension of a roof from the side of a building.

Carwash, automatic. A facility which utilizes automatic and semiautomatic machinery to wash, clean, and dry automobiles.

Carwash, self-service. A facility for self-service washing, cleaning, and drying of automobiles that does not include automatic application of cleaner, brushes, rinse water, and heat or air for drying.

Check cashing business. A business that provides check cashing, payday cash advance, payroll advance, short-term cash loan, short term cash advance, instant payday cash advance, short-term money loan services, or similar services to individuals for a specified fee.

Child care facility. An establishment for the care and/or instruction, whether or not for compensation, of six or more children at any one time. Child nurseries and preschool facilities are included in this definition.

Church. A facility for religious worship and related activities.

City. The City of Leon Valley, Bexar County, Texas.

Clinic. A facility for the examination, assessment, or treatment of outpatients including any location where more than one doctor shares a facility, regardless of whether there are laboratory facilities on-site.

Commercial relates to or is connected with trade and traffic or commerce in general; occupied with business and commerce.

Commercial, vehicle. Any motor vehicle including but not limited to delivery vans or trucks, trailers, or semitrailers designed to carry freight, passengers for compensation, or merchandise for retail or commercial purposes and is appropriately licensed by a state agency.

Commission means "planning and zoning commission."

Communications distribution hub. An unmanned facility, without transmitter or dish, or antenna, containing optical and electronic signal processing equipment for delivery, switching, and storage of video, audio, and data to homes served by the utility company.

Comprehensive (zoning) plan. The adopted official statement of a legislative body of local government that sets forth in words, maps, illustrations, and/or tables the goals, policies, and guidelines intended to direct the present and future physical, social, and economic development that occurs within its planning jurisdiction. Also see "Master plan."

Condominium. A single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.

Congregate residence. Any building or portion thereof which contains facilities for living, sleeping and sanitation as required by this Code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, convalescent homes, assisted living, special care, nursing homes, or hotels.

Contractor. A builder, plumber, electrician, air conditioning/heating installer, concrete installer, or tradesman or one who contracts to supply materials or do work.

Contractor facility. A facility which is used primarily for the office and/or vehicles, equipment and/or supplies of a contractor.

Convalescent home. A licensed facility which is intended for long-term patient care due to human illness, infirmity, or disability and employing the services of skilled and licensed practitioners under the direction of a physician, licensed by the Texas Medical Board.

Convenience store. Any retail establishment which offers the sale of a limited line of convenience goods, to include groceries, packaged and/or processed food and drink, tobacco, limited beer and wine, medicines and cosmetics, and may also sell gasoline, intended for the convenience of the neighborhood.

Cottage. An individual single-family dwelling unit, being less than 1,500 heated square feet, situated with other similar dwelling units on one platted lot, for the purpose of rental or leasing, as part of a multiple-family retirement community.

Curb. A stone or concrete or alternative edge asphalt boundary usually marking the edge of a roadway or paved area. Refer to article 10.02 (subdivision ordinance) for further details.

Curbline. A line differentiating between the street and the edge of real property, marking the edge of the roadway, and contiguous to the roadway, not intended for normal vehicular traffic. Such property may include a berm, but may or may not be built up or raised.

Dance hall. An establishment intended primarily for dancing and entertainment within an enclosed building, using either live or electronically produced music, either open to the public or operated as a private club open to members only.

Density. The number of dwelling units which are allowed on an area of land or the number of persons allowed in a specific unit.

Depth of the lot. The linear measurement from the front property line to the rear property line of a lot.

Director. Director of planning and zoning or designee.

Doctor. Any person under currently licensed [sic] by the state to practice any form of medicine or dentistry, including but not limited to, medical, dental science, dental surgery, osteopathy, chiropractic, public health and veterinary medicine.

Dripline. The area of ground surrounding the trunk of the tree considered essential to protecting the root structure of a tree. For the purposes of this article, the dripline shall be calculated at one foot for every one inch of caliper width measured at four feet above natural grade level, i.e., a 12-inch tree would require a dripline with a 12-foot radius (producing an area 24 feet in diameter).

Driveway. A private road giving access from a public way to a building on abutting grounds.

Dwelling. A house or other structure in which a person or persons live; a residence; abode; habitation; an apartment or building, or group of buildings, occupied as a place of residence.

Dwelling, garden house. A detached dwelling unit with kitchen and sleeping facilities, designed for occupancy as a residence.

Dwelling, manufactured home. A vehicle, other than a motor vehicle, greater than 320 square feet in gross floor area designed with attached axles and wheels, which may be used for permanent or semipermanent living space for humans, and which is designed to be drawn by a motor vehicle. The term shall not include any vehicle meeting the above description which is used for an office, a classroom, a laboratory, processing, manufacturing, retail sales or other use; see "Building, temporary" for these definitions. Also see "Manufactured housing."

Dwelling, multiple-family. A building or portion thereof designed for occupancy by three or more families living independently, in structures containing three or more single-dwelling units in which they may or may not share common entrances and/or other spaces. Individual dwelling units may be owned as condominiums, or offered for rent.

Dwelling, single-family. A detached dwelling unit with kitchen and sleeping facilities, designed for occupancy as a residence.

Dwelling, single-family medium density. A detached dwelling unit with kitchen and sleeping facilities, designed for occupancy as a residence, with a minimum lot area of 6,000 square feet.

Dwelling, townhouse. A building that has single-family dwelling units erected in a row as a single building, on adjoining lots, each being separated from the adjoining unit or units by a firewall, along the dividing lot line and each such building being separated from any other building by space on all sides.

Dwelling, two-family or duplex. A building designed or arranged to be occupied as two separate residences, the structure having only two dwelling units.

Dwelling unit. Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by this article, for not more than one family, or a congregate residence for six or less persons.

Easement. That portion of a lot or lots reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement may be for use under, on, or above said lot or lots.

EIA-222. Electronics Industries Association Standard 222, "Structural Standards for Steel Antenna Towers and Antennae Support Structures."

Encroachment, landscape. Any protrusion of a vehicle into a landscaped area from a parking space, display area or accessway.

Entertainment. To provide for diversion, engagement, or sporting activities, specifically excluding music which is not live, and is provided for the purpose of background and not for diversion from the primary purpose of the establishment.

Entertainment—Indoor. A use which includes, billiard parlor, bowling center, playground, skating center, video/game room, playroom/birthday party room, aquarium, museum, and other similar entertainment. On-premises sale and consumption of alcoholic beverages is allowed so long as it does not make up 51 percent or more of gross revenue.

Entertainment—Outdoor. A use which includes Baseball/softball/volleyball park, equestrian center, fairground, football field, go-karts, golf - miniature or other, sports complex, live entertainment, and other similar entertainment. On-premises sale and consumption of alcoholic beverages is allowed so long as it does not make up 51 percent or more of gross revenue.

Extended dripline. An imaginary line on the ground equal to 1.3 times the distance from the tree trunk to the dripline. In no case shall the dripline be less than 15 feet from the trunk of the tree.

Facade, primary. Exterior walls of buildings and parking structures which are clearly visible from a public street, open space or active storefront.

Facade, secondary. Exterior walls of buildings and parking structures which are not clearly visible from a public street, open space or active storefront.

Family. An individual or two or more persons related by blood, marriage or adoption, or a group not to exceed six unrelated persons living together as a single housekeeping unit.

Farm. A tract of land, not less than five acres, devoted to agriculture, pasturage, stock raising, or some allied industry. Includes dairy, stock, and poultry farms.

Federal Aviation Administration. Also known as FAA.

Federal Communications Commission. Also known as FCC.

Fence. A hedge, structure, or partition, erected for the purpose of enclosing a piece of land, or to divide a piece of land into distinct portions, or to separate two contiguous properties. An enclosure around a field or other space, or around any object; especially an enclosing structure of wood, iron or other materials, intended to prevent intrusion from without or straying from within. See article 3.05 of the Leon Valley City Code for other specific regulations.

Flea market. An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

Floor area, net. The gross floor area exclusive of vents, shafts, courts, elevators, stairways, exterior walls and similar facilities.

Food processing facility. An establishment in which food is processed or otherwise prepared for eventual human consumption but not consumed on the premises.

Frontage. The width of a lot or parcel abutting a public right-of-way measured at the front property line.

Garage. A shelter for automotive vehicles.

Gateway overlay (GO). An overlay of existing zoning which modifies the base zoning as defined in this ordinance.

Grade. The average elevation of the land around a building, or the percent rise or descent of a sloping surface.

Grade, finished. The final elevation of the average ground level adjoining a building at all exterior walls after development.

Grade, level. Roads, buildings, or structures built on the ground.

Grade, natural. The elevation of the ground level in its natural state, before construction, filling or excavation.

Gross floor area (GFA). The gross floor area of a building or lease space. The sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls or, if appropriate, from the centerline of dividing walls; this includes courts and decks or porches when covered by a roof.

Gross leasable area (GLA). The gross leasable area is the total floor area designed for both tenant occupancy and exclusive use, including both owned and leased areas.

Ground cover. Plants, other than turf grass, normally reaching an average maximum height of not more than 24 inches at maturity.

Group home. A dwelling for no more than six legally unrelated, developmentally disabled persons and no more than two supervisory personnel. Said persons and personnel must live as a single housekeeping unit, for the primary purpose of providing shelter in a family-like atmosphere as part of the residential community, with on-site medical treatment or therapy a secondary purpose. A group home must qualify as a family home under chapter 123 of the Texas Human Resources Code, Community Homes for Disabled Persons Locations Act.

Guest room. Any room or rooms used or intended to be used by a guest for sleeping purposes. Every 100 square feet of superficial floor area in a dormitory shall be considered to be a guest room.

Home occupation. The partial use of a dwelling unit for commercial or nonresidential uses by a resident thereof which is clearly and obviously subordinate and incidental to the main use of the dwelling for residential purposes. Home occupations shall be conducted wholly within the primary structure or existing accessory building on the premises.

Horticulture. The science of growing fruits, vegetables, flowers or ornamental plants.

Hospital. An institution designed for the diagnosis, treatment and care of human illness or infirmity and providing health services, primarily for inpatients, and including as related facilities, laboratories, outpatient departments, training facilities and staff offices. May be either public or private and may be limited in their functions or services.

Hotel. Any building containing six or more guest rooms offering transient lodging accommodations to the general public and providing additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities rented or leased on a daily, weekly, or semipermanent basis.

Improvement. Any interior or exterior improvement or renovation to an existing structure that requires a permit from the city.

Incidental use. A use conducted on the same lot as the primary use of the structure to which it is related; a use which is clearly incidental to, and found in connection with, such primary use. Also referred to as "accessory use."

Inn. Any building containing five or less guest rooms, the primary use of which is a commercial activity which is intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

Kennel. Any lot or premises, other than a veterinary clinic, on which a combined total of three or more unneutered adult dogs or cats, or a combined total of five or more neutered adult dogs or cats are housed, groomed, bred, boarded, trained or sold; either for compensation boarded on a daily or weekly basis [sic].

Laboratory, dental or *medical.* Any facility for the biological, microbiological, serological, chemical, immuno-hematological, hematological, biophysical, cytological, pathological, or other examination of materials derived from the human body for the purpose of providing information for the diagnosis, assessment, prevention, or treatment of any disease, condition or impairment of human beings.

Laboratory, research. An establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development.

Laboratory, testing. An establishment or other facility whose primary purpose is to examine, observe or evaluate items, samples and/or substances which may include engineering and product evaluation(s).

Landmark buildings. Buildings which are located on axis with a terminating street or at the intersection of streets. Such buildings shall incorporate architectural features which address height and articulation that emphasize the importance of such a location.

Landscaped area. Areas of a lot, land parcel or building site devoted to and consisting of plant material, including but not limited to turf grasses, grasses-bunch, trees, shrub forms, flowers, vines and other ground cover, native plant materials, planters, brick pavers, stone, natural forms, water forms, public art forms, stone aggregate and other landscape features, but excluding smooth concrete, asphalt or paving for vehicular traffic; provided that the use of brick, stone aggregate or other inorganic materials shall not be greater in total area than that of organic plant material.

Landscaping. The modification or ornamentation of a natural landscape by altering the plant cover. Landscaping shall consist of any of the following, or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees, or palms; and nonliving durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls or fences - but excluding paving.

Live-work. A fee-simple dwelling unit that contains, to a limited extent, a separate retail or office component on the ground floor. It is in a form similar to a townhouse or store with residential quarters above or behind the nonresidential use.

Loft. A flexible residential space which may be partially used for an artist or design studio, and which is characterized by higher than normal ceilings, open floor plans and often, exposed duct work.

Lot. Any portion, piece, division or parcel of land, fractional part or subdivision of block, according to plat or survey. A single parcel of land. A measured parcel of land having fixed boundaries. The word "lot" includes the word "plot."

Lot, corner. A lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees.

Lot frontage. The length of the front lot line, measured at the street right-of-way line, from one corner of the property to the other.

Lot, interior. A lot other than a corner lot.

Lot, irregular. A lot whose opposing property lines are generally not parallel, such as a pie-shaped lot on a cul-de-sac, or where the side property lines are not parallel to each other.

Lot of record. A lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk of Bexar County, or a parcel of land, the deed for which was recorded in the office of the county clerk of Bexar County prior to the original adoption of this article on September 21, 1965.

Lot width. The distance between the side lot lines, measured at right angles to the lot depth at the minimum front building (setback) line.

Maintenance. To preserve from failure or decline.

Manufactured building. A transportable structure in one or more sections, which is built on a permanent frame or base and is designed for use with or without a permanent foundation when connected to the required utilities.

Manufactured home. See "Manufactured housing."

Manufactured home park. A tract of land developed and operated as a unit with individual sites and facilities to accommodate two or more manufactured homes.

Manufactured housing. Factory-built, single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. section 5401), commonly known as the HUD (U.S. Department of Housing and Urban Development) code.

Manufacturing. Establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the creation of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

Masonry. See "Building Code, Uniform" [sic].

Master plan. The city's overall guide for a rationally derived, future oriented, land use plan that divides the city into districts, imposes appropriate zoning regulations, and takes into account the public interest in growth and preservation of essential community values. The plan includes land use, capital improvements, traffic, parks and recreation, and transportation.

Mixed use building. A vertical mixed-use building that includes a mix of retail and office and/or residential uses such as lofts, live-work units, apartments and condominiums, but contains nonresidential use on the ground floor.

Mobile food unit. A temporary food service establishment operated out of a motor vehicle that is designed to be readily movable.

Money transfer business. An establishment that transmits funds for a fee.

Motel. Any building containing six or more guest rooms providing sleeping accommodations with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building.

Motorcycle. Every motor vehicle excluding a tractor having a saddle for the use of a rider and designed to travel on not more than three wheels in contact with the ground.

Multiple-family retirement community. A planned development consisting of a single platted lot, of at least five acres, completely screened from other development, containing one or more residential clusters of cottages or apartment houses or a combination thereof, and appurtenant common areas, intended for rental or leasing to seniors and including other features which are designed to increase safety and amenities to the elderly and/or disabled, such as increased security, on-site management, food services, health services, handicapped accessible units, recreation facilities, or transportation services.

Multiple-family retirement community residential cluster. More than one cottage or apartment located within reasonably close proximity to another and designed for residency by seniors.

Native plant. A plant species with a geographic distribution indigenous to the Bexar County region which is capable of sustaining growth and reproduction under local climatic conditions.

Naturalized plant. A plant species introduced to the region which is capable of sustaining growth and reproduction under local climatic conditions.

Nightclub/Large tavern. A bar/tavern with more than 5,001 square feet of floor area excluding kitchens, restrooms, and storage areas. This use may include a live entertainment, performance by musicians, dancers, stand-up comedians, other performance artists, live bands, musical actions; or the amplification of recorded music/entertainment by live disk jockeys for use both indoors and outdoors, in designated areas.

Non-chartered financial institution. A non-chartered financial institution is defined as a use, other than a state or federally chartered bank, credit union, mortgage lender, savings and loan association or industrial loan company, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee or an establishment that provides financial services that are accessory to another main use. The term "non-chartered financial institution" shall include, but is not limited to deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle, and sub-prime or nonprime home-equity lenders. Nonprofit financial institutions are not encompassed by the term non-chartered financial institution.

Nonconforming building. A building the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but now fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

Nonconforming lot. A lot the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but now fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

Nonconforming use. A use which lawfully occupied a building or land at the time this article became effective, which has been lawfully continued and which does not now conform to the use regulations.

Nonemergency medical transport service. Transportation service that provides transport of medical patients on a nonemergency basis.

Nursing home. A licensed facility which provides nursing care and related medical services on a 24-hour-per-day basis to individuals due to illness, disease, or physical or mental infirmity but not for persons in need of hospital care.

Occupancy, certificate of. A document issued by the city allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all applicable codes and ordinances of the city.

Office, professional. A location used primarily for conducting the affairs of a commonly recognized business, profession, service, industry, government, or like activity.

Open space. A land area that is not occupied by a building, structure, parking area, street, alley or required yard.

Park. A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.

Park and ride facilities. Parking lots or structures located along public transit routes designed to encourage transfer from private automobile to mass transit or to encourage carpooling for purposes of commuting, or for access to recreation areas.

Parking lot. An open area, other than a street, used for the parking of automobiles.

Parking space. A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office and work areas, for the parking of a vehicle or motorcycle.

Parking, stacked. On-site space designed to provide vehicle queuing.

Peak hour trips (PHT). Average number of trips generated by a development at its most intense hours of operation.

Permanent makeup salon. An establishment that provides tattooing, micropigmentation, microblading, nano-needle technology, or similar permanent cosmetic techniques with the purpose of mimicking temporary makeup such as eyeliner, lipstick, or to give the appearance of darker or thicker eyebrows; but not including the tattooing of designs, letters, figures, or symbols.

Person. A natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

Pet store. A retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, reptiles, excluding exotic animals and farm animals such as horses, goats, sheep, pigs and poultry.

Planning and zoning commission. An appointed group of citizens with delegated authority to recommend boundaries of original zoning districts and appropriate regulations to be enforced therein; to hold public hearings and prepare a final report for the city council on recommendations for changes in zoning district boundaries or regulations in zoning districts; to hold public hearings and prepare a final report for the city council on recommendations for the enforcement of regulations in zoning districts including specific use permits and nonspecified uses; and to prepare and maintain a city's master plan, zoning code, master sign plan, and other tasks as outlined/requested by the city council. Members of the planning and zoning commission serve in a dual capacity per §§ 211.007 and 212.006 of the Texas Local Government Code.

Planter. A raised area containing plant material defined by a hard edge such as walls, large pots and other similar physical containment design.

Plant nursery I. Any business, the primary use of which is the cultivation of plant material for transplanting, for use as stocks, for budding and grafting or for sale, consisting of one acre minimum, with no outside storage of equipment or supplies other than live plant material, subject to screening requirements as stated in article 3.05

Plant nursery II. Any business, the primary use of which is the cultivation of plant material for transplanting, for use as stocks, for budding and grafting or for sale, consisting of one acre minimum, for temporary sales, subject to screening requirements as stated in article 3.05

Plant nursery III. Any business, the primary use of which is the cultivation of plant material for transplanting, for use as stocks, for budding and grafting or for sale, consisting of one acre minimum, to include greenhouse, with outside storage subject to screening requirements as stated in article 3.05

Plant nursery IV. Any business, the primary use of which is the cultivation of plant material for transplanting, for use as stocks, for budding and grafting or for sale, consisting of one acre minimum, to include nursery sales, greenhouse, and wholesale, subject to screening requirements as stated in article 3.05

Plat/plot. A plat of a lot, drawn to scale, showing the actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and other such information.

Primary use. The primary or predominant use of any lot or parcel.

Projected traffic. The traffic which is projected to be at an existing or proposed street during the proposed development's peak hour of use. Also refer to "Peak hour trips."

Public improvement. Work within dedicated rights-of-way or easements.

Public trees. Any trees, shrubs, bushes and all woody vegetation on city-owned property and rights-of-way, city parks, and in all areas owned by the city to which the public has access.

Public way. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

Quorum. The number of member(s) or alternate(s) of a body that when duly assembled, is legally competent to transact business.

Recreation. See "Entertainment."

Recreational vehicle. A vehicular unit, other than a manufactured home, whose gross floor area is less than 320 square feet, which is designed as a temporary dwelling for travel, recreational and vacation use, and which is either self-propelled, mounted on or pulled by another vehicle. Examples include, but are not limited to, a travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer or van.

Regulating plan. A plan that is required as part of a multi-phased development which ensures that access and amenities are provided in a consistent and comprehensive manner.

Renovation. To restore to a former or better state through interior and/or exterior remodeling of a structure, other than ordinary repair.

Repair shop. An establishment which restores by replacing or putting together that which is broken.

Restaurant. An establishment, the primary use of which is the provision of food and beverages for on-premise consumption, and where any sale of alcohol is accessory to the primary use.

Restaurant, drive-in/take-out. An establishment where food and/or beverages are sold in a form ready for consumption, where all or a significant portion of the consumption takes place or is designed to take place outside the confines of the restaurant, and where ordering and pickup of food may take place from a vehicle.

Retail sales. Establishments engaged in selling goods or merchandise to the general public of personal or household consumption and rendering services incidental to the sale of such goods.

School, public. Any institution, the primary function of which is to provide primary or secondary education or a scholastic institution accredited by the State of Texas.

School, vocational and/or technical. A school establishment to provide for the teaching of industrial, clerical, managerial or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum.

Screening. A method of visually shielding or obscuring one abutting or nearby structure or use from another by a barrier or device constructed of metal, wood, brick, stone, block, or other suitable materials, singly or in combination. See also article 3.05 of the Leon Valley City Code.

Self-service storage facility. A facility or area with limited access, which is divided into separate compartments no larger than 500 square feet in size and is accessible from an interior or exterior door for use by individuals or businesses for the storage of property.

Service. Provision of something which is helpful to others whether for profit or nonprofit, not including repair or maintenance of goods, but specifically including establishments where the primary use is the provision of food or alcohol.

Setback. See "Building line."

Short-term rental (STR). A residential dwelling unit, apartment, condominium or accessory dwelling, that may or may not be owner or lessee occupied; where sleeping areas are rented to overnight guests for a period less than 30 consecutive days (but not less than 12 hours).

Site plan. A detailed set of plans including such things as building footprints, parking, landscaping, building elevations and exterior building materials.

Special exception. A procedure for approving the specific location of designated uses that are allowed in certain districts, but that require specific screening and supervision to minimize adverse neighborhood impacts. The enabling act anticipates that the board of adjustment will decide special exceptions, with authority to approve, deny or condition permits for such use(s).

Specific use permit (SUP). A permit required through public hearing determining whether or not the use will adversely affect the character and appropriate use of the area or neighborhood in which the use is proposed to be located; that it will not substantially depreciate the value of adjacent and nearby properties for the use in accordance with the regulations of the zoning district in which the use will be located; that it will be in keeping with the spirit and intent of this Code; that it will not adversely affect the implementation of the approved master plan; that it will comply with applicable standards of the district in which it is proposed to be located; and that it will not adversely affect traffic, public health, public utilities, public safety and the general welfare of the city.

Specific use permit, continuous. A specific use permit, which is continuous in nature, and runs with the property as opposed to being occupant specific.

Stoop. A structure that is located approximately at the level of the first floor of the structure and intended to provide access to a residential unit.

Storage. Safekeeping of goods and/or materials in a warehouse or other depository; where the safekeeping is the principal object of deposit, and not for consumption or sale.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

Street. Any street, avenue, boulevard, road, parkway, viaduct, drive, or other roadway in a city, town, or village, generally paved, and lined or intended to be lined by structures on each side. It includes all urban ways which can be and are generally used for travel, but does not normally include service entrances or driveways leading off from the street onto adjoining premises.

Street presumption. The condition of a street (classification and carrying capacity) as it will exist after final improvement as proposed by the city's major thoroughfare plan or the capacity indicated by the right-of-way acquired by city on any boundary street.

Street, private. A right-of-way or easement in private ownership not dedicated or maintained as a public street, which affords the principal means of access to two or more sites.

Street yard area. The area of a lot which lies between the property line at a dedicated street right-of-way and the actual front wall line of the building, or, if no building, to the rear property line. Such building wall lines extend from the outward corners of the buildings as illustrated in appendix B of this article.

Streetscape. The urban element that establishes the major part of the public realm. The streetscape is composed of thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

Structure. Any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner. That which is built or constructed; an edifice or building of any kind.

Study area boundary. The limits of the area in which analysis is conducted or for which information is provided. This area is determined by the property owner or its representative based on the size of the development and the peak hour trips projected to be generated by the proposed development. In the case of a level 1 or 2 traffic impact analysis, this area may include the site, and the area within a distance no greater than 1/4 mile along the boundary streets from the boundary of the site. In the case of a level three traffic impact analysis, this area will be determined by the property owner based on sound engineering judgment and agreed to by the city, but in all cases shall be less than the area contained in a one-mile radius from the site. In those instances where the property owner has neither submitted preliminary plans nor applied for an initial development permit prior to the effective date of this article; the determination of the area to be studied by the property owner must be approved by the city engineer for all levels of traffic impact analyses; and before granting approval of a level 2 traffic impact analysis, the city engineer may require the area of the study to exceed the maximum area prescribed above by 1/4 mile.

Subdivision. The division of a tract, lot or parcel of land into two or more lots, plats, sites or other divisions of land.

Sub-prime or nonprime loans. A type of loan that is offered at a rate above prime to individuals who do not qualify for prime rate loans.

Suite hotel. A suite of rooms in a structure arranged, designed, or occupied for temporary housing and rented or leased on a daily, weekly, or semipermanent basis, and which includes kitchen facilities for cooking and complete housekeeping.

Tattooing. Any method of placing permanent designs, letters, scrolls, figures, symbols, permanent makeup, or any other marks upon or under the skin with ink or another substance, by the aid of needles or any other instruments designed to touch or puncture the skin, resulting in either the coloration of the skin, or the production of scaring.

Telecommunication. The transmission, between or among points specified by the user, of audio and/or visual information of the user's choosing, without change in the form or content of the information as sent and received.

Telecommunications service. The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

Temporary use. A use that is authorized by this article to be conducted for a fixed period of time. Temporary uses are characterized by but not limited to such activities as the sale of agricultural products, clothing and/or accessories, construction buildings and equipment sheds, fireworks, carnivals, flea markets, seasonal and/or holiday products and garage sales.

Tower. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers.

Tower, electric transmissions. A self-supporting structure in excess of 50 feet (15 meters) in height designed to support high voltage electric lines. This does not include local utility or distribution poles (with or without transformers) designed to provide electric service to individual customers.

Tower, guyed. Any telecommunications tower supported in whole or in part by cables anchored to the ground.

Tower, ham radio. An accessory use of property involving a self-supporting or guyed tower, less than 50 feet (15 meters) in height, used for private, noncommercial radio communications.

Tower, monopole. A self-supporting telecommunications tower which consists of a single vertical pole fixed into the ground and/or attached to a foundation.

Tower, self-supporting lattice. A telecommunications tower which consists of an open network of metal braces forming a tower which is usually triangular or square in cross-section.

Tower, telecommunications. A self-supporting or guyed structure more than 20 feet (six meters) in height, built primarily to support one or more telecommunications antennae.

Townhouse. An attached dwelling unit located on a platted lot which shares at least one common or abutting wall with another such unit. Townhouses are grouped together in clusters of three to six units and shall have rear entry garages.

Tractor. A farm device used for drawing, towing, pulling or powering other farm machinery which cannot propel itself.

Traffic impact analysis (TIA). A report analyzing anticipated roadway conditions with and without an applicant's development.

Tree, heritage Any tree that has been designated by the city council, after public hearing and due notice to the owner of the tree, as a tree of notable interest and value to the city because of its location, size, age, or historical association with the community or having a diameter of 24 inches or greater.

Tree, large. Trees of any species that are 12 inches or larger in diameter.

Tree, living. Trees having at least 50 percent of the total normal canopy intact and in a healthy condition.

Tree, medium. Trees that are eight inches in diameter or larger, up to 12 inches.

Tree, multi-trunk. A tree having two or more trunks arising from the root collar or main trunk.

Tree, small. Trees that are four to seven inches in diameter, sometimes providing an underlying layer of tree canopy for medium to large and heritage trees.

Trees, shrub forms, vines, ground covers, turf grasses and grasses-bunch shall be defined as any of the above, such as those listed within this article. Tree is additionally defined. In order to qualify under the provisions of this Code as a tree, said tree, when planted, must be at least two inches in diameter at a height no less than 12 inches above the ground. The tree diameter must be determined from a single trunk.

Tree, urban. A tree species specifically selected for its ability to withstand harsh urban conditions, its upright branching habit, and its non-invasive root system. All required urban trees shall be:

(1) At least three-inch caliper.

(2) Single trunk.

(3) "Limbed up" to six feet.

Urban trees shall utilize plants from the city's approved plant list. Tree wells for urban trees shall be a minimum of 20 square feet in size with a minimum four feet in width.

Trip distribution. The measure of the number of vehicles or passenger movements that are or will be made between geographic areas.

Trip generation. The total number of vehicle trip ends produced by a specific land use or activity.

Trip generation summary. A table summarizing the trip generation characteristics of the development (on-site only) for the entire day and the a.m. and p.m. peak periods including the rates and units used to calculate the number of trips. Information on appropriate trip generation rates and procedures may be obtained by contacting the development department. Institute of Transportation Engineers trip rates will be used whenever possible.

Truck. A vehicle designed primarily for hauling cargo and material.

Truck, heavy. Trucks with a weight over 33,000 pounds which are primarily used to pull heavy trailers. Such trucks are referred to as semi-trucks/trailers, or tractor-trailer trucks.

Truck, light. Trucks with a weight of up to 14,000 pounds used for light hauling or towing, as well as everyday transportation. Light trucks include but are not limited to pickups, minivans, full-sized vans, and sport utility vehicles.

Truck, medium. Trucks with a weight of up to 33,000 pounds which are typically used as dump trucks, garbage trucks, local freight delivery trucks, and utility vehicles.

Turf. Continuous plant coverage consisting of grass species such as bermuda, buffalo, zoysia or any other native species of grass, designed to be drought tolerant to the South Texas area.

Understory tree. A self-supporting wood plant with one or more trunks which attains a height of no taller than 15 feet.

Unnecessary hardship. Special circumstances applicable to a piece of property, whereby a property owner may be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone, and which may result in a disparity of privileges. Also known as "undue hardship."

Use. The activity occurring on a lot or parcel for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied, including all accessory uses.

Use, change of. The change within the classified use of a structure or premise.

Variance. An authorization to a property owner to depart from literal requirements of zoning regulations in utilization of his property in cases in which strict enforcement of the zoning regulations would cause undue hardship because of special circumstances applicable to it, where the property owner is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone, and which adjustment remedies disparity in privileges.

Vehicle, motor. A self-propelled device licensed by the state as a motor vehicle and used for the transportation of people or goods over roads.

Veterinary clinic or hospital. A facility for the medical and clinical treatment of animals by an individual licensed to practice veterinary medicine in the State of Texas, including short-term boarding of animals.

Warehouse. Structure used for the reception and storage of goods and merchandise. The term may include any structure used to hold goods, stores or wares for long- or short-term storage.

Wholesale. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Xeriscape. A landscaping method that employs drought-resistant plants and landscaping arrangements in an effort to conserve resources, especially water.

Yard. An open, unoccupied space on a lot, other than a court, which is unobstructed from the ground upward by buildings or structures except as otherwise provided in this article.

Yard, front. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto.

Yard, rear. A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and a line parallel thereto.

Yard, side. An open, unoccupied space on the same lot with the building and between the building line and the side lot line.

Zoning. The division of a city by legislative regulation into districts and the prescription and application in each district of regulations having to do with structural and architectural designs of buildings and of regulations prescribing use to which buildings within designated districts may be put.

Zoning amendment. A legislative change of an existing comprehensive zoning ordinance. Amendments must be adopted with all formalities required by the enabling act, including planning and zoning commission recommendations, notice to landowners in a designated area, when required, published notice of legislative consideration, public hearings, and final passage of an amending ordinance.

Zoning map. The official map as approved by the city council, as amended from time to time, which displays the various zoning districts.

(1972 Code, sec. 30.202; Ordinance 07-034, sec. 1, adopted 8-8-07; Ordinance 07-054, sec. 1, adopted 11-5-07; Ordinance 10-048, sec. 1, adopted 11-16-10; 2008 Code, sec. 14.02.052; Ordinance 14-02, sec. II(A), adopted 4-14-14; Ordinance 2020-10, sec. 1, adopted 3-3-20; Ord. No. 2021-20, § 1, 4-20-2021; Ord. No. 2021-61, § 1, 12-7-2021; Ord. No. 2023-16, § 1, 5-16-2023; Ord. No. 2025-12, § 1, 5-20-2025; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Secs. 15.02.053—15.02.100 Reserved

DIVISION 3. ADMINISTRATION

Sec. 15.02.101 Primary responsibility for enforcement

The zoning officer(s) shall be the designated authority charged with the administration and enforcement of this article. The zoning officer(s) shall be appointed by the city manager. The zoning officer(s) also serves as the staff advisor to the city council, planning and zoning commission, board of adjustment, city staff, and citizens relating to the administration, interpretation, implementation, and enforcement of the provisions of this article.

(1972 Code, sec. 30.301; 2008 Code, sec. 14.02.101; Ordinance 2020-10, sec. 2, adopted 3-3-20)

Sec. 15.02.102 Duties

The zoning officer(s) shall have the following duties:

(1) The zoning officer(s) shall have the power to make inspections of buildings and premises to carry out the duties prescribed herein.

(2) The zoning officer(s) shall examine all building permit applications and shall certify that the proposed construction, moving, alteration, or use complies with the provisions of this article.

(3) The zoning officer(s) shall certify all certificates of occupancy prior to their issuance.

(4) The zoning officer(s) shall investigate alleged violations of this article, and shall conduct a visual inspection of all uses within the city. If a violation or suspected violation is found, enforcement efforts shall be undertaken by the zoning officer(s).

(5) The zoning officer(s) shall perform such other duties as assigned by the mayor relating to the administration, interpretation, implementation, and enforcement of the provisions of this article.

(1972 Code, sec. 30.302; 2008 Code, sec. 14.02.102)

Sec. 15.02.103 Certificate of occupancy

(a) A certificate of occupancy shall be obtained for any of the following:

(1) Occupancy and use of a building hereafter erected or structurally altered.

(2) Change in use of an existing building to a use of a different classification.

(3) Occupancy and use of vacant land.

(4) Change in the use of land to a use of a different classification.

(5) Any major or significant modification, alteration, or change in a nonconforming use.

(6) Business ownership name change; and

(7) A short-term rental (STR) is not required to obtain a certificate of occupancy.

(b) Application for certificate of occupancy shall be obtained through the planning and zoning department after submittal of:

(1) A complete and accurate application.

(2) Owner affidavit

(3) Failure to maintain accurate and/or updated information as submitted in the application is punishable by a fine of up to $500.00 per day, per violation.

(1972 Code, sec. 30.303; 2008 Code, sec. 14.02.103; Ordinance 2019-19 adopted 4-16-19; Ord. No. 2021-20, § 1, 4-20-2021; Ord. No. 2021-44, § 1, 9-7-2021; Ord. No. 2023-045, § 1, 11-21-2023)

Sec. 15.02.104 Occupancy without certificate prohibited

No such use, or change of use, shall be permitted unless a certificate of occupancy, approved by the zoning officer(s), has been issued.

(1972 Code, sec. 30.304; 2008 Code, sec. 14.02.104)

Sec. 15.02.105 Procedure for new or altered buildings

Written application for a certificate of occupancy for a new building or for an existing building which is to be altered shall be made at the same time as the application for the building permit for such building. Said certificate shall be issued within ten days after a written request for the same has been made to the zoning officer(s) or his

agent, and only after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this article. The zoning officer(s) shall issue the certificate of occupancy not more than ten days after the erection or alteration has been approved by the city.

(1972 Code, sec. 30.305; 2008 Code, sec. 14.02.105)

Sec. 15.02.106 Procedure for vacant land use or change in building use

Written application for a certificate of occupancy for the use of vacant land, or for a change in the use of land or a building, or for a change in a nonconforming use to a conforming use, as herein provided, shall be submitted to the zoning officer(s) for review on forms available in the zoning officer(s)'s office. If the proposed use is in conformity with the provisions of this article and has been approved by the zoning officer(s), the certificate of occupancy shall be issued within ten days after the application has been made.

(1972 Code, sec. 30.306; 2008 Code, sec. 14.02.106)

Sec. 15.02.107 Contents of certificate of occupancy

Every certificate of occupancy shall state that the building or the proposed use of a building or land complies with all provisions of Leon Valley's codes and ordinances. A record of all certificates of occupancy shall be kept on file in the office of the zoning officer(s) or a designee and copies shall be furnished upon request to any person having proprietary or tenancy interest in the building or land affected.

(1972 Code, sec. 30.307; 2008 Code, sec. 14.02.107)

Sec. 15.02.108 Temporary certificate

Pending the issuance of a regular certificate, a temporary certificate of occupancy may be issued by the zoning officer(s) for a period not exceeding six months, during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificates shall not be construed as in any way altering the respective rights, duties, or obligations of the owners or of the city relating to the use or occupancy of the premises or any other matter covered by this article.

(1972 Code, sec. 30.308; 2008 Code, sec. 14.02.108)

Sec. 15.02.109 Amendments to the zoning map and text

(a) *Purpose of amendments.* The purpose of an amendment procedure is to provide for changes in the text of the zoning ordinance (text amendment) and to change the boundaries of zoning districts (rezoning) shown on the official zoning map. Since these regulations represent the city's effort to provide for the orderly development of the community, no change shall be made in these regulations except:

(1) To correct an error in the regulations or map;

(2) To recognize changed or changing conditions or circumstances in a particular locality or area; or

(3) To recognize a change in public plans or policies that affect the property.

(1972 Code, sec. 30.309; 2008 Code, sec. 14.02.109)

Sec. 15.02.110 Comprehensive planning activities

The zoning administrator shall assist the planning and zoning commission in the development and implementation of the city's comprehensive master plan. There shall be no amendment made to this article which is not in compliance with the city's long-range comprehensive planning program and the city's master plan.

(1972 Code, sec. 30.310; 2008 Code, sec. 14.02.110; Ordinance 2020-10, sec. 3, adopted 3-3-20)

Sec. 15.02.111 Applicant qualifications

Any person, corporation, or authorized agent interested in any property, or owner of property may initiate proceedings to allow the consideration of a change in the zoning classification of such property or to the regulations pertaining to said property. In the event that ownership stated on the application and that shown on city records are different, the applicant shall submit proof of ownership or legal standing to submit the application or must provide a notarized letter of authorization from the property owner. The planning and zoning commission or city council may, on its own motion, initiate proceedings to consider a change to the zoning on any property or to the regulations pertaining to property, when it finds that the public interest would be served by consideration of such a request.

(1972 Code, sec. 30.311; 2008 Code, sec. 14.02.111; Ordinance 2020-10, sec. 4, adopted 3-3-20)

Sec. 15.02.112 Application form and content

Each application for a text amendment, rezoning, specific use permit, or nonspecified use permit shall be made in writing on a form provided by the zoning officer(s) and shall be filed with the zoning officer(s). Each application shall be accompanied by payment of the fees as set forth in Leon Valley City Code, appendix A, Fee Schedule as amended or revised by ordinance from time to time. An application for a rezoning shall also include any plat(s), field notes, metes and bounds descriptions, plans and/or drawings in a form acceptable to the zoning officer(s) and containing sufficient information necessary to determine the impact on properties affected by the rezoning request. Where information is lacking or inadequate at the time of submission, the applicant shall be notified as to the nature and extent of the deficiency, and the record shall be retained as an intent to apply until such deficiency is remedied. No docket number shall be assigned in such cases until the required information has been supplied.

(1972 Code, sec. 30.312; 2008 Code, sec. 14.02.112; Ordinance adopting 2017 Code)

Sec. 15.02.113 Action by planning and zoning commission

(a) Applications must be submitted to the zoning officer(s) and all appropriate fees paid. Upon receipt of a complete application for a zoning map amendment (rezoning), and all outstanding issues having been resolved, the zoning officer(s) shall assign the application a docket number and set a date for a public hearing before the planning and zoning commission and the city council.

(b) Not less than ten days before the public hearing before the planning and zoning commission, written notice shall be sent to all owners of real property, as indicated on the most recently approved municipal tax roll, located within 200 feet of the property to be rezoned or as otherwise resolved by the city council. The notice may be served by its deposit in the United States mail, within the city, properly addressed with postage paid.

(c) Not less than ten days before the public hearing before the planning and zoning commission, signage shall also be placed at the property subject to public hearing for a possible zone change, in a location visible to adjacent public streets, which states the date, time, location, and requested zoning action for the property.

(d) From the date of recommendation by the commission, a public hearing shall be held before the city council regarding the same matter within 90 days of such commission recommendation or the recommendation is void.

(e) The applicant may choose to request public hearings before both the commission and the city council by paying the total applicable fees for both hearings at the same time. If such option is elected, the date of the public hearing before the city council shall be set at the next regularly scheduled meeting of the city council following the public hearing at which a decision is made by the commission.

(1972 Code, sec. 30.313; 2008 Code, sec. 14.02.113; Ordinance 2002-12 adopted 3-3-20)

Sec. 15.02.114 Withdrawal of application

Prior to the issuance of the notice of a public hearing before the planning and zoning commission and city council, the applicant may, by written notice to the zoning officer(s), withdraw the application or request rescheduling of the public hearing to a later regular meeting date. Once public notice is given, the applicant may withdraw the application or request for rescheduling only with the approval of the city council. The city council may reject a request to withdraw an application or request to reschedule and conduct the public hearing as stated in the notification and take action as appropriate within the context of the public notice provided. Not less than 15 days before the public hearing, notice of the hearing shall be published in an official newspaper or a newspaper of general circulation in the city.

(1972 Code, sec. 30.314; 2008 Code, sec. 14.02.114; Ordinance 2020-10, sec. 5, adopted 3-3-20)

Sec. 15.02.115 Denial of request—Time period for reapplication

No application for rezoning, specific use or nonspecific use of any lot(s) or block(s) of land situated in the city shall be received or filed with the commission and no hearing had thereon, if within six months prior thereto an application was received or filed on the same lot(s) or block(s) of land. This time restriction shall apply whether said application was withdrawn before or after action by the commission, and whether or not final hearing and action has been filed by the city council.

(1972 Code, sec. 30.315; 2008 Code, sec. 14.02.115)

Sec. 15.02.116 Planning and zoning commission report

After public hearing, the planning and zoning commission shall submit a report to the city council with a recommendation that the application be approved, tabled, or denied, and state the vote of the commission.

(1972 Code, sec. 30.316; 2008 Code, sec. 14.02.116; Ordinance 2017-45 adopted 8-15-17; Ordinance 2020-10, sec. 6, adopted 3-3-20)

Sec. 15.02.117 Protests

In the event a protest to an application is filed with the zoning officer(s), duly signed and acknowledged, by the owners of either:

(1) Twenty percent or more of the area of the lots or land covered by the proposed change; or

(2) By 20 percent or more of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from such area; such application shall not become effective

except by affirmative vote of three-fourths of all the members of the city council. In computing the percentage of land area to be considered, the area of streets and alleys shall be included.

(1972 Code, sec. 30.317; 2008 Code, sec. 14.02.117)

Sec. 15.02.118 Action by the city council

Upon receipt of the report from the planning and zoning commission, the city council shall hold a public hearing for the purpose of consideration the proposed change to the zoning map or text. Not less than 15 days before the public hearing, notice of the hearing shall be published in an official newspaper or a newspaper of general circulation in the city.

(1972 Code, sec. 30.318; 2008 Code, sec. 14.02.118; Ordinance 2020-10, sec. 7, adopted 3-3-20)

Sec. 15.02.119 Approval and execution of changes

If finally approved by the required number of votes of the city council, the mayor shall execute the ordinance.

(1972 Code, sec. 30.319; 2008 Code, sec. 14.02.119)

Sec. 15.02.120 Expiration of an application

Any pending application shall be automatically approved if no action of any kind has been taken on it by the city council for a period of one year.

(1972 Code, sec. 30.320; 2008 Code, sec. 14.02.120)

Sec. 15.02.121 Liability

This article shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or parcel of land for any damages to persons or property caused by defects, nor shall the enforcement agency or its jurisdiction be held as assuming any such liability by reason of the reviews or permits issued under this article.

(1972 Code, sec. 30.321; 2008 Code, sec. 14.02.121)

Secs. 15.02.122—15.02.180 Reserved

DIVISION 4. NONCONFORMANCE

Sec. 15.02.181 Purpose

Within the districts established by this article or amendments thereto, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this ordinance was enacted, amended or otherwise made applicable to such lots, structures or uses, but which do not conform to the regulations of the district in which they are located. It is the intent of this section of the ordinance to permit such nonconformance to continue, under regulations herein contained, until the same are removed, but not to encourage their survival.

(1972 Code, sec. 30.401; 2008 Code, sec. 14.02.181)

Sec. 15.02.182 Nonconformance incompatibility

Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

(1972 Code, sec. 30.402; 2008 Code, sec. 14.02.182)

Sec. 15.02.183 Enlargement prohibited

It is further the intent of this article that nonconforming uses shall not be enlarged upon, expanded, or extended, nor be used as a basis for adding other structures or uses prohibited elsewhere in the same district. Except as herein provided, no nonconforming use of land or buildings, or any nonconforming structure shall be enlarged, changed, or altered, except in conformity with the regulations contained in this article.

(1972 Code, sec. 30.403; 2008 Code, sec. 14.02.183)

Sec. 15.02.184 Nonconformance status

Any use or structure which does not conform to the regulations contained in the zoning district in which it is located is deemed to be a legal nonconforming use when:

(1) The use or structure was in existence and lawfully operating at the time of the passage of this ordinance, and has since been in regular and continuous use; or

(2) The use or structure was lawfully being used at the time of the adoption of any amendment to this ordinance and by such amendment was placed in a district where it is not otherwise permitted; or

(3) The use or structure was in existence at the time of annexation to the city and has since been in regular and continuous use.

(1972 Code, sec. 30.404; 2008 Code, sec. 14.02.184)

Sec. 15.02.185 Continuing lawful use of property

(a) The lawful use of land existing at the time of the passage of this ordinance, although it does not conform to the provisions herein, may be continued until termination is required in accordance with the provisions of this article. During the period between designation as a nonconforming land use activity and notification of a prescribed termination date, if discontinuance occurs, any future use of the premises must be in conformity with the general provisions of this article.

(b) A legal nonconforming use, when discontinued or abandoned, cannot be resumed. Prima facie evidence of continuance [discontinuance] or abandonment is as follows:

(1) When land associated with a legal nonconforming use ceases to be used in such a manner for a period of 120 days.

(2) When a structure associated with a nonconforming use ceases to be used in such a manner for a period of 120 days.

(1972 Code, sec. 30.405; 2008 Code, sec. 14.02.185)

Sec. 15.02.186 Development of nonconforming lots

Nonconforming lots which do not meet the minimum area, width, or depth requirements for the district in which they are located may be used for any lawful purpose permitted within the zoning district in which they are located. However, the use of such a lot shall be subject to a determination by the zoning officer(s) that a good faith effort has been made to follow all rules and regulations associated with this article.

(1972 Code, sec. 30.406; 2008 Code, sec. 14.02.186)

Sec. 15.02.187 Proof of legal nonconformance

It shall be the responsibility of the owner, operator, or occupant to provide proof that a nonconforming structure or use of land or building existed prior to the enactment of this ordinance.

(1972 Code, sec. 30.407; 2008 Code, sec. 14.02.187)

Sec. 15.02.188 Restoration of damaged property

Nothing in this article shall prevent the restoration of a building that is destroyed by fire, explosion, or other casualty or act of God, or a public enemy by less than 50 percent of the appraised value of the building, nor the continued occupancy or use of such a building or part which existed at the time of such destruction.

(1972 Code, sec. 30.408; 2008 Code, sec. 14.02.188)

Sec. 15.02.189 Substitution of nonconforming uses or structures prohibited

No nonconforming use or structure may be substituted for any other nonconforming use or structure. Only uses permitted by right and approved specific uses may be substituted for nonconforming uses or structures.

(1972 Code, sec. 30.409; 2008 Code, sec. 14.02.189)

Sec. 15.02.190 Enlargement of nonconformance prohibited

No nonconforming use or structure may be extended or enlarged, and no nonconforming use of land may be enlarged or increased, to occupy a greater area of land than was occupied at the time the site achieved nonconforming status.

(1972 Code, sec. 30.410; 2008 Code, sec. 14.02.190)

Sec. 15.02.191 Termination of nonconformance

The right to use a parcel of land or a structure in a nonconforming manner shall terminate under any of the following circumstances:

(1) When the use is abandoned.

(2) When any provision of this or any other ordinance of the city is violated.

(3) When a nonconforming use is changed to a conforming use by means of an amendment to the zoning text or map.

(1972 Code, sec. 30.411; 2008 Code, sec. 14.02.191)

Sec. 15.02.192 Lot size and densities

No lot shall be reduced or diminished so that the yards or other open spaces shall be smaller than as prescribed in this article, nor shall the density of population be increased in any manner except in conformity with the area regulations established herein. Side yard areas, used to comply with minimum requirements of this article, for a building, shall not be included as a part of the required areas of any other building.

(1972 Code, sec. 30.412; 2008 Code, sec. 14.02.192)

Secs. 15.02.193—15.02.250 Reserved

DIVISION 5. FEES

Sec. 15.02.251 Fees schedule

Fees for zoning text amendments, rezoning, specific use permits, nonspecified use permits, board of adjustment requests and any other permits or review procedures associated with this article shall be established by the city council and shall be set as per Leon Valley City Code, appendix A, Fee Schedule as amended or revised by ordinance from time to time.

(1972 Code, sec. 30.501; 2008 Code, sec. 14.02.251; Ordinance adopting 2017 Code)

Sec. 15.02.252 Waiver of fees

The city council, upon a vote of the majority of members present, may waive the fee for an amendment, specific use permit, or any other permit or review procedure associated with this article. However, fees may be waived only in the case of extreme hardship on the applicant or in cases where a submission of a zoning action is required by the city council, zoning commission or the board of adjustment.

(1972 Code, sec. 30.502; 2008 Code, sec. 14.02.252)

Sec. 15.02.253 Attributable fees

All fees attributable to non-staff consultants such as a city attorney, city engineer, contract inspector, and other similar contract personnel shall be payable by the applicant. Failure to pay such fees shall suspend or nullify the review or approval of an application until such fees are paid in full.

(1972 Code, sec. 30.503; 2008 Code, sec. 14.02.253)

Secs. 15.02.254—15.02.300 Reserved

DIVISION 6. DISTRICTS, BOUNDARIES, AND USE REGULATIONS

Sec. 15.02.301 Districts

The city is hereby divided into 13 zoning districts and boundaries as follows:

"R-1" Single-Family Dwelling District

"R-2" Two-Family Dwelling District

"R-3" Multiple-Family Dwelling District

"R-3A" Multiple-Family Retirement Community District

"R-4" Townhouse Dwelling District

"R-5" Manufactured Home Dwelling District

"R-6" Garden House District

"R-7" Single-Family Medium Density District

"O-1" Office District

"B-1" Small Business District

"B-2" Retail District

"B-3" Commercial District

"I-1" Industrial District

(1972 Code, sec. 30.601; 2008 Code, sec. 14.02.301; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.302 Boundaries

(a) *General.* The boundaries of these districts are indicated on the zoning map of the city, which is on file in the official office of the city.

(b) *Interpretation.* Where uncertainty exists with respect to the boundaries of any of the following districts as shown on the zoning map, the following rules shall apply:

(1) Where district boundaries are indicated as approximately following the centerline of streets or highways, street lines or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be said boundaries;

(2) Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries;

(3) Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale on said zoning map;

(4) In property which is not subdivided, the district boundary lines on the zoning map shall be determined by use of scale appearing on the map, or by more detailed descriptions that may be available in the official records of the city;

(5) In the case of a district boundary line dividing a property into two parts, the district boundary line shall be determined by use of the scale appearing on the zoning map, or by more detailed descriptions that may be available in the official records of the city;

(6) Where the streets or alleys on the ground differ from the streets or alleys as shown on the zoning map, the streets or alleys on the ground shall control; and

(7) Where conflict exists between the official zoning map of the city and the official records of the city, the records shall control.

(1972 Code, sec. 30.602; 2008 Code, sec. 14.02.302)

Sec. 15.02.303 Annexation zoning

(a) *"Temporary R-1" zoning established.* All territory annexed to the city shall be automatically classified as "temporary R-1" single-family dwelling district and the only uses which shall be permitted therein are those permitted in the permanent "R-1" district. If within six months from annexation such property has not been permanently zoned, the city shall appropriately zone such property on behalf of the property owner.

(b) *Permanent zoning upon annexation.* The owner or owners of property being annexed to the city upon petition (as provided in chapter 43, of the Texas Local Government Code) may apply at the time of annexation for a permanent zoning on the land being annexed and such application shall be processed as any other request for zoning. If timely filed and the proper notice and hearing procedures have been followed prior to the council meeting in question, the city council can give such territory its permanent zoning at the same meeting at which it is annexed.

(1972 Code, sec. 30.603; 2008 Code, sec. 14.02.303)

Sec. 15.02.304 Description and purpose of districts

(a) *Purpose.* It is the purpose of this section:

(1) To protect the character of the residential areas by regulating the placement of certain uses and any unenclosed activities or uses which could intrude upon the lifestyle of the community through inappropriate lighting, noise, vibration, smoke, dust, or pollutants; and

(2) To protect the character of the business community by allowing certain incidental uses appropriate to certain zoning districts which would not intrude upon the character of the residential areas.

(b) *Purpose of overlay district and applicability.*

(1) *Purpose of overlay district standards.* It is the purpose of the Gateway Overlay District standards:

(A) To establish standards to protect and improve the character of business areas in the city, and to guide the appropriate mixing of residential and nonresidential uses where permitted within the overlay districts.

(2) *Applicability of overlay district standards.* The overlay district standards shall apply to all parcels of land in the Gateway Overlay District.

(1972 Code, sec. 30.604; Ordinance 10-049, sec. 1, adopted 11-16-10; 2008 Code, sec. 14.02.304; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.305 Regulations for all districts

(a) *Use.* No land shall be used for and no building shall be erected for or converted to any use other than provided in the regulations prescribed for the district in which it is located, except as hereinafter provided.

(b) *Height.* No building shall be erected, constructed, extended, enlarged, reconstructed or structurally altered to exceed the height limit herein established for the district in which such building is situated, with the following exceptions:

(1) Those exceptions listed in the definition of height found in this article;

(2) In any district any main structure may be erected or altered to a height in excess of that specified for the district in which the structure is located provided that each required side and rear yard is increased one foot for each two feet of such excess height.

(c) *Area.* No lot shall be reduced or diminished so that the yards or other open spaces shall be smaller than as prescribed in this article, nor shall the density of population be increased in any manner except in conformity with the area regulations established herein. Side yard areas, used to comply with minimum requirements of this article, for a building, shall not be included as a part of the required areas of any other building. Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one main structure/building on a lot in the "R-1," "R-2" or "B-1" districts, or as otherwise provided herein, and in no case shall any building be hereafter erected on more than one lot.

(d) *Vision clearance.*

(1) On any corner lot on which a front yard is required by this article, no wall, fence or other structure shall be erected and no hedge, shrub, tree or other growth shall be maintained within the triangular area formed by the intersecting street lines and a straight line connecting such street lines at points 25 feet from the point of intersection, measured along such street lines.

(2) On any corner lot on which front and side yards are required, no wall, fence, structure, sign, tree, shrub, or hedge may be maintained as to cause danger to traffic by obstructing the view, and when topography prevents a clear view, this obstruction shall be removed.

(e) *Front yard.* The front yard heretofore required shall be adjusted in the following cases:

(1) Where 40 percent or more of frontage on one side of a street between two intersecting streets is developed with buildings that have observed, with a variation of five feet or less, a front yard greater or lesser in depth than herein required, new buildings shall not be erected closer to the street than the building line so established by the existing buildings, however, this regulation shall not be interpreted as requiring a building line of more than 50 feet.

(2) Open and unenclosed terraces or porches, carports, patios, eaves, and roof extensions may project into the required front yard for a distance not to exceed four feet, with the exception of a carport in an R-1 Single Family Dwelling Zoning District, which is allowed to project into the required front yard area for a distance not to exceed 15 from the front property line. The carport must be permanently attached to the existing residential structure at the roof line.

(f) *Side and rear yard.*

(1) Every part of the required side or rear yard shall be open and unobstructed except for accessory buildings as permitted herein and the ordinary projection of window sills, belt courses and other ornamental features projecting not to exceed 12 inches. Eaves and awnings on main residential structures may project to within three feet of a side lot line.

(2) Noncombustible accessory buildings may be built in the rear yard except that when such accessory building is combustible or located closer than 15 feet to the main building, it shall observe the same side yard as required of the main building.

(3) Open or lattice-enclosed fire escapes, fireproof outside stairways, balconies opening upon fire towers, and ordinary projections of chimneys and flues into rear yard may project in the side or rear yard for a distance not to exceed four feet.

(4) Terraces, uncovered porches, platforms, and ornamental features which do not extend more than three feet above the ground (first) floor level of the building may project into a required side yard provided such projections not be erected closer than two feet from the side lot line.

(g) *Lot area.* On any lot separately platted as of September 21, 1965, a single-family house may be erected even though of less area than required by these regulations, with the requirement that it be connected to a public sewage disposal system.

(h) *Location of dwellings and buildings.* Only one main building for single- or two-family use, with permitted accessory buildings, may be located upon a lot.

(i) *Outer courts.* Whenever an outer court in a building used or intended to be used for dwelling purposes is formed by three exterior walls of the building in which are located any openings, windows or doors for light, access, air or ventilation, the mean depth of the court measured from the base wall to a line projected from the outer edge of one protruding wall shall not be greater than 1½ times the distance between the two protruding walls. Whenever the depth of the court equals or exceeds 50 percent of the distance between the protruding walls, the minimum width of an outer court shall be 12 feet for one standard story buildings, 20 feet for two standard story buildings, 30 feet for three standard story buildings, and for buildings exceeding three standard stories in height, the width of an outer court shall be increased one foot for each (2) feet the building exceeds three standard stories.

(j) *Fences.*

(1) Fences shall be required to be in compliance with article 3.05 of this Code, as amended, with the following exception which is intended to take precedence over and govern any conflict with article 3.05 of this Code:

(A) In I-1 districts, not fronting residential or commercial districts, and not located to adversely affect site distance at street and/or alley intersections, there shall be no limitation as to fence height.

(k) *Summary of height, area and yard requirements.*

(1) The requirements for height, yard and area set out in this article are intended to protect the health, safety and welfare of property owners by establishing minimum standards. These standards are outlined for the individual districts in table format. In some cases, additional details regarding height, yard and area standards are provided for certain districts in the sections below. This section is intended to be interpreted in its entirety as it relates to the specific requirements for each zoning district.

(2) In the case of any lot or land parcel, it is hereby required that such lot or parcel must front onto a public street and be provided with public utilities and fire protection.

(l) *Residence in nonresidential zone.* It is the intention of this article that no residential use of any type occur in the B-2, B-3 or I-1 zones and that R-3 uses not occur in any other zoning district and that R-5 uses not occur in any other zoning district, unless:

(1) The use provides a residence for a caretaker residing on the premises in the B-2, B-3 or I-1 zones; or

(2) The use is constructed as a part of, and provides a residence used in conjunction with, the nonresidential use.

(3) The use is a part of an approved mixed use development (MX-1 district).

(m) *Overlay district.* The Gateway Overlay District incorporates additional requirements which may supersede certain requirements of the following divisions of this article and article 3.04 (signs), as follows;

(1) Division 6, districts, boundaries and use regulations.

(2) Division 7, permitted use table.

(3) Division 8, parking regulations.

(4) Division 9, landscaping.

(1972 Code, sec. 30.605; Ordinance 10-049, sec. 2, adopted 11-16-10; 2008 Code, sec. 14.02.305; Ord. No. 2022-8, § 1, 3-1-2022; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.306 "RE-1" residential estate district

(a) *Purpose and description.*

(1) This district provides areas for low density single-family uses which provide a buffer between agricultural and higher density areas of the city. Minimum lot size requirements are provided in order to allow for market and design flexibility while preserving neighborhood and rural character. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, libraries, and neighborhood recreation centers. The district regulations are designed to: (A) protect the residential character of the areas by prohibiting commercial and industrial activities; (B) encourage a suitable neighborhood environment; and (C) preserve the openness of the area by requiring that certain minimum yard and area standard requirements are met.

(2) The R-1L [sic] district implements the following policies of the master plan:

(A) Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

(B) Encourage connectivity throughout the city.

(b) *Lot regulations.*

(1) *Area.* Lots must have a minimum area of 43,560 square feet.

(2) *Frontage.* Minimum frontage of 150 feet along a public right-of-way.

(3) *Depth.* Minimum of 150 feet.

(4) *Height.* Maximum of 2-1/2 stories allowed.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 50 feet from front property line to main structure.

(2) *Rear yard.* There shall be a rear yard of not less than 50 feet from rear property line to rear of main structure.

(3) *Side yard.* There shall be a side yard of not less than twenty (25) [sic] feet from side property line to main structure. On corner lots the external side yard shall be not less than 50 feet. See article 10.02 (subdivision ordinance) for garage setbacks.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) *Other.*

(1) *Accessory buildings.* Shall be allowed, but shall be subject to the setback requirements applicable to the main structure.

(2) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(4) *Nonconforming dwellings.* The provisions of floor space and masonry above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings-built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(5) *Parking.* Two off-street parking spaces shall be provided for each residential structure.

(6) *Public facilities.* Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(e) *Storage.* Outside storage is not allowed in the RE-1 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the city Code. All items to be stored must be completely contained in either the main structure, garage or an accessory building.

(Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.307 "R-1" single-family dwelling

(a) *Purpose and description.*

(1) This district provides areas for low density single-family uses which provide a buffer between agricultural and higher density areas of the city. Minimum lot size requirements are provided in order to allow for market and design flexibility while preserving neighborhood character. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, libraries, and neighborhood recreation centers. The district regulations are designed to: (1) protect the residential character of the areas by prohibiting commercial and industrial activities; (2) encourage a suitable neighborhood environment; and (3) preserve the openness of the area by requiring that certain minimum yard and area standard requirements are met.

(2) The R-1 district implements the following policies of the master plan:

(A) Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

(B) Encourage connectivity throughout the city.

(b) *Lot regulations.*

(1) *Area.* Lots must have a minimum area of 8,400 square feet.

(2) *Frontage.* Minimum frontage of 70 feet along a public right-of-way.

(3) *Depth.* Minimum of 120 feet.

(4) *Floor space.* Minimum floor space of 1200 square feet of heated living space shall be provided in each one-story dwelling, 1400 square feet for each two-story dwelling.

(5) *Height.* Maximum of 2-1/2 stories allowed.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 25 feet from front property line to main structure.

(2) *Rear yard.* There shall be a rear yard of not less than 30 feet from rear property line to rear of main structure.

(3) *Side yard.* There shall be a side yard of not less than five feet from side property line to main structure. On corner lots the external side yard shall be not less than ten feet. See article 10.02 (subdivision ordinance) for garage setbacks.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) *Other.*

(1) *Accessory buildings.* Shall be allowed but shall be located no closer than five feet from any property line and must be located in the side or rear yard. In no case shall an accessory building occupy more than 30 percent of the total open space in the rear yard; with the following exceptions:

a. No setback shall be required for accessory buildings located within a side or rear yard which abuts an alley with a minimum 20 feet of public rights-of-way; or

b. No setback shall be required for accessory buildings located within a side or rear yard, which were constructed prior July 7, 2021, and are located a minimum of ten feet from the nearest structure on an abutting property.

(2) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(4) *Reserved.*

(5) *Nonconforming dwellings.* The provisions of floor space and masonry above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(6) *Parking.* Two off-street parking spaces shall be provided for each residential structure.

(7) *Public facilities.* Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(8) *Storage.* Outside storage is not allowed in the R-1 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. All items to be stored must be completely contained in either the main structure, garage or an accessory building.

Figure 1 (R-1 Single-Family Dwelling)



(1972 Code, sec. 30.606; Ordinance 07-033 adopted 8-8-07; 2008 Code, sec. 14.02.306; Ord. No. 2021-33, § 1, 8-3-2021; Ord. No. 2023-35, § 1, 9-19-2023; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.308 "R-2" two-family dwelling

(a) *Purpose and description.*

(1) This district provides areas for low and medium density one- and two-family dwelling uses, which provide a buffer from agricultural and single-family districts and the higher density areas of the city. Minimum lot size requirements are provided in order to allow for market design and flexibility while preserving the neighborhood character. The district regulations are designed to: (1) protect the residential character of the area by prohibiting commercial and industrial activities, apartments and manufactured homes; (2) encourage a suitable neighborhood environment; and (3) preserve the openness of the area by requiring that certain minimum yard and area standard requirements are met. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as schools, libraries, and neighborhood recreation centers.

(2) The R-2 district implements the following policies of the master plan:

(A) Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

(B) Encourage connectivity throughout the city.

(b) *Lot regulations.*

(1) *Area.* A minimum lot area of 10,200 square feet shall be provided.

(2) *Depth.* A minimum depth of 120 feet, shall be provided, except as hereinafter provided.

(3) *Floor space.* Must provide a living area in each one-story structure of not less than 1,600 square feet; and in each two-story structure of not less than 1,800 square feet; and shall be heated living space as in the R-1 (single-family dwelling) district.

(4) *Frontage.* Minimum frontage of the lot shall be 85 feet along a public right-of-way.

(5) *Height.* A maximum of 2-1/2 stories allowed.

(c) *Setbacks.*

(1) *Front yard.* There shall be a minimum front yard of 20 feet shall be provided.

(2) *Rear yard.* There shall be a minimum of 30 feet shall be provided.

(3) *Side yard.* There shall be a minimum of five feet shall be provided on each side, except on corner lots the external side shall be not less than 20 feet.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) *Other.*

(1) *Accessory buildings.* Accessory buildings are allowed, but shall be located no closer than five feet from any property line and shall not occupy more than 25 percent of the open space in the rear yard of each unit. In no case is an accessory building allowed in the front yard.

(2) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to buildings shall be mounted no higher than the eaves of said buildings. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(4) *Reserved.*

(5) *Nonconforming structures.* The provisions of floor space and masonry above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(6) *Parking.* Two off-street parking spaces shall be provided for each separate unit in the structure.

(7) *Public facilities.* Each lot shall be connected to the city's public water and sewer system and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(8) *Storage.* Outside storage is not allowed in the R-2 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. Items to be stored must be completely contained in either the main structure, garage or an accessory building.

Figure 2 (R-2 Two-Family Dwelling)



(1972 Code, sec. 30.607; 2008 Code, sec. 14.02.307; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.309 "R-3" multiple-family dwelling district

(a) *Purpose and description.*

(1) The R-3 district is composed of areas containing multiple-family dwellings. The district regulations are designed to: (1) protect the residential character of the area by prohibiting commercial and industrial activities and manufactured homes; (2) encourage a suitable neighborhood environment; (3) prevent overcrowding of the land by requiring certain minimum yard and other open spaces for all buildings; (4) avoid excessive population density by requiring a certain minimum building site area for each building unit; and (5) provide a buffer between retail and single-family dwelling areas.

(2) The R-3 district implements the following policies of the master plan:

(A) Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

(B) Encourage connectivity throughout the city.

(b) *Lot regulations.*

(1) *Area.* A lot on which there is erected or converted a multiple-family dwelling shall contain an area of not less than 10,400 square feet for the first three units and 1,200 square feet for each additional unit.

(2) *Depth.* Minimum of 120 feet.

(3) *Floor space.* Minimum of 600 square feet.

(4) *Frontage.* A minimum frontage of 95 feet is required along a public right-of-way.

(5) *Height.* A maximum of three stories is allowed in the R-3 district.

(6) *Density.* None.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 20 feet from the property line to the building structure.

(2) *Rear yard.* There shall be a rear yard having a minimum of 25 feet from the structure to the rear property line.

(3) *Side yard.* There shall be a side yard having a minimum of ten feet from the structure to the side property line.

(4) *Vision clearance area.* On any corner lot no wall, fence or other structure shall be erected and no hedge, shrub, tree or other growth shall be maintained within the triangular area formed by the

intersecting street lines and a straight line connecting such property lines at points 25 feet from the point of intersection, measured along such street lines.

(5) *Building distance.* The required space between buildings is 15 feet.

(d) *Other.*

(1) *Accessory buildings.* Accessory buildings shall in no case consist of more than 20 percent of the total lot area.

(2) *Landscaping.* A total of 35 percent of the total overall area must be landscaped and not less than five percent of the R-3 area shall be covered by plantings and amenities other than sod, subject to the approval of the city. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. See appendix A for a list of trees, shrubs and plants suitable for the region. Also see Landscaping, division 9 of this article, for other applicable regulations.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

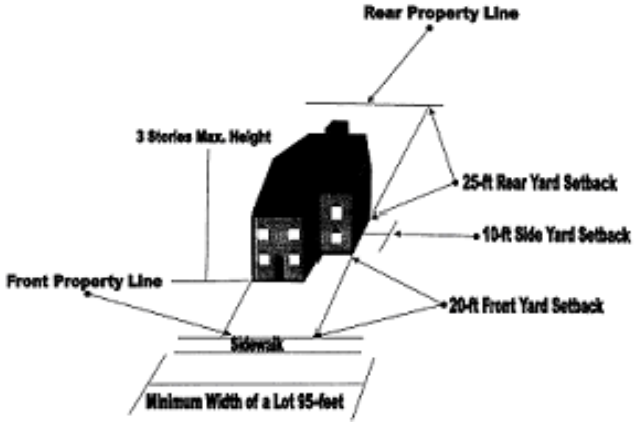
(4) *Nonconforming structures.* The provisions of subsection (b) above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(5) *Parking.* A minimum of one space for each one-bedroom unit, two spaces for each two-bedroom unit and one space for each additional unit shall be provided.

(6) *Public facilities.* Each lot shall be connected to the city's public water and sewer system and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(7) *Storage.* Outside storage is not allowed in the R-3 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. Items to be stored must be completely contained in either the apartment units, garages or accessory buildings.

1Figure 3 (R-3 Multiple-Family Dwelling



(1972 Code, sec. 30.608; Ordinance 07-033 adopted 8-8-07; 2008 Code, sec. 14.02.308; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.310 "R-3A" multiple-family retirement district

(a) *Purpose and description.* The R-3A multiple-family retirement district is designed for more planned developments consisting of at least five acres, containing one or more residential clusters of cottages or apartment houses or a combination thereof, and appurtenant common areas, intended for rental or leasing to individuals of retirement age (seniors). The R-3A district implements the policies of the master plan by 1) protecting the residential character of the area by prohibiting commercial and industrial activities and manufactured homes; 2) encourage a suitable neighborhood environment; 3) prevent overcrowding of the land by requiring certain minimum square footage standards for all buildings; 4) avoiding excessive population density by requiring a certain minimum site area for each retirement community; and 5) protecting the community resources in light of increased housing demands for seniors.

(b) *Lot regulations.*

(1) *Area.* Not less than five acres will be zoned or used for an R-3A multiple-family retirement community. Except that 100 percent of the area zoned R-3A may be used for R-1 or R-6, to the extent that either: 1) all of the R-3A area is used, or 2) no less than 5 acres of R-3A area remains for use as R-3A.

(2) *Density.* In any cottage area of the R-3A zone, the number of units per acre shall not exceed ten. For apartment house areas of the R-3A zone, the requirement of R-3 multifamily dwellings shall apply. Apartment house areas shall in no case consist of more than 20 percent of the total lot area.

(3) *Depth.* A minimum of 120 feet.

(4) *Floor space.* For cottages there shall be a heated living area of not less than 850 square feet and not more than 1,500 square feet per unit.

(5) *Frontage.* There shall be a minimum lot frontage of 95 feet on a public right-of-way.

(6) *Reverse frontage.* On corner lots where interior lots have been platted or sold, fronting on the side streets, a side yard shall be provided on the side street equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(7) *Double frontage.* Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

(8) *Height.* No cottage shall exceed one standard story in height. No apartment buildings shall exceed three standard stories in height.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum depth of 30 feet, except as hereinafter provided.

(2) *Rear yard.* There shall be a rear yard having a minimum depth of 30 feet.

(3) *Side yard.* There shall be a side yard on each side of all lots of not less than ten feet.

(4) *Corner lot.* On corner lots the external side yard shall be not less than 20 feet.

(5) *Building distance.* The required space between buildings is 15 feet.

(d) *Other.*

(1) *Accessory buildings.* Accessory buildings shall in no case consist of more than 20 percent of the total lot area.

(2) *Landscaping.* A total of not less than 35 percent of the total overall area, and not less than five percent of the R-3A area shall be covered by plantings and amenities other than sod, subject to the approval of the city, must be landscaped [sic]. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. See appendix A for a list of trees, shrubs and plants suitable for the region. Also see division 9 of this article of the landscaping regulations for other applicable regulations.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(4) *Nonconforming structures.* The provisions of the above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(5) *Parking.* A minimum of two spaces for each two-bedroom unit and one for each additional bedroom unit shall be provided.

(6) *Public facilities.* All R-3A developments shall be connected to the city's water and sewer system and shall provide sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(7) *Storage.* Outside storage is not allowed in the R-3A district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with Leon Valley City Code. Items to be stored must be completely contained in either a living unit, garage or an accessory building.

Figure 4 (R-3A Multiple-Family Retirement)



(1972 Code, sec. 30.609; 2008 Code, sec. 14.02.309; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.311 "R-4" townhouse district

(a) *Purpose and description.* The R-4 district is composed mainly of areas suitable for townhouse dwellings. The R-4 townhouse district implements the policies of the master plan by 1) protecting the residential character of the areas by prohibiting commercial and industrial activities; 2) encouraging a suitable neighborhood

environment for family life; 3) preserving the openness of the area and the unique residential design of a townhouse, by requiring that certain minimum yard and area standards and building construction standard requirements are met; 4) recognizing that land is a valuable resource and is in short supply within the city; 5) encouraging a level of growth that provides housing opportunities to meet the different housing needs of all income types of the city's present and future populations.

(b) *Lot regulations.*

(1) *Area.* See density requirements.

(2) *Density.* No development shall exceed a density of more than 20 units per acre, nor contain less than 10,000 square feet. The total dwelling units in any group of attached dwellings shall not be less than three.

(3) *Depth.* The minimum depth of the lot shall be 120 feet.

(4) *Floor space.* There shall be a total heated living area in each townhouse unit of not less than the following: One-story - 1,000 square feet; two- or three-story - 1,400 square feet.

(5) *Frontage.* There shall be a minimum of 45 feet per lot of frontage on a public right-of-way.

(6) *Height.* A maximum of three stories shall be allowed in the R-4 district.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum depth of 30 feet, except as hereinafter provided.

(2) *Rear yard.* A rear yard setback of 25 feet is required. A rear yard shall not be required when the townhouse lot abuts an alley or access easement having a minimum width of 24 feet which is used to provide ingress and egress to such townhouse development, except that a 25-foot setback is required if a garage entry is used. For townhouse lots that abut at the rear, an alley or access easement having a minimum width of 24 feet shall be required.

(3) *Side yard.* A minimum of ten feet, or 25 feet if garage entry is used, shall separate any townhouse or garage structure from the property line that parallels the curb. Each corner lot shall have a side yard of at least 25 feet. No portion of a townhouse or accessory structure in, or related to, one group of contiguous townhouses shall be closer than ten feet to any portion of a townhouse or accessory structure related to another group. In cases of reversed frontage, a side yard equal, at least, to the depth of the front yard required for a structure fronting the side street shall be required. A side yard of ten feet shall be provided when townhouse lots abut a side lot line outside of the development.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) *Other.*

(1) *Accessory buildings.* Shall be allowed, but shall be located no closer than five feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 25 percent of the total open space in the rear yard.

(2) *Firewall.* A two-hour rated firewall of materials and construction, as required by the currently adopted versions of the International building and fire codes, shall separate each adjacent townhouse unit. The firewall is to be constructed so as to be continuous from the foundation to the roof deck.

(3) *Landscaping.* A total of 35 percent of street yard area must be landscaped. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. See appendix A for a list of trees, shrubs and plants suitable for the region. Also see division 9 of this article for other landscaping regulations.

(4) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(5) *Nonconforming dwellings.* The provisions of this section shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(6) *Parking.* Two off-street parking spaces shall be provided for each separate townhouse unit. Garage areas shall not be counted as off-street parking areas. Each townhouse unit shall have at least one street curb parking area 20 feet long.

(7) *Public facilities.* All townhouse developments shall be connected to the city's water and sewer system and shall be provided sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(8) *Storage.* Outside storage is not allowed in the R-4 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. Items to be stored must be completely contained in either the townhouse units, garage or an accessory building.

Figure 5 (R-4 Townhouse)



(1972 Code, sec. 30.610; 2008 Code, sec. 14.02.310; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.312 "R-5" manufactured home district

(a) *Purpose and description.* The R-5 district is composed of areas suitable for manufactured homes and manufactured home parks. The R-5 district implements the policies of the master plan by 1) providing adequate protection for both the manufactured home sites and surrounding developments; 2) protecting the residential character of the areas by prohibiting commercial and industrial activities; 3) encouraging a suitable neighborhood environment for family life; 4) providing alternative housing solutions; and 5) preserving the openness of the area and the unique residential design of a manufactured home development, by requiring that certain minimum yard and area standards are met.

(b) *Restrictions.*

(1) No land shall be used and no building shall be erected for or converted to any use other than manufactured home parks as defined and regulated in article 3.07 (manufactured home parks) of the Leon Valley City Code.

(2) Reference is hereby made to article 3.07 (manufactured home parks) of the Leon Valley City Code (as cited above), and particularly to division 4 thereof, for other regulations pertaining to manufactured home parks. Area and other regulations applicable to permitted uses in this district, other than manufactured homes, shall be the same as provided for the R-3 district, as set out in this article.

(c) *Lot requirements.*

(1) *Area.* The total area of a manufactured home park shall be not less than four acres, with served manufactured home spaces.

(2) *Space requirements.* Each manufactured home space shall provide a minimum area of 3,200 square feet, however, no manufactured home space shall have dimensions of less than 40 feet on the narrow dimension, nor 80 feet on the long dimension.

(d) *Setback requirements.*

(1) *General.* No manufactured home shall be closer than ten feet to any property line, nor closer than 25 feet to the property line adjoining a public or private street.

(2) *Front yard.* A minimum of ten feet shall be provided, from the nearest corner of the manufactured home to the front line of the manufactured home space. For other structures on each space, a minimum front yard of ten feet shall be provided.

(3) *Rear yard.* A minimum of 25 feet shall be provided.

(4) *Side yard.* A minimum of 20 feet at any point shall be provided between each manufactured home. If the lot abuts on two streets, a side yard of ten feet shall be provided.

(5) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(e) *Other.*

(1) *Accessory buildings.* Accessory buildings are allowed, but shall in no case consist of more than 20 percent of the total manufactured home space.

(2) *Landscaping.* A total of 25 percent of street yard area must be landscaped. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. See appendix A for a list of trees, shrubs and plants suitable for the region. Also see division 9 of this article for other landscaping regulations.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings and manufactured homes shall be mounted no higher than the eaves of said buildings or homes. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

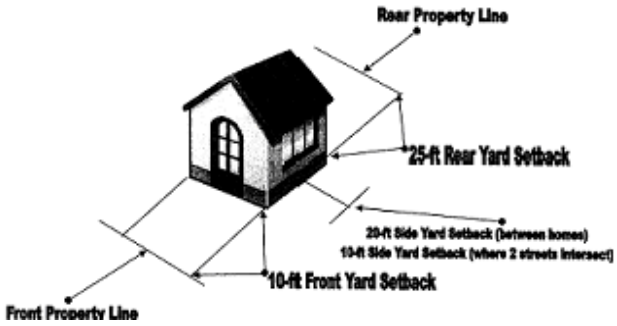
(4) *Parking.* Two off-street parking spaces shall be provided for each manufactured home space, two spaces provided for each office, and five spaces for each laundry or other facility.

(5) *Public facilities.* All R-5 developments shall be connected to the city's water and sewer system and shall provide sidewalks and fire protection, except as provided in article 10.02 (subdivision ordinance).

(6) *Recreational area.* Not less than five percent of the total park area of the manufactured home park shall be devoted to recreational facilities.

(7) *Storage.* Outside storage is not allowed in the R-5 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. All items to be stored must be completely contained in either a manufactured home, garage or other building.

Figure 6 (R-5 Manufactured Home)



(1972 Code, sec. 30.611; 2008 Code, sec. 14.02.311; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.313 "R-6" garden house district

(a) *Purpose and description.* The R-6 district is composed mainly of areas containing single-family dwellings. The R-6 district regulations implement the policies of the master plan by 1) protecting the residential character of the areas by prohibiting commercial and industrial activities, apartments, two-family dwellings and manufactured homes; 2) encouraging a suitable neighborhood environment; 3) preserving the openness of the area by requiring that certain minimum yard and area standard requirements be met, however, with greater density being permitted than in the R-1 district.

(b) *Lot regulations.*

(1) *Area of total development.* Not less than three lots with common side lot lines will be zoned for "R-6" garden house. When facing on the same street within the same block, "R-1" single-family dwellings and "R-6" garden houses will not be mixed. However, this does not preclude "R-1" on one side of a street with an "R-6" on the opposite side of the street within the same block or different blocks.

(2) *Area of each lot.* 4,500 square feet.

(3) *Depth.* A minimum of 100 feet.

(4) *Floor space.* There shall be a heated living area in each garden house of not less than the following: one story - 1,000 square feet; two story - 1,400 square feet; two and one-half story - 1,800 square feet. When "R-6" is mixed with "R-1" in the same subdivision, the average heated living area of "R-6" housing shall be at least 75 percent of the average size of the "R-1" structures, but in no event shall the minimum square footage be less than as described above.

(5) *Frontage.* A minimum of 45 feet on a public right-of-way is required.

(6) *Height.* A maximum of 2-1/2 stories is allowed.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum depth of 20 feet, except as hereinafter provided.

(2) *Rear yard.* There shall be a rear yard having a minimum depth of 15 feet except where the garage is entered from the rear in which case the minimum rear yard shall be 25 feet exclusive of the area used as a garage. Total square footage of accessory buildings exclusive of a detached garage shall not exceed 150 square feet.

(3) *Side yard.* There shall be a side yard on each side of all lots of not less than five feet, except on corner lots on which external side yard shall not be less than ten feet. Alternatively, one side yard may be reduced to zero feet provided the other side yard is increased to ten feet. However, in no event shall the outside walls of a structure be closer than ten feet to the outside walls of a structure built on an adjacent lot.

(4) *Zero lot line exterior wall.* When a structure is built with a side yard of zero feet, no windows or doors will be built into an exterior side wall so situated. In addition, a six-foot privacy fence will be constructed and maintained by the owner from the rear-most point of such an exterior wall to the rear lot line of the property.

(5) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(6) *Double frontage.* Where lots front upon two parallel streets or front upon two streets that do not intersect at the boundaries of the lot, a rear yard shall be provided on the street side equal to the front yard.

(7) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) *Other.*

(1) *Accessory building.* Shall be allowed, but shall be located no closer than five feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 20 percent of the total open space in the rear yard.

(2) *Landscaping.* A total of 35 percent of street yard area must be landscaped. The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(4) *Nonconforming dwellings.* The provisions above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to dwellings built hereafter on the same lot to replace such nonconforming dwellings as may be destroyed by fire, windstorm or other involuntary cause.

(5) *Parking.* A total of two off-street parking spaces shall be provided.

(6) *Public facilities.* "R-6" garden houses are permitted only on lots that are connected to the city's water and public sewage disposal system and must conform to the regulations in article 10.02 (subdivision ordinance).

(7) *Storage.* Outside storage is not allowed in the R-6 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of the Leon Valley City Code. Items to be stored shall be completely contained in either the main structure, garage or an accessory building.

Figure 7 (R-6 Garden Home)



(1972 Code, sec. 30.612; 2008 Code, sec. 14.02.312; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.314 "R-7" single-family medium density dwelling

(a) *Purpose and description.*

(1) This district provides areas for other forms of medium density single-family uses which provide a buffer between agricultural and higher density areas of the city. Minimum lot size requirements are provided in order to allow for market and design flexibility while preserving neighborhood character. The district regulations are designed to encourage a suitable neighborhood environment for family life by including among the permitted uses such facilities as libraries, and neighborhood recreation centers. The district regulations are designed to: (1) protect the residential character of the areas by prohibiting commercial and industrial activities; (2) encourage a suitable neighborhood environment; and (3) preserve the openness of the area by requiring that certain minimum yard and area standard requirements are met.

(2) The R-7 district implements the following policies of the master plan:

(A) Encourage patterns of urban development that provide a full range of housing choices and promote a sense of community, urban vitality and the efficient provision of infrastructure.

(B) Encourage connectivity throughout the city.

(b) *Lot regulations.*

(1) *Area.* Lots must have a minimum area of 6,050 square feet.

(2) *Frontage.* Minimum frontage of 55 feet along a public right-of-way.

(3) *Depth.* Minimum of 110 feet.

(4) *Floor space.* Minimum floor space of 1,200 square feet of heated living space shall be provided in each one-story dwelling, 1,400 square feet for each two-story dwelling.

(5) *Height.* Maximum of 2-1/2 stories allowed.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 20 feet from front property line to main structure.

(2) *Rear yard.* There shall be a rear yard of not less than 15 feet from rear property line to rear of main structure.

(3) *Side yard.* There shall be a side yard of not less than five feet from side property line to main structure. On corner lots the external side yard shall be not less than ten feet, unless there is a side entry garage, then the side setback shall be 20 feet.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(d) *Other.*

(1) *Accessory buildings.* Shall be allowed, but shall be located no closer than five feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 25 percent of the total open space in the rear yard.

(2) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. See division 9 of this article for other landscaping requirements.

(3) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(4) *Parking.* Two off-street parking spaces shall be provided for each residential structure.

(5) *Public facilities.* Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(6) *Storage.* Outside storage is not allowed in the R-7 district, with the exception of vehicles, trailers, recreational vehicles and boats in accordance with article 3.05 and article 12.03 of Leon Valley City Code. All items to be stored must be completely contained in either the main structure, garage or an accessory building.

(Ordinance 07-054, sec. 3, adopted 11-5-07; 2008 Code, sec. 14.02.313; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.315 Residential use table

P - Allowed by right

SUP - Specific Use Permit

X - Not allowed

Use	RE-1	R-1	R-2	R-3	R-3A	R-4	R-5	R-6	R-7	Notes
Accessory dwelling unit		P	P	P	P	P	P	P	P	**Permitted by right in the R-1 District if lot exceeds 0.5 acres in area.
Adult care	P	P	P	P	P	P	P	P	X	**No more than six adults. See section 15.02.315, "Home occupations" and section 15.02.317, "Adult care facilities"
Child care	P	P	P	P	P	P	P	P	P	**No more than six children. Also see section 15.02.315, "Home occupations" and section 15.02.316, "Child care facilities"
Dwelling, single-family	P	P	P	X	X	P	P	P	P	
Dwelling, two-family	X	X	P	X	X	X	X	X	X	
Dwelling, multiple-family	X	X	X	P	P	X	X	X	X	
Multiple-family retirement	X	X	X	X	P	X	X	X	X	
Dwelling, townhouse	X	X	X	X	X	P	X	X	X	
Dwelling, manufactured	X	X	X	X	X	X	P	X	X	
Dwelling, garden house	X	X	X	X	X	X	X	P	P	
Bed and breakfast	P	P	P	X	X	X	X	P	P	
Boarding house	P	P	P	X	X	X	X	P	X	**Allowed in B-1 (small business) zoning district with a SUP. Also see division 7, "Permitted Use Table"
Club (private)	X	X	X	P	P	P	P	X	X	
Congregate residence	P	P	P	P	P	P	P	P	X	
Cottages	X	X	X	X	P	X	X	X	X	

Group home	P	P	P	X	X	X	X	P	X	**Allowed in B-1 (small business) zoning district
Home occupation	P	P	P	P	P	P	P	P	P	**See section 15.02.315, "Home occupations"
Lodge (private)	X	X	X	P	P	P	P	X	X	
Church	P	P	P	P	P	P	P	P	X	
Library	X	X	X	P	P	P	P	X	X	
Museum	X	X	X	P	P	P	P	X	X	
Post office	X	X	X	P	P	P	P	X	X	
Short-term rental	P	P	P	P	P	P	P	P	P	Shall not require certificate of occupancy
School	X	X	X	P	P	P	P	X	X	

(1972 Code, sec. 30.613; 2008 Code, sec. 14.02.314; Ordinance 2018-89 adopted 12-4-18; Ord. No. 2021-20, § 1, 4-20-2021; Ord. No. 2021-30, § 1, 7-20-2021; Ord. No. 2021-61, § 1, 12-7-2021; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.316 Home occupations

(a) *Purpose and description.*

Home occupation regulations.

(1) *General.* Home occupations shall be permitted in all residential zoning districts, provided the home occupation is clearly and obviously subordinate to the main use or dwelling unit for residential purposes. Home occupations shall be conducted wholly within the primary structure or existing accessory building which is on the premises.

(2) *Conditions.*

(A) *Area.* Not to exceed 25 percent of the floor area of the primary structure or 50 percent of all accessory buildings on the premises.

(B) *Personnel.* Other than those related by blood, marriage or adoption, no more than one person, other than the owner, can be employed in the home occupation;

(C) *Inventory and supplies.* Shall not occupy more than 50 percent of the area permitted to be used as a home occupation;

(D) *Outside display/storage.* None allowed;

(E) *Signage.* The home occupation shall not involve the use of advertising signs on the premises or any other advertising media which calls attention to the fact that the dwelling unit is being used for a home occupation, with the exception of a telephone number listing and one nameplate, not exceeding one square foot in area, provided the nameplate is nonilluminated and attached flat to the dwelling unit or visible through a window;

(F) *Prohibited home occupations.* Auto repair or maintenance, beauty culture schools, beauty parlors, barbershops, electricians, plumbers, sheetmetal shops, furniture repair, sexually oriented commercial enterprises, catering or other similar uses, shall not be allowed. The use of electrical or mechanical equipment that would change the fire rating of the dwelling or create visible or

audible interference in radio or television receivers or cause fluctuations in line voltage outside the dwelling unit is prohibited; and/or the home occupation shall not involve the use of commercial vehicles for delivery of materials to and from the premises, nor shall any commercial vehicles be stored at the residence;

(G) *Child care facilities.* The care for payment of more than six unrelated children shall require a specific use permit;

(H) *Parking.* Sales and services to patrons shall be arranged by appointment and scheduled so that not more than one patron vehicle is on the premises at the same time; two additional parking spaces shall be provided on the premises, except only one need be provided if the home occupation does not have an employee;

(I) *Appearance.* The dwelling unit shall not be altered nor shall the home occupation be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, increased traffic or the emission of odors, sounds or vibrations.

(1972 Code, sec. 30.614; 2008 Code, sec. 14.02.315; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.317 Child care facilities

Child care is allowed by right in residential zoning districts, if the number of children being cared for does not exceed six children. Various options are hereby adopted which shall apply partially or totally to the operation of a child care facility, nursery or kindergarten, in a residential zone. The following conditions are adopted:

(1) No construction features shall be permitted which would place structure out of character with the surrounding neighborhood;

(2) The child care facility shall be registered and/or licensed and the operator shall be approved by the Texas Department of State Health Services (TDSHS) when such licensing and/or approval is available from TDSHS. Proof of said licensing/approval by TDSHS and any other state agency which regulates child care operators is a requirement for obtaining a permanent certificate of occupancy;

(3) A specific use permit "SUP" is required for the operation of any child care facility in residential districts if the number of children being cared for is more than six (see table of permitted uses).

(4) A certificate of occupancy is required for operation of a child care facility in a residence where more than six children are being cared for, for a fee;

(5) In residential districts, the child care facility will be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling (refer to home occupation regulations);

(6) In residential districts, the operator of the child care facility must reside on subject property;

(7) In residential districts, hours of operation shall not be permitted before 6:30 a.m. or after 7:30 p.m.;

(8) In residential districts, the child care facility shall be located within the main structure on the lot, and the lot [the facility] shall not utilize more than 75 percent of the gross floor area of the main structure.

(1972 Code, sec. 30.615; 2008 Code, sec. 14.02.316; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.318 Adult care facilities

Adult care facilities are allowed by right in residential zoning districts, if the number of adults being cared for does not exceed six persons. Various options are hereby adopted which shall apply partially or totally to the operation of an adult care facility in a residential zone. The following conditions are adopted:

(1) No construction features shall be permitted which would place structure out of character with the surrounding neighborhood;

(2) The adult care facility shall be registered and/or licensed and the operator shall be approved by the Texas Department of State Health Services (TDSHS) when such licensing and/or approval is available from TDSHS. Proof of said licensing/approval by TDSHS and any other state agency which regulates adult care operators is a requirement for obtaining a permanent certificate of occupancy;

(3) A specific use permit "SUP" is required for the operation of any adult care facility in residential districts if the number of adults being cared for is more than six (see table of permitted uses).

(4) A certificate of occupancy is required for operation of an adult care facility;

(5) In residential districts, the adult care facility will be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling (refer to home occupation regulations);

(6) In residential districts, the operator of the adult care facility must reside on subject property;

(7) In residential districts, hours of operation shall not be permitted before 6:30 a.m. or after 7:30 p.m.;

(8) In residential districts, the adult care facility shall be located within the main structure on the lot, and the lot [the facility] shall not utilize more than 75 percent of the gross floor area of the main structure.

(1972 Code, sec. 30.616; 2008 Code, sec. 14.02.317; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.319 Reserved

Editor's note(s)—Ord. No. 2026-3, § 1(Exh. A), adopted February 17, 2026, repealed § 15.02.319, which pertained to "PD" planned development district and derived from Ordinance 2019-58 adopted Nov. 19, 2019; Ord. No. 2025-16, § 1(Exh. A), adopted Aug. 5, 2025.

Sec. 15.02.320 "O-1" office district

(a) *Purpose and description.* The O-1 district is composed mainly of land and structures occupied by, or suitable for, office uses, while excluding offices which are incidental to a primary use. The district regulations are designed to protect the character of the residential areas by regulating unenclosed activities or uses, which could intrude upon the lifestyle of the community through inappropriate lighting, noise, vibration, smoke, dust, or pollutants. The district regulations implement the policies of the master plan by the following:

(1) Protecting residential areas; and

(2) Encouraging the transitional character of certain land parcels by permitting a limited group of office uses that are compatible with adjoining residential properties.

(b) *Height, area and lot regulations.*

(1) *Lot area.* Except as hereinafter provided, all structures hereafter erected, enlarged, relocated, reconstructed, or converted, shall be located upon lots containing the following areas: A lot on which

there is erected or converted an office shall contain an area of not less than 8,400 square feet for one unit, 10,000 square feet for the first two units and 1,200 square feet for each additional unit.

(2) *Lot frontage.* There shall be a minimum frontage of 70 feet along a public right-of-way.

(3) *Minimum depth.* Minimum of 120 feet.

(4) *Floor space.* None.

(5) *Height.* There shall be a maximum of 2-1/2 stories allowed in the O-1 district.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 20 feet from the property line to the building structure.

(2) *Rear yard.* There shall be a rear yard having a minimum of 25 feet from the structure to the rear property line.

(3) *Side yard.* There shall be a side yard having a minimum of ten feet from the structure to the side property line.

(4) *Corner lot.* On any corner lot on which a front yard is required by this article, no wall, fence or other structure shall be erected and no hedge, shrub, tree or other growth shall be maintained within the triangular area formed by the intersecting street lines and a straight line connecting such street lines at points 25 feet from the point of intersection, measured along such street lines.

(5) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Building(s) for which 60 percent or more of the available interior space is used or proposed to be used for office shall provide 20 percent.

(6) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(7) *Nonconforming structures.* The provisions above shall not be applicable to nonconforming dwellings in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

(8) *Public facilities.* Each lot shall be connected to the city's public water and sewer system and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(9) *Outside storage.* There shall be no outside display or storage of any retail merchandise, equipment, or other business related items, all business activities must be conducted within an enclosed structure, there shall be no outside service or repair of any kind or nature, and there shall be no outside entertainment.

(d) *Landscaping.*

(1) *Streetscape and landscape.*

(A) *Intent.* It is the intent to both require and encourage streetscape and landscaping that reinforces the desired character for Leon Valley. It is also the intent to create comfortable pedestrian environments by shading sidewalks, parking areas and drive lanes.

In addition, it is the intent of this section to:

(i) Recognize the particular characteristics, qualities and beauty of Leon Valley

(ii) Provide the city with a unique and identifiable streetscape corridor

(iii) Contribute to pedestrian safety and comfort

(iv) Reduce the negative effects of solar heat gain in paved and hard surface areas

(v) Reduce glare, erosion, noise and sedimentation caused by expanses of impervious, non-vegetated surfaces.

(B) *Streetscape standards.*

(i) A large canopy tree is required along all public street rights-of-way for each 30 linear feet.

a. For properties improving existing buildings with improvements that are less than 51% of the value of the existing improvement, only those streets on which the improved building fronts shall be improved with street trees.

b. For all new developments, or redevelopments with improvements equal to 51% or more of the value of the existing improvement or 51% or more of the building area, then streetscaping requirements along all streets are required, regardless of building location.

(ii) In retail developments of 5,000 sf or more, an urban tree is required for each 25 feet with a minimum ten foot wide sidewalk along active storefronts and mixed use building fronts.

(iii) An urban tree is required along major access drives for each 30 linear feet within the development where reasonable, subject to review and approval by the director.

(iv) All benches, bollards, lampposts, trash receptacles, patio furniture, bicycle racks and other streetscape elements shall be constructed of a chip and flake resistant metal and generally black or dark gray-green in color.

(C) *Landscape standards.*

(i) *Parking landscape requirements.*

a. A minimum of ten percent of the gross vehicular use area (parking and drive lanes) shall be devoted to living landscaping which includes grasses, ground cover, plants, shrubs and trees.

b. There shall be a minimum of one shade tree planted for each 400 square feet or fraction thereof of required interior landscape area.

c. Planting islands shall not be spaced greater than every 12 spaces unless approved in the landscape plan in order to preserve existing trees and natural features or due to unique site conditions.

d. Hardscape enhancements, where required, should utilize stone accents where appropriate.

e. One small ornamental tree or large shrub is required for every five large canopy trees.

f. An urban tree is required along internal pedestrian connections for each 25 linear feet.

(ii) *Screening of parking.* Where on-site parking is located adjacent to a street, roadway or public open space, a minimum ten-foot landscape buffer is required between the property lines and any parking, paving, or internal driveways. Driveway openings are permitted in the landscape buffer area. The area of the landscaped buffer may be included in the total required landscape area for the lot.

a. *Location.* The landscaped buffer requirement shall apply to all sides of the lot adjacent to a public street, open space, or right-of-way.

b. *Screen.* The screening shall be between a minimum height of three feet and a maximum of four feet above the grade of the parking lot and located adjacent to the parking lot. Screening shall be opaque and consist of shrubs and/or berms.

c. *Materials.* Shrubs or grasses shall be capable of reaching a height of three feet within two years of planting, and shall generally be planted no more than 36 inches on center (depending on the species). Earth berms shall not be steeper than 3:1 except where one side is a stacked or stepped masonry wall. Screening walls shall be masonry.

(iii) *Landscape point system.*

a. Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

Site Size	Minimum Number of Items Required
3 acres or less	6
Greater than three acres	8

b. The following is a list of landscape elements, each representing one point, subject to review and approval by the director:

1. Enhanced entranceway paving (using stone or architectural concrete pavers, or colored-stamped concrete).
2. Enhanced hardscape (stamped crosswalks, decorative stone or architectural concrete paver walkways, meandering sidewalks, etc.).
3. Enhanced landscaping (within development and at the entranceways of the development).
4. Enhanced site canopy (planting perimeter trees one per 30 feet and locating a parking island every ten spaces).
5. Enhanced streetscape elements (i.e. decorative lampposts, benches, receptacles, bike racks, decorative bollards, etc.).
6. Landscaped open space provision greater than what is required (20 to 30 percent over requirement).
7. Buffer berms (providing three foot high berms along the street frontage) for properties fronting on Bandera.

8. Public art (obelisks, sculptures, statues, clock towers, water fountains, etc.): Small: 1; Large: 2.

9. Use of shaded and decorative outdoor seating areas (benches, outdoor dining, etc.).

10. Use of masonry planters with irrigation (minimum four feet in width).

11. Foundation plantings along 75 percent of the building's primary facade (for non-retail frontages) a minimum of five feet in width.

12. Decorative entrance including a landscaped median entry which is a minimum eight feet in width and 60 feet long.

13. Other (a developer may propose a non-listed landscape element if it meets the spirit and intent of the ordinance, subject to review and approval by the director).

c. The developer may use any combination of the aforementioned landscape elements to obtain the necessary number of points required for the development. Different lots and landscapes will lend themselves to different types of designs. These regulations attempt to encourage creativity, diversity, and water conservation in landscaping.

d. Elements, both in terms of quantity and quality, should be in scale with the development, as determined by the director. Excessive compliance with an element can be awarded extra points, as determined by the director.

(iv) Perimeter landscape requirement adjacent to residential. Perimeter landscape areas shall contain at least one large canopy tree for each 30 feet when adjacent to residential zoned properties or residential uses.

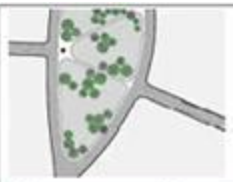
(v) Required landscaping. All required landscaping shall utilize plants from the city's approved plant list and be irrigated as required by the city. All required plantings shall be maintained in a healthy condition, and replaced if not.

(vi) Townhouse frontages shall be required to landscape a minimum of six feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area shall be landscaped with ground cover, low shrubs, and a large canopy tree or ornamental tree.

(2) *Open space and landscaping for mixed-use buildings.* On mixed use building developments where residential is included, a green, square or plaza shall be provided and approved as part of the site plan.

(A) A minimum area equal to 15 percent of a mixed use building's footprint shall be provided as open space. This may be counted as part of the required landscape area.

(B) At least one large canopy tree shall be provided for each 1,600 sf of area in open space. Four hundred square feet of shade structure may replace the requirement for a shade tree.

Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by streets, landscaping and/or building Frontages. Its landscape shall consist of lawn and trees.	
Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages or streets. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares.	
Plaza: An Open Space available for Civic purposes and retail activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement, but include shade in the form of planters with Small Ornamental trees or structure. Plazas should be located at the intersection of important streets.	

(e) *Performance standards.*

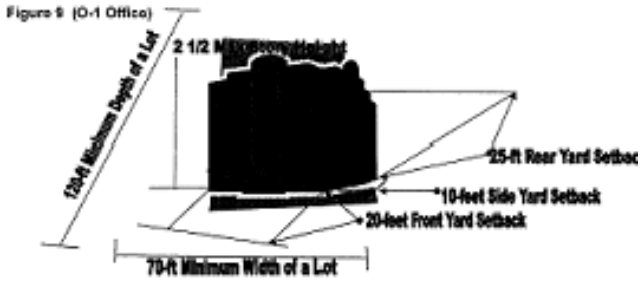
(1) *Lighting intent.* It is the intent of this section to provide a level and consistency of lighting that supports pedestrian activity and promotes safety.

(2) *Standards.*

(A) Lighting levels within project areas should not exceed 20 footcandles (fc) in any one spot and should generally maintain the following:

i.	Urban residential	3 fc avg	10 fc max	1 fc min
ii.	Retail	6 fc avg	15 fc max	1 fc min
iii.	Parking areas	1.5 fc avg	10 fc max	0.5 fc min

Figure 9 (O-1 Office)



(1972 Code, sec. 30.618; 2008 Code, sec. 14.02.319; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.321 "B-1" small business district

(a) *Purpose.*

(1) The B-1 district is composed of land and structures occupied or suitable for such uses as offices, light service, and light retail. B-1 uses are usually located between residential areas and business areas, and there is no outside storage allowed. The district regulations implement the policies of the master plan by 1) protecting and encouraging the transitional character of certain areas by permitting a limited group of uses of an office, service or retail nature to provide goods and services to surrounding residential districts; and 2) protecting surrounding districts by requiring certain minimum yard and area standard requirements that are compatible with those essential in residential districts.

(2) A B-1 small business is a completely enclosed business not exceeding 3,000 square feet of gross floor area (GFA), where the primary use specifically meets one or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility for the purpose of the sale or lease of personal, novelty, or household items, not including the sale of, appliances, firearms, vehicles, vehicle parts, or wholesale items;

(B) A repair facility for the purpose of repair or maintenance of personal, novelty, or household items, not including vehicles, machinery, or appliances;

(C) A service facility for the purpose of providing a service to surrounding districts, but not including vehicle, cremation, embalming, or any service in which there may be disposal, storage, or use of any federally or state regulated chemical, even if incidental to the primary use.

(D) Professional offices.

(E) Low density residential uses are allowed in B-1 (small business) districts.

(b) *Height, area and lot regulations.*

(1) *Structures.* Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one building on one lot in the "R-1," "R-2" or "B-1" districts, or as otherwise provided herein, and in no case shall any building be hereafter erected on more than one lot.

(2) *Lot area.* There shall be a minimum area of 8400 square feet.

(3) *Lot frontage.* There shall be a minimum frontage of 70 feet along a public right-of-way.

(4) *Minimum depth.* There shall be a minimum of 120 feet.

(5) *Floor space.* A minimum floor space of 1,200 square feet of heated living space shall be provided in each one-story structure and 1,400 square feet for each two-story structure. In no case shall there be any structure with over 3,000 square feet in the B-1 district.

(6) *Reserved.*

(7) *Height.* There shall be a maximum of 2-1/2 stories allowed.

(c) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 25 feet from the front property line to the structure.

(2) *Rear yard.* There shall be a rear yard of not less than 30 feet from rear property line to rear of main structure.

(3) *Side yard.* There shall be a side yard of not less than ten feet from side property line to structure.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side equal to the front yard.

(5) *Reverse frontage.* On corner lots, where interior lots have been platted or sold, fronting on the side street, a side yard shall be provided on the street side equal to the front yard on the lots in the rear. No accessory building on said corner lot shall project beyond the front line of the lots in the rear.

(6) *Accessory buildings.* Shall be allowed, but shall be located no closer than five feet from any property line, and must be located in the rear yard. In no case shall an accessory building occupy more than 25 percent of the total open space in the rear yard.

(7) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Landscaping shall consist of 20 percent of the street yard. Refer to division 9 of this article, "Landscaping," for other regulations regarding site landscaping requirements.

(8) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way. Lights affixed to the buildings shall be mounted no higher than the eaves of said building. Lights affixed to a pole shall be mounted no higher than 40 percent of the distance from the front property line to the main structure.

(9) *Nonconforming structures.* The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

(10) *Parking.* Refer to parking table and site requirements.

(11) *Public facilities.* Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(12) *Outside storage.* There shall be no outside display or storage of any retail merchandise, equipment, or other business related items, all business activities must be conducted within an enclosed structure, there shall be no outside service or repair of any kind or nature, and there shall be no outside entertainment.

(d) *Landscaping.*

(1) *Streetscape and landscape.*

(A) *Intent.* It is the intent to both require and encourage streetscape and landscaping that reinforces the desired character for Leon Valley. It is also the intent to create comfortable pedestrian environments by shading sidewalks, parking areas and drive lanes.

In addition, it is the intent of this section to:

(i) Recognize the particular characteristics, qualities and beauty of Leon Valley

(ii) Provide the city with a unique and identifiable streetscape corridor

(iii) Contribute to pedestrian safety and comfort

(iv) Reduce the negative effects of solar heat gain in paved and hard surface areas

(v) Reduce glare, erosion, noise and sedimentation caused by expanses of impervious, non-vegetated surfaces.

(B) *Streetscape standards.*

(i) A large canopy tree is required along all public street rights-of-way for each 30 linear feet.

a. For properties improving existing buildings with improvements that are less than 51% of the value of the existing improvement, only those streets on which the improved building fronts shall be improved with street trees.

b. For all new developments, or redevelopments with improvements equal to 51% or more of the value of the existing improvement or 51% or more of the building area, then streetscaping requirements along all streets are required, regardless of building location.

(ii) In retail developments of 5,000 sf or more, an urban tree is required for each 25 feet with a minimum ten foot wide sidewalk along active storefronts and mixed use building fronts.

(iii) An urban tree is required along major access drives for each 30 linear feet within the development where reasonable, subject to review and approval by the director.

(iv) All benches, bollards, lampposts, trash receptacles, patio furniture, bicycle racks and other streetscape elements shall be constructed of a chip and flake resistant metal and generally black or dark gray-green in color.

(C) *Landscape standards.*

(i) *Parking landscape requirements.*

a. A minimum of ten percent of the gross vehicular use area (parking and drive lanes) shall be devoted to living landscaping which includes grasses, ground cover, plants, shrubs and trees.

b. There shall be a minimum of one shade tree planted for each 400 square feet or fraction thereof of required interior landscape area.

c. Planting islands shall not be spaced greater than every 12 spaces unless approved in the landscape plan in order to preserve existing trees and natural features or due to unique site conditions.

d. Hardscape enhancements, where required, should utilize stone accents where appropriate.

e. One small ornamental tree or large shrub is required for every five large canopy trees.

f. An urban tree is required along internal pedestrian connections for each 25 linear feet.

(ii) *Screening of parking.* Where on-site parking is located adjacent to a street, roadway or public open space, a minimum ten-foot landscape buffer is required between the property lines and any parking, paving, or internal driveways. Driveway openings are permitted in the landscape buffer area. The area of the landscaped buffer may be included in the total required landscape area for the lot.

a. *Location.* The landscaped buffer requirement shall apply to all sides of the lot adjacent to a public street, open space, or right-of-way.

b. *Screen.* The screening shall be between a minimum height of three feet and a maximum of four feet above the grade of the parking lot and located adjacent to the parking lot. Screening shall be opaque and consist of shrubs and/or berms.

c. *Materials.* Shrubs or grasses shall be capable of reaching a height of three feet within two years of planting, and shall generally be planted no more than 36 inches on center (depending on the species). Earth berms shall not be steeper than 3:1 except where one side is a stacked or stepped masonry wall. Screening walls shall be masonry.

(iii) *Landscape point system.*

a. Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

Site Size	Minimum Number of Items Required
3 acres or less	6
Greater than three acres	8

b. The following is a list of landscape elements, each representing one point, subject to review and approval by the director:

1. Enhanced entranceway paving (using stone or architectural concrete pavers, or colored-stamped concrete).
2. Enhanced hardscape (stamped crosswalks, decorative stone or architectural concrete paver walkways, meandering sidewalks, etc.).
3. Enhanced landscaping (within development and at the entranceways of the development).
4. Enhanced site canopy (planting perimeter trees one per 30 feet and locating a parking island every ten spaces).
5. Enhanced streetscape elements (i.e. decorative lampposts, benches, receptacles, bike racks, decorative bollards, etc.).
6. Landscaped open space provision greater than what is required (20 to 30 percent over requirement).
7. Buffer berms (providing three foot high berms along the street frontage) for properties fronting on Bandera.
8. Public art (obelisks, sculptures, statues, clock towers, water fountains, etc.): Small: 1; Large: 2.
9. Use of shaded and decorative outdoor seating areas (benches, outdoor dining, etc.).
10. Use of masonry planters with irrigation (minimum four feet in width).
11. Foundation plantings along 75 percent of the building's primary facade (for non-retail frontages) a minimum of five feet in width.

12. Decorative entrance including a landscaped median entry which is a minimum eight feet in width and 60 feet long.

13. Other (a developer may propose a non-listed landscape element if it meets the spirit and intent of the ordinance, subject to review and approval by the director).

c. The developer may use any combination of the aforementioned landscape elements to obtain the necessary number of points required for the development. Different lots and landscapes will lend themselves to different types of designs. These regulations attempt to encourage creativity, diversity, and water conservation in landscaping.

d. Elements, both in terms of quantity and quality, should be in scale with the development, as determined by the director. Excessive compliance with an element can be awarded extra points, as determined by the director.

(iv) *Perimeter landscape requirement adjacent to residential.* Perimeter landscape areas shall contain at least one large canopy tree for each 30 feet when adjacent to residential zoned properties or residential uses.

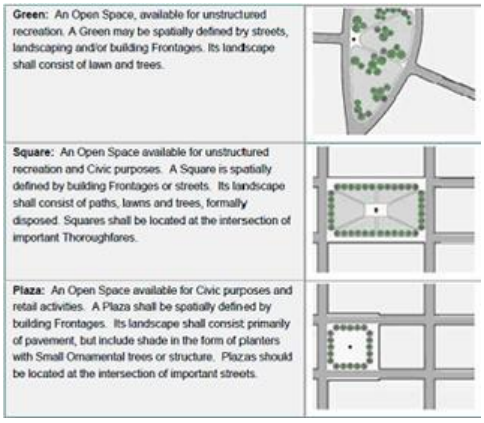
(v) *Required landscaping.* All required landscaping shall utilize plants from the city's approved plant list and be irrigated as required by the city. All required plantings shall be maintained in a healthy condition, and replaced if not.

(vi) *Townhouse frontages shall be required to landscape a minimum of six feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios.* This area shall be landscaped with ground cover, low shrubs, and a large canopy tree or ornamental tree.

(2) *Open space and landscaping for mixed-use buildings.* On mixed use building developments where residential is included, a green, square or plaza shall be provided and approved as part of the site plan.

(A) A minimum area equal to 15 percent of a mixed use building's footprint shall be provided as open space. This may be counted as part of the required landscape area.

(B) At least one large canopy tree shall be provided for each 1,600 sf of area in open space. Four hundred square feet of shade structure may replace the requirement for a shade tree.



(e) *Performance standards.*

(1) *Lighting intent.* It is the intent of this section to provide a level and consistency of lighting that supports pedestrian activity and promotes safety.

(2) *Standards.*

(A) Lighting levels within project areas should not exceed 20 footcandles (fc) in any one spot and should generally maintain the following:

i.	Urban residential	3 fc avg	10 fc max	1 fc min
ii.	Retail	6 fc avg	15 fc max	1 fc min
iii.	Parking areas	1.5 fc avg	10 fc max	0.5 fc min

Figure 10 (B-1 Small Business)



(1972 Code, sec. 30.619; 2008 Code, sec. 14.02.320; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.322 "B-2" retail district

(a) *Purpose and description.*

(1) The B-2 district is composed of land and structures occupied by or suitable for the furnishing of retail goods and services to surrounding residential areas. The B-2 district is intended to allow a limited amount of outside storage of retail merchandise. The district regulations implement the policies of the master plan by 1) promoting the offering of goods and services which are appropriate for surrounding business districts; 2) protecting surrounding residential districts by requiring certain minimum yard and area standards are met; 3) encouraging economic viability and stability within the city.

(2) A general description of a "B-2" retail use is a business where the primary use specifically meets one or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility the purpose of which is the sale or lease of personal, novelty, food, alcohol or household items, not including the sale or lease of vehicles, firearms, or wholesale items, with incidental alcohol consumption allowed on-site;

(B) A repair facility the purpose of which is the repair or maintenance of personal, novelty, or household items, including minor appliances, but not including vehicles, machinery or major appliances; and/or

(C) A service facility the purpose of which is providing a service to surrounding districts, including food services if incidental to the primary use, but not including vehicle, cremation, embalming, or any service in which there may be disposal, storage, or use of any federally or state regulated chemical, even if incidental to the primary use.

(b) *Outside storage regulations.*

(1) There shall be no outside storage of any retail or nonretail merchandise, equipment, or other business related items, specifically including six or more business related vehicles and/or any customer vehicles which remain on the property beyond the normal business hours of operation.

(2) A limited amount of outside display is allowed in the B-2 district, including display of plants for sale, display of lawn furnishings for sale, and occasional display of new goods for sale. These items are to be on display for retail purposes only, and shall only be displayed at such times as the store is actually open for business;

(3) There shall be no outside service or repair allowed in the B-2 district, except for food services, and alcohol services if ancillary to food services, but these must meet the requirements of article 3.05 of the Leon Valley City Code regarding screening requirements.

(c) *Height, area and lot requirements.*

(1) *Lot area.* There shall be a minimum area of 9,000 square feet.

(2) *Lot frontage.* There shall be a minimum frontage of 70 feet along a public right-of-way.

(3) *Minimum depth.* There shall be a minimum of 130 feet.

(4) *Height.* There shall be a maximum of three stories allowed.

(d) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 25 feet from the front property line to the structure.

(2) *Rear yard.* None, except in those instances where the retail lot adjoins residential zoning to the rear, a rear yard of 25 feet or 20 percent of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.

(3) *Side yard.* None, except in those instances where the property adjoins a residential property to the side, then a side yard of 20 feet shall be provided.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side of 20 feet.

(5) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Landscaping shall consist of 20 percent of the street yard. Refer to landscaping section (section 15.02.501) for other regulations regarding site landscaping requirements.

(6) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way.

(7) *Parking.* Refer to parking table for site parking requirements.

(8) *Public facilities.* Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(9) *Nonconforming structures.* The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

(e) *Landscaping.*

(1) *Streetscape and landscape.*

(A) *Intent.* It is the intent to both require and encourage streetscape and landscaping that reinforces the desired character for Leon Valley. It is also the intent to create comfortable pedestrian environments by shading sidewalks, parking areas and drive lanes.

In addition, it is the intent of this section to:

(i) Recognize the particular characteristics, qualities and beauty of Leon Valley

(ii) Provide the city with a unique and identifiable streetscape corridor

(iii) Contribute to pedestrian safety and comfort

(iv) Reduce the negative effects of solar heat gain in paved and hard surface areas

(v) Reduce glare, erosion, noise and sedimentation caused by expanses of impervious, non-vegetated surfaces.

(B) *Streetscape standards.*

(i) A large canopy tree is required along all public street rights-of-way for each 30 linear feet.

a. For properties improving existing buildings with improvements that are less than 51% of the value of the existing improvement, only those streets on which the improved building fronts shall be improved with street trees.

b. For all new developments, or redevelopments with improvements equal to 51% or more of the value of the existing improvement or 51% or more of the building area, then streetscaping requirements along all streets are required, regardless of building location.

(ii) In retail developments of 5,000 sf or more, an urban tree is required for each 25 feet with a minimum ten foot wide sidewalk along active storefronts and mixed use building fronts.

(iii) An urban tree is required along major access drives for each 30 linear feet within the development where reasonable, subject to review and approval by the director.

(iv) All benches, bollards, lampposts, trash receptacles, patio furniture, bicycle racks and other streetscape elements shall be constructed of a chip and flake resistant metal and generally black or dark gray-green in color.

(C) *Landscape standards.*

(i) *Parking landscape requirements.*

a. A minimum of ten percent of the gross vehicular use area (parking and drive lanes) shall be devoted to living landscaping which includes grasses, ground cover, plants, shrubs and trees.

b. There shall be a minimum of one shade tree planted for each 400 square feet or fraction thereof of required interior landscape area.

c. Planting islands shall not be spaced greater than every 12 spaces unless approved in the landscape plan in order to preserve existing trees and natural features or due to unique site conditions.

d. Hardscape enhancements, where required, should utilize stone accents where appropriate.

e. One small ornamental tree or large shrub is required for every five large canopy trees.

f. An urban tree is required along internal pedestrian connections for each 25 linear feet.

(ii) *Screening of parking.* Where on-site parking is located adjacent to a street, roadway or public open space, a minimum ten-foot landscape buffer is required between the property lines and any parking, paving, or internal driveways. Driveway openings are permitted in the landscape buffer area. The area of the landscaped buffer may be included in the total required landscape area for the lot.

a. *Location.* The landscaped buffer requirement shall apply to all sides of the lot adjacent to a public street, open space, or right-of-way.

b. *Screen.* The screening shall be between a minimum height of three feet and a maximum of four feet above the grade of the parking lot and located adjacent to the parking lot. Screening shall be opaque and consist of shrubs and/or berms.

c. *Materials.* Shrubs or grasses shall be capable of reaching a height of three feet within two years of planting, and shall generally be planted no more than 36 inches on center (depending on the species). Earth berms shall not be steeper than 3:1 except where one side is a stacked or stepped masonry wall. Screening walls shall be masonry.

(iii) *Landscape point system.*

a. Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

Site Size	Minimum Number of Items Required
3 acres or less	6
Greater than three acres	8

b. The following is a list of landscape elements, each representing one point, subject to review and approval by the director:

1. Enhanced entranceway paving (using stone or architectural concrete pavers, or colored-stamped concrete).

2. Enhanced hardscape (stamped crosswalks, decorative stone or architectural concrete paver walkways, meandering sidewalks, etc.).

3. Enhanced landscaping (within development and at the entranceways of the development).

4. Enhanced site canopy (planting perimeter trees one per 30 feet and locating a parking island every ten spaces).

5. Enhanced streetscape elements (i.e. decorative lampposts, benches, receptacles, bike racks, decorative bollards, etc.).
6. Landscaped open space provision greater than what is required (20 to 30 percent over requirement).
7. Buffer berms (providing three foot high berms along the street frontage) for properties fronting on Bandera.
8. Public art (obelisks, sculptures, statues, clock towers, water fountains, etc.): Small: 1; Large: 2.
9. Use of shaded and decorative outdoor seating areas (benches, outdoor dining, etc.).
10. Use of masonry planters with irrigation (minimum four feet in width).
11. Foundation plantings along 75 percent of the building's primary facade (for non-retail frontages) a minimum of five feet in width.
12. Decorative entrance including a landscaped median entry which is a minimum eight feet in width and 60 feet long.
13. Other (a developer may propose a non-listed landscape element if it meets the spirit and intent of the ordinance, subject to review and approval by the director).

c. The developer may use any combination of the aforementioned landscape elements to obtain the necessary number of points required for the development. Different lots and landscapes will lend themselves to different types of designs. These regulations attempt to encourage creativity, diversity, and water conservation in landscaping.

d. Elements, both in terms of quantity and quality, should be in scale with the development, as determined by the director. Excessive compliance with an element can be awarded extra points, as determined by the director.

(iv) *Perimeter landscape requirement adjacent to residential.* Perimeter landscape areas shall contain at least one large canopy tree for each 30 feet when adjacent to residential zoned properties or residential uses.

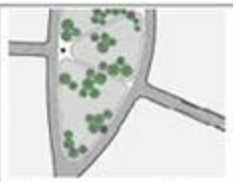
(v) *Required landscaping.* All required landscaping shall utilize plants from the city's approved plant list and be irrigated as required by the city. All required plantings shall be maintained in a healthy condition, and replaced if not.

(vi) Townhouse frontages shall be required to landscape a minimum of six feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area shall be landscaped with ground cover, low shrubs, and a large canopy tree or ornamental tree.

(2) *Open space and landscaping for mixed-use buildings.* On mixed use building developments where residential is included, a green, square or plaza shall be provided and approved as part of the site plan.

(A) A minimum area equal to 15 percent of a mixed use building's footprint shall be provided as open space. This may be counted as part of the required landscape area.

(B) At least one large canopy tree shall be provided for each 1,600 sf of area in open space. Four hundred square feet of shade structure may replace the requirement for a shade tree.

Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by streets, landscaping and/or building Frontages. Its landscape shall consist of lawn and trees.	
Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages or streets. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares.	
Plaza: An Open Space available for Civic purposes and retail activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement, but include shade in the form of planters with Small Ornamental trees or structure. Plazas should be located at the intersection of important streets.	

(f) *Performance standards.*

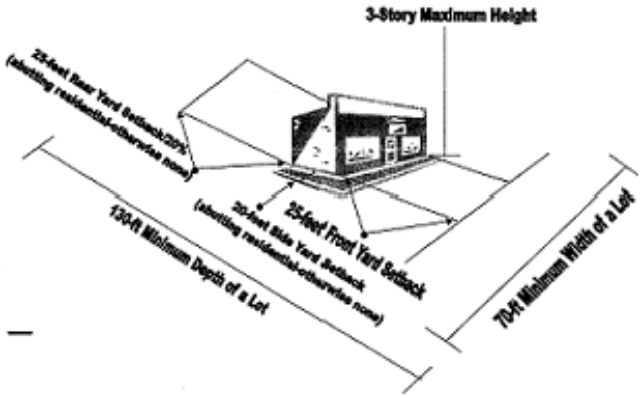
(1) *Lighting intent.* It is the intent of this section to provide a level and consistency of lighting that supports pedestrian activity and promotes safety.

(2) *Standards.*

(A) Lighting levels within project areas should not exceed 20 footcandles (fc) in any one spot and should generally maintain the following:

i.	Urban residential	3 fc avg	10 fc max	1 fc min
ii.	Retail	6 fc avg	15 fc max	1 fc min
iii.	Parking areas	1.5 fc avg	10 fc max	0.5 fc min

Figure 11 (B-2 Retail)



(1972 Code, sec. 30.620; 2008 Code, sec. 14.02.321; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.323 "B-3" commercial district

(a) *Purpose and description.*

(1) The B-3 district is composed of land and structures used to furnish commercial needs, wholesale services, and some light assembling of goods, in addition to most of the uses found in the B-2 district. The B-3 district regulations are designed to protect the character of the residential areas by regulating unenclosed activities or uses, which could intrude upon the lifestyle of the community through inappropriate lighting, noise, vibration, smoke, dust, or pollutants. The district regulations implement the policies of the master plan by 1) permitting the development of districts for the purpose of providing commercial and wholesale uses; 2) protecting surrounding and abutting areas by requiring certain minimum yard and area standards are met; and 3) encouraging economic viability and stability in the city.

(2) A B-3 use is a business where the primary use specifically meets one or more of the following, and no ancillary use conflicts herewith:

(A) A retail facility the purpose of which is the sale or lease of personal, novelty, food, household, or business items, including wholesale;

(B) A repair facility the purpose of which is the repair or maintenance of personal, novelty, or household items, including appliances and vehicles; and/or

(C) A service facility the purpose of which is providing a service to surrounding districts.

(D) Although it may occur in certain instances, it is not intended that the B-3 district abut R-1, R-2, R-4 or R-6 districts.

(b) *Outside storage regulations.*

(1) Outside display of retail merchandise is allowed in a B-3 district.

(2) Outside storage of retail merchandise is allowed in a B-3 district only if such merchandise is screened in accordance with article 3.05 of the Leon Valley City Code.

(3) Outside storage of nonretail equipment, vehicles, including the vehicles of any customers which remain on the property beyond the normal hours of operation, or other business related items, or any hazardous or toxic chemicals or substances shall be allowed in the B-3 district, only with a specific use permit.

(4) A limited amount of outside repair or service is allowed in the B-3 district, but only with a specific use permit, except that food services shall not require a specific use permit, however, they must meet the requirements of article 3.05 of the Leon Valley City Code regarding screening requirements.

(c) *Lot requirements.*

(1) *Lot area.* There shall be a minimum lot area of 9,100 square feet.

(2) *Lot frontage.* There shall be a minimum frontage of 70 feet along a public right-of-way.

(3) *Minimum depth.* There shall be a minimum of 130 feet.

(4) *Reserved.*

(5) *Height.* None.

(d) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 25 feet from the front property line to the structure.

(2) *Rear yard.* None, except in those instances where the retail lot adjoins residential zoning to the rear, a rear yard of 25 feet or 20 percent of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.

(3) *Side yard.* None, except in those instances where the property adjoins a residential property to the side, then a side yard of 20 feet shall be provided.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side of 20 feet.

(5) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Landscaping shall consist of 20 percent of the street yard. Refer to landscaping section (section 15.02.501) for other regulations regarding site landscaping requirements.

(6) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way.

(7) *Parking.* Refer to parking table for site parking requirements.

(8) *Public facilities.* Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(9) *Nonconforming structures.* The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

(e) *Landscaping.*

(1) *Streetscape and landscape.*

(A) *Intent.* It is the intent to both require and encourage streetscape and landscaping that reinforces the desired character for Leon Valley. It is also the intent to create comfortable pedestrian environments by shading sidewalks, parking areas and drive lanes.

In addition, it is the intent of this section to:

(i) Recognize the particular characteristics, qualities and beauty of Leon Valley

(ii) Provide the city with a unique and identifiable streetscape corridor

(iii) Contribute to pedestrian safety and comfort

(iv) Reduce the negative effects of solar heat gain in paved and hard surface areas

(v) Reduce glare, erosion, noise and sedimentation caused by expanses of impervious, non-vegetated surfaces.

(B) *Streetscape standards.*

(i) A large canopy tree is required along all public street rights-of-way for each 30 linear feet.

a. For properties improving existing buildings with improvements that are less than 51% of the value of the existing improvement, only those streets on which the improved building fronts shall be improved with street trees.

b. For all new developments, or redevelopments with improvements equal to 51% or more of the value of the existing improvement or 51% or more of the building area, then streetscaping requirements along all streets are required, regardless of building location.

(ii) In retail developments of 5,000 sf or more, an urban tree is required for each 25 feet with a minimum ten foot wide sidewalk along active storefronts and mixed use building fronts.

(iii) An urban tree is required along major access drives for each 30 linear feet within the development where reasonable, subject to review and approval by the director.

(iv) All benches, bollards, lampposts, trash receptacles, patio furniture, bicycle racks and other streetscape elements shall be constructed of a chip and flake resistant metal and generally black or dark gray-green in color.

(C) *Landscape standards.*

(i) *Parking landscape requirements.*

a. A minimum of ten percent of the gross vehicular use area (parking and drive lanes) shall be devoted to living landscaping which includes grasses, ground cover, plants, shrubs and trees.

b. There shall be a minimum of one shade tree planted for each 400 square feet or fraction thereof of required interior landscape area.

c. Planting islands shall not be spaced greater than every 12 spaces unless approved in the landscape plan in order to preserve existing trees and natural features or due to unique site conditions.

d. Hardscape enhancements, where required, should utilize stone accents where appropriate.

e. One small ornamental tree or large shrub is required for every five large canopy trees.

f. An urban tree is required along internal pedestrian connections for each 25 linear feet.

(ii) *Screening of parking.* Where on-site parking is located adjacent to a street, roadway or public open space, a minimum ten-foot landscape buffer is required between the property lines and any parking, paving, or internal driveways. Driveway openings are permitted in the landscape buffer area. The area of the landscaped buffer may be included in the total required landscape area for the lot.

a. *Location.* The landscaped buffer requirement shall apply to all sides of the lot adjacent to a public street, open space, or right-of-way.

b. *Screen.* The screening shall be between a minimum height of three feet and a maximum of four feet above the grade of the parking lot and located adjacent to the parking lot. Screening shall be opaque and consist of shrubs and/or berms.

c. *Materials.* Shrubs or grasses shall be capable of reaching a height of three feet within two years of planting, and shall generally be planted no more than 36

inches on center (depending on the species). Earth berms shall not be steeper than 3:1 except where one side is a stacked or stepped masonry wall. Screening walls shall be masonry.

(iii) *Landscape point system.*

a. Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

Site Size	Minimum Number of Items Required
3 acres or less	6
Greater than three acres	8

b. The following is a list of landscape elements, each representing one point, subject to review and approval by the director:

1. Enhanced entranceway paving (using stone or architectural concrete pavers, or colored-stamped concrete).
2. Enhanced hardscape (stamped crosswalks, decorative stone or architectural concrete paver walkways, meandering sidewalks, etc.).
3. Enhanced landscaping (within development and at the entranceways of the development).
4. Enhanced site canopy (planting perimeter trees one per 30 feet and locating a parking island every ten spaces).
5. Enhanced streetscape elements (i.e. decorative lampposts, benches, receptacles, bike racks, decorative bollards, etc.).
6. Landscaped open space provision greater than what is required (20 to 30 percent over requirement).
7. Buffer berms (providing three foot high berms along the street frontage) for properties fronting on Bandera.
8. Public art (obelisks, sculptures, statues, clock towers, water fountains, etc.): Small: 1; Large: 2.
9. Use of shaded and decorative outdoor seating areas (benches, outdoor dining, etc.).
10. Use of masonry planters with irrigation (minimum four feet in width).
11. Foundation plantings along 75 percent of the building's primary facade (for non-retail frontages) a minimum of five feet in width.
12. Decorative entrance including a landscaped median entry which is a minimum eight feet in width and 60 feet long.
13. Other (a developer may propose a non-listed landscape element if it meets the spirit and intent of the ordinance, subject to review and approval by the director).

c. The developer may use any combination of the aforementioned landscape elements to obtain the necessary number of points required for the

development. Different lots and landscapes will lend themselves to different types of designs. These regulations attempt to encourage creativity, diversity, and water conservation in landscaping.

d. Elements, both in terms of quantity and quality, should be in scale with the development, as determined by the director. Excessive compliance with an element can be awarded extra points, as determined by the director.

(iv) *Perimeter landscape requirement adjacent to residential.* Perimeter landscape areas shall contain at least one large canopy tree for each 30 feet when adjacent to residential zoned properties or residential uses.

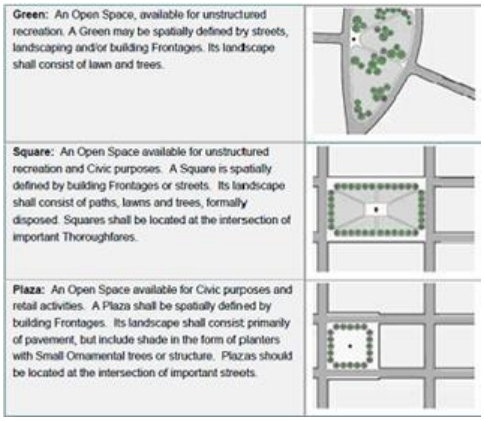
(v) *Required landscaping.* All required landscaping shall utilize plants from the city's approved plant list and be irrigated as required by the city. All required plantings shall be maintained in a healthy condition, and replaced if not.

(vi) Townhouse frontages shall be required to landscape a minimum of six feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area shall be landscaped with ground cover, low shrubs, and a large canopy tree or ornamental tree.

(2) *Open space and landscaping for mixed-use buildings.* On mixed use building developments where residential is included, a green, square or plaza shall be provided and approved as part of the site plan.

(A) A minimum area equal to 15 percent of a mixed use building's footprint shall be provided as open space. This may be counted as part of the required landscape area.

(B) At least one large canopy tree shall be provided for each 1,600 sf of area in open space. Four hundred square feet of shade structure may replace the requirement for a shade tree.



(f) *Performance standards.*

(1) *Lighting intent.* It is the intent of this section to provide a level and consistency of lighting that supports pedestrian activity and promotes safety.

(2) *Standards.*

(A) Lighting levels within project areas should not exceed 20 footcandles (fc) in any one spot and should generally maintain the following:

i.	Urban residential	3 fc avg	10 fc max	1 fc min
ii.	Retail	6 fc avg	15 fc max	1 fc min
iii.	Parking areas	1.5 fc avg	10 fc max	0.5 fc min

Figure 12 (B-3 Commercial)



(1972 Code, sec. 30.621; 2008 Code, sec. 14.02.322; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025

Sec. 15.02.324 "I-1" industrial district

(a) *Purpose and description.*

(1) The I-1 district is composed of land and structures used for assembling, manufacturing or wholesaling where the use and its operation do not affect abutting and/or surrounding uses. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed for mutual protection of land use. The I-1 district includes retail and commercial uses; however, I-1 districts are to be separated from residential areas by business areas or natural and/or man-made barriers. The district regulations implement the policies of the master plan by 1) protecting the character of the business and residential areas by regulating unenclosed activities or uses, which could intrude upon the lifestyle of the community through inappropriate lighting, noise, vibration, smoke, dust, or pollutants; 2) encouraging economic viability and stability in the city.

(2) An I-1 business is a business where the primary use specifically meets one or more of the following, and no ancillary use conflicts herewith:

(A) A repair facility the purpose of which is the repair and maintenance of goods, including vehicles;

(B) A service facility the purpose of which is providing a service to surrounding districts including vehicle and alcohol services; and/or

(C) A facility the purpose of which is the assembling, manufacturing, compounding, processing, packaging or testing of goods or equipment within an enclosed area, serviced by trucks or vans and imposing a negligible impact on the surrounding environment by noise, vibration, smoke, dust or pollutants.

(b) *Outside display and storage regulations.*

(1) Outside display of retail merchandise is allowed in an I-1 district.

(2) Outside storage of retail merchandise is allowed in an I-1 district only if such merchandise is screened in accordance with article 3.05 of the Leon Valley City Code.

(3) Outside storage of nonretail equipment, vehicles, or other business related items, shall be allowed as long as the requirements of article 3.05 of this Code are met.

(4) Any business activity not conducted in an enclosed structure must have appropriate screening, as required by article 3.05 of the Leon Valley City Code.

(c) *Lot requirements.*

(1) *Lot area.* There shall be a minimum area of 10,500 square feet.

(2) *Lot frontage.* There shall be a minimum frontage of 70 feet along a public right-of-way.

(3) *Minimum depth.* There shall be a minimum of 150 feet in depth of the lot.

(4) *Height.* No limit to height in this district.

(d) *Setback requirements.*

(1) *Front yard.* There shall be a front yard having a minimum of 25 feet from the front property line to the structure.

(2) *Rear yard.* None, except in those instances where the retail lot adjoins residential zoning to the rear, a rear yard of 25 feet or 20 percent of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.

(3) *Side yard.* None, except in those instances where the property adjoins a residential property to the side, then a side yard of 20 feet shall be provided.

(4) *Corner lot.* Where lots abut on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees, a side yard shall be provided on the street side of 20 feet.

(5) *Landscaping.* The use of drought tolerant turf grasses, such as zoysia or buffalo tif or combination, or other drought tolerant plantings and hardscape is strongly recommended. Landscaping shall consist of 12 percent of the street yard. Refer to landscaping section (section 15.02.501) for other regulations regarding site landscaping requirements.

(6) *Lighting.* All outdoor lighting shall be hooded and all light emissions shielded, and shall be oriented such that light is directed towards the property and does not trespass onto surrounding properties. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way.

(7) *Parking.* Refer to parking table and regulations for site parking requirements.

(8) *Public facilities.* Each lot shall be connected to the city's public water and sewer system, and shall have appropriate sidewalks and fire protection. See article 10.02 (subdivision ordinance).

(9) *Nonconforming structures.* The provisions of floor space and masonry above shall not be applicable to nonconforming structures in existence on the date of the adoption thereof or to structures built hereafter on the same lot to replace such nonconforming structures as may be destroyed by fire, windstorm or other involuntary cause.

(d) *Landscaping.*

(1) *Streetscape and landscape.*

(A) *Intent.* It is the intent to both require and encourage streetscape and landscaping that reinforces the desired character for Leon Valley. It is also the intent to create comfortable pedestrian environments by shading sidewalks, parking areas and drive lanes.

In addition, it is the intent of this section to:

(i) Recognize the particular characteristics, qualities and beauty of Leon Valley

(ii) Provide the city with a unique and identifiable streetscape corridor

(iii) Contribute to pedestrian safety and comfort

(iv) Reduce the negative effects of solar heat gain in paved and hard surface areas

(v) Reduce glare, erosion, noise and sedimentation caused by expanses of impervious, non-vegetated surfaces.

(B) *Streetscape standards.*

(i) A large canopy tree is required along all public street rights-of-way for each 30 linear feet.

a. For properties improving existing buildings with improvements that are less than 51% of the value of the existing improvement, only those streets on which the improved building fronts shall be improved with street trees.

b. For all new developments, or redevelopments with improvements equal to 51% or more of the value of the existing improvement or 51% or more of the building area, then streetscaping requirements along all streets are required, regardless of building location.

(ii) In retail developments of 5,000 sf or more, an urban tree is required for each 25 feet with a minimum ten foot wide sidewalk along active storefronts and mixed use building fronts.

(iii) An urban tree is required along major access drives for each 30 linear feet within the development where reasonable, subject to review and approval by the director.

(iv) All benches, bollards, lampposts, trash receptacles, patio furniture, bicycle racks and other streetscape elements shall be constructed of a chip and flake resistant metal and generally black or dark gray-green in color.

(C) *Landscape standards.*

(i) *Parking landscape requirements.*

a. A minimum of ten percent of the gross vehicular use area (parking and drive lanes) shall be devoted to living landscaping which includes grasses, ground cover, plants, shrubs and trees.

b. There shall be a minimum of one shade tree planted for each 400 square feet or fraction thereof of required interior landscape area.

c. Planting islands shall not be spaced greater than every 12 spaces unless approved in the landscape plan in order to preserve existing trees and natural features or due to unique site conditions.

d. Hardscape enhancements, where required, should utilize stone accents where appropriate.

e. One small ornamental tree or large shrub is required for every five large canopy trees.

f. An urban tree is required along internal pedestrian connections for each 25 linear feet.

(ii) *Screening of parking.* Where on-site parking is located adjacent to a street, roadway or public open space, a minimum ten-foot landscape buffer is required between the property lines and any parking, paving, or internal driveways. Driveway openings are permitted in

the landscape buffer area. The area of the landscaped buffer may be included in the total required landscape area for the lot.

a. *Location.* The landscaped buffer requirement shall apply to all sides of the lot adjacent to a public street, open space, or right-of-way.

b. *Screen.* The screening shall be between a minimum height of three feet and a maximum of four feet above the grade of the parking lot and located adjacent to the parking lot. Screening shall be opaque and consist of shrubs and/or berms.

c. *Materials.* Shrubs or grasses shall be capable of reaching a height of three feet within two years of planting, and shall generally be planted no more than 36 inches on center (depending on the species). Earth berms shall not be steeper than 3:1 except where one side is a stacked or stepped masonry wall. Screening walls shall be masonry.

(iii) *Landscape point system.*

a. Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

Site Size	Minimum Number of Items Required
3 acres or less	6
Greater than three acres	8

b. The following is a list of landscape elements, each representing one point, subject to review and approval by the director:

1. Enhanced entranceway paving (using stone or architectural concrete pavers, or colored-stamped concrete).
2. Enhanced hardscape (stamped crosswalks, decorative stone or architectural concrete paver walkways, meandering sidewalks, etc.).
3. Enhanced landscaping (within development and at the entranceways of the development).
4. Enhanced site canopy (planting perimeter trees one per 30 feet and locating a parking island every ten spaces).
5. Enhanced streetscape elements (i.e. decorative lampposts, benches, receptacles, bike racks, decorative bollards, etc.).
6. Landscaped open space provision greater than what is required (20 to 30 percent over requirement).
7. Buffer berms (providing three foot high berms along the street frontage) for properties fronting on Bandera.
8. Public art (obelisks, sculptures, statues, clock towers, water fountains, etc.): Small: 1; Large: 2.
9. Use of shaded and decorative outdoor seating areas (benches, outdoor dining, etc.).
10. Use of masonry planters with irrigation (minimum four feet in width).

11. Foundation plantings along 75 percent of the building's primary facade (for non-retail frontages) a minimum of five feet in width.

12. Decorative entrance including a landscaped median entry which is a minimum eight feet in width and 60 feet long.

13. Other (a developer may propose a non-listed landscape element if it meets the spirit and intent of the ordinance, subject to review and approval by the director).

c. The developer may use any combination of the aforementioned landscape elements to obtain the necessary number of points required for the development. Different lots and landscapes will lend themselves to different types of designs. These regulations attempt to encourage creativity, diversity, and water conservation in landscaping.

d. Elements, both in terms of quantity and quality, should be in scale with the development, as determined by the director. Excessive compliance with an element can be awarded extra points, as determined by the director.

(iv) *Perimeter landscape requirement adjacent to residential.* Perimeter landscape areas shall contain at least one large canopy tree for each 30 feet when adjacent to residential zoned properties or residential uses.

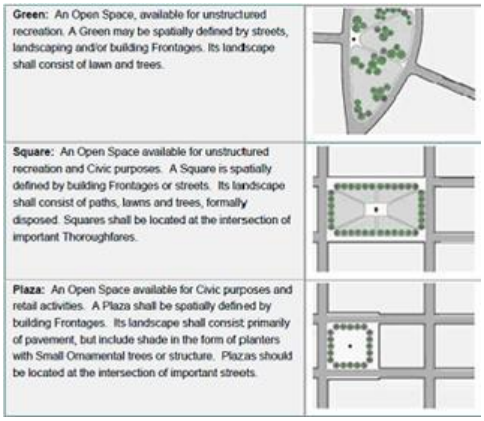
(v) *Required landscaping.* All required landscaping shall utilize plants from the city's approved plant list and be irrigated as required by the city. All required plantings shall be maintained in a healthy condition, and replaced if not.

(vi) Townhouse frontages shall be required to landscape a minimum of six feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area shall be landscaped with ground cover, low shrubs, and a large canopy tree or ornamental tree.

(2) *Open space and landscaping for mixed-use buildings.* On mixed use building developments where residential is included, a green, square or plaza shall be provided and approved as part of the site plan.

(A) A minimum area equal to 15 percent of a mixed use building's footprint shall be provided as open space. This may be counted as part of the required landscape area.

(B) At least one large canopy tree shall be provided for each 1,600 sf of area in open space. Four hundred square feet of shade structure may replace the requirement for a shade tree.



(f) *Performance standards.*

(1) *Lighting intent.* It is the intent of this section to provide a level and consistency of lighting that supports pedestrian activity and promotes safety.

(2) *Standards.*

(A) Lighting levels within project areas should not exceed 20 footcandles (fc) in any one spot and should generally maintain the following:

i.	Urban residential	3 fc avg	10 fc max	1 fc min
ii.	Retail	6 fc avg	15 fc max	1 fc min
iii.	Parking areas	1.5 fc avg	10 fc max	0.5 fc min

Figure 13 (I-1 Industrial)



(1972 Code, sec. 30.622; 2008 Code, sec. 14.02.323; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.325 Table of minimum requirements

(a) In all cases regarding minimum standards set forth in the following table, the table is intended to be used in conjunction with the area requirements set forth in the zoning district sections of this article.

District	Use	Min. Front Yard in Ft.	Min. Side Yard in Ft.	Min. Rear Yard in Ft.	Min. Area in SF	Min. Width in Ft.	Max. Story Height ***
RE-1	Residential Estate	50	25	50	43,560	150	2.5
R-1	Single-family/other	25	5	30	8,400	70	2.5
R-2	Two-family/other	20	5	30	*	85	2.5
R-3	Multiple-family	20	10	25	*	85	3
R-3A	Multiple-family retirement	25	10	25	5 acres	85	1 cot. 3 apt.
R-4	Townhouse	25	10	25	*	45	3
R-5	Mobile home	20	10	25	4 acres	70	2.5
R-6	Garden house	20	5*	15	4,500	45	2.5
R-7	Single-family medium density						
O-1	Office	20	10	25	10,000	85	3
B-1	Small business	25	5	30	8,400	70	2.5

B-2	Retail	25	** None	** None	9,100	70	3
B-3	Commercial	25	** None	** None	9,100	70	No limit
I-1	Industrial	25	** None	** None	10,500	70	No limit

* Refer to appropriate zoning district of [for] district height, yard and area requirements.

** In those instances where the retail, commercial or industrial lot adjoins on the side of a residential zoning district, a side yard of 20 feet shall be provided. Where the retail, commercial or industrial lot adjoins residential zoning to the rear, a rear yard of 25 feet or 20 percent of the average depth of the lot (whichever is less) shall be provided. In both cases, if the two districts are separated by an alley, said alley is not to be used for purposes of calculating the required setback and the building setbacks are required as if the lots adjoined the residential zoning district.

*** Refer to development regulations, section 15.02.305, "Height" for allowed exceptions to the minimum height requirement.

(b) *Procedural regulations for use classification.*

(1) Divisions 6 and 7 of this article shall be utilized in determining use classification, permitted zoning district(s), and restrictions regarding uses.

(2) When specified in the permitted use table, a use shall be allowable in the zoning district(s) as shown, unless further restrictions make such use(s) in that zone impermissible.

(3) When not specified in the permitted use table or section 15.02.382, the use shall be subject to the rules applicable to nonspecified uses, found elsewhere in this article, unless every aspect of the use is consistent with the intent of this article, and such use meets the criteria of the district categories.

(4) Whether a use falls under a table or category shall be determined by the zoning administrator.

(5) Where a site has more than one use, the primary use shall override. In cases where each use is equal, the use which has the most restrictive zoning district and regulations shall override.

(6) Any wholesale use not specifically denoted as such in the permitted use table shall be classified as a wholesale facility.

(1972 Code, sec. 30.623; 2008 Code, sec. 14.02.324; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.326 Non-chartered financial institution regulations

(a) Non-chartered financial institutions shall be subject to the following regulations:

(1) Animated, moving, flashing, blinking, reflecting, revolving or similar type on-premises signs are prohibited.

(2) May not be located within 500 feet from the following land uses: residentially zoned parcels, any state or federally chartered bank, savings association, credit union, or industrial loan company, religious institutions, school or day care facility, bar or liquor store, and pawnshops.

(3) Storefronts shall have glass or transparent glazing in the window and doors and as prescribed by article 3.04 shall have no more than ten percent of any window or door area covered by signs, banners or opaque coverings of any kind.

(4) Animated, moving, flashing, blinking, reflecting, revolving or similar type on-premises signs are prohibited.

(5) May only operate within a freestanding building and may not operate in the same structure as any other use of the same type.

(Ordinance 14-02, sec. II(B), adopted 4-14-14; Ordinance 2019-9, ex. B, adopted 2-19-19; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Secs. 15.02.327—15.02.380 Reserved

DIVISION 7. PERMITTED USE TABLE

Sec. 15.02.381 Permitted use table

P	-	Allowed by right		-	
X	-	Not allowed		-	
U	-	Per underlying zoning	GO	-	Gateway overlay
SUP	-	Specific use permit			

Use	O-1	B-1	B-2	B-3	I-1	GO	Notes
Adult care facility	SUP	SUP	P	P	P	U	**See section 15.02.317, "Adult care facilities"
Air conditioning repair	X	X	X	P	P	X	
Air conditioning sales - repair and/or service incidental	X	X	P	P	P	X	
Alcoholic beverage sales - no on-premises consumption	X	X	P	P	P	U	Not within 200 ft of SF zone
Alteration and repair of apparel	X	X	P	P	P	U	
Ambulance service	X	X	X	P	P	U	
Animal clinic	X	X	P	P	P	U	GO: P with no overnight kennel
Animal shelter/pound	X	X	X	P	P	X	
Antique store	X	P	P	P	P	U	
Appliance, minor - repair	X	X	P	P	P	U	
Appliance, major - repair	X	X	X	P	P	X	
Appliance store repair and/or service incidental	X	X	P	P	P	U	
Art gallery	X	P	P	P	P	U	
Assembly/packaging	X	X	X	SUP	P	U	

Attended donation station/facility	X	X	SUP	SUP	P	U	
Auditorium, convention center, and other similar meeting facilities	X	X	X	SUP	P	U	
Automobile accessories - retail sales w/ installation and/or repair incidental	X	X	SUP	P	P	X	
Automobile accessories, parts and components to include inspection Retail sales only w/o installation and/or repair incidental	X	X	P	P	P	X*	* GO: Allowed in B-3 only with SUP
Automobile boat storage	X	X	X	SUP	P	X	
Automobile auction	X	X	X	X	P	X	**Vehicles to be in operating condition w/current sticker and license
Automobile lubrication service facility - lubrication only	X	X	P	P	P	X	
Automobile parts and components Retail sales with installation and/or repair incidental	X	X	X	P	P	X	
Automobile rental with unenclosed on-site storage of not more than 12 private passenger vehicles	X	X	P	P	P	X	
Automobile rental on-site storage	X	X	X	P	P	X	

Automobile rental and/or sales	X	X	X	P	P	X	
Automobile repair and/or service	X	X	X	P	P	X	
Automobile repair and/or service - brake repair facility	X	X	X	P	P	X	
Automobile service station - gasoline sales only	X	X	P	P	P	SUP	
Automobile service station - repair incidental	X	X	X	P	P	SUP	
Automobile and truck sales - service incidental	X	X	X	P	P	X	
Automobile/vehicle inspection station	X	X	P	P	P	SUP	
Automobile/vehicle storage	X	X	X	P	P	X	**Vehicles to be in operating condition w/current sticker and license
Automobile wrecker service	X	X	X	X	P	U	
Bait store	X	X	X	P	P	X	
Bakery	X	X	P	P	P	U	
Bank, savings & loan	X	X	P	P	P	U	
Bar	X	X	X	SUP	SUP	U	
Bar/tavern completely enclosed	X	SUP	P	P	P	U	
Bar/tavern with outdoor entertainment area	X	X	SUP	P	P	U	
Barber or beauty equipment and supplies	X	X	P	P	P	U	
Barber or beauty shop	P	P	P	P	P	U	
Bicycle sales and repair	X	X	P	P	P	U	

Boat sales and service facility	X	X	X	SUP	SUP	X	
Bookstore	P	P	P	P	P	U	
Building specialty store	X	X	P	P	P	U	
Cabinet or carpenter shop	X	X	X	P	P	X	
Camera/photographic supply	X	X	P	P	P	P	
Candy, nut and confectionery store	X	X	P	P	P	P	
Carwash (automatic)	X	X	P	P	P	SUP	Vacuum cleaners must be set back a minimum of 50 feet from residential areas GO: All exterior carwash-related activities such as vacuum areas, washing, and drying must be screened from view from any residential districts or uses, streets, rights-of-way, major access drives or public park areas within 150' of the property
Carwash (self-service)	X	X	SUP	P	P	X	Vacuum cleaners must be set back a minimum of 50 feet from residential areas
Catering facility	X	X	P	P	P	U	
Cemetery	X	X	X	SUP	SUP	U	
Child care facility	SUP	SUP	P	P	X	U	**See section 15.02.316, "Child care facilities"
Churches	P	P	P	P	P	P	
Cleaning products	X	X	P	P	P	X	
Clinic, dental or medical	P	P	P	P	X	U	

Clothing and accessory store	X	X	P	P	X	U	
Club or lodge (private)	X	X	X	SUP	SUP	U	
Cold storage plant	X	X	X	SUP	P	X	
Communications distribution hub	X	X	SUP	SUP	P	U	
Computer store/similar business machines retail sales with installation and/or repair incidental	X	X	P	P	P	P	
Contractor facility	X	X	P	P	P	X	
Convenience store	X	X	P	P	P	U	**If the use is 24 hours a SUP is required
Cosmetics store	P	P	P	P	X	U	
Creamery	X	X	X	X	P	U	
Dairy product sales	X	X	P	P	P	U	
Dance hall	X	X	X	SUP	SUP	U	Also see bar, club or lodge (private)
Department and/or variety store	X	X	P	P	P	U	
Drugstore	X	P	P	P	P	U	
Dry cleaning - pickup station only	P	P	P	P	P	U	
Dry cleaning plant	X	X	X	SUP	SUP	X	
Electroplating	X	X	X	X	SUP	U	
Entertainment—Indoor	X	SUP	P	P	P	U	
Entertainment—Outdoor	X	SUP	SUP	P	P	U	
Exterminator	X	X	X	P	P	X	
Farm equipment sales and service	X	X	X	P	P	X	
Feed, seed, and/or fertilizer retail sales only	X	X	P	P	P	U	
Firearms and/or ammunition	X	X	SUP	SUP	SUP	U	

Fish market (fully enclosed)	X	X	P	P	P	U	
Fish market, wholesale	X	X	X	X	SUP	U	
Flea market	X	X	X	P	P	U*	*GO: Where permitted, SUP required **See additional regulations section 15.02.382
Floor cleaning service	X	X	SUP	P	P	U	
Floor covering sales	X	X	P	P	P	U	
Floral shop	P	P	P	P	P	U	
Food processing facility	X	X	X	X	SUP	U	
Food product sales	X	X	P	P	P	U	
Freight depot (truck)	X	X	X	X	SUP	U	
Fruit and produce market	X	X	P	P	P	U	
Funeral home/mortuary	X	X	SUP	P	P	U	
Furniture repair and/or upholstery shop	X	X	X	P	P	U	
Furniture sales	X	X	P	P	P	U	
Garden specialty store	X	X	P	P	P	U	
Gift shop	P	P	P	P	X	U	
Glass, sheet - sales only	X	X	P	P	P	U	
Grocery store w/food and produce market incidental	X	P	P	P	P	U	
Gymnasium/physical fitness facility	X	X	P	P	P	U	**Limited to 5,000 sf in the B-2 District. **Outside activities not permitted outside except with specific use permit approval.
Hardware store	X	X	P	P	P	U	
Hobby supply store (crafts)	X	P	P	P	P	U	
Hospital	X	X	X	P	P	U	

Intradermal permanent cosmetics	X	SUP	SUP	P	P	U	
Interior decorating studio	P	P	P	P	P	U	
Jewelry sales and repair	P	P	P	P	P	U	
Kennel	X	X	X	SUP	SUP	U	
Laboratory, dental or medical	X	X	SUP	P	P	U	
Laboratory, research	X	X	X	P	P	U	
Laboratory, testing	X	X	X	X	P	U	
Laundromat	X	X	P	P	P	U	
Laundry supply - to include uniform/linen/diaper service	X	X	X	SUP	P	U	
Leather goods or luggage store	X	P	P	P	P	U	
Library	X	X	X	P	P	U	
Locksmith	X	P	P	P	P	U	
Lodging:							
Boarding house	X	SUP	X	X	X	SUP	**Also see section 15.02.314, "Residential use table"
Convalescent ctr.	X	X	SUP	P	P	U	
Nursing home	X	SUP	SUP	P	P	U	
Hotel	X	X	X	P	P	U	
Inn	X	SUP	P	P	X	U	
Motel	X	X	X	P	P	U	
Suite hotel	X	X	X	P	P	U	
Lumberyard	X	X	X	SUP	P	X	
Machine, tools and construction equipment to include sales, service and repair	X	X	X	P	P	X	
Manufacturing	X	X	X	SUP	P	U	
Medical equipment and supplies	X	X	P	P	P	U	

Mobile food unit						U	
Motorcycle sales, repair, and service	X	X	X	SUP	P	U*	*In GO: Sales only. Where permitted, requires SUP
Moving and transfer company	X	X	X	P	P	X	
Museum	X	X	X	P	P	U	
Music store	X	X	P	P	P	U	
Nightclub/large tavern	X	X	SUP	SUP	SUP	U	
Non-chartered financial institution	X	X	X	P	P	U	***Not be located within a radius of 1,000 feet from the nearest existing non-chartered financial institution. ***Not located within 500 feet from the following land uses: residentially zoned parcels, any state or federally chartered bank, savings association, credit union, or industrial loan company, religious institutions, school or day care facility, bar or liquor store, and pawnshops. ***Storefronts shall have glass or transparent glazing in the window and doors and as prescribed by article 3.04 shall have no more than ten percent of any window or door area covered by signs, banners or

							opaque coverings of any kind. Animated, moving, flashing, blinking, reflecting, revolving or similar type on-premises signs are prohibited. ***May only operate within a freestanding building and may not operate in the same structure as any other use of the same type.
Nonemergency medical transport service	X	X	P	P	P	SUP	
Office equipment and supply	X	X	P	P	P	P	
Office, professional Also see Clinic, dental or medical	P	P	P	P	P	U	
Optical store	X	P	P	P	P	U	
Paint and wallpaper	X	X	P	P	P	U	
Park and ride	X	X	X	SUP	SUP	U	
Parking lot or parking garage	X	X	P	P	P	U	
Pawnshop	X	X	X	X	P	U	
Permanent makeup	P	P	P	P	P	U	
Pet grooming	X	X	P	P	P	U	
Pet store	X	X	P	P	P	U	
Photographic equipment and supplies	X	X	P	P	P	P	
Picture framing shop	X	X	P	P	P	P	
Plant nursery I	SUP	SUP	P	P	P	SUP	There shall be no sales or advertising signs and accessory buildings shall not exceed 600 square feet, nor be closer than 50 feet to

							any property line. Subject to screening requirements as stated in article 3.05
Plant nursery II	X	X	SUP	SUP	SUP	U	In a B-2 zone, there shall be no outside storage except live plant material. Subject to screening requirements as stated in article 3.05
Plant nursery III	X	X	SUP	P	P	U*	*Where permitted, an SUP is required. In a B-2 zone, there shall be no outside storage except live plant material. Subject to screening requirements as stated in article 3.05
Plant nursery IV	X	X	X	P	P	U*	Where permitted, an SUP is required. In a B-2 zone, there shall be no outside storage except live plant material. Subject to screening requirements as stated in article 3.05.
Plant nursery sales, greenhouse	X	X	P	P	P	U*	Where permitted, an SUP is required.
Playground equipment sales	X	X	X	P	P	U	GO: Indoor only, no outdoor display or storage
Plumbing fixture store	X	X	P	P	P	U	
Pool and spa sales	X	X	P	P	P	U*	GO: Indoor only, no outdoor display or storage. *SUP required
Portable building sales - manufactured,	X	X	X	P	P	X	

modular, mobile, prefabricated							
Post office	X	X	X	P	P	U	
Printing and reproduction services	X	X	SUP	P	P	P	Does not include major offset printing services
Propane facility	X	X	X	SUP	SUP	X	
Radio or television station - without transmitter tower or disc	X	X	P	P	P	U	A station with a transmitter requires an SUP in all the allowed districts
Recreational facility, neighborhood	X	X	X	P	P	U	
Restaurant and/or food establishment - Cafeteria, cafe, delicatessen, frozen dessert shop and other similar uses (completely enclosed)	X	P	P	P	P	U	Drive-thru see section 15.02.441(c)(8)(D), "Off-street stacking requirements" Drive-thru not permitted in B-1 District. Total floor area limited to 2,500 sf in B-1 District SUP required for on-premises consumption of alcohol in B-1 District
Residential: Townhouse, loft, live-work						P	Allowed only per standards in the GO district
Restaurant and/or food establishment (not completely enclosed)	X	X	SUP	P	P	U	Drive-thru see section 15.02.441(c)(8)(D), "Off-street stacking requirements"
Repair shop	X	X	X	P	P	X	
Retail outlet store	X	X	P	P	P	U	
Salon specialty - tanning, reducing, nail, massage	X	P	P	P	P	U	
School	X	X	X	P	P	U	

School, vocational	X	X	X	P	P	U	
Self-storage facility	X	X	P	P	P	X	
Shoe sales and/or repair	X	X	P	P	P	U	
Sign shop	X	X	SUP	P	P	X	
Small arms firing range - indoor	X	X	X	SUP	SUP	X	
Sporting goods store	X	X	P	P	P	U	
Stamp and/or coin store	P	P	P	P	P	U	
Stationery sales	X	P	P	P	P	U	
Studio for fine arts	SUP	SUP	P	P	P	U	
Tailor shop	X	P	P	P	P	U	
Taxidermist	X	X	X	SUP	SUP	X	
Telecommunication antennae/towers	X	X	X	SUP	SUP	U	**See "additional regulation," section 15.02.382
Telephone sales - to include mobile	X	X	P	P	P	P	
Temporary use	X	X	X	SUP	SUP	U	**See "additional regulation," section 15.02.382
Theater, indoor	X	X	X	P	P	U	
Theater, outdoor	X	X	X	SUP	SUP	X	
Tobacco store	X	X	P	P	P	U	
Tool and equipment rental	X	X	P	P	P	U	GO: No outside storage, small tools and equipment only
Toy store	X	X	P	P	P	U	
Trophy sales	X	P	P	P	P	U	
Truck (heavy) repair/maintenance	X	X	X	X	P	U	
University	X	X	X	P	X	U	
Videotape sales and rental	X	X	P	P	P	U	
Warehouse storage facility	P	X	X	P	P	X	

Watch and clock repair	X	P	P	P	P	U	
Welding shop	X	X	X	X	P	U	
Wholesale facility	X	X	X	P	P	X	

(Ordinance 11-024 adopted 9-20-11; 2008 Code, sec. 14.02.381; Ordinance 14-02, sec. II(C), adopted 4-14-14; Ordinance 2019-9, ex. A, adopted 2-19-19; Ordinance 2020-35 adopted 7-21-20; Ord. No. 2021-20, § 1, 4-20-2021; Ord. No. 2021-30, § 1, 7-20 -2021; Ord. No. 2022-49, § 1, 10-18-2022; Ord. No. 2023-16, § 2, 5-16-2023; Ord. No. 2024-39, § 1, 9-17-2024; Ord. No. 2025-12, § 2, 5-20-2025; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Sec. 15.02.382 Permitted uses which require additional regulation

(a) *Temporary uses.*

(1) Uses that are temporary in nature shall require a specific use permit for the duration of the use, regardless of whether they are the primary use of the site.

(2) The specific duration of the use shall be determined during the specific use permit process.

(3) Temporary uses are characterized by such activities as the sale of agricultural/floral products, Christmas tree sales, fireworks, carnivals, flea markets, clothing, shoe or accessory tents and special events not included under article 1.10, division 2 (parades) but is not intended to include those structures used to house contracting office(s) during temporary construction phases.

(4) A continuous specific use permit is necessary for any duration of more than six weeks, whether such use is daily, weekly, or monthly.

(b) *Antenna, tower, and/or alternative tower structures.* Antennas, towers and alternative tower structures, other than receive-only antennas, are permitted only in the B-3 or I-1 zoning districts and only if the minimum requirements as established herein are met, or any other applicable requirements of the specific use permit, if so required:

(1) *Purpose and goals.* The purpose of this section is to establish regulations for the placement of towers and antennas on public and private property. The goals of this section are to:

(A) Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the community;

(B) Encourage strongly the joint use of the new and existing tower sites;

(C) Require users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;

(D) Require users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas, and

(E) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.

(2) *Application requirements.*

(A) The proponent of a new tower site other than a radio, television or microwave broadcasting or transmission facility shall provide the following documentations for review by the development department:

(i) *Inventory of existing sites.* Each applicant for one or more towers shall provide to the development department an inventory of its existing towers, including specific information about the location, height, and design of each tower. The development department shall maintain an inventory of existing towers, including specific information about the location, height, and design of each tower. The city may share such information with other persons, organizations or governmental authorities to locate antennas within the city;

(ii) *Availability of suitable existing towers or other structures.* No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the development department that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted may consist of the following:

a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements;

b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements;

c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment and cannot be reinforced to provide sufficient structural strength;

d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;

e. The fees or costs required to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs below new tower development are presumed reasonable;

f. Property owners or owners of existing towers or structures are unwilling to accommodate the applicant's needs;

g. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

h. Site plan. Each applicant requesting a permit under this section shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate professional engineers, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information necessary to assessment of compliance with this article.

i. Prior to the installation of any building/roof-mounted telecommunications antenna, antenna array or support structure the city building official may require an engineer's certification that the structure will support and not be adversely affected by the proposed antenna and associated equipment.

(3) *Residential setback.* Towers must be set back a distance equal to the height of the tower from any off-site residential structure and shall not be placed within the minimum yard setback requirement in the zoning district in which they are located.

(4) *Yard setback.* Towers and accessory facilities must satisfy the minimum yard setback requirements for the zoning district in which they are located.

(5) *Security fencing.* Towers shall be enclosed by security fencing not less than six feet in height, shall be equipped with an appropriate anti-climbing device, and shall be screened and landscaped from view.

(6) *Signage.* Except as otherwise permitted in this article, no signage, lettering, symbols, images, or trademarks in excess of 200 square inches (1290 square cm) shall be placed on or affixed to any part of a telecommunications tower, antenna, antenna array, equipment building, or security fencing other than as required by FCC regulations or other applicable law.

(7) *Lighting.* Except as otherwise permitted in this article, no signals, lights or illumination of any kind shall be permitted on or directed toward any tower unless required by the FCC, the FAA or other appropriate public authority.

(8) *Aesthetics.* Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted sky blue or gray, so as to reduce visual obtrusiveness. At a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

(9) *Federal requirements.* All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations.

(10) *Building codes; safety standards.* To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for tower that are published by the Electronic Industries Association (EIA-222), as amended from time to time. If, upon inspection, the tower fails to comply with such codes and standards and constitutes a danger to persons and property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance. If the owner fails to bring such tower into compliance within the said 30 days, the city may remove such tower or cause such tower to be removed at the owner's expense.

(11) *Removal of abandoned antennas and towers.* Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna of tower shall remove same within 90 days of receipt of notice from the city notifying the owner of such abandonment. If such antenna or tower is not removed within said 90 days, the city may cause such antenna or tower to be removed at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

(12) *Refusal to grant request.* Rejection of an application for a permitted use request for an antenna, tower or alternative tower structure by the development department shall require the proponent to submit a zoning case for a specific use permit in accordance with division 12 of this article or by appeal to the board of adjustment.

(1972 Code, sec. 30.701; 2008 Code, sec. 14.02.382)

Secs. 15.02.383—15.02.440 Reserved

DIVISION 8. PARKING REGULATIONS

Sec. 15.02.441 Parking regulations

(a) *Purpose.* It is the purpose of this section to:

(1) Establish specific standards for the provision of off-street parking and loading space for every type of land use within the city;

(2) Lessen congestion on public thoroughfares;

(3) Reduce public safety hazards caused by failure to provide adequate parking and loading space; and

(4) Facilitate the adequate and safe provision of transportation and expedite the movement of traffic on public thoroughfares through recognition that the provision of off-street parking must be responsive to the diverse requirements of individual land uses.

(b) *General provisions.*

(1) No land shall be used, and no building shall be erected, altered, used, or occupied, and no use shall be operated in any zoning district unless the off-street parking facilities herein required are provided.

(2) Off-street parking facilities and off-street truck loading facilities in excess of the amounts heretofore required, need not be provided nor maintained for land, structures, or uses actually used, occupied and operated on the effective date of this article, but may be provided, if so desired by the owner and not in conflict with any other city ordinances.

(3) In the event that after the effective date of this article existing land, structures, or uses are enlarged or expanded, the land, structures, and uses hereby included shall not be used, occupied, or operated unless there is provided, for the increment only, of such land, structures and uses, at least the amount of off-street parking facilities and off-street truck loading facilities that would be required hereunder if the increment were a separate land, structure or use.

(4) The provisions of this article shall be in conjunction with the general guidelines established in the 7th edition Trip Generation Manual, 2003, and as amended, regarding parking. Where such manual is in conflict herewith, this article shall override. Where guidelines are laid out in that manual, and not precluded under this article, the zoning administrator shall have the option, in appropriate cases, of referring to that manual. To that extent and only to that extent such manual is hereby adopted.

(5) All nonresidential lots must provide cross-access to adjoining nonresidential lots.

(6) Where parking exceeds the minimum spaces required by more than ten percent or more than one full bay of parking is located between a building and a public street, landscaping of parking areas shall be increased to the following standards between the building and the public street:

(A) A minimum of 12 percent of the gross vehicular use area shall be devoted to living landscaping which includes grasses, ground cover, plants, shrubs and trees.

(B) There shall be a minimum of one shade tree planted for each 300 square feet or fraction thereof of required interior landscape area.

(C) Planting islands shall not be spaced greater than every ten spaces unless approved in the landscape plan in order to preserve existing trees and natural features or due to unique site conditions.

(D) *Parking reduction.* Provided there is a shared access and joint use agreement with an adjacent property, parking may be reduced by up to 15 percent of the total requirement.

(c) *Regulations.*

(1) *Off-street parking and loading spaces required.*

(A) In all districts, for every use, there shall be provided at the time any building is erected or increased in capacity, or at the time any other use is established, off-street parking and loading space in accordance with the provisions specified herein.

(B) The provision for and maintenance of off-street parking facilities herein required shall be the joint and several responsibility of the operator and owner of the use, structure and/or land on which is located the use for which off-street parking facilities are required.

(C) The minimum requirements for off-street parking facilities are found in "Off-street truck loading requirements." These classifications of uses enumerated in said table are general and are

intended to include all similar uses. As part of the procedure for the review and consideration of the required parking, the applicant may be required to submit a parking analysis, prepared in accordance with the provisions established herein. Where a classification of uses is not determinable from said table, the zoning administrator, or his designate, shall fix the classification.

(D) Notwithstanding the amount of off-street parking required by this article, the zoning administrator may approve less off-street parking when the proponent of a use demonstrates that, due to special circumstances involved with a particular use, it is obvious that the off-street parking required by this article exceeds any reasonable likely need.

(2) *Off-street parking size and location.*

(A) Minimum dimensions for off-street parking spaces and maneuvering aisles shall be determined by the application of the parking dimension matrix as shown in the Trip Generation Traffic Manual.

(B) Each off-street parking space shall be an area of not less than 162 square feet (not less than nine feet in width or 18 feet in length), exclusive of access or maneuvering area, ramps and other appurtenances, except as specifically provided in other portions of this article.

(C) Except as otherwise permitted under a special plan for location or sharing of facilities, off-street parking facilities shall be located on the lot on which the use or structure for which they are provided is located.

(D) All parking areas containing three or more parking spaces shall include a turnaround which is designed and located so that vehicles can enter and exit the parking area without backing onto a public right-of-way. Each required parking stall shall be individually and easily accessible based on good engineering practice. All portions of a public lot or garage shall be accessible to other portions thereof without requiring the use of any public street.

(E) Small-car parking spaces, whether provided to satisfy the minimum parking requirements of this article or to provide excess or overflow parking, shall not be permitted unless in compliance with the compact car system of parking as described in the Trip Generation Traffic Manual.

(3) *Design and construction standards of off-street parking.*

(A) All off-street parking areas and spaces shall be designed and constructed so as to have unencumbered ingress and egress to a public thoroughfare at all times. All maneuvering for off-street parking shall be accomplished on private property, except in R-1 (single-family), R-2 (two-family) and R-6 (garden home) dwelling areas.

(B) Off-street parking facilities shall be constructed, maintained and operated in accordance with the following specifications:

(i) *Drainage and surfacing.* Parking areas shall be properly graded for drainage, with an all-weather paved surface and maintained in good condition, free of weeds, dirt, trash, and debris.

(ii) *Wheel guards.* Boundary or perimeter areas shall be provided with wheel guards, so located that no part of parked vehicles will extend beyond the property line of the parking area. All parking lots and garages serving nonresidential uses shall be provided with a concrete or masonry inner curb or freestanding wheel stop to separate the parking area from public right-of-way. The wheel stop shall be set back from the property line so that no part of a vehicle shall extend onto public property, streets, or sidewalks. Such wheel stop shall be a minimum of six inches in width and six inches in height, and shall be permanently and securely anchored to the pavement. The zoning administrator may require the

placement of curbs or freestanding wheel stops in specific locations as needed to correct existing problems caused by vehicular overhang onto right-of-way, streets or sidewalks. The property owner shall replace any damaged, missing, or unanchored curbs or wheel stops as necessary or required by the city.

(iii) *Lighting.* All parking areas shall be lighted, with the exception of R-1, R-2, R-6 areas. Lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way. [All lighting facilities] shall be so arranged that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic.

(iv) *Entrances/exits.* Facilities shall be provided with entrances and exits so located as to minimize traffic congestion.

(v) *Prohibition of other uses.* Parking areas shall not be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials, or supplies nor for parking lots, or garages unless specifically permitted in the zoning district.

(vi) *Pavement and identification required.* All required off-street parking and loading areas, maneuvering aisles, and accessways to any required off-street parking or loading areas, in all zoning districts, shall be paved in accordance with the standards prescribed by the city. Except for single-family, duplex and townhouse dwellings, parking stalls and spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers or other approved methods.

(vii) *Maintenance.* Internal curbs and wheel stops shall be continuously poured in place or shall be attached to the pavement to prevent movement. Nonpermanent type markings, such as paint, shall be regularly maintained to ensure continuous identification of the space or stall.

(viii) *Driveway and ramp slopes.* The maximum slope of any driveway or ramp shall not exceed 14 percent. Transition slopes in driveways and ramps shall be provided in accordance with the standards set by the city and the jurisdiction's engineer.

(4) *Reduction of off-street parking.* Pursuant to the procedure hereinafter set forth, either part or all of the required off-street parking facilities may be located on a site other than the one occupied by the use or structure requiring such facilities. Two or more uses may share the same off-street parking facilities and each of such uses may be considered as having provided such shared space individually. Such shared parking space, however, shall not be considered as having been provided individually unless the schedules of operation of all such uses are such that none of the uses sharing the facilities require the off-street parking facilities at the same time.

(A) *Cooperative parking plan.* The arrangement for sharing of off-street parking facilities shall be known and described as a cooperative parking plan.

(B) *Application procedure.* An application for approval of a cooperative parking plan shall be filed with the zoning administrator, or his designate, by the owner(s) of all structures then existing on a subject land area, and all parties having a legal interest in such land area and structures. Sufficient evidence to establish the status of the applicants as owners or parties in interest shall be provided. The application shall include 1) a parking analysis with plans showing the location of the uses or structures for which off-street parking facilities are required and the location of the off-street parking facilities; 2) the schedule of times used by those sharing in common; and 3) any

miscellaneous pertinent information as may be applicable to the request or as may be requested by city staff.

(C) *Review of application.* The application shall be reviewed for approval or disapproval by the zoning administrator or his designate.

(D) *Registration of cooperative parking plans.* Upon approval of the plan, a copy of such plan shall be registered among the records of the city secretary and shall thereafter be binding upon the applicants, their heirs, successors and assigns. This registration shall limit and control the issuance and validity of permits and certificates and shall restrict, limit and control the use and operation of all land structures included within such cooperative parking plan.

(E) *Amendment or withdrawal of cooperative parking plan.* Pursuant to the same procedure and subject to the same limitations and requirements by which the cooperative parking plan was approved and registered, any such plan may be amended or withdrawn, either partially or completely, if all land and structures remaining under such plan comply with all the conditions and limitations of the plan and all land and structures withdrawn from such plan comply with the regulations of this article.

(5) *Alternate landscaping.* In all districts in which a shopping center or office building is a permitted use, and where such shopping center or office building contains in excess of 50,000 square feet of gross leasable area or where not less than 200 off-street parking spaces are required, then the first 18 feet of the parking lot serving such facility, and which portion abuts an arterial thoroughfare, may be devoted to landscaped open space in lieu of the required off-street parking spaces that would otherwise occupy such space. Such alternate landscaping shall be subject to the following conditions:

(A) That such credit shall result in a reduction of at least ten percent of the required off-street parking spaces for the shopping center or office building;

(B) That the shopping center or office building would otherwise meet all applicable off-street parking requirements if such area was devoted to parking space rather than alternate landscaped area;

(C) Such credit shall not be applicable to a reduction in off-loading [off-street loading] requirements;

(D) Such alternate landscaping area shall not count toward satisfying the minimum on-site landscaping requirements as may be applicable to the district in which the shopping center or office building is located;

(E) Such alternate landscaping area shall be measured from, and be perpendicular to, the property line which abuts an arterial thoroughfare. Where landscaped open space is provided on private property in accordance with the required on-site landscaping provisions of the applicable zoning district, and such required landscaping is located adjacent to an arterial thoroughfare, the alternate landscape area shall be measured from the edge of, and in addition to, such required landscape area. In any event, all required dimensions of vehicle maneuvering areas and aisles as prescribed by this section shall be complied with.

(F) All landscape areas shall be landscaped with living plant material, shall incorporate trees in accordance with division 9 of this article, shall be planted and maintained in compliance with the American Nursery and Landscape Association, "American Standard for Nursery Stock" and ANSI Z60.1-2004 and ANSI A300 "Tree Care Standards" guidelines, and shall have installed an irrigation system meeting all applicable requirements of the city and approved by the zoning administrator, or shall be located within 75 feet of a bibcock, faucet or other water source; and

(G) The alternate landscape area may not be converted to parking spaces, designed and constructed in accordance with the provisions of this section, at any time.

(6) *Retention of existing trees.* Refer to division 9 of this article [and chapter 13 of the Code of Ordinances], for regulations regarding mandatory retention and preservation of existing trees, prior to the removal of any trees on-site. In all districts, where an existing tree is maintained in a living and growing condition and is located internally within the parking area of any use or facility, such tree may be credited in lieu of four required off-street spaces. Such credit shall be subject to the following conditions:

(A) Each existing tree shall be of at least four inches in trunk diameter, measured four feet [above grade];

(B) Each tree counted toward a parking credit shall be maintained in a living and growing condition. In the event of the death of the existing tree, such parking credit shall remain in effect only if the tree is replaced with a tree of equal or greater caliper;

(C) Each tree shall be located within a landscape island, peninsula or median, delineated from the surrounding paved area by a masonry or concrete curb of not less than six inches in height around the entire perimeter of the island or module;

(D) At least half of the tree's extended dripline at maturity must be in permeable area;

(E) The area devoted to each landscape island or module shall not count toward satisfying the on-site landscaping requirements of any use in any zoning district if such area is to be applied as a credit toward the off-street parking standard;

(F) Such reduction of off-street parking shall not exceed ten percent of the total required off-street parking for the use or facility; and

(G) The landscape islands, peninsulas or medians may not be converted to parking spaces, designed and constructed with these provisions, at any time. Any conversion of parking spaces into landscape areas shall not be in conflict with, or in lieu of, the minimum landscape requirements set forth elsewhere within this article.

(7) *Table of minimum off-street parking requirements.* The minimum requirements for off-street parking facilities in all zones shall be governed by the following table:

Residential Use	Parking Requirements
Low-density residential (both detached and medium density such as duplex, triplex, fourplex, townhouse, garden house, and patio home)	Two spaces per dwelling unit.
Multiple-family retirement community	1.5 spaces per dwelling unit
High-density residential (apartments, condominiums)	One space for each one-bedroom unit, two spaces for each two-bedroom unit, and one additional space for each additional bedroom.
Office and Commercial (excluding shopping centers)	Parking Requirements
Automotive repair (to include body and paint shops, tire, muffler, suspension, and other associated automotive repair facilities, including said repair activities associated with auto and truck sales and service dealerships. Said dealerships must provide dedicated parking at the required ratios for the portion of the GFA dedicated to automotive repair.)	1:200 sf GFA for retail sales. 1:150 sf GFA for service floor area.
Bowling centers	1:200 sf GFA.
Child care facilities	1:450 sf GFA.

Drive-in eating establishments, where food or drink is served to customers in their vehicles	2:100 sf GFA, with a minimum of 20 spaces for on-premise consumption to be provided.
General business, retail, clinic, and personal service establishments (excluding office/warehouse)	1:200 sf GFA for retail sales and service areas. 1:800 sf GFA used exclusively for storage, processing or related activities separate and apart from retail sales activity.
Hospitals/home, nursing	One space for each two beds plus, One space for each hospital or staff doctor plus, One space for each five employees; parking for each enumerated user group is to be physically separated from the other and identified by user-group.
Hotel and motel establishments	One space per guest room and one space per two employees (associated independent commercial and/or recreational areas open to the general public require appropriate, additional spaces).
Libraries, museums, art galleries, clubs, lodges	1:300 sf GFA.
Lumber, nursery (plant) and affiliated activities	1:200 sf GFA for retail sales area/service floor area, and one space per 800 sf GFA of enclosed storage and/or display area, and 1:200 sf of open sales/storage/display area.
Office/warehouse	1:250 GFA for that portion dedicated to office use; and 1:1000 GFA for that portion dedicated to warehouse use. One space for each five employees; parking for each enumerated user group is to be physically separated from the other and identified by user-group.
Professional offices/studios	1:250 sf GFA.
Recreation and amusement, entertainment - indoor and outdoor, dance hall, nightclub, bar, club or lodge (private)	1:800 sf of specified outdoor recreational area. 1:100 sf GFA for indoor recreational area up to 20,000 sf. 1:200 sf GFA for indoor recreational area in excess of 20,000 sf.
Restaurants, cafeterias, delicatessens and other food serving establishments, except drive-in eating establishments	1:100 sf GFA.
Schools	Elementary: One space per 600 square feet of classroom area; Middle: One per each 400 square feet of classroom area; High: One per each 90 square feet of classroom area
Shopping centers	Refer to the shopping center parking requirements section of this article [subsection (9)].
Theaters, health clubs, physical fitness, gymnasiums, convention halls, assembly halls, stadiums, funeral homes, churches, racquetball/ handball/tennis facilities	One space per four seats or one space per 800 sf of specified outdoor recreational area; and 1:100 sf GFA for indoor recreational area up to 20,000 sf 1:200 sf GFA of indoor recreational area in excess of 20,000 sf.

(8) *Off-street stacking requirements.*

(A) Vehicle stacking space shall mean a paved area of not less than eight feet in width nor less than 22 feet in length, constructed in accordance with the applicable standards of the city.

(B) Off-street vehicle stacking spaces shall be provided, at a minimum, in accordance with the following table.

(C) No off-street vehicle stacking shall be permitted within a designated fire lane. Areas designated to satisfy the requirements for off-street stacking spaces shall not be permitted to encroach upon or occupy a fire lane or maneuvering aisle.

(D) Table of off-street stacking requirements.

Uses	Stacking Requirements
Automobile quick lube facility	One space in service bay and three additional stacking spaces for each service bay.
Carwash: full service	One space at each vacuum or pump station, plus seven additional stacking spaces for each vacuum or gas pump lane.
Self-service (to include drive-thru, and automated)	One space in wash bay, plus three additional stacking spaces for each wash bay.
Self-service (open bay)	One space per bay, plus two additional stacking spaces for each vacuum or wash bay.
Vehicle drying area (full service)	Ten spaces per carwash, located at the wash bay exit.
Financial institution	One space at each drive-up service window or station, plus six additional stacking spaces for each service lane.
Kiosk: food sales or service	One space at each drive-up service window, plus five additional stacking spaces for each window.
Kiosk: no food sales or service	One space at each drive-up service window, plus one additional stacking space for each window.
Kindergarten and child care center	*See below.
Retail uses with drive-up facilities	One space for each drive-up window, plus two additional stacking spaces for each window.
Restaurant with drive-up facilities	One space for each drive-up window, plus five additional stacking spaces for each window.
Gasoline service pump island	Two spaces per side at each pump island.

*Kindergarten and child care center: In the event that the front entrance or designated student disembarkation point of a kindergarten or child care center is less than 250 feet from the main entrance, then one off-street vehicle stacking space shall be required for each 20 students, based upon the number of students allowed by the specific use permit relative to such use. Such vehicle stacking areas shall be designed such that students will not be required to cross a fire lane, driveway, or any other point of vehicular travel to enter the building or facility.

(E) Parking spaces may be designated to satisfy such vehicle stacking requirements, provided that all of the following provisions are complied with:

(i) Such parking spaces shall be on the same lot or tract of land as the kindergarten or child care center;

(ii) The kindergarten or child care center shall be located in a detached building on a separate lot or tract of land;

(iii) Such parking space shall be located adjacent to the main entrance of the kindergarten or child care center, and situated such that children will not be required to cross a fire lane, driveway, or any other point of vehicular travel to enter the building or facility;

(iv) A sidewalk, with a minimum width of six feet excluding vehicular overhang, shall be provided adjacent to the parking spaces between the building and parking spaces;

(v) Such parking spaces shall conform to the dimension requirements of a paved area of not less than eight feet in width nor less than 22 feet in length, constructed in accordance with the applicable standards of the city; and

(vi) Parking spaces designated to satisfy the stacking requirements shall not be counted towards satisfying required parking for the kindergarten or care center.

(9) *Shopping center parking requirements.*

(A) A shopping center developer, owner, user or tenant may request to have parking requirements determined by providing, for city inspection and review, calculations based on the gross leasable area (GLA) as opposed to the gross floor area (GFA). If such a request is not made, parking requirements will be determined based on GFA as if it were GLA.

(B) Gross leasable area (GLA) is the total floor area designed for both tenant occupancy and exclusive use, including both owned and leased areas.

(C) Centers with less than 400,000 sf GLA shall require 1:250 sf GLA.

(D) Centers with 400,001 to 600,000 sf GLA shall require 1:222 sf GLA.

(E) Centers with over 600,000 sf of GLA shall require 1:200 sf GLA.

(F) Cinemas: For each 100 cinema seats three additional parking spaces shall be provided.

(G) Food service stores, including both full service and fast food restaurants, as well as specialty stores, such as ice cream parlors and doughnut shops:

(i) For centers with less than 100,000 sf GLA, ten additional parking spaces are required per 1,000 sf GLA of food service store tenant area.

(ii) For centers with 100,001 to 200,000 sf GLA, six additional parking spaces are required per 1,000 sf GLA of food service store tenant area.

(H) In cases where individual tenant uses are uses which require parking in excess of the requirements for the shopping center as a whole (such as nightclubs, gymnasiums, etc.) the more stringent requirement shall prevail and shall be a requirement for issuance of permits and certificates for said use. (Example: A 30,000 sf GLA shopping center with a 5,000 sf GLA restaurant would thus require 170 parking spaces (30,000/250) + (5 x 10) = 170).

(I) *Compact car system of parking.* In recognition of the impact of compact cars on the space requirements for shopping center parking, as much as 20 percent of the required parking spaces for shopping centers may be allocated for small-car parking spaces. Such an allocation shall only be made according to the compact car system of parking detailed below.

(i) Small-car parking spaces shall be no less than seven feet, six inches in width and no less than 15 feet in length.

(ii) The compact car system of parking shall use 90-degree angle spaces for small-car parking spaces which are in the same bay in which 45-degree angle standard parking spaces or 60-degree angle standard parking spaces are provided for larger cars.

(iii) The compact car system of parking shall be in accordance with the Trip Generation Traffic Manual.

(10) *Off-street truck loading requirements.*

(A) *General.* Truck loading facilities, as hereinafter provided shall be required in all zones, for structures containing uses devoted to business, industry, manufacturing, storage, warehousing, processing, offices, professional buildings, hotels, multiple-family dwellings, hospitals, airports, railroad terminals and any buildings of a commercial nature. The zoning administrator shall determine the off-street loading requirements for a use not specified, based on the most similar use listed above or using certified service/goods handling data for the specific use.

(B) *Responsibilities.* The provision for and maintenance of the off-street truck loading facilities required shall be the joint and several responsibility of the operator and owner of the land upon which the structure requiring the facilities is located.

(C) *Types.* For the purpose of this article there shall be two sizes of off-street truck loading spaces designated "large" and "small."

(i) *Large spaces.* Each "large" space shall have an overhead clearance of at least 14 feet, shall be at least 12 feet wide, and shall be at least 50 feet long, exclusive of access or maneuvering area, platform, and other appurtenances.

(ii) *Small spaces.* Each "small" space shall have an overhead clearance of at least ten feet, shall be at least eight feet wide, and shall be at least 20 feet long, exclusive of access or maneuvering area, platform and other appurtenances.

(D) *Location.* Off-street truck loading facilities shall be located on the same lot on which the structure for which they are provided is located; provided, however, that facilities provided under cooperative arrangement as hereinafter permitted may be located on another site not more than 300 feet from the structure for which they are provided.

(E) *Construction and maintenance.* Off-street truck loading facilities shall be constructed, maintained and operated in accordance with the following specifications:

(i) *Drainage and surfacing.* Areas shall be properly graded for drainage, with an all-weather surface and maintained in good condition, free of weeds, dust, trash, and debris;

(ii) *Protective screen fencing.* Areas shall be provided with protective screen fencing such that occupants of adjacent structures are not unreasonably disturbed, during day or night, by the movement of vehicles, and in accordance with article 3.05 of this Code;

(iii) *Lighting.* All lighting facilities shall be arranged so as to reflect the illumination away from any residentially zoned property. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not create a hazard to motorists on any street, alley or other public way. shall be so arranged that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic; and

(iv) *Entrances and exits.* Areas shall be provided with entrances and exits so located as to minimize traffic congestion.

(F) *Combined facilities.* The requirements for the provision of off-street truck loading facilities, with respect to two or more structures, may be satisfied by the permanent allocation of the requisite number of spaces for each use in a common truck loading facility, cooperatively established and

operated. However, such common facility is conditioned such that the total number of spaces designated is not less than the sum of the individual requirements unless, in the opinion of the zoning administrator, a lesser number of spaces will be adequate, taking into account the respective times of usage of truck loading facilities by the individual users, character of the merchandise and related factors. In order to eliminate a multiplicity of individual facilities, to conserve space where space is at a premium and promote orderly development generally, the zoning administrator is hereby authorized to plan and group off-street truck loading facilities cooperatively, for a number of structures requiring such facilities and being within close proximity to one another in a given area, in such a manner as to obtain a maximum of efficiency and capacity, provided consent thereto is obtained from the participants in the cooperative plan.

(G) *Minimum requirements - Area.* The following minimum truck loading spaces shall be provided in all districts for structures containing the uses enumerated in 30.404c(11) [this subsection (10)]:

Square Feet of GFA in Structure	Required No. of Spaces
0—12,500	1 (small)
12,501—25,000	2 (small)
25,001—40,000	1 (large)
40,001—100,000	2 (large)
For each add'l 80,000 over 100,000	1 (large)

(H) *Waiver.* The zoning administrator is authorized to waive the off-street loading requirements for structures that are required to provide and maintain fewer than five off-street parking spaces, or any other structure if the design and the proposed use of the structure shows no need for off-street loading. Applicant may be required to submit a parking analysis to demonstrate that the proposed use shows no need for off-street loading.

(11) *Miscellaneous requirements.*

(A) *Conflicts.* Where such provisions are in conflict with the requirements of article 1.10, division 2 (parades) of this Code, or the Uniform Traffic Code of the State of Texas, or are in conflict with special off-street parking or loading requirements within certain zoning districts of this article, then the more restrictive requirement shall apply.

(B) *General provisions.*

(i) Off-street parking facilities shall be provided on the lot or tract occupied by the main use, or upon a lot or tract of land dedicated to parking use by an instrument filed for record, provided that such arrangement is in accordance with the schedule of allowable uses in the district in which it is located. Such parking facility shall be located within 300 feet of the main use to be served, measured in a straight line without regard to intervening structures.

(ii) In determining the required number of off-street parking and loading spaces, fractional spaces shall be counted to the nearest whole space.

(iii) No parking space located on a public street or alley may be included in the calculation of the required off-street parking requirements.

(iv) Floor area of a structure devoted to off-street parking of vehicles shall be excluded in computing the floor area for off-street parking requirements.

(C) *Requirements.*

(i) *Vehicle storage and display.*

a. Off-street parking areas shall be used for passenger vehicles only, and in no case shall such areas be used for sales, repair, storage, display, dismantling or servicing of any vehicles, equipment, materials, or supplies.

b. Any area utilized for the storage of vehicles in connection with a motor vehicle repair establishment shall be screened from the view of any adjacent public street in accordance with the provisions set forth in article 3.05 of this Code.

(ii) *Combination of uses.*

a. Where a lot or tract of land is used for a combination of uses, the off-street parking requirements shall be the composite or sum of the requirements for each type of use.

b. Parking spaces used for the parking of trucks or buses shall not be counted toward meeting the off-street parking requirements for the particular use.

(iii) *Trash receptacles.* All driveways to trash receptacles shall be designed to accommodate the weight of a standard sanitation truck. Lifting pads shall be provided in front of each trash receptacle location to accommodate the front wheels of the sanitation truck. Access to the trash receptacle and lift pad shall be in a "straight in" manner, or other manner as approved by the zoning administrator or his designate. Trash receptacles shall not be located directly beneath any overhead utility line nor directly abut residential areas.

(iv) *Parking behind retail and commercial structures.* Not more than 20 percent of the total off-street parking for any retail or commercial use shall be located within the designated rear yard of such use or behind any and all buildings or structures occupied by a retail or commercial use where:

a. The depth of the site occupied by such retail or commercial use is less than 500 feet;

b. The main point of public entry and exit into the building, lease space or tenant spaces does not face upon nor directly access the designated rear yard or any areas behind a building; or

c. The designated rear yard or areas behind such building does not abut a street.

(v) *Parking analysis.* As defined for the purpose of this section, where a parking analysis is requested, the following shall be considered necessary to constitute such analysis:

a. Summary of the characteristics which are unique to such use or uses that warrant special determination;

b. Analysis of the arrival and departure frequency for such use or uses;

c. Analysis of the anticipated hours of operation of such use or uses;

d. Summary of peak parking demand for such use or uses;

e. Total square footage of floor area of such use or uses;

f. Employment, customer or congregation characteristics of such use or uses, whichever is applicable; and

g. Miscellaneous pertinent information as may be applicable to the request or as may be requested by staff, as appropriate to the specific item under consideration.

(vi) *Handicap parking.*

a. In the R-3, R-3A, R-4, R-5, O-1, B-1, B-2, B-3, and I-1 zones, any property owner or person who controls property used for parking will designate and mark, according to the provisions of federal and state law (see the Texas Accessibility Standards (TAS)), at least the minimum as required by said law for the exclusive use of vehicles transporting temporarily or permanently disabled persons.

b. Such parking space(s) shall be clearly marked by applied, installed and maintained in accordance with applicable federal and state laws.

c. Such parking space(s) stall dimensions shall be provided and designed in accordance with all applicable state and federal standards.

(D) *Bicycle parking.*

(i) *Goals.* Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.

(ii) *Bicycle parking.* Bicycle parking shall be provided based on at least one bike rack for each development or one bike rack for each 25 car parking spaces required, whichever is greater, unless otherwise approved by the director. Bicycle racks shall accommodate a minimum of two bicycles per rack. No more than ten bicycle racks shall be required per development.

(iii) *Bicycle parking standards.*

a. *Location.*

1. Required bicycle parking should be located within 50 feet of an entrance to the building.

2. Bicycle parking may be provided within a building, but the location must be easily accessible to bicycles.

(1972 Code, sec. 30.800; Ordinance 07-034, sec. 2, adopted 8-8-07; 2008 Code, sec. 14.02.441; Ord. No. 2025-16, § 1(Exh. A), 8-5-2025)

Secs. 15.02.442—15.02.500 Reserved

DIVISION 9. LANDSCAPING

Sec. 15.02.501 Landscaping

(a) *General provisions.* It is the intent of this section:

(1) To recognize the particular characteristics, qualities and beauty of the natural environment of Leon Valley;

(2) To establish specific standards for the installation and maintenance of trees, shrubs, landscaping and buffering elements and other means of site improvement on developed property; and

(3) To enhance the community's ecological, environmental, and aesthetic qualities for the preservation of these unique features.

(4) To promote xeriscape concepts and practices in order to conserve valuable water resources.

(b) *Findings.* The city council finds that the peculiar characteristics, qualities and natural beauty of the city justify the following regulations to perpetuate the aesthetic appeal of Leon Valley on a city-wide basis.

(c) *Objectives.* The objectives of the landscape chapter [this division] include:

(1) Improvement in the appearance of certain setback and yard areas in the city, including off-street vehicular parking and open-lot sales and service areas;

(2) Protection and preservation of the appearance, character and value of the surrounding properties and neighborhoods, thereby promoting the general welfare by providing for the installation and maintenance of landscaping for screening and aesthetic purposes;

(3) Reduction of the negative effects of increases in air temperature, glare, noise, erosion and sedimentation caused by expanses of impervious, nonvegetated surfaces within the urban environment;

(4) Provision of visual buffering between land uses of different character;

(5) Preservation and improvement of the natural and urban environment by recognizing that the use of landscaping elements can contribute to the process of air purification, oxygen regeneration, groundwater recharge, abatement of noise, glare and heat, and enhance the aesthetic qualities of the city;

(6) Preservation of existing native and naturalized plants and incorporate them into landscape design; and

(7) Promotion of water conservation through use of landscape design, soil preparation, species selection and management, appropriate to local climate.

(d) *Minimum standard and applicability.*

(1) Regulations shall be a minimum standard, and shall apply to the entire incorporated area of Leon Valley, Texas. A minimum percentage of the total area of the lot upon which development, construction or reconstruction occurs for any use after the effective date of this article shall be devoted to landscaping in accordance with the provisions contained herein.

(2) This section shall apply to any new development or to the expansion of existing development within the city, unless specifically exempted. Split ownership, planning or construction in phases, or multiple building permits for a project shall not prevent it from complying with these requirements.

(3) Projects, which are expansions of existing development, shall provide landscaping based upon the ratio of the area of the expansion to the area of the existing development. Projects for which building permits total 50 percent or more of the appraised value of the existing improvements shall comply with all landscaping requirements.

(4) This section shall become applicable to a lot with existing improvements when an application is made for a building permit for construction work that:

(A) Increases the combined floor areas of all buildings on a lot by more than 25 percent or 5,000 square feet, whichever is less; or

(B) Increases the impermeable coverage on a lot by more than 2,000 square feet.

(5) When this section becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

(e) *Conformance.* No building and/or occupancy permits shall be issued unless and until such issuance conforms to the requirements set forth in the landscaping requirements (this section).

(f) *Landscaping requirements.*

(1) A buffering landscaped area shall be provided along all dedicated streets and highways. This area shall be a minimum of six feet from the property line to any vehicular paving and/or building line.

(2) Areas of a lot, land parcel or building site devoted to and consisting of plant material, including but not limited to turf grasses, grasses-bunch, trees, shrub forms, flowers, vines and other ground cover, native plant materials, planters, brick pavers, stone, natural forms, water forms, public art forms, stone aggregate and other landscape features, but excluding smooth concrete, asphalt or paving for vehicular traffic; provided that the use of brick, stone aggregate or other inorganic materials shall not be greater in total area than that of organic plant material, and further provided that turf/grass shall not qualify to meet the landscaping requirements where they exceed 40 percent of the total landscape area.

(3) Landscaping shall consist of any of the following, or combination thereof: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees, or palms; and nonliving durable material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls or fences - but excluding paving. Consideration shall be given toward choosing drought tolerant plant cover.

(4) An overall percentage of a residential lot (see appendix B,) in a residential zoning district, and an overall percentage of the street yard area, within the property line of all other zoning districts, shall be landscaped according to the use of the property and not necessarily the zoning of the property, as follows:

(A) R-1 single-family, R-2 two-family, R-3 multiple-family, R-3A multiple-family retirement, R-4 townhouse, R-6 garden house and R-7 single-family medium density projects - 35 percent. R-5 manufactured home - 25 percent. In the R-1 and R-6 districts, a minimum of two trees shall be planted and maintained in living condition at all times. In the R-2 district, a minimum of four trees per lot shall be planted and maintained. In the R-3, R-3A, R-4 and R-5 districts, a minimum of two trees for every 8400 square feet shall be planted and maintained. Such trees shall be of a species or type as prescribed by appendix A, Approved Tree Planting List, and shall be maintained as per the American Standard for Nursery Stock ANSI Z60.1-2004.

(B) Building(s) for which 60 percent or more of the available interior space is used or proposed to be used for office - 20 percent of the street yard area. See section 14.02.501(j) [chapter 13 of the Code of Ordinances] for tree preservation and planting requirements.

(C) All other retail and commercial uses, including all uses allowed in the B-1, B-2, or B-3 zoning districts in the city - 20 percent of the street yard area. See section 14.02.501(j) [chapter 13 of the Code of Ordinances] for tree preservation and planting requirements.

(D) Light industrial, I-1 - 12 percent of the street yard area. See section 14.02.501(j) [chapter 13 of the Code of Ordinances] for tree preservation and planting requirements.

(E) The landscaping requirements of this article shall apply to governmental, educational, institutional uses and churches. Where such uses are located in any residential district, not less than 35 percent of the total area of the lot upon which such use occurs shall be devoted to landscaping. Where a governmental, educational, institutional use or church, is located in any nonresidential district, the landscaping requirements of such district shall apply. See section 14.02.501(j) [chapter 13 of the Code of Ordinances] for tree planting requirements.

(F) If a project consists of more than one building (use) type the percentage of landscaped area should be that derived by prorating the linear street frontage used by each particular building type.

(5) In all street yard areas there shall be a minimum number of trees, depending on the size of the total street yard area. This minimum number of trees should be:

(A) One tree for each 1,500 square feet of the first 9,000 square feet of street yard area.

(B) One tree for each 3,000 square feet of the portion of street yard area between 9,000 square feet and 90,000 square feet.

(C) One tree for each 6,000 square feet of the portion of street yard area over 90,000 feet.

(6) To encourage the preservation of existing large trees and planting of large new trees, a credit can be used toward either the total number of trees required by subsection (5) above or toward the amount of landscaped area required by subsection (4) above.

(A) Each tree over three inches in diameter can count as two trees or the required landscaped area may be reduced by 50 square feet. Each tree over eight inches in diameter may count as three trees or the required landscaped area may be reduced by 100 square feet. Each tree over 12 inches in diameter may count as four trees or the required landscaped area may be reduced by 150 square feet. Tree diameter shall be measured at a main trunk height of 12 inches or more above ground level.

(B) This credit is given only for trees of a variety listed in appendix A or as recognized by Bexar County extension service as native or drought tolerant, excluding oak trees, except that the building official may in special circumstances, allow the credit on tree varieties other than those named.

(7) Vehicular use areas, parking areas, parking lots, and the vehicles associated with them shall have effective buffering from the street view. The following requirements are set forth as minimum standards for vehicular use areas, parking areas, and parking lots and are intended to be applied in conjunction with the landscaping requirements for street yard areas. For example, the landscaping of a parking area may be applied to meet the minimum requirements for landscaping in the street yard area, and vice versa. However, the landscaping requirements for vehicular use areas, parking areas and parking lots applies regardless of whether or not they are located in a street yard area.

(A) A minimum amount of the total area in islands, peninsulas and medians in parking areas in the street yard area of a vehicular use area, parking area or parking lot shall be 90 square feet for each 12 parking spaces.

(B) The minimum total area in such islands, peninsulas, and medians in the remainder of the lot (i.e. the non-street yard area) shall be 60 square feet for each 12 parking spaces therein.

(C) The number, size, and shape of islands, peninsulas and medians in both street yards and non-street yards shall be at the discretion of the owner. However, no parking space shall be located further than 50 feet from a permeable landscaped island, peninsula, or median and a tree. All islands, peninsulas and medians required in the areas stated above, shall be more or less evenly distributed throughout such parking areas. Distribution should also accommodate existing trees and other natural features so long as the total area requirement is satisfied.

(D) All areas used for the display or parking of any and all types of vehicles shall conform to minimum landscape requirements hereinafter provided. This includes parking lots, parking areas designed and used for parking of automobiles, trailers and other vehicles intended to be sold. Included are parking areas used or intended to be used for boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not. All land upon which vehicles traverse the property as a function of the primary use, hereinafter referred to as "other vehicular uses," including, but not limited to, activities of a drive-in nature such as, but not limited to, gasoline service stations, grocery stores, convenience stores, banks, office buildings, restaurants, etc., shall conform to the minimum landscaping requirements hereinafter provided.

(E) All street yard areas shall conform to the minimum landscaping requirements.

(8) All required landscaping shall be irrigated by one of the following methods:

(A) An underground sprinkling system permitted by the city;

(B) A hose attachment within 100 feet of all landscaping, provided however, a hose attachment within 200 feet of all landscaping in non-street yards shall be sufficient; or

(C) Directing drainage from paved areas across landscaped areas, provided that the same is accomplished in a manner not likely to result in erosion and subject to review by the city engineer.

(9) All landscaping which is in required landscaped areas and which is adjacent to pavement shall be protected with concrete curbs or equivalent barriers (such as concrete car bumpers, curbing, continuous border plants or hedgerows) when necessary to protect trees.

(10) When an accessway intersects a public right-of-way, or when the subject property abuts the intersection of two or more public rights-of-way, all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between three feet and six feet, provided however, trees or palms having limbs and foliage extending into the cross-visibility area shall be allowed, provided they are so located so as not to create a traffic hazard. Landscaping, except required grass or ground cover, shall not be located closer than three feet from the edge of any accessway pavement. The triangular areas referred to above are:

(A) The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right-of-way line with two sides of each triangle being ten feet in length from the point of intersection and the third side being a line connecting the ends of the two other sides; and

(B) The area of property located at a corner formed by the intersection of two or more public rights-of-way with two sides of the triangular area being 30 feet in length along the abutting public right-of-way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines.

(11) Landowners are encouraged to landscape the areas within the nonpaved right-of-way abutting their land, provided the following items are adhered to:

(A) The city may at any time require such landscaping to be removed and the city shall not be responsible or liable in the event any landscaping in the right-of-way must be removed or is requested to be removed by the city.

(B) Such landscaping in the right-of-way shall observe all provisions found elsewhere in this Code pertaining to traffic and pedestrian safety; and

(C) If any other governmental jurisdiction is trustee of the public right-of-way at the particular location in question, permission from that governmental jurisdiction must be granted.

(g) *Alternative compliance.* Notwithstanding all of the foregoing provisions of this section, a landscape plan which is alternative to strict compliance with the various landscaping requirements of this section may be approved by the zoning administrator if so recommended by the building official. The recommendation shall be based on his findings that such plan is as good or better than a plan in strict compliance with the various landscaping requirements of this section 15.02.501 [and chapter 13 of the Code of Ordinances] and meets the provisions of the alternate landscaping and tree preservation sections of this article [and chapter 13 of the Code of Ordinances].

(h) *Installation and general maintenance.*

(1) Landscaping shall be installed according to accepted and proper planting procedures. Irrigation systems shall be installed upon receipt of permit and in accordance with all plumbing code requirements.

(2) Required landscaping must be maintained in compliance with the American Nursery and Landscape Association, "American Standard for Nursery Stock" and ANSI Z60.1-2004 and ANSI A300 "Tree Care Standards" guidelines at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as necessary. Any plant that dies shall be replaced with another living plant. A minimum of 90 days shall be allowed to replace a tree, shrub or plant; however, the time period may be extended due to climatic conditions, upon request. Replacement plants must be the same size and species as shown on the approved landscape plan or must be equivalent in terms of quality and size.

(3) Any damage to utility lines resulting from the negligence of the property owner, or his agents, in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner.

(i) *Plan review procedures.*

(1) *Landscaping plan required.* When an application is made for a building permit, including a certificate of occupancy, on any land, lot or parcel where the landscaping requirements of this article are applicable, such building permit application shall be accompanied by a landscaping site plan containing the information requested below:

(A) A landscaping plan demonstrating compliance with the provisions of this section shall be submitted to the zoning administrator, or his designate, for approval.

(B) Such plan shall be prepared and submitted in a manner as prescribed by the city. The plan shall clearly delineate and identify existing trees, shrubs and landscaping, and proposed landscape development to be used to satisfy the requirements of, and include the calculations performed relative to the required landscaping schedule.

(C) The use of drought-tolerant plant materials is recommended to satisfy the requirements of this section. Appendix A, contained within this article, should be considered as a reference list of plant material suitable for the climate of this area. This list is not exhaustive, and any plant material not listed therein may be used so long as it satisfies the requirements of this section.

(2) *Plan contents.*

(A) Two blue or black line copies of the landscape plan are required. The plan must be drawn at a scale of one inch equals 20 feet or larger and be on a standard drawing sheet of a size not to exceed 24 × 36 inches. A plan which cannot be drawn in its entirety on a 24-inch × 36-inch sheet must be drawn with appropriate match lines on two or more sheets.

(B) The landscaping plan shall include the following information:

(i) The date, scale, north arrow, project name, legal description, street address, name, telephone number of owner of the lot or lots shown on the landscaping site plan, and the name and telephone number of the person preparing the plan;

(ii) The location of existing (or proposed if applicable) lot boundary lines and dimensions of the tract, zoning classification of the lot and all adjacent properties;

(iii) The approximate centerline of existing watercourses, the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys; existing and proposed utility easements on or adjacent to the lot; and existing and proposed sidewalks adjacent to the street;

(iv) The location, size, and type (tree, shrub, ground cover, or grass) of proposed landscaping in proposed landscaped areas; and the location and size of proposed landscaped areas. Description of plant materials shown on the plan (including both common and botanical

names), locations, quantities, container or caliper sizes at installation, heights, spread and spacing. The location, type, and caliper of existing trees for which tree credits are claimed must also be indicated;

(v) The location and species of all existing trees (whether or not they are to remain or are proposed to be moved), having trunks four inches or larger in diameter, and the approximate size of their crowns;

(vi) Location, dimensions and size (in square feet) of all existing and proposed parking spaces, driveways, and other vehicle use areas;

(vii) Designation/description of areas of nonliving ground cover which are not intended as mulches;

(viii) Description of how existing, healthy trees proposed to be retained will be protected from damage during construction;

(ix) Description of proposed irrigation methods, as required by subsection 15.02.501(h), to include the location of sprinklers and water outlets;

(x) The certification of a landscape architect, registered to practice in the State of Texas, that the plans satisfy applicable subsections of the landscaping section, the building code, and meet or exceed appropriate standards for landscape architectural design and construction. In some cases, the requirement for landscape architectural certification can be waived by the zoning administrator;

(xi) Information necessary for verifying whether the required minimum percent of landscaped area has been met as required by this article's landscaping requirements; and

(xii) Such other information that may be required by the city that is reasonable and necessary to determine that the plan meets the requirements of this section.

(3) *Approval and inspection.*

(A) Upon submission, each landscape plan shall be reviewed by the zoning administrator, or his designate, to determine whether or not it complies with the requirements of this section. The plan must be approved prior to issuance of any building permit.

(B) The city may deny without further processing, any landscape plan which does not contain the required information. The applicant may be allowed to amend the plan and resubmit in order to complete processing.

(C) It shall be the duty of the zoning administrator, or his designate, to review landscape plans, in the format as stated above, before the issuance of any building permit. Furthermore, staff shall be required to perform on-site inspections prior to the issuance of any occupancy permits. Temporary occupancy permits may be issued prior to compliance with this division, but said temporary permits are not to exceed 90 days, unless under section (D), below. No permanent occupancy permits shall be issued unless and until the requirements of this Code shall have been met.

(D) The zoning administrator may, upon approval of a landscape plan, issue consecutive temporary occupancy permits for periods not to exceed 90 days, if under article 14.11, division 3, of the Leon Valley Code, any stage of the drought management plan has been declared. Such permits shall not continue, however, past 90 days from the time stage I of that plan is rescinded, unless during that 90 days a drought stage is again declared.

(4) *Compliance.* Failure to comply with this section shall prevent the issuance of any building permits and/or permanent occupancy permits.

(5) *Exceptions.* The requirements of this division shall not apply to the following:

(A) Areas used for parking or other vehicular uses under, on, or within buildings;

(B) Parking areas serving single- and two-family residential uses;

(C) Building and/or occupancy permits for remodeling, as long as front and side exterior walls of the building remain in the same location, to include lease space finish-outs;

(D) Building and/or occupancy permits for the substantial restoration, within a period of 12 months, of a building which has been damaged by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind; or

(E) Where a valid building permit is issued prior to the effective date of this division, the landscaping requirements in effect at the time of issuance, including all requirements of an applicable specific use permit, shall apply to such permit.

(6) *Fees.* Fees may be set for certain landscape site plan review(s) and inspection(s) prior to the city's review of a landscape site plan.

(Ordinance 07-034, sec. 3, adopted 8-8-07; Ordinance 07-040 adopted 9-4-07; Ordinance 07-054, sec. 4, adopted 11-5-07; Ordinance 08-006 adopted 2-5-08; Ordinance 10-013, sec. 1, adopted 4-20-10; Ordinance 10-048, secs. 2, 3, adopted 11-16-10; 2008 Code, sec. 14.02.501; Ordinance 2014-01-13-03, sec. 1, adopted 1-13-14)

Secs. 15.02.502—15.02.550 Reserved

DIVISION 10. TRAFFIC IMPACT ANALYSIS

Sec. 15.02.551 Traffic impact analysis

(a) *Traffic and engineering survey.* Whenever the city engineer determines there is a necessity for the erection, removal or change of any traffic-control device or regulation, such determination shall be based upon a traffic and engineering survey conducted upon the following standards:

(1) The public welfare, including safety and traffic factors to insure the safe and expeditious flow of traffic.

(2) The development of the property surrounding the proposed area.

(3) The requirements of vehicular traffic in the proposed area.

(4) The amount of pedestrian and vehicular traffic in the proposed area.

(b) *Traffic impact analysis required.*

(1) A traffic impact analysis shall be performed by the property owner (or its agent) according to the format established in this section, as follows:

(A) When a use or change to property occurs that generates 100 peak hour trips (PHT) or less, the property owner (or its agent) will be required to provide a completed city PHT generation form certifying that the activities to be conducted on the property will generate 100 PHT or less. No traffic impact analysis will be required for activities generating 100 PHT or less.

(B) When a use or change to property occurs that generates 101 PHT to 500 PHT, the property owner (or its agent) shall perform and submit to the city a traffic impact analysis under the level 1 format specified in this section. This traffic impact analysis must be signed and sealed by a professional engineer, registered to practice in Texas.

(C) When a use or change to property occurs that generates 501 PHT to 1000 PHT, the property owner (or its agent) shall perform and submit to the city a traffic impact analysis under the level 2 format specified in this section. This traffic impact analysis must be signed and sealed by a professional engineer, registered to practice in Texas.

(D) When a use or change to property occurs that generates more than 1000 PHT, the property owner (or its agent) shall perform and submit to the city a traffic impact analysis under the level three format specified in this section. This traffic impact analysis must be signed and sealed by a professional engineer, registered to practice in Texas.

(c) *Traffic impact analysis format.* The information below shall be provided in the following format:

(1) *Level 1 traffic impact analysis format.* A level 1 traffic impact analysis, when required, shall consist of:

(A) Traffic analysis map.

(i) Site and study area boundaries, as defined (provide map).

(ii) Existing and proposed site uses.

(B) Peak hour trip generation.

(i) The estimates of peak hour trips generated by the development and the percentage distribution of such trips from each site exit.

(2) *Level 2 traffic impact analysis format.* A level 2 traffic impact analysis, when required, shall consist of:

(A) Traffic analysis map.

(i) Site and study area boundaries, as defined (provide map).

(ii) Existing and proposed site uses.

(iii) Existing and proposed land uses on both sides of boundary streets within the study area (provide map).

(B) Trip generation and design hour volumes (provide table).

(i) A trip generation summary table listing each type of land use, the building size assumed, the average trip generation rates used (total daily traffic and a.m./p.m. peaks), and the resultant total trip generated should be provided.

(C) Trip distribution (provide figure by site exit).

(i) The estimates of percentage distribution of trips by turning movements from the proposed developments.

(D) Conclusions.

(3) *Level three traffic impact analysis format.* A level three traffic impact analysis, when required, shall consist of:

(A) Traffic analysis map.

(i) Land use, site and study area boundaries, as defined (provide map).

(ii) Existing and proposed site uses.

(iii) Existing and proposed land uses on both sides of boundary streets for all parcels within the study area (provide map).

(iv) Existing and proposed roadways and intersections of boundary streets within study area of the subject property, including traffic conditions (provide map).

(B) Trip generation and design hour volumes (provide table).

(i) A trip generation summary table listing each type of land use, the building size assumed, the average trip generation rates used (total daily traffic and a.m./p.m. peaks), and the resultant total trip generated should be provided.

(C) Trip distribution (provide figure by site exit).

(i) The estimates of percentage distribution of trips by turning movements from the proposed development.

(D) Trip assignment (provide figure by site entrance and boundary street).

(i) The direction of approach of site attracted traffic via the area's street system.

(E) Existing and projected traffic volumes (provide figure for each item).

(i) The near-term impacts of the proposed development on the street system (as planned according to street presumptions) are intended to reveal expected impacts of the development when it is ready for occupancy.

a. a.m. peak hour site traffic (including turning movements).

b. p.m. peak hour site traffic (including turning movements).

c. a.m. peak hour total traffic including site generated traffic and projected traffic.

d. p.m. peak hour total traffic including site generated traffic and projected traffic.

e. Any other peak hour necessary for complete analysis.

f. Total daily existing traffic for street system in study area.

g. Total daily existing traffic for street system in study area and new site traffic.

h. Total daily existing traffic for street system in study area plus new site traffic and projected traffic from build-out of study area land uses.

(F) Capacity analysis (provide analysis sheets in appendices).

(i) A capacity analysis should be conducted for all public street intersections within the study area significantly impacted by the proposed development and for all private property access points to streets adjacent to the proposed developments within the limit of the previously defined study area.

(G) Conclusions.

(1972 Code, sec. 30.1000; 2008 Code, sec. 14.02.551)

Secs. 15.02.552—15.02.600 Reserved

DIVISION 11. NONSPECIFIED USES

Sec. 15.02.601 Definition

A nonspecified use is a use which, according to the zoning administrator, does not fall into the categorization of zoning districts as listed in "Permitted Use Table" above and does not conform to the intent of the district description and purpose in which it is intended to be located.

(1972 Code, sec. 30.2001; 2008 Code, sec. 14.02.601)

Sec. 15.02.602 Effect of provision

The provision for nonspecified use is intended to provide individuals with an administrative procedure:

(1) To propose new use(s) to be included in one or more of the various zoning districts;

(2) To propose that certain use(s) be allowed in a zoning district other than the district(s) in which said use or uses is now allowed; and

(3) To propose the addition or deletion of specific use permit requirements for a particular use in a particular zoning district.

(1972 Code, sec. 30.2002; 2008 Code, sec. 14.02.602)

Sec. 15.02.603 Hearings

A nonspecified use may be categorized by the Leon Valley planning and zoning commission, with commission's categorization being approved by city council, after application and public hearing as set out in the specific use permits sections of this article.

(1972 Code, sec. 30.2003; 2008 Code, sec. 14.02.603; Ordinance 2020-10, sec. 8, adopted 3-3-20)

Secs. 15.02.604—15.02.660 Reserved

DIVISION 12. SPECIFIC USE PERMITS

Sec. 15.02.661 Purpose and general provisions

(a) *Public hearings.* The city council may, after public hearing and proper notice to all parties affected, and after recommendation from the Leon Valley zoning commission containing such requirements and safeguards as are necessary to protect adjoining property, issue specific use permits for the uses specified in section 15.02.381 and section 15.02.382.

(b) *Purpose of hearings.* The purpose of such hearing by the city council shall be to determine that the granting of the specific use permit will not adversely affect the character and appropriate use of the area or substantially depreciate the value of adjacent and nearby properties for the use in accordance with the regulations of the zoning district in which they are located; that it will be in keeping with the spirit and intent of this article; that it will not adversely affect the implementation of the approved master plan; that it will comply with applicable standards of the district in which it is proposed to be located; and that it will not adversely affect traffic, public health, public utilities, public safety, and the general welfare of the city.

(c) *Applications.* All applications for specific use permits shall be submitted to the zoning administrator, along with site plans drawn to scale and showing the general arrangement of the project, together with the locations of the buildings and proposed uses to be permitted; the means of ingress and egress to public streets; the type of visual screening including fencing to be installed, if necessary; the types, locations and design of proposed landscaping; and the location and existing ownership of all existing buildings within 200 feet of the property, along with the existing, surrounding zoning classifications of same. The administrative officer will then set a hearing date within a reasonable time, comply with the pertinent notice requirements according to state law and as otherwise resolved by the city council, and submit the application and all

supporting documentation to the zoning commission for its review and action, and likewise to city council in its turn.

(d) *Conditions.* No specific use permit shall be granted unless the applicant, owner, and grantee of the specific use permit shall accept, agree to be bound by, and comply with the terms of the specific use permit in writing and in such form as may be approved or provided by the zoning administrator.

(e) *Time limit.* A building permit shall be applied for, and designated work begun, within one year from the time of the granting of the specific use permit. The city council may authorize an extension of this time limit upon application by the owner prior to the expiration date of the time limit in effect. The fee for such application shall be as prescribed by ordinance for specific use permit hearing before the city council.

(1972 Code, sec. 30.3001; 2008 Code, sec. 14.02.661)

Sec. 15.02.662 Exceptions

(a) Where the proposed new construction of freestanding buildings, multi-tenant office buildings, shopping centers, trade centers, office/warehouses or industrial parks abuts any residential zoning district, a specific use permit must be obtained prior to the issuance of a building permit.

(b) Land uses listed in the permitted use table as requiring a specific use permit shall be required to obtain a specific use permit prior to issuance of a certificate of occupancy, except as set out below:

(1) A use which does not significantly alter an existing use by:

(A) Adding to the value of an existing building, or group of buildings operated as a unit and for the same general purpose, by more than 50 percent.

(B) Adding to the floor space of an existing building, or group of buildings operated as a unit and for the same general purpose, by more than 30 percent.

(2) The owner(s) of freestanding buildings, multi-tenant office buildings, shopping centers, trade centers, office/warehouses or industrial parks may apply for a continuous specific use permit when it is anticipated that certain tenant uses listed in section 15.02.381 or section 15.02.382, are going to require repeated application for specific use permit.

(3) Granting of the continuous specific use permit shall have the effect of exempting that use from the regular requirements of this article, so that use permits may be allowed throughout the entire freestanding building, multi-tenant office building, shopping center, trade center, office/warehouse or industrial park without individual specific use permits.

(1972 Code, sec. 30.3002; 2008 Code, sec. 14.02.662)

Sec. 15.02.663 Continuous specific use permit

(a) Application for a continuous specific use permit can be made for any use item listed in sections 15.02.381 (permitted use table), and 15.02.382. Each use for which a continuous specific use permit is sought shall be a separate and distinct application, with separate public hearings held, public notices given, and fees charged.

(b) Denial of a continuous specific use permit does not prevent application for a specific use permit in the same multi-tenant office building, shopping center, trade center, office/warehouse or industrial park, for the same use.

(c) A continuous specific use permit may be rescinded for the next tenant if the conditions under which the continuous specific use permit was granted are substantially changed.

(d) Application for a continuous specific use permit shall be made by the owner(s) of the freestanding building, multi-tenant office building, shopping center, trade center, office/warehouse or industrial park.

(1972 Code, sec. 30.3003; 2008 Code, sec. 14.02.663)

Sec. 15.02.664 Specific use permit considered amendment

Every specific use permit granted under the provisions of this article shall be considered as an amendment to the zoning ordinance as applicable to such property. In granting such permit, the city council may impose conditions which shall be complied with by the grantee before a certificate of occupancy may be issued by the administrative officer for the use of the building(s) on such property pursuant to said permit; and such conditions shall not be construed as conditions precedent to the granting of such permit, or the change in zoning of such property, but shall be construed as conditions precedent to the granting of the certificate of occupancy.

(1972 Code, sec. 30.3004; 2008 Code, sec. 14.02.664)

Secs. 15.02.665—15.02.720 Reserved

DIVISION 13. ORGANIZATION AND ENFORCEMENT

Sec. 15.02.721 General statutes, ordinances and rules applying to the zoning commission

(a) *Governance.* The planning and zoning commission, hereinafter referred to as "the commission," shall be governed by all the following statutes, ordinances and rules:

(1) To the extent that they remain in force and effect, as they are amended, or as they may be added to, the commission and its members, alternates and officers shall be governed by state statutes and local ordinances, including, but not limited to the following:

(A) State statutes applying generally to public boards, members, and officials, including, but not limited to all subsections of V.A.C.S., article 1011 and the Texas Local Government Code;

(B) Ordinances and rules of the city generally affecting its local boards and officials, including, but not limited to this article; and

(C) Upon taking office, all commission members and alternates shall familiarize themselves with the foregoing, and, while in office, shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of commission affairs.

(b) *Duties of the commission.* The duties of the commission are as follows:

(1) To recommend the boundaries of original zoning districts and appropriate regulations to be enforced therein;

(2) To hold public hearings and prepare a final report for city council on recommendations for changes in zoning district boundaries or regulations in zoning districts; and

(3) To hold public hearings and prepare a final report for the city council on recommendations for the enforcement of regulations in zoning districts, including specific use permits and nonspecified uses as required under this article.

(c) *Location of office.* The official location of the office of the commission is: Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, 78238.

(d) *Establishment, composition, appointments.*

(1) Pursuant to Texas Local Government Code, section 211.007, the commission is established consisting of seven regular members and three alternate members.

(2) The commission members and alternates must be citizens and residents of the city who meet the same qualifications that are required to obtain a voter registration certificate to vote in the city municipal elections.

(3) Appointment of commission members and alternates shall be made by the mayor of the city and passed and approved by the city council. In specifying alternate members, the appointment shall also specify the order in which the alternates are to serve in the absence of a member.

(4) In the event that any person appointed by the mayor is not approved by a majority of the city council or if a vacancy occurs, the mayor shall make another appointment within 45 days, subject to approval by a majority of the city council.

(5) Alternates for the commission do not have status as voting members unless directed by the chairman of the commission to sit as a voting member due to the absence or nonvoting status of a member. This provision is not intended to restrict in any way the nonvoting participation of alternates, to the extent allowed by the chairman.

(6) Commissioners shall serve the public at large, however, each commissioner, with the exception of the alternates, shall serve by place. Place one through place seven are hereby created.

(e) *Terms of members.*

(1) The term of commission members 2, 4, and 6 and alternate member 2 is two years, beginning on June 1st of every year ending in an even number (0, 2, 4, 6, 8).

(2) The term of commission members 2, 4, and 6, and alternate member 2 expires on May 31st of every year ending in an even number (0, 2, 4, 6, 8).

(3) The term of commission members 1, 3, 5 and 7, and alternates 1, and 3, is two years, beginning on June 1 of every year ending in an odd number (1, 3, 5, 7, 9).

(4) The term of commission members 1, 3, 5 and 7, and alternate members 1 and three expires on May 31 of every year ending in an odd number (1, 3, 5, 7, 9).

(5) Any appointment of a commission member or alternate is only for the remainder of a term, regardless of the point in the term at which the appointment is made.

(f) *Regular election of chairman, vice-chairman and second vice-chairman.*

(1) As the first item of new business at the regular meeting of the commission in June of all years ending in an even number (0, 2, 4, 6, 8), the commission shall elect a chairman, vice-chairman and second vice-chairman. If there is no regular meeting, and no special meeting, or if a quorum is lacking at such a meeting prior to July 1 of any year ending in an even number (0, 2, 4, 6, 8), city council may appoint a chairman and a vice-chairman to serve until a meeting occurs at which an election can be held.

(2) The former chairman, vice-chairman or second vice-chairman, in that order, and if reappointed to the commission, may remain in office until their successor(s) take office at the next regular or special meeting following their appointment; unless a replacement is appointed by the city council.

(g) *Succession of vice-chairman to office of chairman; special election.* If the chairman resigns his office or is no longer a member of the commission, the vice-chairman shall succeed him in office for the remainder of the

term. If the vice-chairman resigns his office, is no longer a member of the commission, or succeeds to the chairman's office, the second vice-chairman shall succeed him in office for the remainder of the term. If any of the above do not apply, a special election shall be held at the next meeting of the commission to select a chairman, vice-chairman and/or second vice-chairman to complete the term, provided that if such meeting precedes the regular election by three months or less, and any duties to be performed by the vice-chairman or second vice-chairman can be performed in a satisfactory manner, the commission may permit the office of vice-chairman or second vice-chairman to remain vacant for that period.

(h) *Duties of chairman, vice-chairman or second vice-chairman; appointment of temporary chairman to preside at meetings.*

(1) If present and able, the chairman shall preside at all meetings and hearings. If the chairman is absent or unable to preside, the vice-chairman shall preside. If the vice-chairman is also absent or unable to preside, the second vice-chairman shall preside.

(2) In accordance with these and other applicable rules, the chairman or the presiding officer, acting as chairman, shall decide all points of procedure or order, unless otherwise directed by a majority of the members in attendance, on motion duly made and passed. He shall maintain order and decorum, and to that end may order removal of disorderly or disruptive persons.

(3) The chairman or officer presiding in his absence shall determine the absence of any member and direct the seating of alternate(s) in the order determined by the appointment of alternates by the mayor and city council.

(4) The chairman may delegate duties as he sees fit to any member or alternate. In the case of the absence or the incapacity of the chairman, the vice-chairman shall perform any or all duties of the chairman, whether or not delegated.

(5) Subject to the rules of this article and further instructions from the commission, the chairman shall direct the official business of the commission, guide the work of city staff as it relates to the affairs of the commission and exercise general disciplinary power.

(6) The chairman may delegate members of the commission to make personal inspections when necessary for proper consideration of cases, and shall appoint such committees as may be found necessary.

(7) The chairman shall report to the commission on all official transactions which have not otherwise come to the attention of the commission. The chairman shall also make or cause to be made, any reports concerning the affairs of the commission required or requested by the city council.

(i) *Causes for removal from the commission.* Causes for removal of members or alternates of the commission by the city council shall include particular malfeasance, misfeasance, or nonfeasance generally, and in particular the following:

(1) Failure to maintain reasonable familiarity with state statutes and local ordinances and rules affecting the commission, or failure to be governed thereby, as required in section 15.02.721(a); and/or

(2) Failure to disclose conflict of interest for purposes of disqualification when a member has personal or monetary interest in the matter involved, or will be directly affected by a decision of the commission.

(j) *Resignation, generally and by absence.*

(1) When members or alternates of the commission propose to resign, if reasonably feasible, they shall give notice of their intent to the chairman and/or staff, making the date of resignation effective in such a manner as to allow time for appointment of replacement.

(2) Failure to attend three consecutive regular meetings or three of any seven consecutive meetings shall be construed as resignation from the commission by absence. This provision shall apply to both members and alternates.

(A) If a member or alternate cannot be in attendance at a meeting. They must contact either the planning and zoning director and/or chairman.

(B) The absence will be placed on the next available planning and zoning commission meeting agenda, and the absences will be determined by the commission to be excused or unexcused.

(k) *Vacation of office.* When a member or alternate of the commission dies or resigns (including resignation by absence), the chairman shall promptly indicate to the mayor that a vacancy exists. When a member becomes incapacitated for office permanently, or for what appears to be a protracted period, or moves from the jurisdiction, or becomes for any other reason no longer qualified for office and fails to resign, the chairman shall cause any necessary investigation to be made. Based on that investigation, the chairman may declare the office vacant and shall promptly indicate to the mayor that a vacancy exists.

(l) *Duties of legal counsel.* The city attorney, or his designate, shall provide legal advice to the commission as to matters under their jurisdiction.

(m) *Conduct of members of the commission, alternates and city staff.*

(1) No member of the commission, alternate or city staff member shall represent applicants on matters on which the commission is to make recommendations.

(2) Members and alternates of the commission shall be aware of all state statutes and any city ordinances, rules or regulations related to conflicts of interest and the ethics of public officials generally.

(3) As soon as any commission member, alternate or city staff member of any agency serving the commission becomes aware of any potential conflict of interest in any case to come before the commission, he shall notify the chairman or acting chairman of the particulars. Where the chairman finds that conflict clearly exists, he shall disqualify the commission member from acting in the case, shall cause the circumstances of the disqualification to be entered in the record and make arrangements for such alternate services as are required.

(4) Where the chairman or acting chairman has reasonable doubt as to whether the facts and applicable law indicate a degree of conflict justifying disqualification or excuse from service, he shall seek advice from the city attorney or his designate. If the city attorney or his designate advises that, under the circumstances reported and applicable law conflict appears to exist, the chairman shall proceed to disqualify or excuse as provided above. If the city attorney, or his designate, advises that there is reasonable doubt, the chairman may either disqualify or excuse the person involved, or call for a determination by the commission at a public meeting.

(5) The record on any such determination by the commission shall be full and complete and shall indicate the reasons supporting the decision.

(6) A member and/or alternate may seek disqualification from voting whenever any applicant, or his agent, has sought to influence the vote of the member on his request (application), other than in the public hearing.

(7) Members and alternates of the commission may seek information from other members, the zoning administrator, city attorney or other city staff prior to the public hearing, but no member or alternate shall discuss the case with any other parties thereto prior to the public hearing. Additionally, no member or alternate shall express any bias, prejudice or individual opinion on judgment of the case prior to its hearing and determination. Violation of this rule shall be grounds for dismissal from the commission.

(n) *Compensation.* The compensation and/or reimbursement of expenses of commission members and alternates is to be specified by ordinance. In the absence of an ordinance specifying compensation and/or reimbursement, there shall be none. The absence of such an ordinance does not preclude payment by the

city of certain expenses for memberships, subscriptions, educational seminars, travel and similar expenses as might be required for commission members and alternates, as authorized by the city council.

(o) *Meetings.*

(1) Regular meetings of the commission shall be held at city hall on the fourth Tuesday of each month, unless designated otherwise by the commission; provided that such meetings may be held at any other convenient place if directed by the chairman in advance of the meeting or upon a finding that such other location would serve public convenience or necessity, and subject to the notice provisions as required by law.

(2) Special meetings for any purpose may be held at the call of the chairman of the commission or of any combination of five [sic] commission members and alternate members of the commission. A written notice of the time and place of any special meeting shall be given by the zoning administrator except where written waivers of notice are filed by all members required to provide a quorum and in attendance at such regular meeting, but other members shall receive written notice thereof.

(3) If a special meeting is called on a case or cases subject to notice of hearing, the required notice provisions for the hearing shall be met.

(4) Any meeting may be recessed or adjourned from day to day, or to the time of any previously announced regular or special meeting, and such recess or adjournment to a time and place certain shall not require additional public notice.

(5) If no business is scheduled before the commission, or if it is apparent that a quorum will not be available, any meeting may be canceled by the chairman by giving notice to all members at least 24 hours before the time set for such meeting.

(6) A quorum of the commission shall consist of any combination of members or alternates totaling four.

(7) All meetings of the commission involving hearing of evidence, decisions, or recommendations on requests shall be public, with formal notice as required by law.

(8) Meetings for the conduct of other business of the commission, including activities and reviews as may be assigned by the city council or required by ordinance, trips for viewing premises, and other similar meetings and activities, shall not require such formal public notice and hearing, but shall be scheduled at least 12 hours in advance, with the schedule posted at the office of the commission.

(p) *Agenda, order of business.* The zoning administrator shall prepare an agenda for each commission meeting. The order of business shall be as follows:

(1) Call to order and roll call, with recording of members present and absent;

(2) Action on any previous meeting for which action is required;

(3) Continued hearings, with consideration and determination on cases as heard;

(4) New hearings, with consideration and determination on cases as heard;

(5) Old business;

(6) New business; and

(7) Adjournment.

(q) *Motions.*

(1) Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussions by members, or by opponents

or proponents of a question before the commission, shall terminate whenever a member shall call a vote upon the question or whenever the chairman shall so rule.

(2) A motion which is defeated is not a recommendation. If a motion is defeated, another motion must be made, seconded, voted upon and approved by a majority of the commission present and voting.

(3) If the commission does not make a recommendation, the failure to make a recommendation within 71 days of the assignment of a docket number to a case application shall be considered to be a recommendation of denial.

(4) Motions to recommend approval or denial of any change in a zoning district may, when appropriate, contain statements of commission findings in the following areas:

(A) Consistency and compatibility with the master plan;

(B) Consistency and compatibility with surrounding zoning districts;

(C) Consistency and compatibility with site and surrounding uses;

(D) Protection of the health, safety and welfare of the general public; and/or

(E) Protection and preservation of the property rights of the owner(s) of all real property affected by the proposed change in zoning district(s).

(5) Motions to recommend approval or denial of any requested nonspecified use permit or specific use permit may, when appropriate, contain statements of commission findings in the following areas:

(A) Consistency and compatibility with the master plan;

(B) Consistency and compatibility with site zoning;

(C) Consistency and compatibility with surrounding zoning and/or uses;

(D) Protection of the health, safety and welfare of the general public; and/or

(E) Protection and preservation of the property rights of the owner(s) of all real property affected by the proposed specific use permit.

(6) The zoning administrator will administer and obtain a roll call vote from the commission upon the rendering of a motion.

(r) *Reporting.*

(1) The commission, in making recommendations to city council on any matter upon which a recommendation is required, may make findings and shall issue a report to the city council.

(2) That report to the city council must include the results of a vote on a motion made and duly seconded, and approved by a majority of the commission present and voting.

(3) That report can be delivered to the city council by the chairman, member(s) or alternate(s) designated by the chairman, zoning administrator or any other city staff member designated by the chairman.

(s) *Additional duties of the commission.* In addition to its advisory zoning powers under established law, the commission shall be charged with the following duties: to review and update the city's master plan and cause to be submitted to the city council, every four years, no later than October 1st commencing in 1999, a written report pertaining to the status of the master plan. Such a report should include any recommendations for change in the laws and policies of the city as they relate to the use of land.

(1972 Code, sec. 30.4001; Ordinance 07-041 adopted 9-4-07; 2008 Code, sec. 14.02.721; Ordinance adopting 2017 Code; Ordinance 2018-59 adopted 8-7-18; Ordinance 2020-10, sec. 9, adopted 3-3-20; Ord. No. 2025-17, § 1, 8-19-2025; Ord. No. 2026-2, § 1(Exh. A), 2-3-2026)

State law reference(s)—Zoning commission, V.T.C.A., Local Government Code, § 211.007.

Sec. 15.02.722 General statutes, ordinances and rules applying to the board of adjustment

(a) *Governance.* The board of adjustment, hereinafter referred to as "the board," shall be governed by state statutes, local rules and regulations, and the City's Code of Ordinances.

(1) Upon taking office, all board members and alternates shall familiarize themselves with applicable state law, local rules and regulations, and the City's Code of Ordinances, and, while in office, maintain such knowledge in the conduct of board affairs.

(b) *Duties of the board.* The board has three fundamental powers:

(1) To hear appeals from individuals contesting the decision of the zoning administrative official;

(2) To hear and decide special exceptions to this article; and

(3) To grant variances to the terms of this article's text where unusual conditions make its literal enforcement unjust.

(c) *Location of office.* The official location of the office of the board is: Leon Valley City Hall.

(d) *Establishment, composition, appointments.*

(1) The board is established consisting of five members and four alternates.

(2) The board members and alternates must be citizens and residents of the city who meet the same qualifications that are required to obtain a voter registration certificate to vote in city municipal elections.

(3) Appointment of board members and alternates shall be made by the mayor of the city and passed and approved by the city council. In specifying alternate members, the appointment shall also specify the order in which the alternates are to serve in the absence of a member.

(4) In the event that any person(s) appointed by the mayor is not approved by a majority of the city council, or if a vacancy occurs, the mayor shall make another appointment within 45 days, subject to approval by a majority of the city council.

(5) Alternates for the board do not have status as voting members unless directed by the chairman of the board to sit as a voting member due to the absence or nonvoting status of a member. This provision is not intended to restrict in any way the nonvoting participation of alternates, to the extent allowed by the chairman.

(e) *Terms of members.*

(1) The term for all board members and alternates is two years, beginning on June 1st, of every year ending in an even number (0, 2, 4, 6, 8).

(2) The term of all board members and alternates expires on May 31 of every year ending in an even number (0, 2, 4, 6, 8).

(3) Any appointment of a board member or alternate is only for the remainder of a term, regardless of the point in the term at which the appointment is made.

(f) *Regular election of chairman, vice-chairman and second vice-chairman.*

(1) As the first item of new business at the first meeting of the board following mayoral appointment/reappointment, the board shall elect a chairman, vice-chairman and second vice-chairman. If there is no meeting, or if there is not a minimum of four members or alternates present at

such a meeting prior to June 15th in such year, city council may appoint a chairman and vice-chairman to serve until a meeting occurs at which time an election can be held.

(2) The former chairman, vice-chairman or second vice-chairman, in that order, and if reappointed to the board, may remain in office until their successor(s) take office at the next meeting following their appointment, unless a replacement is appointed by city council.

(g) *Succession of vice-chairman to office of chairman; special election.* If the chairman resigns his office or is no longer a member of the board, the vice-chairman shall succeed him in office for the remainder of the term. If the vice-chairman resigns his office, is no longer a member of the board, or succeeds to the chairman's office, the second vice-chairman shall succeed him in office for the remainder of the term. If any of the above do not apply, a special election shall be held at the next meeting of the board to select a chairman, vice-chairman and/or second vice-chairman to complete the term, provided that if such meeting precedes the regular election by three months or less, and any duties to be performed by the vice-chairman or the second vice-chairman can be performed in a satisfactory manner, the board may permit the office of vice-chairman or second vice-chairman to remain vacant for that period.

(h) *Duties of chairman, vice-chairman or second vice-chairman; appointment of temporary chairman to preside at meetings.*

(1) If present and able, the chairman shall preside at all meetings and hearings. If the chairman is absent or unable to preside, the vice-chairman shall preside. If the vice-chairman is also absent or unable to preside, the second vice-chairman shall preside.

(2) In accordance with these and other applicable rules, the chairman or presiding officer, acting as chairman, shall decide all points of procedure or order, unless otherwise directed by a majority of the members in attendance, on a motion duly made and passed. He shall maintain order and decorum, and to that end may order removal of disorderly or disruptive persons.

(3) The chairman or officer presiding in his absence shall determine the absence of any member and direct the seating of an alternate(s) in the order determined by the appointment of alternates by the mayor and city council.

(4) If oaths are to be administered to a witness in a particular case, that oath shall be administered by the chairman or officer presiding in his absence. The necessity of administering an oath to a witness shall be determined by the chairman or the officer presiding in his absence. However, if it is determined an oath shall be administered to a witness in a particular case, then the same oath shall be administered to all witnesses testifying in that particular case.

(5) The chairman may delegate duties as he sees fit to any member or alternate. In the case of the absence or the incapacity of the chairman, the vice-chairman shall perform any or all duties of the chairman, whether or not delegated.

(6) Subject to the rules of this article and further instructions from the board, the chairman shall direct the official business of the board, guide the work of city staff as it relates to the affairs of the board and exercise general disciplinary power.

(7) The chairman may delegate members of the board to make personal inspections when necessary for proper consideration of cases and shall appoint such committees as may be found necessary.

(8) The chairman shall report to the board on all official transactions which have not otherwise come to the attention of the board. The chairman shall also make or cause to be made, any reports concerning the affairs of the board required or requested by the city council.

(i) *Causes for removal from the board.* Causes for removal of members or alternates of the board by the city council shall include particular malfeasance, misfeasance, or nonfeasance generally, and in particular the following:

(1) Failure to maintain reasonable familiarity with state statutes and local ordinances and rules affecting the board, or failure to be governed thereby, as required in section 15.02.722(a); and/or

(2) Failure to disclose conflict of interest for purposes of disqualification when a member has personal or monetary interest in the matter involved or will be directly affected by a decision of the board.

(j) *Resignation, generally and by absence.*

(1) When members or alternates of the board propose to resign, if reasonably feasible, they shall give notice of their intent to the chairman, making the date of resignation effective in such a manner as to allow time for appointment of replacement.

(2) Failure to attend three consecutive meetings or three of any seven consecutive meetings without the recorded consent of the chairman, shall be construed as resignation from the board by absence. This provision shall apply to both members and alternates of the board.

(k) *Vacation of office.* When a member or alternate of the board dies or resigns (including resignation by absence), the chairman shall promptly indicate to the mayor that a vacancy exists. When a member becomes incapacitated for office permanently, or for what appears to be a protracted period, or moves from the jurisdiction, or becomes for any other reason no longer qualified for office and fails to resign, the chairman shall cause any necessary investigation to be made. Based on that investigation, the chairman may declare the office vacant and shall promptly indicate to the mayor that a vacancy exists.

(l) *Fees and application procedure.*

(1) *Fees.* Shall be as established as mandated in Appendix A of the Leon Valley Code of Ordinance. Fees are to accompany application for public hearing before the board of adjustment.

(2) *Application.* The applicant may request a public hearing before the board, for either a request for variance, special exception and/or appeal of zoning administrator's decision to this article.

(A) Completed application(s) must be submitted to the planning and zoning administrator and all appropriate fees must be paid before a public hearing date will be scheduled with the board chairman.

(m) *Board administrator.* The zoning administrator shall serve as administrator for the board.

(1) The board administrator, or his deputies or assistants, shall have the following duties and responsibilities in relation to requests to the board:

(A) Attend to all correspondence of the board;

(B) Send out, or cause to be published, all required notices;

(C) Attend all meetings and hearings of the board;

(D) Scrutinize all matters to ensure compliance with this article and these rules;

(E) Compile all required records;

(F) Maintain the necessary schedules, files, and indexes; and

(G) Generally, perform or supervise all clerical work of the board.

(2) The board administrator shall maintain a docket book or log which shall be kept posted to date. The docket shall include the case number, name of applicant, location of premises by street number or legal description, nature of the case and the final disposition of the case. All continuances, postponements, dates of sending notices, other steps taken, and acts done should be noted in the docket.

(3) The board administrator shall maintain a minute book which shall be kept posted to date. In the minute book shall be recorded the proceedings of the board showing attendance, any disqualifications of members, record of examinations, all other official action, and the vote of each member voting on every question. The minutes of the board shall become official upon majority vote of the board, and shall be a public record, kept in city hall offices.

(4) The board administrator or his authorized deputies or assistants, shall also have the following duties and responsibilities in relation to appeals and applications to the board:

(A) Receive all appeals and applications and examine the material submitted therewith to assure that it is complete and that required maps, plans, reports and other materials which are required and are necessary to be submitted are in good order and in sufficient number for processing and recording; and

(B) See that this material is reviewed by all appropriate city departments and prepare a report and recommendation to be delivered in a timely manner to the board prior to consideration of the appeal or application.

(n) *Duties of legal counsel.* The city attorney, or his designate, shall provide legal advice to the board as to matters under their jurisdiction. In cases before the board, the city attorney, or his designate, may assist the board in interrogating witnesses.

(o) *Conduct of members of the board, alternates and city staff.*

(1) No member of the board, alternate or city staff member shall represent applicants or appellants on matters on which the board is to make determinations.

(2) Members and alternates of the board shall be aware of all state statutes and any city ordinances, rules or regulations related to conflicts of interest and the ethics of public officials generally.

(3) As soon as any board member, alternate or city staff member of any agency serving the board becomes aware of any potential conflict of interest in any case to come before the board, he shall notify the chairman or acting chairman of the particulars. Where the chairman finds that conflict clearly exists, he shall disqualify the board member from acting in the case, shall cause the circumstances of the disqualification to be entered in the record and make arrangements for such alternate services as are required.

(4) Where the chairman or acting chairman has reasonable doubt as to whether the facts and applicable law indicate a degree of conflict justifying disqualification or excuse from service, he shall seek advice from the city attorney or his designate. If the city attorney or his designate advises that, under the circumstances reported and applicable law conflict appears to exist, the chairman shall proceed to disqualify or excuse as provided above. If the city attorney or his designate advises that there is reasonable doubt, the chairman may either disqualify or excuse the person involved or call for a determination by the board at a public meeting.

(5) The record on any such determination by the board shall be full and complete and shall indicate the reasons supporting the decision.

(6) A member may seek disqualification from voting whenever any applicant, or his agent, has sought to influence the vote of the member on his appeal or application, other than in the public hearing.

(7) Members and alternates of the board may seek information from other members, the board administrator, city attorney or other city staff prior to the public hearing, but no member or alternate shall discuss the case with any other parties thereto prior to the public hearing. Additionally, no member or alternate shall express any bias, prejudice or individual opinion on proper judgment of the case prior to its hearing and determination. Violation of this rule shall be grounds for dismissal from the board.

(p) *Compensation.* The compensation and/or reimbursement of expenses of board members and alternates is to be specified by ordinance. In the absence of an ordinance specifying compensation and/or reimbursement, there shall be none. The absence of such an ordinance does not preclude payment by the city of certain expenses for memberships, subscriptions, educational seminars, travel and similar expenses as might be required for board members and alternates, as authorized by city council.

(q) *Meetings.*

(1) There is no requirement for regular meetings of the board. All meetings of the board are to be special meetings to be held at the Leon Valley city hall, unless designated otherwise by the board; provided that such meetings may be held at any other convenient place if directed by the chairman in advance of the meeting or upon a finding that such other location would serve public convenience or necessity, and subject to the notice provisions as required by law.

(2) Meetings for any purpose may be held at the call of the chairman of the board, or of any combination of at least four members and alternates.

(3) If a meeting is called on a case or cases subject to notice of hearing, the required notice provisions for the hearing shall be met.

(4) Any meeting may be recessed or adjourned from day to day, or to the time of any previously announced meeting, and such recess or adjournment to a time and place certain shall not require additional public notice.

(5) If no business is scheduled before the board, or if it is apparent that a quorum will not be available, any meeting may be canceled by the chairman by giving notice to all members at least 24 hours before the time set for such meeting.

(6) All meetings of the board involving hearing of evidence and/or decisions on appeals or applications shall be public, with formal notice as required by law.

(7) Meetings for the conduct of other business of the board, including activities and reviews as may be assigned by the city council or required by ordinance, trips for viewing premises, and other similar meetings and activities, shall not require such formal public notice and hearing, but shall be scheduled at least 12 hours in advance, with the schedule posted at the office of the board.

(r) *Minimum members at hearings.* The alternate members of the board shall serve in the absence of one or more regular members when requested by the chairman of the board so that all cases heard by the board will always be heard by a minimum of 75 percent of the members.

(s) *Special exceptions.* The board is hereby empowered to permit the following exceptions provided its action is in harmony with the general purpose and intent of this article and does not injure the health, safety, morals, or the welfare of adjacent property owners or residents:

(1) Permit the use of a lot or lots in an RE-1, R-1, R-2, R-3, R-4, R5, R-6, R-7, or planned development district, which lot or lots is adjacent to a commercial or industrial district, even if separated therefrom by an alley or by a street, for the parking of passenger cars under such safeguards and conditions as may be desirable to protect the more restricted adjacent and nearby properties, provided no other business use is made of the lot;

(2) Grant a permit for the extension of a use into an adjoining district, where such extension would constitute a nonconforming use and where the lot upon which the existing use is situated extends into the adjoining district and is in single ownership at the time this article is adopted;

(3) Permit the reconstruction of a building occupied by a nonconforming use provided such reconstruction does not prevent the return of such property to a nonconforming use; and

(4) Determine, in cases of uncertainty, the classification as to district of a use not specifically described in this article, provided, however, that such use shall be in keeping with uses specifically named in the district regulations.

(t) *Variance empowerment.* The board is hereby empowered to grant variances to this article upon making affirmative findings as to all criteria stated in section (bb) below relating to variances.

(u) *Limitations on special exceptions and variances.* Any special exception or variance authorized by the board shall constitute authority to authorize the issuance of a building permit, special permit, or certificate of occupancy if applied for within 180 days from the date of favorable action on the part of the board, unless the board authorizes a longer period. If the building permit, special permit, or certificate of occupancy shall not have been applied for within said 180-day period, or such extended period as the board may have authorized, then the grant of the special exception or variance shall terminate. Such termination shall be without prejudice to a subsequent application to said board in accordance with the rules and regulations regarding applications. No application to the board shall be allowed on the same piece of property prior to the expiration of six months from a ruling of the board on any application unless other property in the same block or within 500 feet thereof, within such six-month period has been altered or changed by a ruling of the board, in which case such change of circumstances shall permit the allowance of such an application but shall in no way have any force in law to compel the board, after a hearing, to grant such subsequent application, but such application shall be considered on its merits as in all other cases.

(v) *Appeals empowerment.* The board is hereby empowered to hear appeals from individuals contesting the decision of a zoning administrative official. In exercising their powers, the board may, in conformity with the provisions of this article, reverse or affirm in whole or in part, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the administrative officer from whom the appeal is taken.

(w) *Appeals to the board.*

(1) Except as provided by subsection (e) below, any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is not related to a specific application, address, or project:

(A) a person aggrieved by the decision; or

(B) any officer, department, board, or bureau of the municipality affected by the decision.

(2) Except as provided by subsection (e) below, any of the following persons may appeal to the board of adjustment a decision made by an administrative official that is related to a specific application, address, or project:

(A) a person who:

(i) filed the application that is the subject of the decision.

(ii) is the owner or representative of the owner of the property that is the subject of the decision.

(iii) 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.

(B) any officer, department, board, or bureau of the municipality affected by the decision.

(3) The appellant must file with the board and the official from whom the appeal is taken a notice of appeal specifying the grounds for the appeal. The appeal must be filed not later than the 20th day after the date the decision is made. On receiving the notice, the official from whom the appeal is taken shall immediately transmit to the board all the papers constituting the record of the action that is appealed.

(4) 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 board 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 a court of record on application, after notice to the official, if due cause is shown.

(5) The board 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 board 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.

(6) A member of the governing body of the municipality who serves on the board of adjustment under Section 211.008(g) may not bring an appeal under this section.

(x) *Notice of public hearing before the board.* Timing and manner of publication of public notice for such hearings shall be in accordance with any requirements set forth herein and by state statute. In addition, at least ten days in advance of the hearing, notice shall be given to parties in interest and to other persons required by the ordinance to be specifically notified.

(y) *Agenda, order of business.* The board administrator shall prepare an agenda for each board meeting. The order of business shall be as follows:

(1) Call to order and roll call, with recording of members present and absent and indications as to whether absences are with consent of the chairman;

(2) Action on any previous meeting for which action is required;

(3) Continued hearings, with consideration and determination on cases as heard;

(4) New hearings, with consideration and determination on cases as heard;

(5) Old business;

(6) New business; and

(7) Adjournment.

(z) *Procedures at hearings before the board.*

(1) At a public hearing, persons may appear or be represented by authorized agents or attorneys. Such agents or attorneys shall present competent evidence of the extent of their authorization.

(2) All witnesses to material facts shall testify under oath, to be administered by the chairman.

(3) The order for presenting evidence shall be as follows:

(A) The chairman, or such person(s) as he may direct, shall present and describe the nature of the case and evidence available to the board, including staff report;

(B) The applicant or appellant shall outline the nature of the request and present supporting evidence;

(C) Objectors may cross-examine;

(D) Board members and alternates may examine witnesses for the applicant's or appellant's side;

(E) Objectors may present evidence;

(F) Applicants may cross-examine;

(G) Board members and alternates may examine witnesses for objector's side;

(H) Rebuttal by applicant; and

(I) Rebuttal by objectors.

(4) The board shall not be bound by strict rules of evidence or limited to consideration of such evidence as would be admissible in a court of law, but it may exclude irrelevant, immaterial, incompetent, or unduly repetitious testimony and/or evidence. The chairman shall rule on all questions relating to the admissibility of evidence but may be overruled by a majority of the board members present.

(5) During the hearing, each side shall proceed without interruption by the other. All arguments and pleading shall be addressed to the chairman. There shall be no question or argument between individuals in the audience.

(6) The chairman, board members and alternates, counsel to the board and/or city staff may direct any question to the applicant, witnesses, or any person speaking from the audience, to bring out pertinent facts. The chairman, board members and/or alternates may call for pertinent facts from staff or make appropriate comments pertinent to the case. No board member should debate or argue with persons in the audience.

(aa) *Motions.*

(1) Any motion by a member shall require a second. After a motion has been made and duly seconded, discussion of the motion may be held for a reasonable time. Discussions by members, or by opponents or proponents of a question before the board, shall terminate whenever a member shall call a vote upon the question or whenever the chairman shall so rule.

(2) If a motion is defeated, another motion must be made, seconded, voted upon and approved by a majority of the board present and voting.

(bb) *Criteria for approval.* In making motions to approve special exceptions, variances and appeals, the motion shall state affirmative findings as to each of the criteria listed below. Similarly, in making motions to deny special exceptions, variances, and appeals, the motion shall state a negative finding as to at least one of the criteria listed below.

(1) *Special exceptions:*

(A) That the granting of the special exception is not contrary to the general intent of the zoning code and the public interest, and the property rights of adjoining landowners are substantially preserved; and

(B) That the special exception granted creates no new variances and does not increase existing variances.

(2) *Variances:* To prevail in receiving a variance, the applicant must demonstrate that a literal enforcement of the ordinance would result in unnecessary hardship. The applicant must show that the hardship is:

(A) Unique, oppressive, not common to other property, and not against the public interest;

(B) Not merely that the property cannot be utilized for its highest and best use;

(C) Not self-imposed; and

(D) Not simply a hinderance to the developer's goals.

(E) In exercising its authority under subsection (bb)(2), the board may consider the following as grounds to determine whether compliance with the ordinance 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 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to 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 25 percent 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.

(3) A motion to approve and confirm a decision of an administrative officer, on appeal, may, when appropriate, be based on findings that:

(A) the administrative officer's decision is proper;

(B) the decision was based on one or more points (list points); and

(C) these points should be upheld.

(4) The board administrator will administer and obtain a roll call vote from the board upon the rendering of a motion.

(cc) *Decisions of the board.*

(1) With due consideration to the length of the agenda, the nature of the case, the complexity of the evidence and the findings required, the chairman may elect, subject to being overruled by a majority of the members or alternates seated on motion duly passed:

(A) To proceed immediately to determination and decision on conclusion of the hearing in the particular case;

(B) To defer determination and decision until later in the same meeting should it be found advantageous to defer further determination or decision in the case for good cause stated; or

(C) To defer determination and decision until a specific meeting of the board should it be found advantageous to defer further determination or decision in the case for good cause stated.

(2) Appeals and applications shall be heard at public meetings within 70 days of date of assignment of docket numbers and decided at the same meeting, at the next meeting of the board, or at special public meeting, but in any event within 36 days of the initial meeting at which the hearing on the case was first held.

(3) If at least 75 percent of the members or alternates serving as members of the board concur in a finding of error in any decision, order, requirement, or determination of the administrative officer appealed from, the decision shall be favorable to the appellant. Such decision by the board shall specify the decision, order, requirement, or determination which should have been made, and the decision of the board shall be binding upon the applicant and successors in interest.

(4) If at least 75 percent of the members of the board concur that the evidence supports favorable findings on the application for a special exception before it, or that such findings could be made if conditions and safeguards were established, the decision shall be favorable to the applicant, provided that such conditions and safeguards as may be required for such favorable findings, as specified in the decision, shall be binding upon the applicant and successors in interest.

(5) If at least 75 percent of the members of the board concur that the evidence supports favorable findings on the appeal for a variance before it, or that such findings could be made if conditions and safeguards were established, the decision shall be favorable to the applicant, provided that such conditions and safeguards as may be required for such favorable findings, as specified in the decision, shall be binding upon the appellant and his successors in interest.

(dd) *Records of cases of the board.* The decision of the board shall be shown in the record of the case. Such record shall show the reason for determination, with a summary of the evidence introduced and the findings of fact made by the board.

(ee) *Recording.* Such record shall be entered in the minutes of the board. Following approval, as submitted or as amended, the minutes shall be acknowledged as to accuracy by the signature of the chairman and the board administrator.

(ff) *Judicial Review Of Board Decision.*

(1) Any of the following persons may present to a district court, county court, or county court at law a verified petition stating that the decision of the board of adjustment is illegal in whole or in part and specifying the grounds of the illegality:

(A) a person aggrieved by a decision of the board;

(B) a taxpayer; or

(C) an officer, department, board, or bureau of the municipality.

(2) The petition must be presented within ten days after the date the decision is filed in the board's office.

(3) On the presentation of the petition, the court may grant a writ of certiorari directed to the board to review the board's decision. The writ must indicate the time by which the board's return must be made and served on the petitioner's attorney, which must be after ten days and may be extended by the court. Granting of the writ does not stay the proceedings on the decision under appeal, but on application and after notice to the board the court may grant a restraining order if due cause is shown.

(4) The board's return must be verified and must concisely state any pertinent and material facts that show the grounds of the decision under appeal. The board is not required to return the original documents on which the board acted but may return certified or sworn copies of the documents or parts of the documents as required by the writ.

(5) If at the hearing the court determines that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take evidence as directed. The referee shall report the evidence to the court with the referee's findings of fact and conclusions of law. The referee's report constitutes a part of the proceedings on which the court shall make its decision.

(6) The court may reverse or affirm, in whole or in part, or modify the decision that is appealed. Costs may not be assessed against the board unless the court determines that the board acted with gross negligence, in bad faith, or with malice in making its decision.

(7) The court may not apply a different standard of review to a decision of a board of adjustment that is composed of members of the governing body of the municipality under Texas Statutes, Local Government Code Section 211.008(g) than is applied to a decision of a board of adjustment that does not contain members of the governing body of a municipality.

(1972 Code, sec. 30.4002; 2008 Code, sec. 14.02.722; Ordinance adopting 2017 Code; Ordinance 2019-8, ex. B, adopted 2-19-19; Ord. No. 2023-9, § 1(Exh. A), 3-21-2023)

State law reference(s)—Establishment and authority of zoning board of adjustment, V.T.C.A., Local Government Code, sec. 211.008 et seq.

Consider Amending Chapter 15- Definitions Assisted Living Facilities

Michael Gallardo
Planning and Zoning Director
City Council Meeting
November 18, 2026

LEONVALLEY

Summary

- Question
  - Should the Commission consider amending Chapter 15 Zoning definition for Assisted Living Facility, to better regulate Assisted Living Establishments
- Options
  - Approve
  - Deny
  - Other
- Declaration
  - At Commission's Discretion

Purpose

- Establish local rules that protect resident safety, maintain neighborhood compatibility, and ensure high standards of care.
- Need to incorporate a State standard under Tex. Health and Safety Code Ch. 247
  - Resident Independence - Safe surroundings
  - Access to care - Professionalism of Service
  - Coordination of Services providers

Purpose

- To review and consider amending Chapter 15 “Zoning” Sect. 15.02.052 Definitions by amending the definition to “Assisted Living Facility”

Purpose

- Sec. 15.02.052
- Current Definition:
- *Assisted living facility.* A licensed establishment that furnishes food and shelter and provides personal care services which consist of assistance with one or more of the following: meals, dressing, movement, bathing, or other personal needs or maintenance. This may also include assistance, supervision, or administration of medication by a licensed individual.

Purpose

- Proposed Definition:
- *Assisted living facility (ALF).* An establishment licensed under Tex. Health and Safety Code Ch. 247 that furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment and provides personal care services or the administration of medication by a person licensed or otherwise authorized in this state to administer the medication, as defined in Tex. Health and Safety Code § 247.002, as amended. Types of assisted living facilities, as established by rules of the Texas Health and Human Services Commission (26 Tex. Admin. Code ch. 553), are summarized as follows; in the event of a conflict, the state rule controls:

Purpose (Cont.)

(1) *Type A.* In a Type A facility, a resident:

a. Must be physically and mentally capable of evacuating the facility unassisted. This may include mobile or ambulatory persons such as those who are in wheelchairs or electric carts and have the capacity to transfer and evacuate themselves in an emergency;

b. Does not require routine attendance during nighttime sleeping hours; and

c. Must be capable of following directions under emergency conditions.

(2) *Type B.* In a Type B facility, a resident may:

a. Require staff assistance to evacuate;

b. Be incapable of following directions under emergency conditions;

c. Require attendance during nighttime sleeping hours; or

d. Not be permanently bedfast, but may require assistance in transferring to and from a wheelchair.

Summary

P&Z Commission

- Chapter 15- Zoning *Definitions*
  - Amend the definition for Assisted Living Facility

City Council

- Chapter 4- Business Regulations
  - *Definitions* -Amend the definition for Assisted Living Facility
  - Add Article to better regulate Assisted Living Facilities

Fiscal Impact

- Certificate of Occupancy Fees and Applicable Inspections

Recommendation

- At the Commission’s Discretion

PLANNING AND ZONING COMMUNICATION

DATE: November 18, 2026

TO: Planning and Zoning Commission

FROM: Michael Gallardo, Planning & Zoning Director

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

SUBJECT: Presentation, **Public Hearing**, and Possible Action to Consider Approval of a Replat and Subdivision Plat Establishing Sawyer Tract being a total of 6.583 acres, establishing Lots 1-36, Block 1 and Lots 1-42, 900-901, Block 2, Out of the Northwest Portion of Lots 10, 11, 12, 13, and the Western Portion of Lot 3, All of the Leon Valley Addition Subdivision as Shown on the Plat Recorded in Volume 980, Page 405, in the Plat Records of Bexar County, Texas- M. Gallardo, Planning and Zoning Director

PURPOSE

SUMMARY: This is a request by Pape Dawson Engineers on behalf of Trimark for a replat of approximately 6.583 acres of land located in the 6612 and 6618 Sawyer Road. The request is intended to facilitate proposed development.

Currently, the existing platted conditions of the property do not conform to the approved Master Development Plan. The applicant is proposing to replat the lots to accommodate the approved PDD for the residential development.

The plat will establish lots 1-36, Block 1 and Lots 1-42, 900-901, Block 2, out of the Northwest Portion of Lots 10, 11, 12, 13, and the Western Portion of Lot 3 , all of the Leon Valley Addition as shown on the recorded plat in Volume 980,405, in the Plat Records of Bexar, County, Texas.

The City Engineer has reviewed the plat document and all other associated analysis and infrastructure design elements and has determined that the plat is in substantial conformance to the regulations of Chapter 10, Subdivisions.

NOTIFICATION

16- letters were sent to surrounding property owners.
0 - Opposed
0 – In Favor
0 – Undeliverable

FISCAL IMPACT

The proposed new development will increase the taxable value of the property and therefore increase the City's property tax base.

RECOMMENDATION

The replat request has been found to be in substantial conformance with Chapter 10, Subdivisions. The City Engineer and staff recommend approval.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

_____

_____

_____

ATTEST:

_____
Michael Gallardo
Planning and Zoning Director

ARDURRA
COLLABORATE. INNOVATE. CREATE.

FINAL PLAT

11/13/2026

Michael Gallardo
Planning and Zoning Director
City of Leon Valley
6400 El Verde Road
Leon Valley, Texas 78238

Re: Approval Letter – PZ 2026-19 Replat and Subdivision Plat Establishing Sawyer Tract

Dear Mr. Gallardo:

We have reviewed the final plat submittal for the Sawyer Tract Subdivision designed by Pape-Dawson Engineers. The plat is pending letters of certification from the utility companies and the document reference for 18' sanitary sewer easement on the northeastern corner of the plat. The stormwater management plan and construction plans submittals are being deferred to the construction phase of this development.

We recommend this final plat for approval. If additional easements or revisions to the plat are required by the pending or deferred documents, the plat must be revised either prior to recordation or by replat/amendment if it has been recorded.

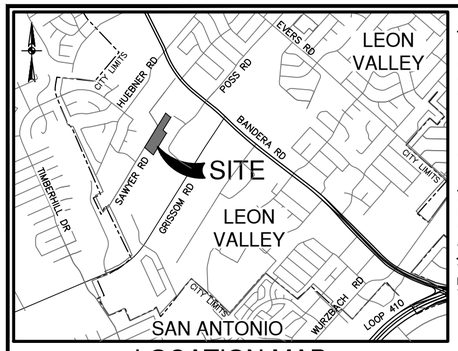
If you have any questions, please feel free to contact me at (210) 822-2232.

Sincerely,
Ardurra
TBPE Firm No. F-366

RJZ, PE

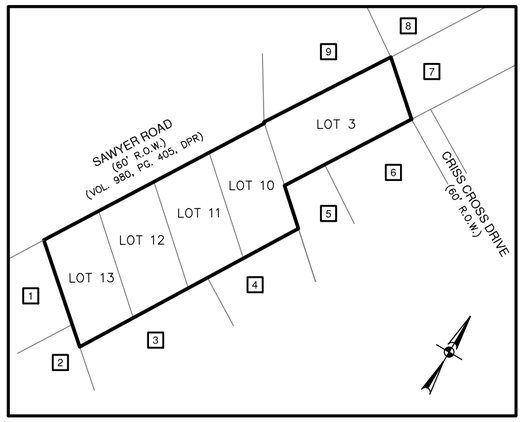
Ricardo J. Zamora, P.E., CFM
Senior Project Manager

8918 TESORO | SUITE 401 | SAN ANTONIO, TEXAS 78217
OFFICE 210.822.2232 | FAX 210.822.4032 | WWW.LNVINC.COM



LOCATION MAP

NOT-TO-SCALE



AREA BEING REPLATTED THROUGH PUBLIC HEARING WITH WRITTEN NOTIFICATION

SCALE: 1"= 200'

6.583 ACRE, TRACT OF LAND OUT OF THE NORTHWEST PORTION OF LOTS 10, 11, 12, 13, AND THE WESTERN PORTION OF LOT 3, ALL OF THE LEON VALLEY ADDITION SUBDIVISION AS SHOWN ON THE PLAT RECORDED IN VOLUME 980, PAGE 405, IN THE PLAT RECORDS OF BEXAR COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BEXAR

I (WE) THE OWNER(S) OF THE LAND SHOWN ON THIS REPLAT HEREBY CERTIFY THAT THIS REPLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY COVENANTS OR RESTRICTIONS. I (WE) FURTHER CERTIFY THAT ALL OF THE PROPOSED AREA SOUGHT TO BE REPLATTED OR RESUBDIVIDED WAS DESIGNATED OR RESERVED FOR USAGE BY NOTATION ON THE LAST LEGALLY RECORDED SUBDIVISION PLAT OR IN THE LEGALLY RECORDED RESTRICTIONS APPLICABLE TO SUCH SUBDIVISION PLAT.

_____

OWNER/DEVELOPER: ONE STOP GROUP, LP
BY: SAMIR CHEHADE, GENERAL PARTNER
12042 BLANCO RD., APT 305
SAN ANTONIO, TEXAS 78216

SWORN AND SUBSCRIBED BEFORE ME THIS THE _____ DAY OF _____, A.D. 20___.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

_____
LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY: PAPE-DAWSON

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

_____
REGISTERED PROFESSIONAL LAND SURVEYOR

DRAINAGE EASEMENT ENCROACHMENTS:

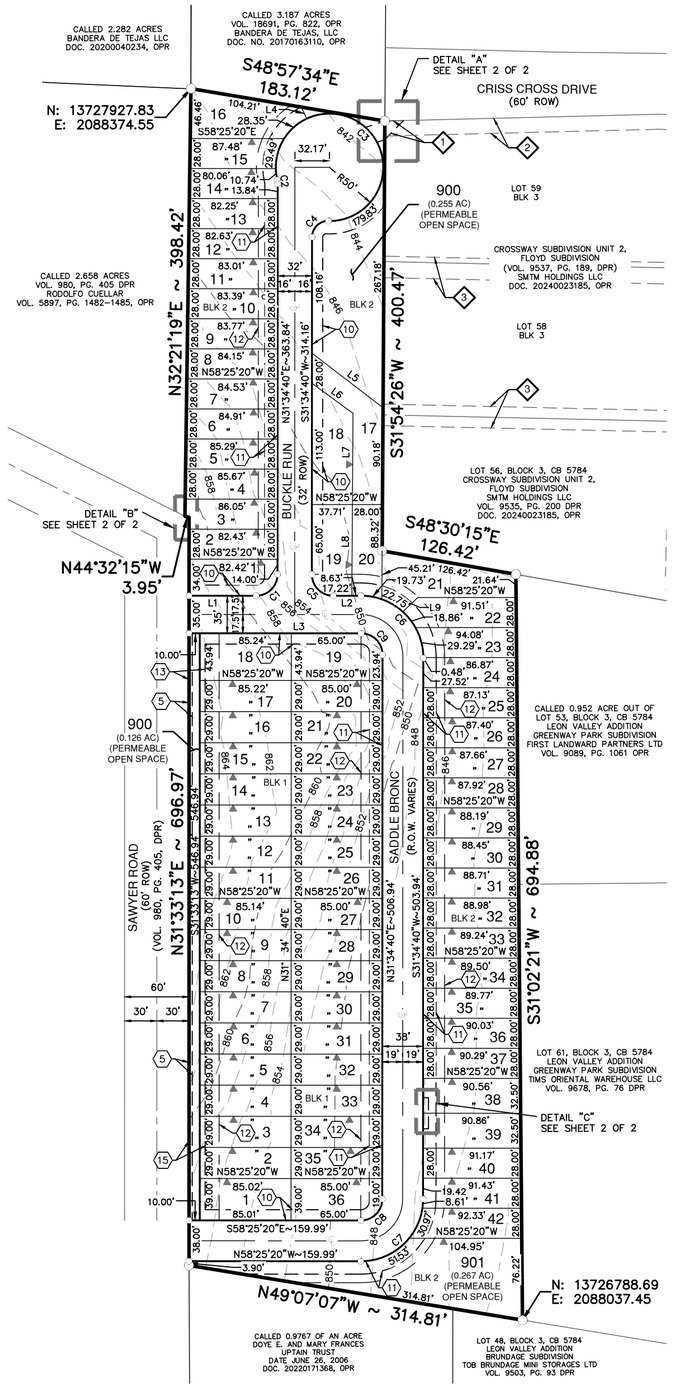
NO STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPEDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS, WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. THE CITY OF SAN ANTONIO AND BEXAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER THE GRANTORS ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENT AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.

SAWS IMPACT FEE:

WASTEWATER TREATMENT IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WASTEWATER SERVICE CONNECTION.

WATER & WASTEWATER EDU:

THE NUMBER OF WATER & WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE UNDER THE PLAT NUMBER AT THE CITY OF LEON VALLEY.



PLAT NOTES APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT

SEE SHEET 2 OF 2 FOR LINE & CURVE TABLE

PLAT NO. PZ-2026-19

REPLAT & SUBDIVISION PLAT ESTABLISHING SAWYER TRACT

BEING A TOTAL OF 6.583 ACRE TRACT OF LAND, ESTABLISHING LOTS 1-36 AND 900, BLOCK 1 AND LOTS 1-42, 900-901, BLOCK 2, OUT OF THE NORTHWEST PORTION OF LOTS 10, 11, 12, 13, AND THE WESTERN PORTION OF LOT 3, ALL OF THE LEON VALLEY ADDITION SUBDIVISION AS SHOWN ON THE PLAT RECORDED IN VOLUME 980, PAGE 405, IN THE PLAT RECORDS OF BEXAR COUNTY, TEXAS.

PAPE-DAWSON
2000 NW LOOP 410 I SAN ANTONIO, TX 78213 I 210.375.9000
TEXAS ENGINEERING FIRM #470 I TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: November 10, 2026

SCALE: 1"= 100'

0' 100' 200' 300'

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

_____
OWNER/DEVELOPER: ONE STOP GROUP, LP
12042 BLANCO RD., APT 305
SAN ANTONIO TEXAS, 78216

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED SAMIR CHEHADE KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS _____ DAY OF _____, A.D. 20_____.

_____
NOTARY PUBLIC, BEXAR COUNTY, TEXAS

THIS CITY ENGINEER OF THE CITY OF LEON VALLEY, TEXAS HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS AS TO WHICH HIS APPROVAL IS REQUIRED.

DATED THIS_____ DAY OF_____, A.D. 20_____.

_____
CITY ENGINEER

THIS PLAT OF SAWYER TRACT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY OF LEON VALLEY, TEXAS, AND IS HEREBY APPROVED BY SUCH CITY COUNCIL.

DATED THIS _____DAY OF _____, A.D. 20 ____.

BY: _____
MAYOR

BY: _____
PLANNING AND ZONING CHAIRMAN

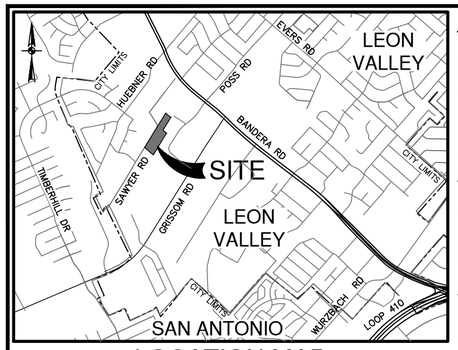
BY: _____
CITY SECRETARY

SHEET 1 OF 2

SAWYER TRACT

Civil Job No. 14132-01; Survey Job No. 14132-01

Nov 10, 2026, 5:37pm User ID: georgemartin
File: P:\141\32\01\2_Design\22_Civil\28_Plat_Package\PL141320l.dwg



LOCATION MAP

NOT-TO-SCALE

LEGEND

PR	PLAT RECORDS OF BEXAR COUNTY, TEXAS
DPR	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
VOL	VOLUME
PG	PAGE(S)
DOC	DOCUMENT NUMBER
CB	COUNTY BLOCK
BLK	BLOCK
ROW	RIGHT-OF-WAY
ESMT	EASEMENT
LF	LINEAR FEET
INT	INTERSECTION
PUD	PUBLIC UTILITY DISTRICT
OPR	OFFICIAL PUBLIC RECORDS (OFFICIAL PUBLIC RECORDS OF REAL PROPERTY) OF BEXAR COUNTY, TEXAS
DR	DEED RECORDS OF BEXAR COUNTY, TEXAS
GETCTV	GAS, ELECTRIC, TELEPHONE AND CABLE TV
VAR WID	VARIABLE WIDTH

- SET 1/2" IRON ROD (PD)
- SET 1/2" IRON ROD (PD)-ROW
- FOUND 1/2" IRON ROD (SURVEYOR)
- EASEMENT POINT OF INTERSECTION
- ZERO LOT LINE INDICATOR

CENTERLINE ——— – ——— ℄ ——— – ———

EXISTING CONTOURS —— —— ——1140—— —— ——

PROPOSED CONTOURS ————1140————

- (5) 1' VEHICULAR NON-ACCESS EASEMENT (NOT-TO-SCALE)
- (10) 10' GETCTV EASEMENT
- (11) 12' GETCTV EASEMENT
- (12) 18' BUILDING SETBACK LINE
- (13) 15' GETCTV EASEMENT
- (14) 5' WATER EASEMENT
- (15) 15' WATER EASEMENT
- (16) VARIABLE WIDTH SANITARY SEWER EASEMENT

- ◇1 16' WIDE SANITARY SEWER ESMT (0.004 ACRE TOTAL OFF-LOT) (PERMEABLE) (VOL XXX, PG XX, O.P.R.)
- ◇2 14' GETCTV ESMT (VOL 9537, PG 189, D.P.R.)
- ◇3 20' INGRESS/EGRESS ESMT (VOL 9537, PG 189, D.P.R.)

1. CALLED 0.9767 OF AN ACRE DOYE E. AND MARY FRANCES UPTAIN TRUST DATE JUNE 26, 2006 (DOC. 20220171368, OPR)
2. LOT 48, BLOCK 3, CB 5784 LEON VALLEY ADDITION BRUNDAGE SUBDIVISION TOB BRUNDAGE MINI STORAGES LTD (VOL. 9503, PG. 93 DPR)
3. LOT 61, BLOCK 3, CB 5784 LEON VALLEY ADDITION GREENWAY PARK SUBDIVISION TIMS ORIENTAL WAREHOUSE LLC (VOL. 9678, PG. 76 DPR)
4. CALLED 0.952 ACRE OUT OF LOT 53, BLOCK 3, CB 5784 LEON VALLEY ADDITION GREENWAY PARK SUBDIVISION FIRST LANDWARD PARTNERS LTD (VOL. 9089, PG. 1061 OPR)
5. LOT 56, BLOCK 3, CB 5784 CROSSWAY SUBDIVISION UNIT 2, FLOYD SUBDIVISION SMTM HOLDINGS LLC (VOL. 9535, PG. 200 DPR) (DOC. NO. 20240023185, OPR)
6. LOT 59 & 58, BLOCK 3 CROSSWAY SUBDIVISION UNIT 2, FLOYD SUBDIVISION (VOL. 9537, PG. 189, DPR) SMTM HOLDINGS LLC (DOC. NO. 20240023185, OPR)
7. CALLED 3.187 ACRES (VOL. 18691, PG. 822, OPR) BANDERA DE TEJAS, LLC (DOC. NO. 20170163110, OPR)
8. CALLED 2.282 ACRES BANDERA DE TEJAS LLC (DOC. NO. 20200040234, OPR)
9. CALLED 2.658 ACRES (VOL. 980, PG. 405 DPR) RODOLFO CUELLAR (VOL. 5897, PG. 1482-1485, OPR)

SURVEYOR'S NOTES:

1. MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION AS NOTED. MONUMENTS AND LOT MARKERS WILL BE SET WITH ⅝" IRON ROD WITH CAP MARKED "PAPE-DAWSON" OR MAG NAIL WITH DISK MARKED "PAPE-DAWSON" AFTER THE COMPLETION OF UTILITY INSTALLATION AND STREET CONSTRUCTION UNLESS NOTED OTHERWISE.
2. COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE, DISPLAYED IN US SURVEY FEET, GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
3. DIMENSIONS SHOWN ARE SURFACE. SCALE ADJUSTMENT OF 1.00017
4. BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION.

_____
LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

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PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

_____
REGISTERED PROFESSIONAL LAND SURVEYOR

DRAINAGE EASEMENT ENCROACHMENTS:

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COMMON AREA MAINTENANCE:

THE MAINTENANCE OF ALL PRIVATE STREETS, OPEN SPACE, GREENBELTS, PARKS, TREE SAVE AREAS, INCLUDING LOT 900, BLOCK 1, LOT 900, LOT 901, BLOCK 2, ACCESS EASEMENT, DRAINAGE EASEMENTS AND EASEMENTS OF ANY OTHER NATURE WITHIN THIS SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS, OR THE PROPERTY OWNERS' ASSOCIATION, OR ITS SUCCESSORS OR ASSIGNS AND NOT THE RESPONSIBILITY OF THE CITY OF LEON VALLEY OR BEXAR COUNTY.

OPEN SPACE:

LOT 900, BLOCK 1, CB 4614, IS DESIGNATED AS AN OPEN SPACE, PERMEABLE, ACCESS, AS A COMMON AREA, PRIVATE DRIVE AND DRAINAGE EASEMENT.

LOT 900 AND 901, BLOCK 2, CB 4614, ARE DESIGNATED AS OPEN SPACE, PERMEABLE, ACCESS, AS A COMMON AREA, AND DRAINAGE EASEMENT.

RESIDENTIAL FINISHED FLOOR

RESIDENTIAL FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF EIGHT (8) INCHES ABOVE FINAL ADJACENT GRADE.

CITY OF LEON VALLEY IMPACT FEE:

WATER AND SEWER IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WATER METER SET.

WATER & WASTEWATER EDU:

THE NUMBER OF WATER & WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE UNDER THE PLAT NUMBER AT THE CITY OF LEON VALLEY.

CITY OF LEON VALLEY SEWER CONNECTION FEE:

SANITARY SEWER CONNECTION FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL CONNECTION FEES MUST BE PAID PRIOR TO THE START OF ANY SANITARY SEWER CONSTRUCTION.

FLOODPLAIN VERIFICATION:

NO PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN BUILDABLE LOTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP PANEL: 48029C0380G, EFFECTIVE DATE 09/29/2010. FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS.

CITY OF LEON VALLEY WATER & SEWER DEDICATION:

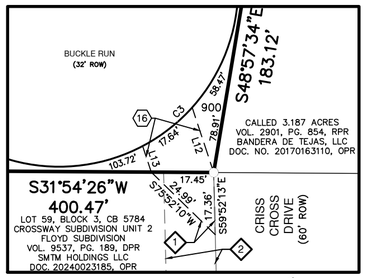
THE OWNER DEDICATES THE WATER AND SEWER MAINS TO THE CITY OF LEON VALLEY UPON COMPLETION BY THE DEVELOPER AND ACCEPTANCE BY THE CITY OF LEON VALLEY.

SAWS IMPACT FEE:

WASTEWATER TREATMENT IMPACT FEES WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PLAT. ALL IMPACT FEES MUST BE PAID PRIOR TO WASTEWATER SERVICE CONNECTION.

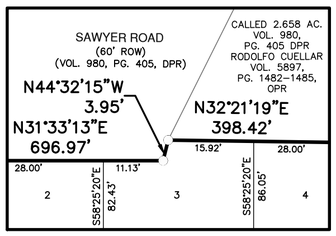
CPS/SAWS/CITY OF LEON VALLEY UTILITY:

1. CITY PUBLIC SERVICE BOARD (CPS ENERGY) - IS HEREBY DEDICATED EASEMENTS AND RIGHTS-OF-WAY FOR UTILITY, TRANSMISSION AND DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT," "ANCHOR EASEMENT," "SERVICE EASEMENT," "OVERHANG EASEMENT," "UTILITY EASEMENT", "GAS EASEMENT," "TRANSFORMER EASEMENT," "WATER EASEMENT," "SANITARY SEWER EASEMENT" AND/OR "RECYCLED WATER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING UTILITY INFRASTRUCTURE AND SERVICE FACILITIES FOR THE REASONS DESCRIBED ABOVE. CPS ENERGY AND SAWS SHALL ALSO HAVE THE RIGHT TO RELOCATE SAID INFRASTRUCTURE AND SERVICE FACILITIES WITHIN EASEMENT AND RIGHT-OF-WAY AREAS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS FOR THE PURPOSE OF ACCESSING SUCH INFRASTRUCTURE AND SERVICE FACILITIES AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF WATER, SEWER, GAS, AND/OR ELECTRIC INFRASTRUCTURE AND SERVICE FACILITIES. NO BUILDING, STRUCTURE, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN EASEMENT AREAS WITHOUT AN ENCROACHMENT AGREEMENT WITH THE RESPECTIVE UTILITY.
2. ANY CPS ENERGY OR SAWS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS ENERGY OR SAWS INFRASTRUCTURE AND SERVICE FACILITIES, LOCATED WITHIN SAID EASEMENTS, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS.
3. THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE TV EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED HEREON.
4. CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) AND TEN (10) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY UNDERGROUND ELECTRIC AND GAS FACILITIES.
5. ROOF OVERHANGS ARE ALLOWED WITHIN THE FIVE (5) AND TEN (10) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) AND TEN (10) FOOT WIDE EASEMENTS.



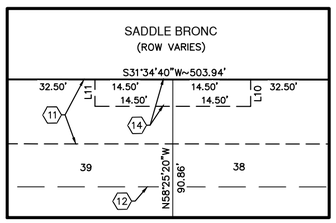
DETAIL "A"

SCALE: 1" = 30'



DETAIL "B"

SCALE: 1" = 20'



DETAIL "C"

SCALE: 1" = 20'

CURVE TABLE

CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	20.00'	90°00'00"	N76°34'40"E	28.28'	31.42'
C2	15.00'	13°37'19"	N24°46'00"E	3.56'	3.57'
C3	50.00'	284°39'17"	S19°43'00"E	61.11'	248.41'
C4	15.00'	91°01'57"	S77°05'40"W	21.40'	23.83'
C5	20.00'	90°00'00"	S13°25'20"E	28.28'	31.42'
C6	58.00'	90°00'00"	S13°25'20"E	82.02'	91.11'
C7	58.00'	90°00'00"	N76°34'40"E	82.02'	91.11'
C8	20.00'	90°00'00"	S76°34'40"W	28.28'	31.42'
C9	20.00'	90°00'00"	S13°25'20"E	28.28'	31.42'

LINE TABLE

LINE #	BEARING	LENGTH
L1	S58°25'20"E	62.40'
L2	S58°25'20"E	25.85'
L3	N58°25'20"W	160.24'
L4	S6°32'23"W	12.00'
L5	S20°55'14"E	83.48'
L6	N22°10'46"W	47.36'
L7	N31°54'26"E	85.00'
L8	N31°54'26"E	85.00'
L9	S78°02'31"W	19.39'
L10	S58°25'20"E	5.00'
L11	N58°25'20"W	5.00'
L12	S76°45'39"E	19.13'
L13	N76°45'39"W	7.66'

PLAT NOTES APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT

SEE SHEET 2 OF 2 FOR LINE & CURVE TABLE

PLAT NO. PZ-2026-19

REPLAT & SUBDIVISION PLAT ESTABLISHING SAWYER TRACT

BEING A TOTAL OF 6.583 ACRE TRACT OF LAND, ESTABLISHING LOTS 1-36 AND 900, BLOCK 1 AND LOTS 1-42, 900-901, BLOCK 2, OUT OF THE NORTHWEST PORTION OF LOTS 10, 11, 12, 13, AND THE WESTERN PORTION OF LOT 3, ALL OF THE LEON VALLEY ADDITION SUBDIVISION AS SHOWN ON THE PLAT RECORDED IN VOLUME 980, PAGE 405, IN THE PLAT RECORDS OF BEXAR COUNTY, TEXAS.

PAPE-DAWSON
2000 NW LOOP 410 I SAN ANTONIO, TX 78213 I 210.375.9000
TEXAS ENGINEERING FIRM #470 I TEXAS SURVEYING FIRM #10028800

DATE OF PREPARATION: November 10, 2026

SCALE: 1"= 100'

0' 100' 200' 300'

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

_____
OWNER/DEVELOPER: ONE STOP GROUP, LP
12042 BLANCO RD., APT 305
SAN ANTONIO TEXAS, 78216

STATE OF TEXAS
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BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED SAMIR CHEHADE KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE

THIS _____ DAY OF _____, A.D. 20_____.

_____
NOTARY PUBLIC, BEXAR COUNTY, TEXAS

THIS CITY ENGINEER OF THE CITY OF LEON VALLEY, TEXAS HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS AS TO WHICH HIS APPROVAL IS REQUIRED.

DATED THIS_____ DAY OF_____, A.D. 20_____.

_____
CITY ENGINEER

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DATED THIS _____DAY OF _____, A.D. 20 ____.

BY: _____
MAYOR

BY: _____
PLANNING AND ZONING CHAIRMAN

BY: _____
CITY SECRETARY

SHEET 2 OF 2

SAWYER TRACT

Civil Job No. 14132-01; Survey Job No. 14132-01

Nov 10, 2026, 5:37pm User ID: georgemartin
File: P:\141\32\01\2_Design\22_Civil\228_Plat_Package\PL141320I.dwg

PZ-2026-19
Request for a Replat
6612 & 6618 Sawyer Road

Michael Gallardo

Planning and Zoning Director

November 18, 2026

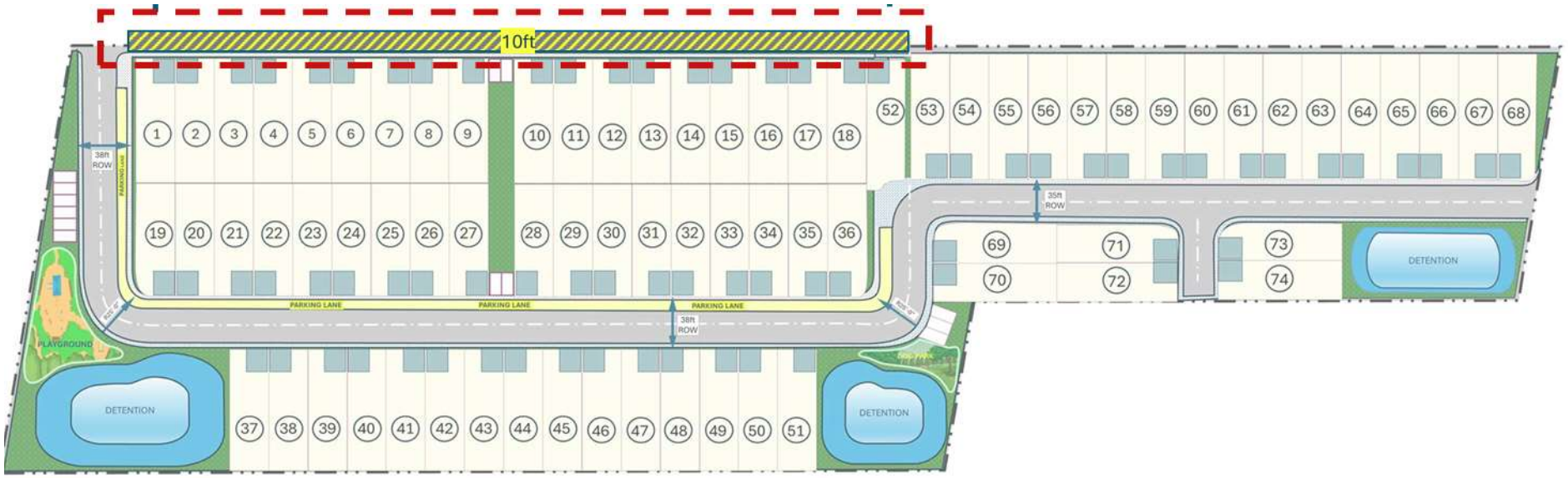
Purpose

- Consider approval of a request for a Replat
- 6612 & 6618 Sawyer Rd. – approx. 6.583 acres of land
- Establishing Lots 1-36 Block 1
- Establishing Lots 1-42, 900-901 Block 2
- Out of NW Portion of Lots 10, 11, 12, 13 and Western Portion of Lot 3
- Proposed 73 lots and 2 open space lots

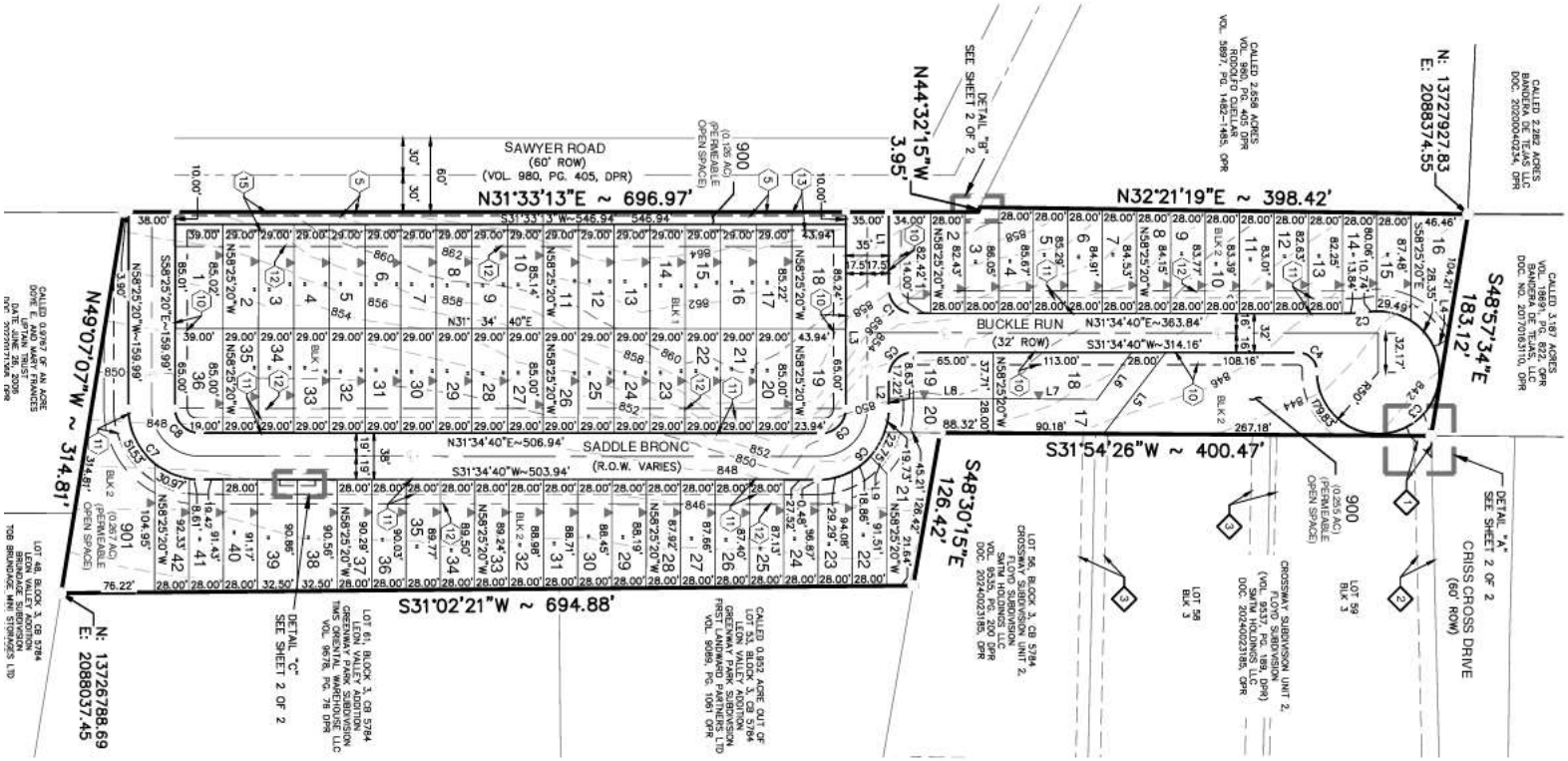
Aerial View


Country Home Learning
Center at Leon Valley
Poss Rd
Poss Rd
Sawyer Rd
Sawyer Rd
Miracle Body and
Paint Collision Center

Subdivision Layout



Replat Submittal



Notification

- Letters mailed 16
- Received in favor 0
- Received in opposition 0
- Received undeliverable 0

Fiscal Impact

- The owner has paid all fees associated with this application
- The proposed new improvements will increase the taxable value of the property and therefore increase the City's property tax base.

Recommendation

- The replat request has been found to be in substantial conformance to Chapter 10, Subdivisions
- The City Engineer and staff recommend approval

PLANNING AND ZONING COMMUNICATON

DATE: November 18, 2026

TO: Planning and Zoning Commission

FROM: Michael Gallardo, Planning and Zoning Director

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

SUBJECT: Presentation, Public Hearing, Discussion, and Possible Recommendation, to Consider a Request for a Zone Change from B-3 Commercial to I-1 Industrial District on an Approximately .3400 Acre Tract of Land, located at the SW Corner of Bandera Road and NW Industrial; More Specifically Described as Lot 1, CB 4428F, BLK 1 Northwest Industrial Park Subdivision - M. Gallardo, Planning and Zoning Director

PURPOSE

The purpose of this item is to consider a request to rezone approximately 0.3400 acres of land from B-3 Commercial to I-1 Industrial District, located at the SW Corner of Bandera Road and NW Industrial in the Northwest Industrial Park Subdivision.

The applicant is proposing to develop a drone charging station. The charging station will enable drone delivery service for local restaurants and retailers. Ground infrastructure includes fenced-in chargers, an equipment cabinet and the required electrical and network connections.

This concept would fall under a *"Logistics Center"* in which the City is currently adding to Chapter 15 by establishing a definition and adding "Logistics Center" to the Industrial District on the Permitted Use Table.

Sec. 15.02.322 - "I-1 " commercial district

(a) Purpose and description.

(1) The I-1 district is composed of land and structures used for assembling, manufacturing or wholesaling where the use and its operation do not affect abutting and/or surrounding uses. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed for mutual protection of land use. The I-1 district includes retail and commercial uses; however, I-1 districts are to be separated from residential areas by business areas or natural and/or man-made barriers. The district regulations implement the policies of the master plan by 1) protecting the character of the business and residential areas by regulating unenclosed activities or uses, which could intrude upon the lifestyle of the community through inappropriate lighting, noise,

vibration, smoke, dust, or pollutants; 2) encouraging economic viability and stability in the city.

(2) An I-1 business is a business where the primary use specifically meets one or more of the following, and no ancillary use conflicts herewith:

(A) A repair facility the purpose of which is the repair and maintenance of goods, including vehicles;

(B) A service facility the purpose of which is providing a service to surrounding districts including vehicle and alcohol services; and/or

(C) A facility the purpose of which is the assembling, manufacturing, compounding, processing, packaging or testing of goods or equipment within an enclosed area, serviced by trucks or vans and imposing a negligible impact on the surrounding environment by noise, vibration, smoke, dust or pollutants.

STAFF COMMENTS

The proposed development will be located on a lot on corner of South Bound Bandera Road and NW Industrial Drive. The property is currently undeveloped, platted and holds a billboard sign. The property does not abut a residential district.

Surrounding Zoning

- North: B-3 Commercial
- West: I-1 Industrial
- East: B-3 Commercial
- South: B-3 Commercial and I-1 Industrial

Master Plan

The Master Plan contemplates for properties along the Bandera Road Loop 410 Corridor to promote primarily retail uses. The land use goal for this area is to maintain ensure development does not abut a residential district. The request is consistent and compatible with the City's Master Plan.

Notification

- Letters mailed to property owners within 200' 14
- Letters received in favor 0
- Letters received in opposition 0
- Letters returned undeliverable 0

FISCAL IMPACT:

The developer has paid all fees associated with the processing of this zone change

request. The development of a drone charging station may increase ad valorem and sales taxes in the city.

RECOMMENDATION

The proposed zone change request is consistent with the goals of the Master Plan and is compatible with the adjacent zoning districts. Staff recommends approval of the request.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

_____

_____

_____

_____

ATTEST:

_____
Michael Gallardo
Planning and Zoning Director

For Office Use Only Case No. _____
Zoning Application Date Received: _____

LEONVALLEY
DEEP ROOTS. BIG IDEAS.

ZONING APPLICATION FORM
(please print or type in black)

Personal Information

Name of Applicant: Farhan Shaman Jawad

Address: 10610 Shaenleaf, San Antonio, Tx 78254

Phone No: Home (210)409-6069 Work ( ) Fax ( )

Email: mitexasrealestate@gmail.com

Status (check one): X Owner ☐ Agent (if agent, attach notarized Letter of Authorization)

Property Description

Address: **4921 NW Industrial Dr, Leon Valley, TX**

Legal Description: LOT 1, BLOCK 1, NORTHWEST INDUSTRIAL PARK, A SUBDIVISION IN BEXAR COUNTY, TEXAS.

Current Zoning: B-3 Requested Zoning: I-1

Existing Property Use or State None: Empty Lot

Acreage and/or Square Footage: 15,000 SF

Does owner own adjacent property? ☐ Yes X No

List Existing Structures: Billboard only
and/or
Existing Uses: _____

I hereby certify that I have read and examined this application and the attached instruction sheet and know the information I have provided to be true and correct. All provisions of laws and ordinances governing this application will be complied with whether specified herein or not. The granting of a zoning change does not presume to give authority to violate or cancel the provisions of any other state or local law regulating the use of the property.

Signature of Applicant — Date: 10/29/2026

BEFORE ME, A Notary Public in and for The State of Texas, on this date personally appeared Farhan Shaman Jawad (Applicant) who duly states that all facts on this application are true to the best of his/her knowledge.

SWORN TO and **SUBSCRIBED** before me this 30 day of October, 2026.

SEAL

JACKELYN G KELLY
Notary ID #132021676
My Commission Expires
May 21, 2027

Jackelyn A. Kelly
Notary Public, Bexar County, Texas
My Commission expires: 5-21-2027

For Office Use Only Case No. _____
Zoning Application Date Received _____

MAILING LIST OF PROPERTY OWNERS TO BE NOTIFIED

Instructions:

1. Please print/type names and addresses of the applicant, representative, property owners, and all owners of property within 200 feet of the subject site listed with the Bexar County Appraisal Rolls (as indicated on the map provided by applicant).
2. The names listed below should be keyed to the map, indicating specific property owned.
3. Provide the City with corresponding **pre-addressed labels of property owners listed below.**

NOTE: If a property owner holds more than one lot (same mailing address for different lots), make only **one** mailing label for that property owner and write "Same Owner as # _____" on the attached mailing list.

I certify that the names, addresses, and zip codes listed below are those listed on the current Bexar County Tax Roll.

Signature of Applicant (Owner or Authorized Agent)

10/28/26
Date

SWORN TO and **SUBSCRIBED** before me this 30 day of October 2026.

SEAL

JACKELYN G KELLY
Notary ID #132021676
My Commission Expires
May 21, 2027

Jackelyn G Kelly
Notary Public, Bexar County, Texas

My Commission expires: 5-21-2027

Applicant Name: Farhan Shamam Jawad

Address: 10610 Shaenleaf, San Antonio, Tx 78254

Representative Name: _____

Address: _____

Property Owner Name: Farhan Shamam Jawad

Address: 10610 Shaenleaf, San Antonio, Tx 78254

October 26, 2026

Dear Mr. Gallardo,

Please allow this letter serve Farhan Shamam Jawad's (the "Property Owner" and "Applicant") request for a rezone as it relates to property located at 4921 NW Industrial Dr, Leon Valley, TX 78238, otherwise known as 04428-601--0010 (the "Site"). The Applicant requests a zone change from B-3 (Commercial District) to I-1 (Light Industrial) for the reasons fully set forth below.

Site

The Site is located on the southwest corner of Bandera Road and NW Industrial Drive. Immediately north of the Site is Bandera Road, a primary arterial road which is a major regional traffic corridor connecting northwest Bexar County with Loop 410. To the south of the Site are existing industrial and/or commercial businesses, zoned I-1. To the east across NW Industrial Drive are existing commercial businesses, zoned B-3. To the west of the Site is the rear of a commercial shopping center within the City of San Antonio boundary.

Rezone Request

Under § 15.02.721(q)(4), the City of Leon Valley evaluates a zone change request on five factors when recommending approval or denial:

1. **§ 15.02.721(q)(4)(A) - Master Plan Compatibility**

The proposed zone change from B-3 to I-1 is consistent and compatible with the Master Plan in several ways. First, Leon Valley's Master Plan includes a Light Industrial category that contemplates a variety of uses such as assembling, manufacturing, and wholesaling uses, along with limited retail and commercial uses. Notably, the Land Use Plan categorizes the B-3 and I-3 zoning districts within its Light Industrial category indicating a similarity in the nature and character of both zoning districts. *See* Leon Valley Comprehensive Master Plan, p. 15. Thus, the City's own planning framework recognizes B-3 and I-1 as compatible ways to implement a variety of Light Industrial land uses.

While the Applicant requests a zone change to I-1, the spirit of B-3 and I-1 are quite similar. For example, uses such as warehouse storage, wholesaling, ordinary automobile repair and contractor facilities are permitted in both B-3 and I-1 zoning. The close relationship between B-3 and I-1 supports the position that a rezoning to I-1 is a

compatible adjustment within an established land-use category because they both serve related planning purposes and can accommodate a similar general development character. The request builds upon activities already contemplated under B-3 and maintains the property's commercial and employment-oriented role.

This requested zone change further aligns with ***Plan Component 1: Land Use & Community Design's*** description of the Bandera Road/Loop 410 Area. This area is meant to contemplate retail and commercial areas that serve to buffer residential uses from the interstate highway. While B-3 and I-1's purpose are similar, a zone change to I-1 will maintain the Applicant's ability to house a light industrial use that is compatible with the surrounding area. The zone change does not alter the Site's ability to properly serve as a buffer from the Bandera Road/Loop 410 area to existing residential.

Further, the requested rezone to I-1 meets ***Plan Component 1, Objective Four:*** "[p]rovide adequate land designated for commercial areas to meet the economic demand and assure that all land uses, whether mixed or segregated, are compatible with each other"

The rezone will allow for in-fill development that will positively impact both the Property Owner and Leon Valley residents as opposed to a vacant, undeveloped parcel in an area that is largely developed. Moreover, this rezone would allow for a variety of light industrial uses permitted by right in an I-1 zoning district such as a "logistics center."[1] For example, a logistics center on the Site is compatible with the surrounding existing uses and will strengthen the city's economic base through sales tax. More importantly, the Site is not adjacent to any single or multi-family residential developments. For the same, above-mentioned reasons, this also satisfies **Objective 4.2:** Land development in commercial areas should enhance stability and strengthen the city's economic base, while minimizing the adverse effects on adjacent non-commercial uses. Again, developing a vacant parcel is typically beneficial to the city's economic base through sales tax to some extent.

[1] **Logistics Center -** a facility which is designed and used for the purpose of wholesaling, storing, handling, sorting and distributing materials, goods, products and equipment, excluding live animals. This use explicitly includes traditional freight hubs, e-commerce fulfillment centers, and automated drone infrastructure nodes-whether operated as a primary use or as an accessory deployment for product sorting, automated battery swapping, fleet staging, and aerial vehicle dispatch. Typical uses include mail or package distribution hubs, freight storage, wholesale distribution, and aerial drone fleet dispatch operations.

2. § 15.02.721(q)(4)(B) – Compatibility with Surrounding Zoning Districts

As mentioned above, the Site, after a rezone to I-1, will allow for a variety of light industrial uses to operate on Site - many of which are already existing in the area. The rezone is consistent and compatible with the Site's surrounding zoning districts that consists of predominantly I-1 zoned properties, and which includes several industrial and construction-related businesses. The request for I-1 is also appropriate and compatible with the existing I-1 zoned property immediately to the south. The Site is the one of the last handful of parcels zoned B-3 in a predominantly I-1 zoned area. Even more, the Master Plan includes both the B-3 and I-1 zoning districts within the Light Industrial category. The zone change request from B-3 and I-1 involves two closely related nonresidential districts that will maintain the existing character and nature of the area.

3. § 15.02.721(q)(4)(C)- Compatibility with Surrounding Uses

If approved, the requested rezone to I-1 will allow for a variety of light industrial uses such as logistics centers, traditional freight hubs, e-commerce fulfillment centers, mail or package distribution hubs, freight storage, and wholesale distribution to operate on Site. The above-mentioned uses are appropriate and compatible with the existing industrial, construction-related and commercial businesses in the nearby area. These uses can harmoniously co-exist with one another which is further supported by the lack of residential development in the area. Locating a proposed logistics center near other similar land uses will serve to avoid land use conflict as Leon Valley's Master Plan and Zoning Ordinance intended.

4. § 15.02.721(q)(4)(D) - Protection of the Health, Safety and Welfare of the General public

The requested rezone to I-1 will support economic activity and positive in-fill development while protecting the health, safety and welfare of the general public. If approved, the light industrial uses permitted in I-1 will be appropriately located within a light industrial zoning district, away from residential areas. The development of this Site will comply with all applicable fire, traffic, drainage and other environmental requirements.

5. § 15.02.721(q)(4)(E) - Protection and Preservation of Property Rights

The Applicant's request will not impact the protection and preservation of the rights of owners of all real property affected by the proposed zoning change. The requested zone change to I-1 may allow the owner to use a commercially situated parcel for

activities consistent with the surrounding commercial, employment and industrial setting.

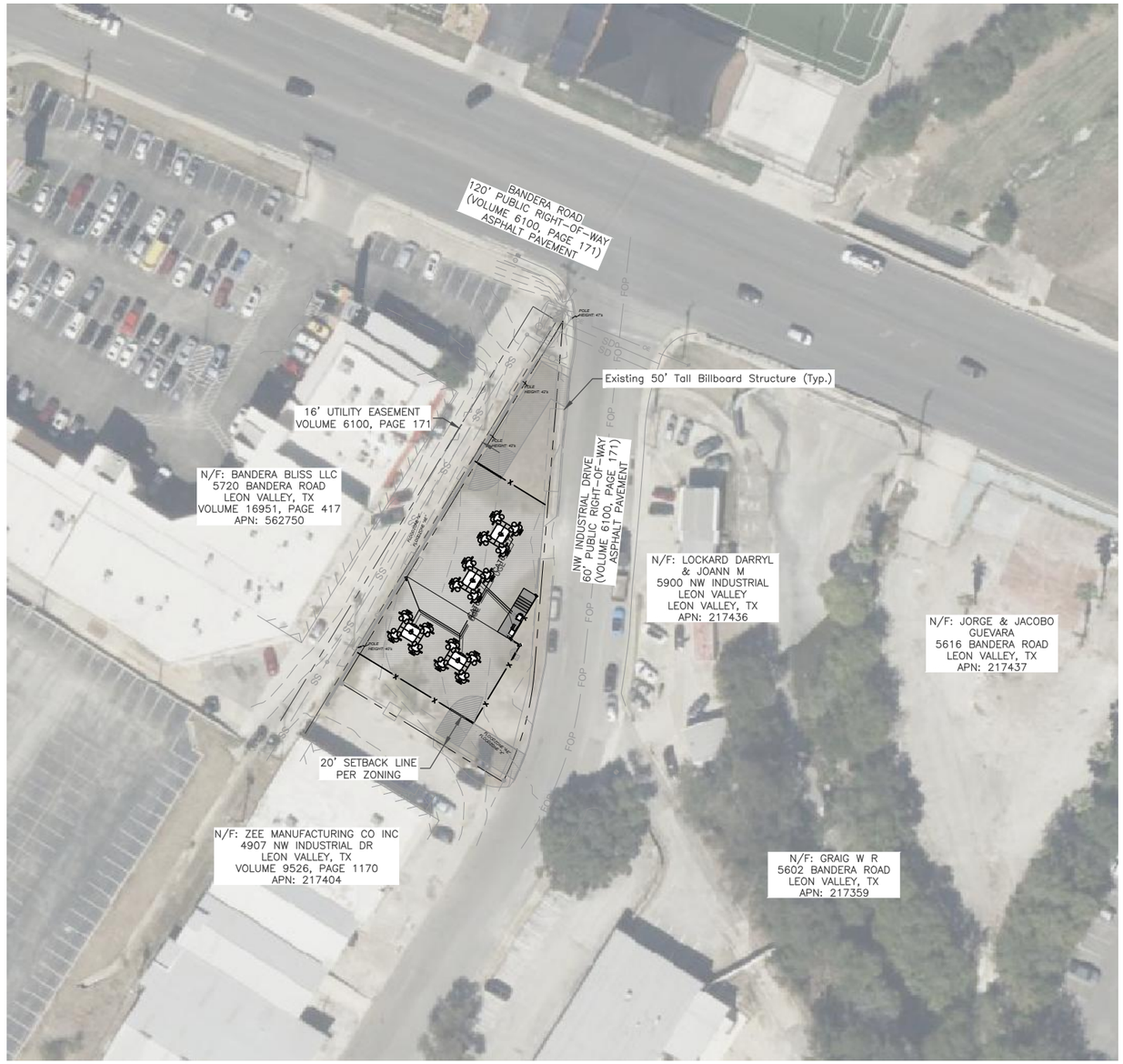
The proposed rezoning to I-1 and use permitted within the same will preserve neighboring property owners' ability to use their properties without unreasonable interference from noise, glare, obstructed access, drainage issues, or improperly managed storage. This proposed use promotes in-fill development of a vacant parcel that is appropriate for the light-industrial area because it is an unmanned, low-intensity use that will not generate traffic as opposed to a typical commercial business.

While the Site is one of the last few remaining B-3 parcels in the area, the change in the nature of the surrounding area further supports the requested zone change to I-1. This is an established high-intensity commercial and industrial area in which the change to I-1 is logical and appropriate. The zone change is in line with the City's efforts for orderly development and this request recognizes a change in the nature of the area.

We appreciate your attention to this matter. Please do not hesitate to reach out with any questions or concerns.

Sincerely,

Farhan Shamam Jawad, Owner



LEGEND

- ELECTRIC CABINET
- ELECTRIC BOX
- POWER POLE
- LIGHT POLE
- TELEPHONE PEDESTAL
- TELEPHONE VAULT
- FIBER OPTIC UTILITY MARKER
- GAS UTILITY MARKER
- CULVERT
- BOUNDARY LINE
- CONTOUR LINE
- ACCESS EASEMENT LINE
- PIPELINE EASEMENT LINE
- DRAINAGE EASEMENT LINE
- RIGHT-OF-WAY LINE
- FENCE LINE
- OVERHEAD POWER LINE
- UNDERGROUND POWER LINE
- ABOVE GROUND POWER LINE
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND GAS LINE
- UNDERGROUND STORM DRAIN LINE
- FLOW LINE

Zipline
333 COREY WAY
SOUTH SAN FRANCISCO, CA 94080

Dewberry®
Dewberry Engineers Inc.
4835 LBJ FREEWAY
SUITE 475
DALLAS, TX 75244
TX FIRM #: F-6548
PHONE: 469.232.5200

NOT FOR CONSTRUCTION

DRAWN BY:	FG
CHECKED BY:	WG
APPROVED BY:	DR
JOB #:	50195709

SUBMITTALS

REV.	DATE	DESCRIPTION
A	10/26/26	ISSUED FOR REVIEW

SITE NAME:
LEON VALLEY, TX

SITE ADDRESS:
4921 NW INDUSTRIAL DR
LEON VALLEY, TX 78238

SHEET TITLE
SITE PLAN

SHEET NUMBER
SP – 1

FLOOD RESISTANCE NOTES:

1. PROPERTY IS LOCATED PARTIALLY IN FLOOD HAZARD AE (THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATIONS DETERMINED EL. 6') AND LOCATED PARTIALLY IN ZONE X SHADED (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD). PER MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, BERGEN COUNTY, NEW JERSEY, (ALL JURISDICTIONS), PANEL 213 OF 532", MAP NUMBER 34003C0213H, MAP REVISED: AUGUST 28, 2019.
2. PROPOSED ELECTRICAL SERVICE EQUIPMENT TO BE LOCATED 1FT MINIMUM ABOVE FLOOD ZONE ON RAISED CONCRETE PAD.
3. WATER SENSOR TO BE INSTALLED AT STALL 2D AND 4E TO BE WIRED TO SHUNT TRIP EXISTING ELECTRICAL SERVICE DURING FLOOD.
4. PROPOSED EV CHARGERS & DC POWER CABINETS TO BE INSTALLED AT GRADE (BELOW BFE) WITH WATER SENSOR. WHEN WATER SENSOR SENSES FLOOD WATERS ALL EV CHARGERS AND TESLA EQUIPMENT TO BE SHUT DOWN AUTOMATICALLY WITH USE OF SHUNT TRIP DEVICE.
5. EV CHARGE POST MATERIAL MADE OF PLASTIC AND WILL NOT BE DAMAGED DURING FLOODING. INTERNAL COMPONENTS TO BE TESTED BY TESLA SERVICE TEAM AFTER FLOOD EVENT & BEFORE BEING PUT BACK INTO SERVICE.

SITE PLAN 1
SCALE: 1"=80' FOR 11"x17"
1"=40' FOR 22"x34"
0' 40' 80'

NOTES:

1. SITE PLAN BASED ON ENGINEERING DESIGN SURVEY: A PORTION OF THE PROPERTY DESCRIBED IN BOOK 6100, PAGE 171, CITY OF LEON VALLEY, BEXAR COUNTY, TX BY BLEW SURVEYING DATED 09/17/26.
2. UTILITY CONNECTION TO BE MADE UNDER UTILITY'S STANDARDS, CONFIRM FINAL DESIGN WITH ZIPLINE AND UTILITY PRIOR TO CONSTRUCTION.
3. IDENTIFY EXISTING UNDERGROUND UTILITIES LOCATED WITHIN AREA OF PROPOSED TRENCH & EQUIPMENT SITE AREA. HAND DIG AND RELOCATE AS REQUIRED.
4. EXISTING STORM DRAIN INLETS TO BE COVERED WITH SILT BAG DURING CONSTRUCTION.
5. CONTRACTOR TO CONFIRM ALL EXISTING & PROPOSED FIELD CONDITIONS/DIMENSIONS AND NOTIFY ZIPLINE AND ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
6. CONTRACTOR ENSURE ALL TREES IN THE PROJECT VICINITY ARE TRIMMED TO BE AT LEAST 3 FEET AWAY FROM THE FACILITY FENCE.
7. STRUCTURAL INFORMATION IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. FINAL TOWER AND PAD DESIGN SHALL BE INSTALLED PER MANUFACTURER GUIDELINES AND THE ZIPLINE STRUCTURAL ENGINEER OF RECORD. CONTRACTOR TO VERIFY FINAL FOUNDATION & SUPPORT PAD DESIGN WITH ZIPLINE PRIOR TO CONSTRUCTION.

PZ-2026-23
Zone Change Request
NW Industrial

Michael Gallardo
Planning and Zoning Director
Planning and Zoning Commission Meeting
November 18, 2026

Summary

- Question
  - The Commission is being asked to consider a Zone Change Request from B-3 Commercial District to I-1 Industrial District, at SW Corner of Bandera and NW Industrial
- Options
  - 1. Recommend approval
  - 2. Recommend denial
  - 3. Other
- Declaration
  - The Zone Change is compatible with surrounding zoning

Purpose

- The property is currently zoned B-3 Commercial District
- The applicant is requesting the zone change in order to develop a drone charging station.
- The use will be designated as a “Logistics Center” and allowed in the I-1 Industrial District and not allowed in the B-3 Commercial District
- If this request were to be approved, any of the I-1 Industrial uses would be allowed by right at this site

Purpose

Sec. 15.02.322 - “I-1" industrial district

(a) Purpose and description.

(1) The I-1 district is composed of land and structures used for assembling, manufacturing or wholesaling where the use and its operation do not affect abutting and/or surrounding uses. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed for mutual protection of land use. The I-1 district includes retail and commercial uses; however, I-1 districts are to be separated from residential areas by business areas or natural and/or man-made barriers. The district regulations implement the policies of the master plan by 1) protecting the character of the business and residential areas by regulating unenclosed activities or uses, which could intrude upon the lifestyle of the community through inappropriate lighting, noise, vibration, smoke, dust, or pollutants; 2) encouraging economic viability and stability in the city.

Purpose

Sec. 15.02.322 - "I-1 " commercial district (cont.)

(2) An I-1 business is a business where the primary use specifically meets one or more of the following, and no ancillary use conflicts herewith:

(A) A repair facility the purpose of which is the repair and maintenance of goods, including vehicles;

(B) A service facility the purpose of which is providing a service to surrounding districts including vehicle and alcohol services; and/or

(C) A facility the purpose of which is the assembling, manufacturing, compounding, processing, packaging or testing of goods or equipment within an enclosed area, serviced by trucks or vans and imposing a negligible impact on the surrounding environment by noise, vibration, smoke, dust or pollutants.

Purpose

- Logistics Center Defined: a facility which is designed and used for the purpose of wholesaling, storing, handling, sorting and distributing materials, goods, products and equipment, excluding live animals. This use explicitly includes traditional freight hubs, e-commerce fulfillment centers, and automated drone infrastructure nodes-whether operated as a primary use or as an accessory deployment for product sorting, automated battery swapping, fleet staging, and aerial vehicle dispatch. Typical uses include mail or package distribution hubs, freight storage, wholesale distribution, and aerial drone fleet dispatch operations.

Purpose

Proposed Amendment

Permitted Use Table:

Use	O-1	B-1	B-2	B-3	I-1
Logistics Center	X	X	X	X	P

P – Allowed by right

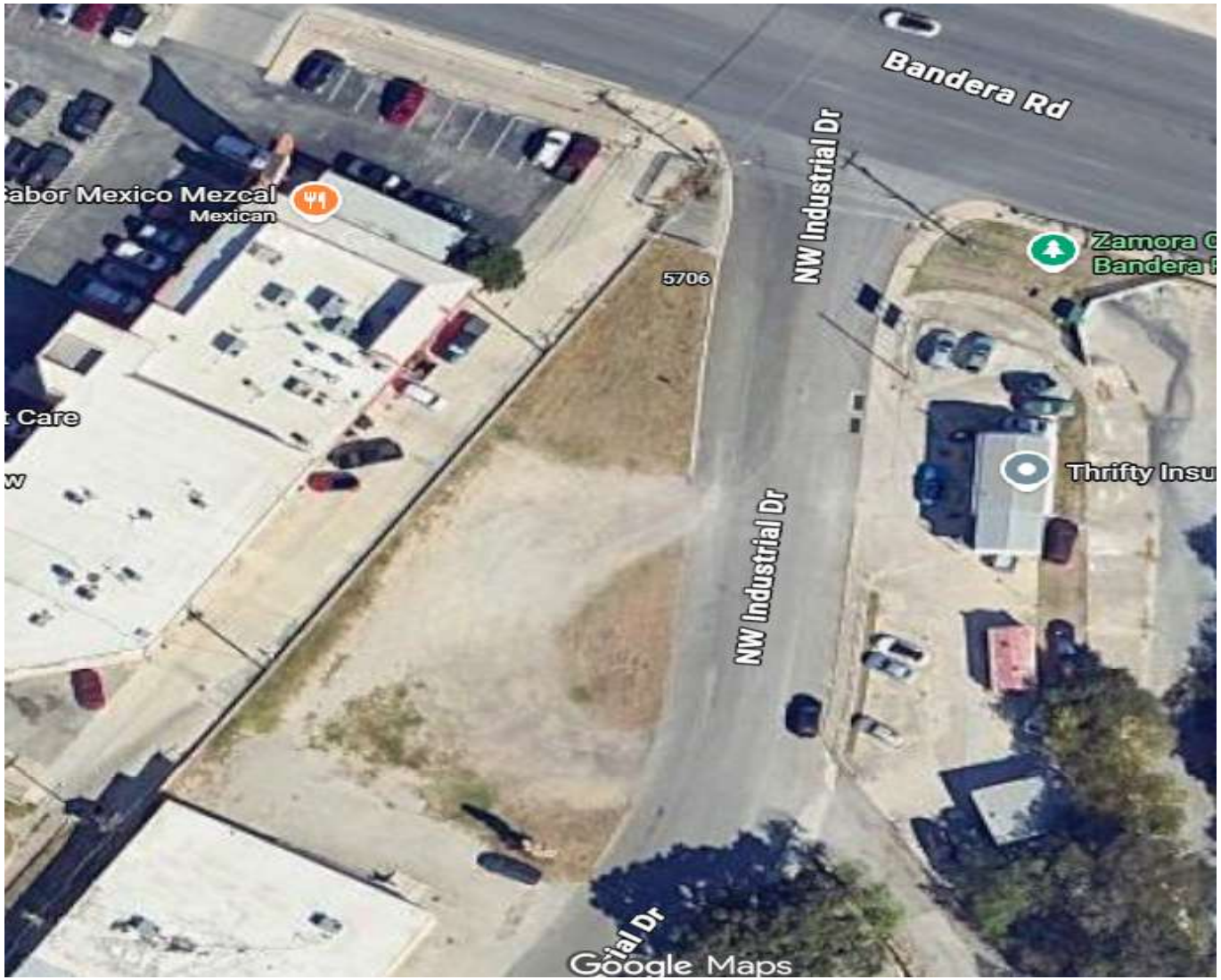
X – Not allowed

Sup – Specific use permit

Location Map

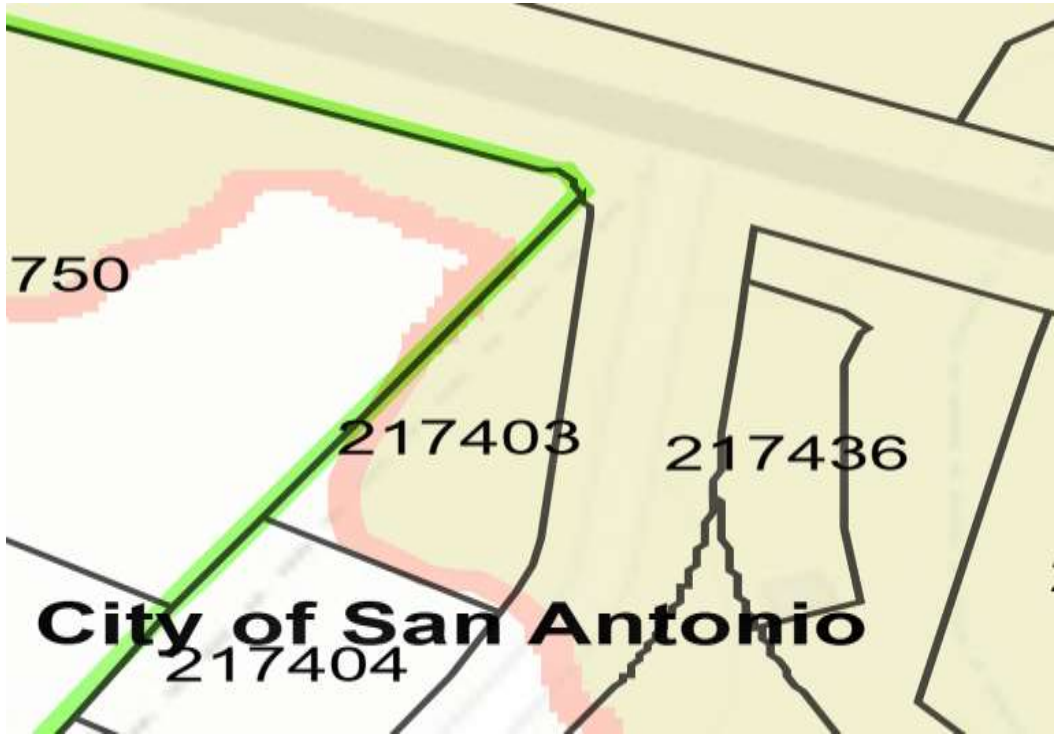


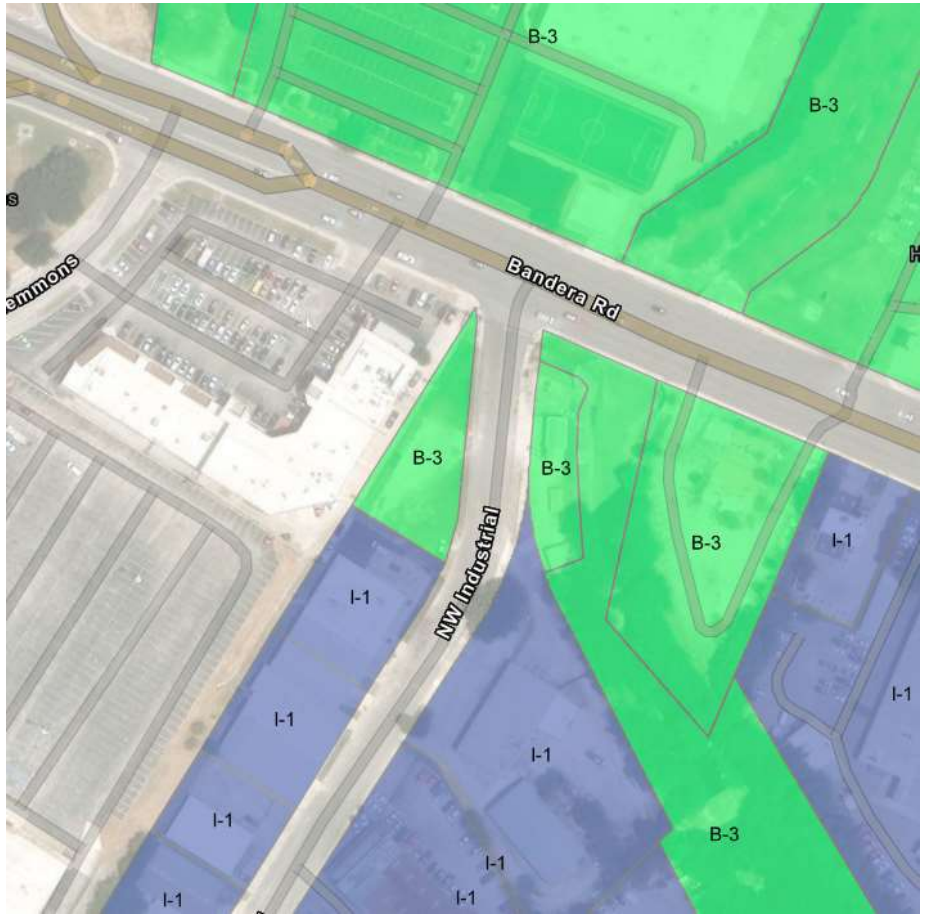
Aerial View


Bandera Rd
NW Industrial Dr
NW Industrial Dr
5706
Mexican
Google Maps

Site and Zoning

- Bright Green – B-3 Commercial
- Purple – I-1 Industrial



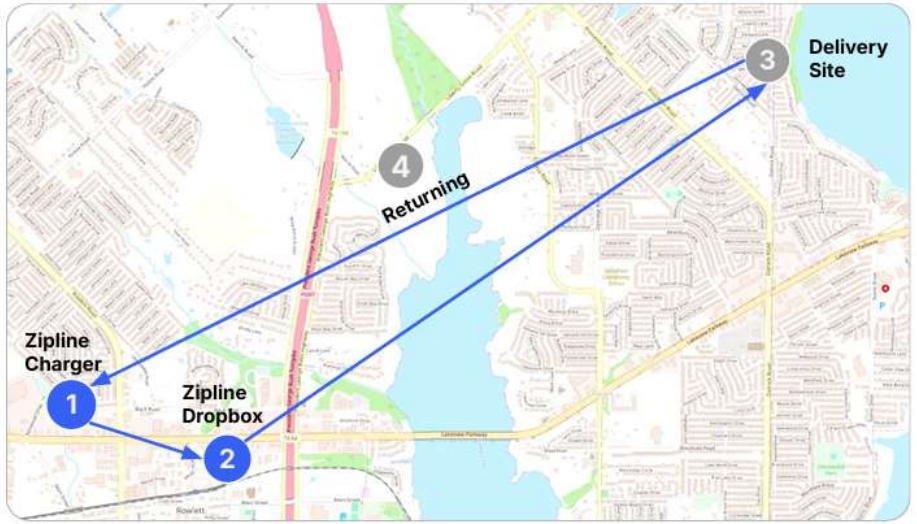


Site Plan


BANDERA ROAD
120' PUBLIC RIGHT-OF-WAY
(VOLUME 6100, PAGE 171)
ASPHALT PAVEMENT
Existing 50' Tall Billboard Structure (Typ.)
16' UTILITY EASEMENT
VOLUME 6100, PAGE 171
N/F: BANDERA BLISS LLC
5720 BANDERA ROAD
LEON VALLEY, TX
VOLUME 16951, PAGE 417
APN: 562750
NW INDUSTRIAL DRIVE
60' PUBLIC RIGHT-OF-WAY
(VOLUME 6100, PAGE 171)
ASPHALT PAVEMENT
N/F: LOCKARD DARRYL
& JOANN M
5900 NW INDUSTRIAL
LEON VALLEY
LEON VALLEY, TX
APN: 217436
20' SETBACK LINE
PER ZONING
N/F: ZEE MANUFACTURING CO INC
4907 NW INDUSTRIAL DR
LEON VALLEY, TX
VOLUME 9528, PAGE 1170
APN: 217404
N/F: GRAIG W R
5602 BANDERA ROAD
LEON VALLEY, TX
APN: 217359

Operating Concept

Zipline Operating Concept



1 Charging

Zipline drones charge at a centrally located Zipline Charger



2 Loading

When its order is ready, the drone departs the Zipline Charger and picks up the package at a Zipline Dropbox



Zipline

Staff Comments

- Property is platted and currently undeveloped
- Property is located in the floodplain
- Zone Change to I-1 Industrial is compatible with the surrounding properties and intended use

Master Plan

- Master Plan contemplates properties along the Bandera Road Loop 410 Corridor to promote primarily Commercial and Retail Uses
- Land use goal for this area is Commercial and not intended to abut residential
- Request is consistent or compatible with the City's Master Plan

Notification

- Letters mailed to property owners within 200’ 14
- Letters received in favor 0
- Letters received in opposition 0
- Letters returned undeliverable 0

Fiscal Impact

- The developer has paid all fees associated with the processing of this zone change request
- The development of a drone charging station will increase ad valorem taxes in the city

Recommendation

- The proposed zone change request is consistent with the goals of the Master Plan
- Staff recommends approval of the proposed zone change