



**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, August 05, 2025 at 6:00 PM

AGENDA

The City of Leon Valley City Council Shall Hold an In-Person Meeting with A Quorum of Members of City Council to Be Physically Present in The Leon Valley City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238. Some Members of City Council May Appear and Participate in The Meeting by Videoconference Pursuant to The Requirements Set Forth in The Texas Open Meetings Act.

Citizens May E-Mail Public Comments To citizenstobeheard@leonvalleytexas.gov. All Other Citizen Participation May Be Provided In-Person at City Council Chambers.

- 1. Call to Order; Determine a Quorum is Present, Pledge of Allegiance**
- 2. Citizens to be Heard** - Citizens wishing to address the City Council for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the City Council is restricted from discussing or acting on items not listed on this agenda.
- 3. Presentations**
 1. Presentation and Direction to Staff to Print Paper Packets for the City Council - Mayor Chris Riley
 2. Presentation, Discussion, and Possible Action on the Proposed Fiscal Year 2026 Budget - Dr. C. Caldera, City Manager
 3. Presentation and Discussion on an Ordinance Authorizing the Proposed 2025 Property Tax Rate and Call for Public Hearing and Adopt Tax Hearing (1st Reading as Required by City Charter) - Dr. Caldera, City Manager
- 4. Announcements by the Mayor and Council Members.** At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

5. City Manager's Report

1. Upcoming Important Events:

- Regular City Council Meeting, Tuesday, August 19, 2025, at 6:30 PM, in City Council Chambers.
- Mini Golf, August 07, 2025 from 3:30 PM to 7:30 PM; and August 08, 2025 from 9:30 AM to 1:30 PM, at the Leon Valley Public Library.
- Low-Cost Pet Vaccinations, Saturday, August 09, 2025 and Saturday, August 23, 2025, from noon to 4:00 PM, at 6400 El Verde Road, behind the police department in the cul-de-sac.
- Brush and Bulk pick up. Place items at the curb September 08-14, 2025, and collection will begin on September 15, 2025.
- Miscellaneous other events and announcements.

6. Consent Agenda - All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of a Consent Agenda item unless a member of City Council requests that the item be pulled from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

1. Discussion and Possible Action Approving of the Following City Council Minutes:

- a. July 15, 2025 Regular City Council Meeting Minutes
- b. July 26, 2025 Coffee with the Mayor & City Council Minutes

2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:

- a. 12-11-2024 Bandera Road Groundwater Plume Superfund Site Community Advisory Group (CAG) Meeting Minutes
- b. 04-16-2025 Citizens Police Advisory Committee Meeting Minutes
- c. 06-24-2025 Planning Zoning Commission Meeting Minutes

3. Discussion and Possible Action on an Ordinance Approving a Request for a Specific Use Permit to Allow Construction and Operation of a Telecommunication Antennae/Tower in a B-3 Commercial Zoning District, Located at 6004 Grissom Road; and More Specifically Described as Lot 4, CB 5955, Leon Valley Ranches Subdivision (1st Read was Held on 07-01-2025) - S. Huerta, Planning and Zoning Director

4. Discussion and Possible Action on an Ordinance Amendment to CHAPTER 15, "ZONING," Appendix C. Sustainability, Gateway, and Commercial/Industrial Overlay District Standards to Delete the Sustainability and the Commercial/Industrial Overlay Districts. Revisions to Article 15.02 Zoning Ordinance, Sec. 15.02.052, "Definitions", Sec. 15.02.301, "Districts", Sec. 15.02.304 "Description and Purpose of Districts"; Sec. 15.02.305 "Regulation for All Districts"; Sec. 15.02.314 "Residential Use Table"; Amending Sec. 15.02.318 "PD Planned Development District" to a Different Section; and Deleting Sec. 15.02.318 "MX-1 Mixed Use District"; Amending Sections 15.02.319 "O-1 Office District", Sec. 15.02.320 "B-1 Small Business District", Sec. 15.02.321 "B-2 Retail District", Sec. 15.02.322 "B-3 Commercial District", and Sec. 15.02.323 "I-1 Industrial District" to Add Landscaping and Lighting Requirements; Amending Sec. 15.02.324 Table of Minimum Requirements to Add the R-7 District; Amending Sec.

15.02.381 "Permitted Use Table" to Delete the Sustainability and Commercial/Industrial Overlay Districts; Amending Sec. 15.02.441 "Parking Regulations" to Add Landscaping Regulations and Add Bicycle Parking; Deleting Exhibit 2 – Overlay Boundaries, Exhibit 2A – Sustainability Overlay and Exhibit 2C – Commercial/Industrial Overlay; and Renumbering Exhibit 2B. – Gateway Overlay (1st Read was Held on 07-05-2025) - S. Huerta, Planning and Zoning Director

5. Discussion and Possible Action on a Resolution Appointing a Member to the Earthwise Living Day Committee - S. Passailaigue, City Secretary
6. Presentation, Discussion, and Possible Action Authorizing the City Manager to Enter Into an Agreement between the San Antonio Water System (SAWS) and the City of Leon Valley for the Emergency Interconnection Between SAWS and the City of Leon Valley Water System for the Purpose of Providing an Emergency Water Supply - D. Dimaline, Assistant Public Works

7. Regular Agenda

1. Presentation, **Public Hearing**, and Discussion to Consider Approval of an Ordinance Vacating, Abandoning, and Quitclaiming Samaritan Drive for the Benefit of the Public (1st Read as Required by City Charter) - Susana Huerta, Planning and Zoning Director
2. Presentation and Discussion of an Ordinance Amending Ordinance No. 2024-25, to Approve a Request for a One Year Extension to the Specific Use Permit (SUP) for the Construction of a Church and Learning Center on an Approximately 2.75 Acre Tract of Vacant Land, Zoned B-3 Commercial District with Commercial/Industrial Overlay Zoning, Located at 5307 Wurzbach Road, Being the Replat of Rollingwood Ridge Subdivision, Lots 24 and 25 and Rollingwood Estates Unit 1 Subdivision the West 250' of Lot 5, County Block 9904, Establishing Lot 30R (1st Read as Required by City Charter) - S. Huerta, Planning and Zoning Director
3. Presentation, Discussion, and Possible Action of a Resolution Authorizing Staff to Apply to the Texas Department of Parks and Wildlife for a Local Park Grant Program to Provide Funding for the Renovation of the Forest Oaks Community Pool Facility - M. Moritz, Public Works Director
4. Presentation and Discussion on an Ordinance Amending the City of Leon Valley's Code of Ordinances, Changing the Rules for Giving Notice About Public Meetings Under the Texas Open Meetings Act in Accordance with HB1522 (1st Read as Required by City Charter) - S. Passailaigue, City Secretary

8. **Requests from Members of City Council to Add Items to Future Agendas – Per Section 3.10 (A) of the City of Leon Valley's Code of Ordinances, at a Meeting of City Council, a Member of City Council May Place an Item on an Agenda by Making a Motion to Place the Item on a Future Agenda and Receiving a Second. No Discussion Shall Occur at the Meeting Regarding the Placement of the Item on a Future Agenda.**

9. Adjournment

Executive Session. The City Council of the City of Leon Valley reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on the posted agenda, above, as authorized by the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), and 551.087 (economic development).

Sec. 551.0411. MEETING NOTICE REQUIREMENTS IN CERTAIN CIRCUMSTANCES: (a) Section does not require a governmental body that recesses an open meeting to the following regular business day to post notice of the continued meeting if the action is taken in good faith and not to circumvent this chapter. If an open meeting is continued to the following regular business day and, on that following day, the governmental body continues the meeting to another day, the governmental body must give written notice as required by this subchapter of the meeting continued to that other day.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other City boards, commissions and/or committees may attend the open meeting in numbers that may constitute a quorum. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of any other boards, commissions and/or committees of the City, whose members may be in attendance in numbers constituting a quorum. These members of other City boards, commissions, and/or committees may not deliberate or act on items listed on the agenda. [Attorney General Opinion – No. GA-0957 (2012)].

I hereby certify that the above **NOTICE OF PUBLIC MEETING(S) AND AGENDA OF THE LEON VALLEY CITY COUNCIL** was posted at the Leon Valley City Hall, 6400 El Verde Road, Leon Valley, Texas, and remained posted until after the meeting(s) hereby posted concluded. This notice is posted on the City website at <https://www.leonvalleytexas.gov>. This building is wheelchair accessible. Any request for sign interpretive or other services must be made 48 hours in advance of the meeting. To arrange for assistance, call (210) 684-1391, Extension 212.



SAUNDRA PASSAILAIGUE, TRMC
City Secretary
AUGUST 01, 2025 12:00 PM



UPDATED AUG. 4, 2025, at 4:30 PM

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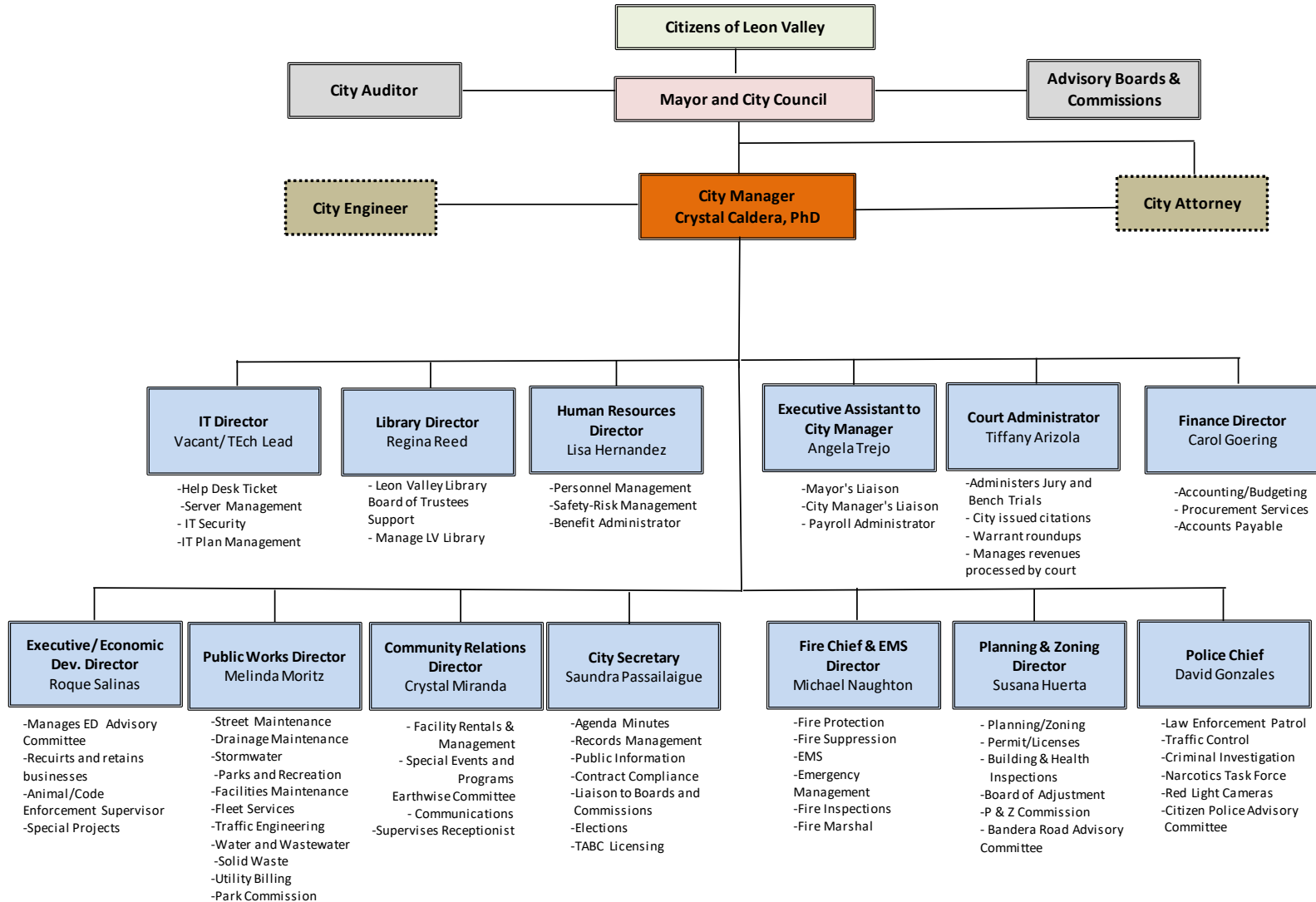
PROPOSED ANNUAL OPERATING BUDGET FY 2026

The logo for Leon Valley, featuring a stylized blue and green wave above the text "LEON VALLEY" in blue, with a small green outline of the state of Texas integrated into the letter "O" of "LEON".

LEON VALLEY



City of Leon Valley Organizational Chart



General Fund

Overview

For FY 2026, we are projecting a fund balance in the General Fund of approximately

5,626,835	Capital Reserve Fund
<u>1,250,000</u>	Emergency Fund
6,876,835	Estimated total

Overview

- The Emergency Fund alone represents approximately less than 1 month of operating income
- The combined fund balance (Emergency and Reserve) represents approximately 5.5 months of operating income

Overview

- As presented, the Fiscal Year 2026 General Fund budget is not balanced
 - An operating deficit
\$47,214

Revenue Highlights

- Operating Revenues - \$14,765,406
 - A decrease over FY 25 of \$122,416
- To fund the FY 2026 General Fund Budget, we are proposing a no new tax rate of \$0.505040 cents per \$100 of valuation

Revenue Highlights

Continued

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- Bexar County Appraisal District projects a decrease in tax value
 - Market Value for tax year 2025 decreased by \$46,255,841 over tax year 2024
- Ad Valorem Tax revenues for fiscal year 2026 are being projected with a decrease of \$27,447 over FY 2025

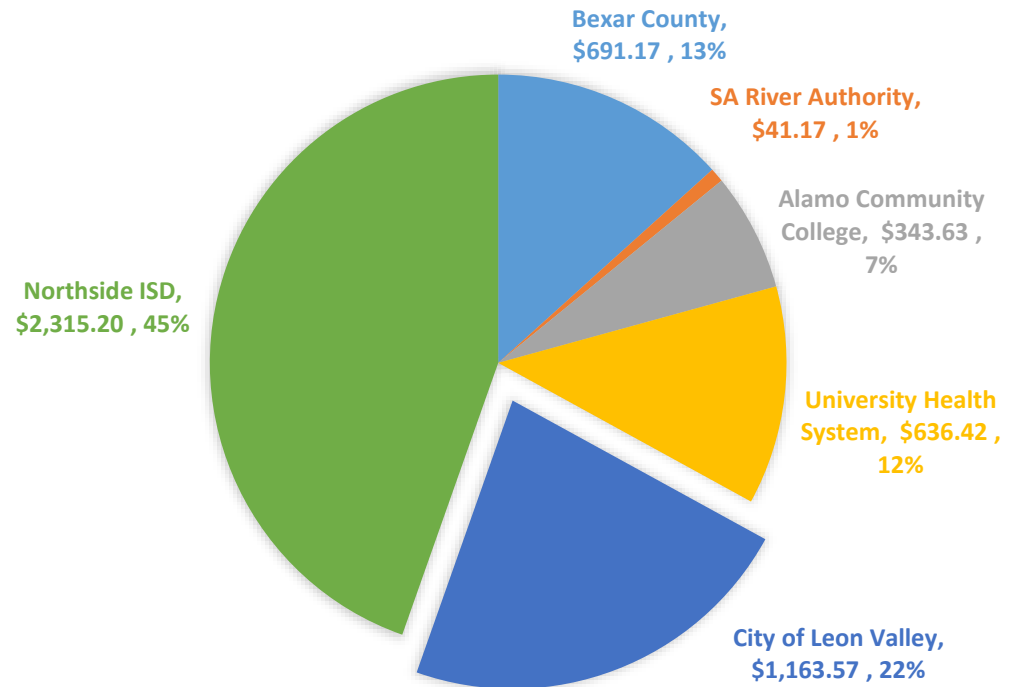
Ad Valorem Impact to Homeowner



Tax Year 2025 Certified
Average Home Taxable Value
\$230,391

Average City of Leon Valley Levy:
\$1,163.57

Breakdown of Tax Year 2025 Homeowner Tax Bill

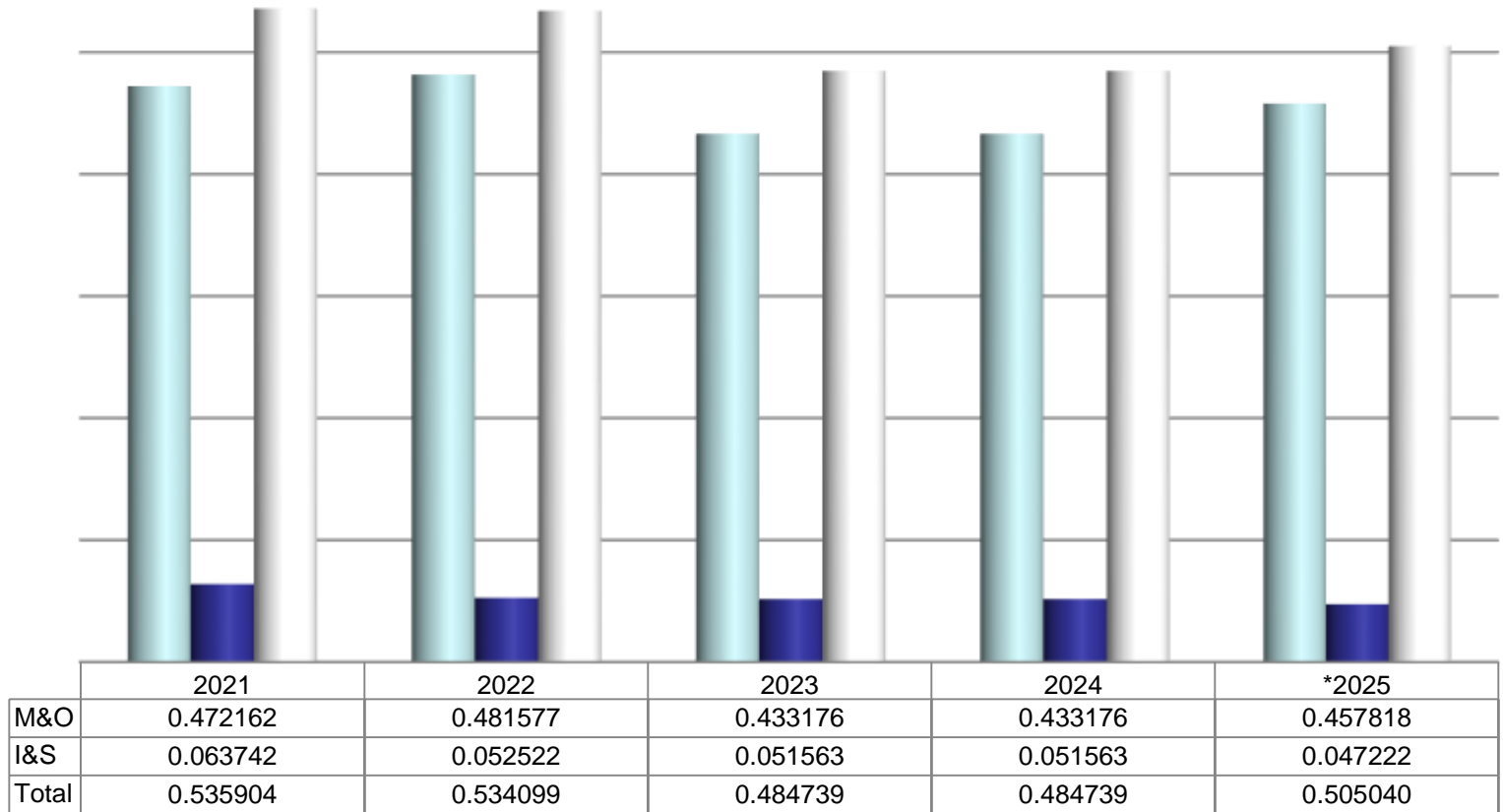


Property Valuation Loss

	COUNT DIFFERENCE	BEG. VALUE DIFFERENCE
SINGLE FAMILY RESIDENTIAL	10.00	(10,017,839.00)
MULTI-FAMILY RESIDENTIAL	0.00	(31,770,596.00)
SMALL VACANT TRACTS OF LAND	8.00	1,423,789.00
QUALIFIED OPEN SPACE LAND		
FARM AND RANCH IMPROVEMENTS ON QUALIFIED LAND		
RES IMPSON RURAL LAND, & NON QUALIFIED OPEN SPACE	1.00	(100,010.00)
COMMERCIAL REAL PROPERTY	-1.00	(5,186,856.00)
INDUSTRIAL AND MANUFACTURING REAL PROPERTY	0.00	(891,853.00)
OIL AND GAS		
OTHER SUB-SURFACE INTERESTS IN LAND		
WATER SYSTEMS		
GAS DISTRIBUTION		
ELECTRICAL COMPANY		
TELEPHONE COMPANY	0.00	(86,449.00)
RAILROAD		
PIPELINE		
CABLE TELEVISION	0.00	(5,250.00)
OTHER UTILITY TYPE	0.00	-
COMMERCIAL PERSONAL PROPERTY	0.00	1,069,997.00
INDUSTRIAL AND MANUFACTURING PERSONAL PROPERTY	0.00	(8,700.00)
MOBILE HOME ONLY ON LAND WITH DIFFERENT OWNERSHIP	0.00	(92,080.00)
RESIDENTIAL INVENTORY	59.00	3,554,320.00
SPECIAL INVENTORY	-2.00	(965,610.00)
TOTALLY EXEMPT PROPERTY	-36.00	(3,178,704.00)
		(46,255,841.00)

Tax Rate History

M&O
I&S
Total



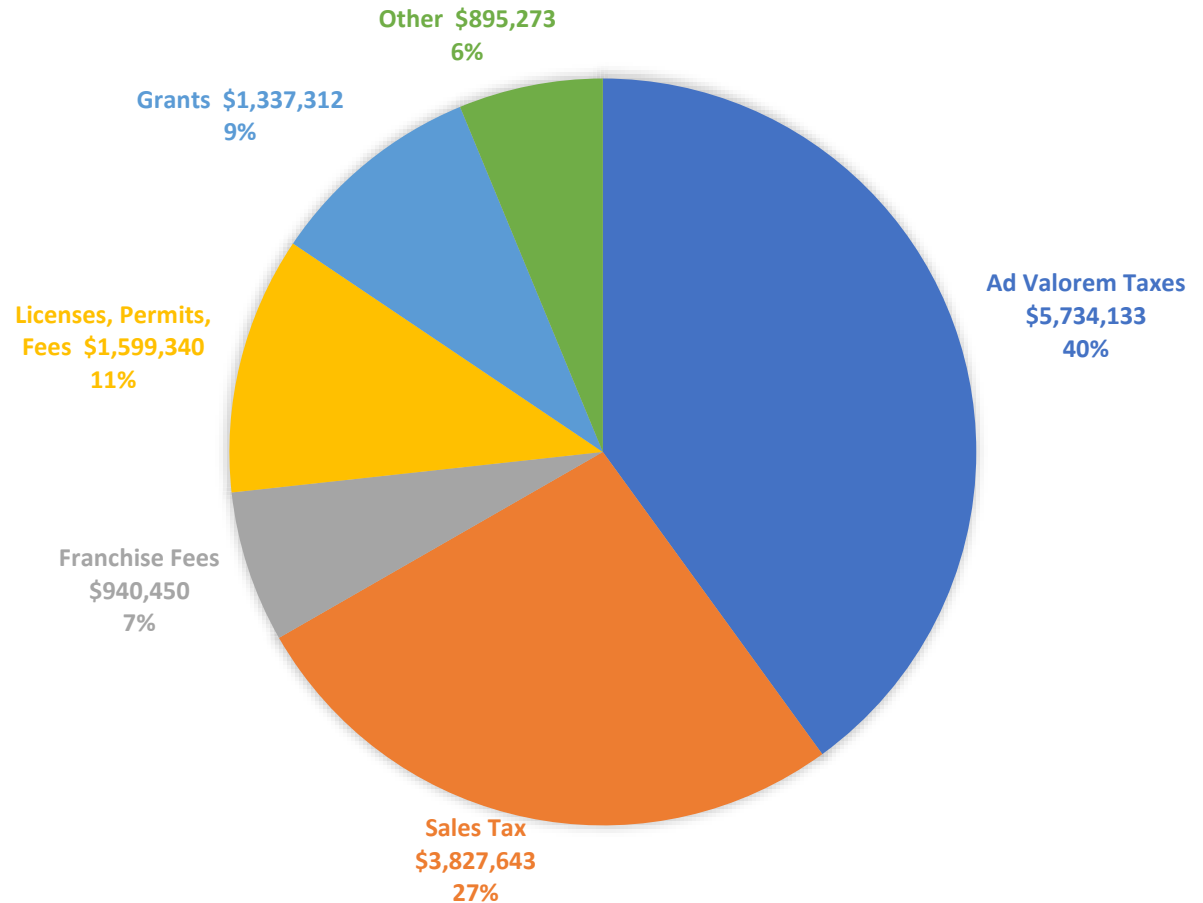
*Proposed

Projected Revenue

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	PROJECTED REVENUE			
	BUDGET 2024-2025	BUDGET 2025-2026	Variance	Increase/Decrease
Ad Valorem	5,761,580	5,734,133	(27,447)	Decrease
Sales Tax	3,752,505	3,827,643	75,138	Increase
Franchise Fees	998,900	940,450	(58,450)	Decrease
Building Permits	517,695	472,200	(45,495)	Decrease
Court Fines	719,300	617,000	(102,300)	Decrease
EMS Revenue	353,500	510,000	156,500	Increase
Book Fines	140	140	-	No Change
Grants	1,342,068	1,337,312	(4,756)	Decrease
Other	877,641	895,273	17,632	Increase
	14,323,329	14,334,151		

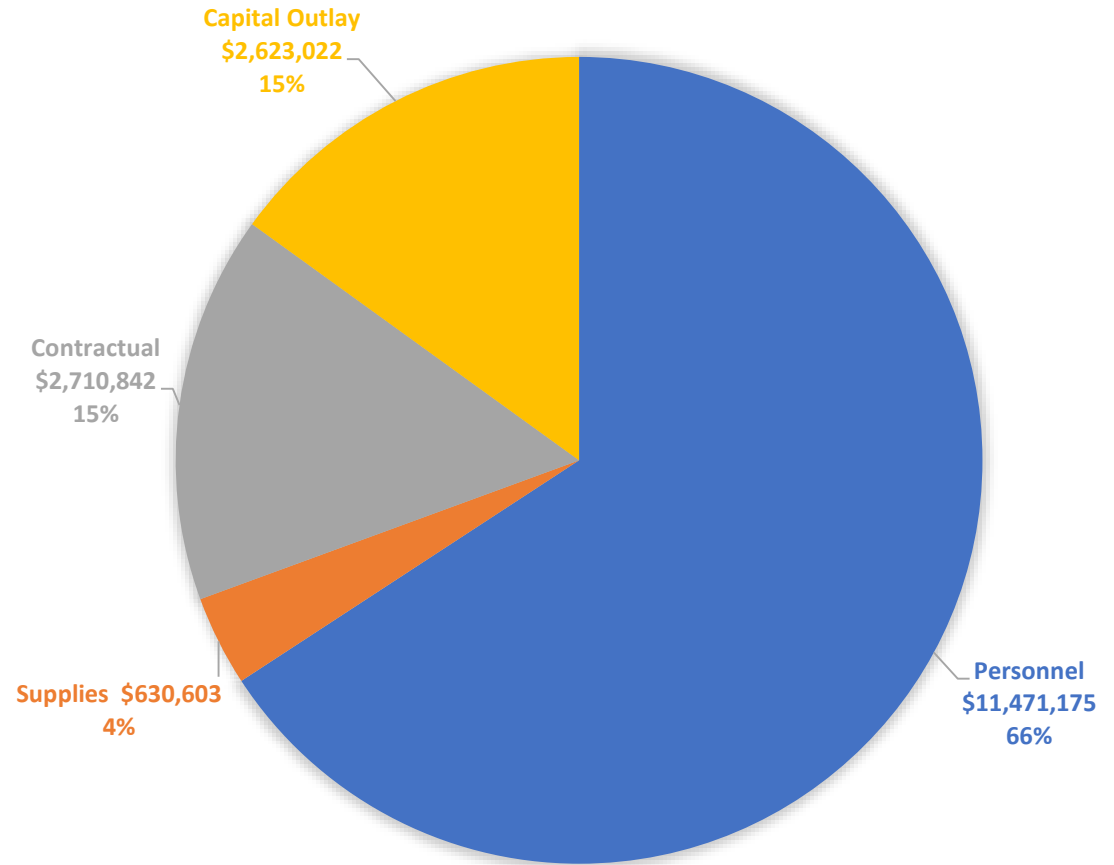
General Fund Revenues by Category



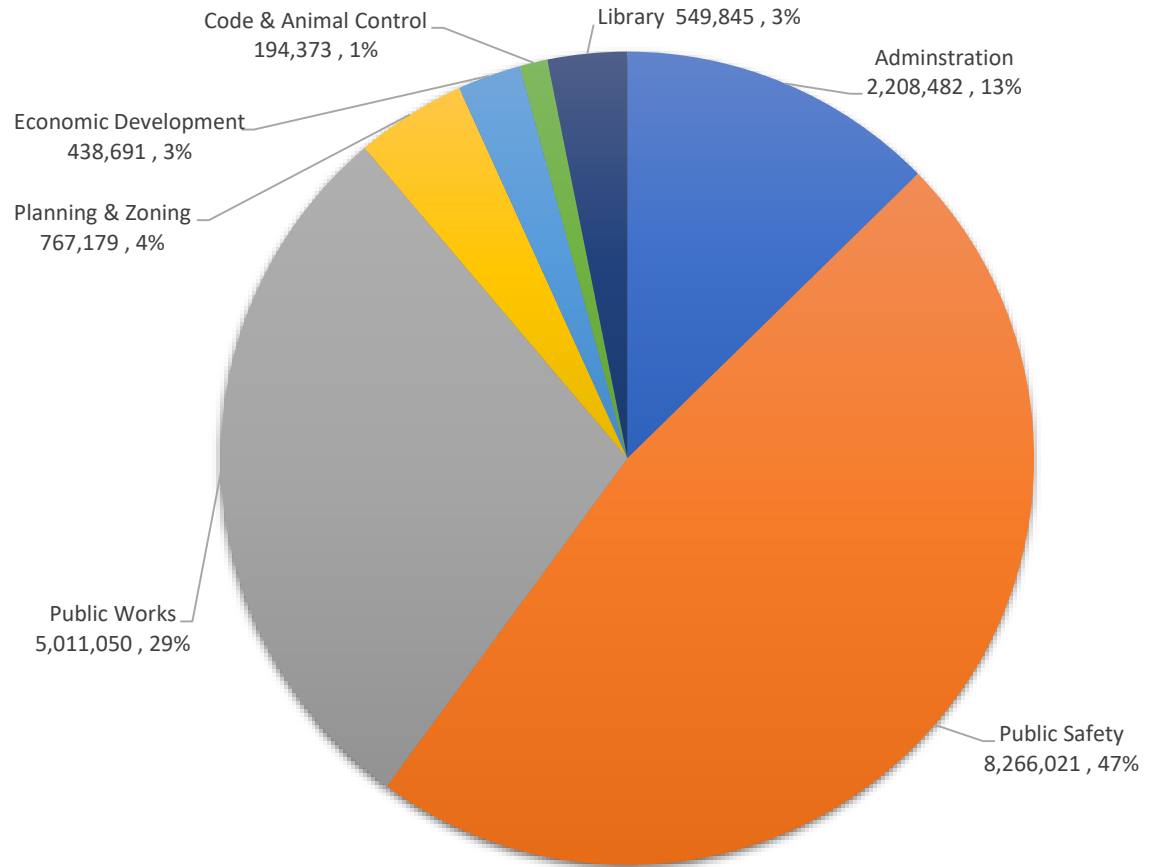
Expenditure Highlights

- Operating Expenditures - \$14,812,620
 - A decrease of \$380,565 over FY 25
 - Personnel
 - Supplies
 - Contractual
- Capital Expenditures - \$2,623,022
 - A decrease of \$699,767

General Fund Expenditures by Category



General Fund Expenditures by Department



GENERAL FUND
SUMMARY OF REVENUES AND EXPENDITURES

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		ACTUAL	BUDGET	ESTIMATED	BUDGET
		2023-2024	2024-2025	2024-2025	2025-2026
BEGINNING FUND BALANCE		\$ 5,337,667	\$ 6,595,449	\$ 6,595,449	\$ 6,771,634
Revenues					
Ad Valorem Taxes		5,432,273	5,761,580	5,761,580	5,734,133
Sales Taxes		3,800,065	3,752,505	3,752,505	3,827,643
Franchise Fees		938,741	998,900	936,525	940,450
Licenses, Permits, Fees, Fines		1,474,893	1,590,635	1,543,165	1,599,340
Grants		358,662	1,342,068	81,756	1,337,312
Other		968,030	877,641	1,984,691	895,273
Total Revenues		12,972,665	14,323,329	14,060,222	14,334,151
Other Funding Sources					
Transfer in-ARP Funds		-	360,286	-	265,125
Transfer-Personnel Shared Services		1,803,954	1,729,644	1,729,644	1,687,817
Contractual Shared Services		138,129	-	-	-
Peg Fund Balance		-	229,000	42,000	4,000
Tree Mitigation Fds (Sprinkler System)		-	-	-	-
Total Other Financing Sources		1,942,083	2,318,930	1,771,644	1,956,942
TOTAL RESOURCES		\$14,914,748	\$16,642,259	\$ 15,831,866	\$ 16,291,093
Expenditures					
Personnel Services		9,438,024	11,098,470	11,098,470	11,471,175
Supplies		752,488	858,016	858,016	630,603
Contractual Services		2,654,656	3,236,698	3,036,654	2,710,842
Capital Outlay		418,331	3,322,789	662,541	2,623,022
Total Expenditures		13,263,499	18,515,973	15,655,681	17,435,642
Other Financing Uses					
Transfer to Enterprise Fund		316,863	-	-	-
Transfer to Street Maintenance Fund		76,603	-	-	-
Total Other Financing Uses		393,466	-	-	-
TOTAL EXPENDITURES		\$13,656,965	\$18,515,973	\$ 15,655,681	\$ 17,435,642
ENDING FUND BALANCE		\$ 6,595,449	\$ 4,721,735	\$ 6,771,634	\$ 5,627,085

16,291,093 Total Resources
(1,260,312) Hike and Bike Grant
(265,125) ARP Funds
14,765,656 Total Operating Revenue

11,471,175 Personnel Services
630,603 Supplies
2,710,842 Contractual Services
14,812,620 Total Operating Expenditures

(46,964) Total Over (Under) Expenditures

*3.4% Increase in Personnel cost, but of this inc., there is a 7% inc. in Health ins. If your health insurance remained the same, the increase is 2.6%

GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE

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	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
Ad Valorem Taxes				
Current	5,418,901	5,711,580	5,711,580	5,684,133
Delinquent	(15,896)	25,000	25,000	25,000
Penalty and Interest	29,268	25,000	25,000	25,000
Total Ad Valorem Taxes	5,432,273	5,761,580	5,761,580	5,734,133
Sales Taxes				
City Sales Tax	3,323,491	3,289,054	3,289,054	3,354,836
Alcoholic Beverage Sales Tax	29,030	27,365	27,365	28,500
Economic Development Sales Tax	415,380	411,086	411,086	419,307
Vehicle Inventory Tax	32,164	25,000	25,000	25,000
Total Sales Taxes	3,800,065	3,752,505	3,752,505	3,827,643
Franchise Fees				
City Public Service	740,825	803,800	740,825	745,000
Telecommunication Fees	-	-	-	-
Node Pole Rental	-	500	500	250
ROW Fees	10,862	11,900	10,500	10,500
San Antonio Water System	1,320	-	-	-
Sanitation	67,604	65,000	67,000	67,000
PEG Fees	16,124	18,700	18,700	18,700
Cable Franchise Fees	96,491	95,000	95,000	95,000
Grey Forest Utilities	5,515	4,000	4,000	4,000
Total Franchise Fees	938,741	998,900	936,525	940,450

GENERAL FUND
SCHEDULE OF REVENUES BY SOURCE

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	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
Licenses, Fees and Fines				
Building Department	222,162	474,045	474,045	384,000
Tree Mitigation	160,150	-	-	-
Contractor's Registration	-	-	-	-
Animal Licenses and Tags	235	100	230	100
Animal Control Fees	-	50	50	-
Property Room Fee	1,750	1,500	1,500	1,500
Property Room Auctions	293	1,000	500	500
Special and Solicitors	100	-	-	-
Co-Reinspection Fee	22,203	4,200	18,000	18,000
Zoning and Board of Adjustment	35,844	5,200	25,000	25,000
Subdivision Platting Fees	3,131	4,000	4,000	-
Occupation, Liquor, and Food	40,985	30,000	40,000	45,000
Time Payment Reimbursement Fee	3,164	1,600	3,600	4,000
Warrant Fees	40,832	45,000	45,000	45,000
Municipal Court Fines	339,240	420,000	335,000	335,000
Impound Lot Fees	101,079	118,700	101,000	101,000
Impound Lot Auctions	102,713	106,000	102,000	102,000
Recreation Fee	28,725	25,500	28,000	28,000
Fire Recovery	5,881	13,200	5,000	5,000
Fire Inspection Fees	3,407	100	100	100
EMS Fees	362,826	340,300	360,000	505,000
Book Fines	173	140	140	140
Total Licenses, Fees and Fines	1,474,893	1,590,635	1,543,165	1,599,340
Grants				
PD Grants	20,902	25,000	25,000	25,000
Fire Grants	11,001	50,000	50,000	50,000
Library Grants	3,610	6,756	6,756	2,000
ARP	286,172	-	-	-
Criminal Justice Grant	-	-	-	-
Hike and Bike	36,977	1,260,312	-	1,260,312
Total Grants	358,662	1,342,068	81,756	1,337,312

GENERAL FUND

SCHEDULE OF REVENUES BY SOURCE

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
Other				
Interest Income	475,458	410,000	410,000	410,000
EDCD Interest	24,139	20,313	20,313	20,313
T-Mobile Tower Lease	17,133	17,500	17,500	16,800
Pool Revenue	40,930	35,000	35,000	35,000
Credit Card Processing Fees	47,442	42,950	55,000	55,000
Parks Bucks Program	694	733	733	685
Miscellaneous	155,226	100,000	100,000	100,000
Library Non Resident Users	2,760	2,280	2,280	2,350
Library Memorial Donations	106	1,000	1,000	1,000
Sale of Surplus Property	32,025	10,000	1,105,000	10,000
Towing Contract	7,700	2,000	2,000	3,500
Special Events	81,885	50,825	50,825	50,825
EDC - 4th of July Funding	-	30,000	30,000	50,000
Blue Santa	9,632	4,800	4,800	4,800
Café Lease	18,766	26,640	26,640	26,400
City Hall Annex Lease	1,800	-	-	-
ASSPP	-	20,000	20,000	20,000
DEA Reimbursement	-	50,000	50,000	35,000
FOIA Fees	2,051	3,600	3,600	3,600
Insurance Proceeds	50,283	50,000	50,000	50,000
Total Other	968,030	877,641	1,984,691	895,273
TOTAL REVENUES	\$ 12,972,665	\$ 14,323,329	\$ 14,060,222	\$ 14,334,151

COURT EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	193,412	214,435	214,435	220,352
Retirement Plan	38,448	41,858	41,858	44,335
Group Insurance	24,891	40,593	40,593	43,710
Worker Compensation	357	380	380	4,141
Social Security	14,903	16,404	16,404	16,857
Overtime	439	-	-	-
Longevity Pay	1,866	2,023	2,023	1,767
Total Personnel Services	274,316	315,693	315,693	331,162
SUPPLIES				
Office Supplies	2,197	1,500	1,500	1,500
Operating Supplies	6,480	7,465	7,465	2,900
Misc. Supplies	1,279	2,276	2,276	1,496
Total Supplies	9,956	11,241	11,241	5,896
CONTRACTUAL SERVICES				
Professional Services	32,171	42,258	42,258	82,738
Contractual Services	960	1,300	1,300	1,300
Utilities - Telephone	-	-	-	150
Utilities - Gas, Water, Electric	10,830	12,000	12,000	9,525
Printing	600	700	700	700
Advertising	-	600	600	600
Travel	1,223	3,300	3,300	3,300
Membership, Dues & Licenses	118	350	350	370
Subscriptions to Publications	-	200	200	200
Credit Card Processing Fee	59,816	40,000	40,000	60,000
Liability Insurance	-	-	-	2,607
Total Contractual Services	105,718	100,708	100,708	161,490
TOTAL EXPENDITURES	\$ 389,990	\$ 427,642	\$ 427,642	\$ 498,548

MUNICIPAL COURT

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 1,500	\$ 1,500	\$ -
General Supplies	1,500	1,500	-
Operating Supplies	\$ 7,465	\$ 2,900	\$ (4,565)
Postage	6,600	2,700	(3,900)
Sam's Court Supplies	500	-	(500)
Jury Trial Expenses	310	-	(310)
Holiday Decor/Candy	55	-	(55)
Janitorial Supplies	-	200	200
New Printer & Headset Equipment	-	-	-
Miscellaneous Supplies	\$ 2,276	\$ 1,496	\$ (780)
Work Uniforms	-	-	-
Dry Cleaning- Judge Robes	1,276	496	(780)
Replacement of Court Equipment	1,000	1,000	-
Total Supplies	\$ 11,241	\$ 5,896	\$ (5,345)

MUNICIPAL COURT

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	FY2025	FY2026	VARIANCE
Professional Services	\$ 42,258	\$ 82,738	\$ 40,480
Cafeteria Plan	288	288	-
Municipal Prosecutor	-	42,000	42,000
Municipal Prosecutor - Jury & Bench Trials	-	10,500	10,500
Judge Fee #1 (LM)	15,000	11,350	(3,650)
Judge Fee #2 (LK)	15,000	11,350	(3,650)
Extra Judge Meetings	1,050	-	(1,050)
Jury Trials (3 per FY) - Judge Fee	3,600	2,250	(1,350)
Bench Trials (3 per FY) - Judge Fee	4,000	3,000	(1,000)
Interpreter	500	500	-
Warrant Fees	1,500	1,500	-
Extra Jury Dates	1,320	-	(1,320)
Contractual Services	\$ 1,300	\$ 1,300	\$ -
DocuSign	1,300	1,300	-
Utilities-Telephone	\$ -	\$ 150	\$ 150
Utilities-Water & Electric	\$ 12,000	\$ 9,525	\$ (2,475)
Printing	\$ 700	\$ 700	\$ -
Advertising	\$ 600	\$ 600	\$ -
Travel - Training	\$ 3,300	\$ 3,300	\$ -
Memberships, Dues & Licenses	\$ 350	\$ 370	\$ 20
Subscriptions	\$ 200	\$ 200	\$ -
Processing Fees	\$ 40,000	\$ 60,000	\$ 20,000
Liability Insurance	\$ -	\$ 2,607	\$ 2,607
Total Contractual	\$ 100,708	\$ 161,490	\$ 60,782

FINANCE EXPENDITURES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	278,753	298,235	298,235	273,224
Retirement Plan	43,551	58,215	58,215	54,973
Group Insurance	23,164	30,445	30,445	32,782
Worker Compensation	-	528	528	3,106
Social Security	21,663	22,815	22,815	20,902
Longevity Pay	3,176	295	295	490
Total Personnel Services	370,307	410,534	410,534	385,476
SUPPLIES				
Office Supplies	2,982	3,000	3,000	2,800
Operating Supplies	2,326	3,700	3,700	4,210
Misc. Supplies	86	1,000	1,000	-
Total Supplies	5,394	7,700	7,700	7,010
CONTRACTUAL SERVICES				
Professional Services	52,188	57,421	57,421	58,649
Contractual Services	520	-	-	-
Utilities - Telephone	285	285	285	286
Utilities - Gas, Water, Electric	10,830	11,000	11,000	9,858
Printing	797	800	800	1,000
Advertising	900	1,200	1,200	1,200
Travel	1,425	3,000	3,000	2,870
Membership, Dues & Licenses	833	450	450	800
Liability Insurance	5,000	5,814	5,814	2,607
Total Contractual Services	72,778	79,970	79,970	77,270
TOTAL EXPENDITURES	\$ 448,479	\$ 498,204	\$ 498,204	\$ 469,756

FINANCE DEPARTMENT

	FY 2025	FY 2026	VARIANCE
Office Supplies	\$ 3,000	\$ 2,800	\$ (200)
General Supplies	3,000	1,360	(1,640)
Printer Supplies	-	800	800
Paper	-	340	340
Shirts	-	300	300
Operating Supplies	\$ 3,700	\$ 4,210	\$ 510
Postage	-	2,410	2,410
General Supplies	2,800	1,450	(1,350)
Janitorial Supplies-Gulf Coast	-	350	350
Standing Desks	900	-	(900)
Miscellaneous Supplies	\$ 1,000	\$ -	\$ (1,000)
Misc. Supplies	1,000	-	(1,000)
Total Supplies	\$ 7,700	\$ 7,010	\$ (690)

FINANCE DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 57,421	\$ 58,649	\$ 1,228
External Audit Fees (General Fund)	11,055	9,735	(1,320)
Bexar Appraisal District Dues (\$9,022)	34,000	36,088	2,088
Ad Valorem Tax Collection Fee (Bexar County)	8,100	8,100	-
GFOA Budget Award	-	460	460
SEC Rule Reporting	3,000	3,000	-
Employee Public Bond	1,050	1,050	-
Cafeteria Plan	216	216	-
Utilities-Telephone	\$ 285	\$ 286	\$ 1
Utilities-Water & Electric	\$ 11,000	\$ 9,858	\$ (1,142)
Printing	\$ 800	\$ 1,000	\$ 200
Advertising	\$ 1,200	\$ 1,200	\$ -
Travel - Training	\$ 3,000	\$ 2,870	\$ (130)
Memberships, Dues & Licenses	\$ 450	\$ 800	\$ 350
Liability Insurance	\$ 5,814	\$ 2,607	\$ (3,207)
Total Contractual	\$ 79,970	\$ 77,270	\$ (2,700)

**CITY MANAGER & COUNCIL
EXPENDITURES**

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	427,638	457,622	457,622	472,979
Retirement Plan	91,190	95,872	95,872	101,909
Group Insurance	34,740	40,593	40,593	43,710
Worker Compensation	-	870	870	4,141
Unemployment Compensation	210	-	-	-
Social Security	33,147	37,573	37,573	38,748
Car Allowance	6,000	6,000	6,000	6,000
Other Benefits	24,267	27,526	27,526	27,526
Longevity Pay	5,457	6,119	6,119	5,653
Total Personnel Services	622,649	672,174	672,174	700,665
SUPPLIES				
Office Supplies	238	-	-	-
Operating Supplies	16,217	16,350	16,350	11,952
Misc. Supplies	378	-	-	-
Employee Award Program	3,853	4,800	4,800	-
Total Supplies	20,686	21,150	21,150	11,952
CONTRACTUAL SERVICES				
Professional Services	29,212	21,882	21,882	19,694
Contractual Services	222,593	169,839	169,839	70,535
Utilities - Telephone	16,646	17,000	17,000	13,470
Utilities - Gas, Water, Electric	11,446	12,000	12,000	10,500
Printing	37,420	52,250	52,250	42,400
Advertising	3,710	5,000	5,000	3,950
Travel	17,629	35,850	35,850	32,700
Membership, Dues & Licenses	5,293	8,795	8,795	7,124
Subscriptions to Publications	150	780	780	780
Liability Insurance	30,000	34,885	34,885	2,607
Total Contractual Services	374,099	358,281	358,281	203,760
CAPITAL OUTLAY				
Other Machinery & Equipment	12,799	-	-	-
Total Capital Outlay	12,799	-	-	-
TOTAL EXPENDITURES	\$ 1,030,233	\$ 1,051,605	\$ 1,051,605	\$ 916,377

CITY MANAGER & COUNCIL DEPARTMENT

	FY2025	FY2026	VARIANCE
	\$ 16,350	\$ 11,952	\$ (4,398)
Operating Supplies			
General Supplies	1,000	1,250	250
Printer Supplies	3,000	3,000	-
Postage	-	310	310
Janitorial Supplies	-	200	200
Meeting Supplies	900	900	-
Letterhead/ Cards	500	500	-
Shared Supplies	1,000	1,000	-
Shirts	1,100	-	(1,100)
Payroll Forms: W-2s	1,500	1,500	-
Council Activities: Meals	3,600	-	(3,600)
Council Activities: Town Halls	1,650	1,650	-
Council Activities: Coffee Mtgs	600	600	-
CM: Zoom and Go to Meeting	-	392	392
HR: Programs for HR	500	650	150
HR: Recruitment/Health Fair Initiavities	-	-	-
HR: Welcoming Promotions Packet/Open Enrollment	1,000	-	(1,000)
Employee Award Program	\$ 4,800	\$ -	\$ (4,800)
Employee Awards: Pins, Plaques	4,800	-	(4,800)
Total Supplies	\$ 21,150	\$ 11,952	\$ (9,198)

CITY MANAGER & COUNCIL DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 21,882	\$ 19,694	\$ (2,188)
City Attorney Non-Retainer Requests & Projects	10,000	10,000	-
TML (Non-Retainer Requests & Projects)	5,000	5,000	-
Spanish Translator for Election Documents	1,250	600	(650)
Cafeteria Plan	288	150	(138)
DPS Agency	144	144	-
Safeshred Record Destruction	400	400	-
Safesite Records Storage	3,600	2,200	(1,400)
COBRA	1,200	1,200	-
Contractual Services	\$ 169,839	\$ 70,535	\$ (99,304)
Bexar County Elections	8,000	8,000	-
City Attorney Contract	60,000	60,000	-
Municipal Prosecutor Contract	45,000	-	(45,000)
Techlead	-	-	-
Social Security Contract	35	35	-
Bonds - CM, CS, Mayor & Council	2,500	2,500	-
ACA (Affordable Care Act) Reporting	1,500	-	(1,500)
Municode - Code of Ordinances	1,196	-	(1,196)
Municode - Code of Ordinances Supplements	4,500	-	(4,500)
Municode - Website hosting & support	5,605	-	(5,605)
Municode - Agendas & Minutes	5,400	-	(5,400)
MuniDocs	350	-	(350)
JustFOIA	6,300	-	(6,300)
Culligan Drinking Water Service	663	-	(663)
Haven for Hope	28,790	-	(28,790)
Utilities-Telephone	\$ 17,000	\$ 13,470	\$ (3,530)
Utilities-Water & Electric	\$ 12,000	\$ 10,500	\$ (1,500)
Printing	\$ 52,250	\$ 42,400	\$ (9,850)
Advertising	\$ 5,000	\$ 3,950	\$ (1,050)
Travel - Training	\$ 35,850	\$ 32,700	\$ (3,150)
Memberships, Dues & Licenses	\$ 8,795	\$ 7,124	\$ (3,421)
Subscriptions	\$ 780	\$ 780	\$ -
Liability Insurance	\$ 34,885	\$ 2,607	\$ (32,278)
Total Contractual	\$ 358,281	\$ 203,760	\$ (156,271)

{Section}.32.

INFORMATION TECHNOLOGY EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	85,849	89,456	89,456	-
Retirement Plan	16,891	17,462	17,462	-
Group Insurance	8,686	10,148	10,148	-
Worker Compensation	153	158	158	-
Social Security	5,860	6,843	6,843	-
Longevity Pay	-	95	95	-
Total Personnel Services	117,439	124,163	124,163	-
SUPPLIES				
Office Supplies	434	1,500	1,500	1,500
Operating Supplies	6,625	23,500	23,500	37,500
Repairs & Maintenance - Internal	4,122	3,500	3,500	4,750
Total Supplies	11,181	28,500	28,500	43,750
CONTRACTUAL				
Contractual Services	167,893	252,461	252,461	246,674
Utilities - Telephone	1,084	1,800	1,800	500
Utilities - Gas, Water, Electric	292	350	350	300
Repairs and Maintenance-External (Peg Fund)	15,981	4,000	4,000	4,000
Travel	1,655	2,000	2,000	2,000
Memberships, Dues & Licenses	293	1,000	1,000	1,000
Liability Insurance	-	-	-	5,214
Total Contractual Services	187,198	261,611	261,611	259,688
CAPITAL OUTLAY				
Other Machinery & Equipment	-	34,500	34,500	-
Total Capital Outlay	-	34,500	34,500	-
TOTAL EXPENDITURES	\$ 315,818	\$ 448,774	\$ 448,774	\$ 303,438

IT DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 1,500	\$ 1,500	\$ -
General Supplies	1,500	1,500	-
Operating Supplies	\$ 23,500	\$ 37,500	\$ 14,000
Misc. Operating Supplies	3,000	-	(3,000)
Computers - Court (2)	2,400	-	(2,400)
Computers - PD (4)	4,800	-	(4,800)
Computers - Admin. Staff (2)	2,400	-	(2,400)
Laptos - Council and Manager (6)	7,200	-	(7,200)
Network Rack Repair Parts	1,000	1,500	500
Desktop Scanners - P&Z (2)	800	-	(800)
Desktop Scanners - Court (2)	800	-	(800)
Camera - Kennel (1)	-	1,000	1,000
Ultra-wide Screen Monitors (1)	1,100	-	(1,100)
Touch2Play Computers - Library (6)	-	-	-
Computers (2) & Monitors (5) - Library	-	-	-
Monitors - Code (2), Library (2), Police (2)	-	-	-
Laptops & Docking Stations - Directors (5)	-	10,000	10,000
Laptops - Fire Vehicles (10)	-	25,000	25,000
Repairs & Maintenance - Internal	\$ 3,500	\$ 4,750	\$ 1,250
Replacement Desk Phones (5)	500	750	250
Misc. Emergency Repairs	-	-	-
Replacement Laptop Other (1)	1,500	2,000	500
Replacement Desktop Other (2)	1,500	2,000	500
Total Supplies	\$ 28,500	\$ 43,750	\$ 15,250

IT DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Contractual Services	\$ 252,461	\$ 246,674	\$ (5,787)
TechLead - 50%	48,000	28,320	(19,680)
Incode (Tyler Technologies)	67,000	73,333	6,333
Civic Plus (Archive Social)	2,700	4,188	1,488
Cable Cast	-	4,750	4,750
Rave911	642	-	(642)
Ninja	8,000	8,450	450
SHI - Verkada Surveillance	1,725	-	(1,725)
KnowBe4 (MicroAge)	2,016	2,200	184
Cisco/Meraki	20,000	15,000	(5,000)
GoGov	10,750	19,000	8,250
NitroPro	4,556	4,556	-
MicroAge (Microsoft Office 365)	64,000	28,500	(35,500)
Comcast (Peg Funds)	-	-	-
Cornet (Coro Security)	-	25,200	25,200
Canon Solutions Workroom (S#XNF01978)	1,000	800	(200)
Sharp (City Council MXM5070)	-	340	340
Pitney-Bowes Postage Meter - replacement	2,000	5,000	3,000
Phone System	20,000	-	(20,000)
Cafeteria Plan	72	-	(72)
Google Workspace - Patron Desktops	-	3,000	3,000
Civic Plus (Municode - Code of Ordinances)	-	4,972	4,972
Civic Plus (Municode - Website hosting & support)	-	7,210	7,210
Civic Plus (Municode - Agendas & Minutes)	-	5,150	5,150
Civic Plus (MuniDocs)	-	405	405
JustFOIA	-	6,300	6,300
Utilities-Telephone	\$ 1,800	\$ 500	\$ (1,300)
Utilities-Water & Electric	\$ 350	\$ 300	\$ (50)
Repairs & Maintenance - External	\$ 4,000	\$ 4,000	\$ -
Travel - Training	\$ 2,000	\$ 2,000	\$ -
Memberships, Dues & Licenses	\$ 1,000	\$ 1,000	\$ -
Liability Insurance	\$ -	\$ 5,214	\$ 5,214
Total Contractual	\$ 261,611	\$ 259,688	\$ (1,923)

**POLICE
EXPENDITURES**

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	1,742,272	2,120,420	2,120,420	2,116,940
Retirement Plan	391,014	460,282	460,282	470,633
Group Insurance	181,889	314,597	314,597	316,896
Worker Compensation	49,399	53,759	53,759	30,024
Overtime	125,695	95,000	95,000	95,000
Social Security	148,126	180,387	180,387	178,943
Clothing Allowance	27,581	30,000	30,000	28,000
Standby	9,360	15,600	15,600	15,600
Special Pay	5,220	13,650	13,650	10,530
Certification Pay	47,375	83,330	83,330	73,060
Longevity Pay	21,750	15,582	15,582	13,250
Total Personnel Services	2,749,681	3,382,607	3,382,607	3,348,876
SUPPLIES				
Office Supplies	2,964	5,850	5,850	5,850
Operating Supplies	80,383	77,200	77,200	83,800
Misc. Supplies	40,740	29,450	29,450	29,750
Blue Santa	3,454	4,800	4,800	4,800
Total Supplies	127,541	117,300	117,300	124,200
CONTRACTUAL SERVICES				
Professional Services	10,115	11,876	11,876	18,376
Contractual Services	84,242	74,428	74,428	68,663
Utilities - Telephone	11,472	14,000	14,000	30,288
Utilities - Gas, Water, Electric	10,829	14,000	14,000	9,525
Printing	-	2,500	2,500	2,500
Repairs and Maintenance - External	55,044	38,000	38,000	25,000
Travel	6,137	5,000	5,000	16,000
Membership, Dues & Licenses	1,347	2,500	2,500	2,500
Subscriptions to Publications	190	500	500	500
Grant Expense	20,440	25,000	25,000	25,000
Liability Insurance	70,000	81,399	81,399	36,498
Total Contractual Services	269,816	269,203	269,203	234,850
CAPITAL OUTLAY				
Vehicles	-	65,000	65,000	-
Other Machinery & Equipment	-	-	-	6,600
Total Capital Outlay	-	65,000	65,000	6,600
TOTAL EXPENDITURES	\$ 3,147,038	\$ 3,834,110	\$ 3,834,110	\$ 3,714,526

POLICE DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 5,850	\$ 5,850	\$ -
Toner/ Ink, Ribbon/ Drums, Paper	2,200	2,200	-
Folders	800	800	-
Storage Boxes/ Folders/ Envelopes	1,200	1,200	-
Tape/ Pens/ Steno/ Tags/ Keys	750	750	-
High Speed Cables/ Computer Accessories	500	500	-
Batteries	400	400	-
Operating Supplies	\$ 77,200	\$ 83,800	\$ 6,600
Camera SD Cards & Flash Drives	1,000	1,000	-
Postage	-	500	500
Ammunition	5,200	2,300	(2,900)
Nitro	600	600	-
RMA Toll	100	100	-
Fingerprint Kits	650	650	-
Fuel	60,000	60,000	-
Computer Equipment & Docking Stations - Vehicles	4,000	6,000	2,000
Radio Equipment	3,000	5,000	2,000
Replacement Equipment	2,650	2,650	-
Shooting range	-	5,000	5,000
Miscellaneous Supplies	\$ 29,450	\$ 29,750	\$ 300
Clipboards/Folders/ Paper/ Keybox	750	750	-
Trophy/ Plaques	200	-	(200)
Toner/Ink/Special Paper	500	500	-
Flares	5,300	5,300	-
Handcuffs/ Holders	1,800	1,800	-
VGA Adapters/ SD cards/ Flash drives/HDMI	700	700	-
Printers/ Camera Equipment	2,400	2,400	-
Door Access Cards	300	300	-
Evidence Kits	5,000	5,000	-
Patrol Vehicles Lights/ Accessories/ Traffic Cones	5,000	5,000	-
Evidence Envelopes	1,500	1,500	-
Evidence/ Lab Processing	6,000	6,500	500
Blue Santa Program	\$ 4,800	\$ 4,800	\$ -
Blue Santa Giveaways	4,800	4,800	-
Total Supplies	\$ 117,300	\$ 124,200	\$ 6,900

POLICE DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Professional Services	\$ 11,876	\$ 18,376	\$ 6,500
Cafeteria Plan	2,376	2,376	-
Forensic Testing	9,500	10,000	500
New Hire Expenses	-	6,000	6,000
Contractual Services	\$ 74,428	\$ 68,663	\$ (5,765)
Copier	2,600	500	(2,100)
Culligan Water	1,850	-	(1,850)
Fire Inspection	150	150	-
Cable/WIFI Service	3,528	3,528	-
Cardinal CAD/RMS Service Contract	6,000	10,000	4,000
Leads Online	2,300	2,500	200
CLEAR Proflex/ Change to TLO	5,000	3,000	(2,000)
Animal Boarding	20,000	-	(20,000)
Axon Taser	6,000	6,000	-
Axon (Vehicle & Body Cameras)	12,000	26,785	14,785
City of San Antonio - Radio air time	15,000	16,200	1,200
Utilities-Telephone	\$ 14,000	\$ 30,288	\$ 16,288
Utilities-Water & Electric	\$ 14,000	\$ 9,525	\$ (4,475)
Printing	\$ 2,500	\$ 2,500	\$ -
Repairs & Maintenance - External	\$ 38,000	\$ 25,000	\$ (13,000)
Travel - Training	\$ 5,000	\$ 16,000	\$ 11,000
Memberships, Dues & Licenses	\$ 2,500	\$ 2,500	\$ -
Subscriptions to Publications	\$ 500	\$ 500	\$ -
Grant Expense	\$ 25,000	\$ 25,000	\$ -
Liability Insurance	\$ 81,399	\$ 36,498	\$ (44,901)
Total Contractual	\$ 269,203	\$ 234,850	\$ (34,353)

Police Capital

{Section}.32.

<i>Item</i>	<i>Acquisition Date</i>	<i>Purchase Type</i>	<i>FY 25-26</i>
Gym Equipment - Treadmill	Variable	Replacement	6,600
TOTAL POLICE			\$ 6,600

IMPOUND LOT EXPENDITURES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	74,366	79,122	79,122	86,832
Retirement Plan	16,909	16,909	16,909	18,980
Group Insurance	8,683	10,148	10,148	10,927
Worker Compensation	1,918	1,995	1,995	1,035
Social Security	6,214	6,627	6,627	7,216
Clothing Allowance	-	1,000	1,000	1,000
Standby	-	3,120	3,120	3,120
Special Pay	3,120	-	-	-
Certification Pay	3,250	3,380	3,380	3,380
Longevity Pay	5,115	5,247	5,247	4,410
Total Personnel Services	119,575	127,548	127,548	136,901
SUPPLIES				
Office Supplies	240	800	800	800
Operating Supplies	1,277	2,500	2,500	2,500
Misc. Supplies	160	-	-	-
Total Supplies	1,677	3,300	3,300	3,300
CONTRACTUAL SERVICES				
Professional Services	2,031	2,072	2,072	2,072
Contractual Services	6,021	5,000	5,000	6,000
Utilities - Gas, Water, Electric	165	-	-	1,600
Advertising	3,902	3,000	3,000	4,000
Liability Insurance	-	-	-	2,607
Total Contractual Services	12,119	10,072	10,072	16,279
CAPITAL OUTLAY				
Improvements	49,205	17,898	17,898	10,000
Total Capital Outlay	49,205	17,898	17,898	10,000
TOTAL EXPENDITURES	\$ 182,576	\$ 158,818	\$ 158,818	\$ 166,480

IMPOUND LOT

{Section}.32.

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 800	\$ 800	\$ -
Grease Pencils	200	200	-
Key Tags	100	100	-
Office Supplies-Pens/Folders/Paper/Boxes	500	500	-
Operating Supplies	\$ 2,500	\$ 2,500	\$ -
Window Film	500	500	-
Duplicate Keys	500	500	-
Tires	500	500	-
Batteries/ Jump Box	1,000	1,000	-
Total Supplies	\$ 3,300	\$ 3,300	\$ -
Professional Services	\$ 2,072	\$ 2,072	\$ -
Cafeteria Plan	72	72	-
Towing Expenses	2,000	2,000	-
Contractual Services	\$ 5,000	\$ 6,000	\$ 1,000
Auto Data Direct	-	4,000	4,000
Ward Auction of San Antonio	-	2,000	2,000
Prior Year	5,000	-	(5,000)
Utilities-Water & Electric	\$ -	\$ 1,600	\$ 1,600
Advertising	\$ 3,000	\$ 4,000	\$ 1,000
Liability Insurance	\$ -	\$ 2,607	\$ 2,607
Total Contractual	\$ 10,072	\$ 16,279	\$ 6,207

Impound Lot Capital

<i>Item</i>	Acquisition Date	Purchase Type	FY 25-26
Impound Lot Security Cameras	Variable	Replacement	10,000
TOTAL IMPOUND LOT			\$ 10,000

FIRE EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	1,663,791	2,013,339	2,013,339	2,195,094
Retirement Plan	402,253	452,751	452,751	502,870
Group Insurance	216,432	284,152	284,152	305,968
Worker Compensation	50,821	60,320	60,320	28,989
Physical Examinations	14,475	16,000	16,000	16,000
Overtime	253,057	140,000	140,000	140,000
Social Security	150,601	177,436	177,436	191,201
Clothing Allowance	18,442	21,000	21,000	21,000
Other Benefits	800	-	-	-
Certification Pay	117,475	145,080	145,080	143,260
Longevity Pay	17,373	19,418	19,418	20,058
Total Personnel Services	2,905,520	3,329,494	3,329,494	3,564,440
SUPPLIES				
Office Supplies	2,810	4,000	4,000	4,000
Operating Supplies	105,960	128,700	128,700	115,700
Repairs & Maintenance - Internal	4,323	12,000	12,000	12,000
Misc. Supplies	377	-	-	-
EMS Supplies	75,750	82,800	82,800	88,400
Total Supplies	189,220	227,500	227,500	220,100
CONTRACTUAL SERVICES				
Professional Services	484	2,160	2,160	2,160
Contractual Services	45,455	82,300	82,300	79,000
Utilities - Telephone	11,635	14,160	14,160	11,820
Utilities - Gas, Water, Electric	27,279	30,000	30,000	33,180
Printing	538	500	500	500
Advertising	3,280	3,000	3,000	2,000
Repairs and Maintenance - External	155,935	70,000	70,000	70,000
Travel	13,322	25,000	25,000	35,000
Membership, Dues & Licenses	11,116	16,450	16,450	16,450
Subscriptions to Publications	-	1,350	1,350	1,350
Grant Expense	3,106	50,000	50,000	50,000
Liability Insurance	40,000	46,514	46,514	33,891
Total Contractual Services	312,150	341,434	341,434	335,351
CAPITAL OUTLAY				
Vehicles	64,875	265,125	-	265,125
Other Machinery & Equipment	24,856	130,000	130,000	-
Total Capital Outlay	89,731	395,125	130,000	265,125
TOTAL EXPENDITURES	\$ 3,496,621	\$ 4,293,553	\$ 4,028,428	\$ 4,385,016

FIRE DEPARTMENT

{Section}.32.

	FY 2025	FY 2026	VARIANCE
Office Supplies	\$ 4,000	\$ 4,000	\$ -
General Office Supplies - FD & EMS	4,000	4,000	-
Operating Supplies	\$ 128,700	\$ 115,700	\$ (13,000)
Janitor Supplies	7,200	7,200	-
Fuel	36,000	36,000	-
Small Equipment Replacement	10,000	5,000	(5,000)
Building Supplies	2,000	2,000	-
Fire Fighting Foams	5,000	5,000	-
Fire Sprinkler & Fire Alarm Repairs	3,000	3,000	-
Equipment Oils & Fuels	1,500	1,500	-
Bunker Gear Replacement	40,000	44,000	4,000
Station Equipment Repair/Replacement	5,000	5,000	-
Body Armor - Fire Fighters	12,000	-	(12,000)
Fire Fighting Tools & Equipment	7,000	7,000	-
Repairs & Maintenance - Internal	\$ 12,000	\$ 12,000	\$ -
Vehicle & Equipment Repairs - in House	12,000	12,000	-
EMS Supplies	\$ 82,800	\$ 88,400	\$ 5,600
Disposable Supplies & Medications	72,000	74,000	2,000
Oxygen	4,800	5,400	600
PPE & Decontamination Supplies	6,000	9,000	3,000
Total Supplies	\$ 227,500	\$ 220,100	\$ (7,400)

FIRE DEPARTMENT

{Section}.32.

	FY 2025	FY 2026	VARIANCE
Professional Services	\$ 2,160	\$ 2,160	\$ -
Cafeteria Plan	2,160	2,160	-
Contractual Services	\$ 82,300	\$ 79,000	\$ (3,300)
ITSD SA Radio System (44 radios)	10,200	11,700	1,500
Professional Tech Services	1,000	1,000	-
Cardiac Monitor Maintenance	8,600	8,600	-
Stretcher & Load Maintenance	9,500	9,500	-
Sharp Copier	1,200	1,400	200
EMS Billing/ Collections	1,500	1,500	-
Charter - Internet & Phone	4,200	4,200	-
Fire Records Management Software (STRAC)	9,000	9,000	-
RICO STRAC - Fire & Police	-	2,000	2,000
Medical Waste Disposal	1,500	1,500	-
Medical Control	25,000	18,000	(7,000)
Lexipol Policies & Procedures	-	-	-
Lexipol Initial Setup/ One Boarding	-	-	-
Fire Hydrant & Hose Testing	-	-	-
Fire Alarm Monitoring	600	600	-
Scheduling & Vehicle Software (Vector)	10,000	10,000	-
Utilities-Telephone	\$ 14,160	\$ 11,820	\$ (2,340)
Utilities-Water & Electric	\$ 30,000	\$ 33,180	\$ 3,180
Printing	\$ 500	\$ 500	\$ -
Advertising	\$ 3,000	\$ 2,000	\$ (1,000)
Repairs & Maintenance - External	\$ 70,000	\$ 70,000	\$ -
Travel - Training	\$ 25,000	\$ 35,000	\$ 10,000
Memberships, Dues & Licenses	\$ 16,450	\$ 16,450	\$ -
Subscriptions to Publications	\$ 1,350	\$ 1,350	\$ -
Grant Expense	\$ 50,000	\$ 50,000	\$ -
Liability Insurance	\$ 46,514	\$ 33,891	\$ (12,623)
Total Contractual	\$ 341,434	\$ 335,351	\$ (6,083)

Fire Capital

<i>Item</i>	<i>Acquisition Date</i>	<i>Purchase Type</i>	<i>FY 25-26</i>
Ambulance with Power Load System (M159D)	2008	Replacement	265,125
TOTAL FIRE DEPARTMENT			\$ 265,125

**PUBLIC WORKS
EXPENDITURES**

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	962,762	1,177,414	1,177,414	1,261,306
Retirement Plan	198,520	244,918	244,918	268,515
Group Insurance	138,268	213,114	213,114	229,476
Worker Compensation	24,125	25,725	25,725	21,742
Overtime	15,568	60,000	60,000	60,000
Social Security	75,386	95,985	95,985	102,094
Special Pay	310	-	-	-
Certification Pay	18,245	17,290	17,290	13,260
Longevity Pay	19,252	20,947	20,947	19,334
Total Personnel Services	1,452,436	1,855,393	1,855,393	1,975,727
SUPPLIES				
Office Supplies	4,014	3,000	3,000	3,000
Operating Supplies	97,385	75,540	75,540	62,910
Repairs & Maintenance - Internal	40,473	28,500	28,500	16,000
Misc. Supplies	10,542	32,500	32,500	15,000
Total Supplies	152,414	139,540	139,540	96,910
CONTRACTUAL SERVICES				
Professional Services	77,040	100,420	100,420	42,920
Contractual Services	70,097	130,825	130,825	80,915
Utilities - Telephone	5,973	4,000	4,000	10,008
Utilities - Gas, Water, Electric	76,108	70,000	70,000	71,800
Printing	9,095	6,000	6,000	6,000
Advertising	-	5,000	5,000	5,000
Repairs and Maintenance - External	210,540	70,000	70,000	70,000
Single Audit	4,500	-	-	-
Equipment Rental	6,244	1,000	1,000	3,000
Travel	2,945	15,000	15,000	15,000
Membership, Dues & Licenses	7,784	5,000	5,000	10,000
Liability Insurance	71,655	83,323	83,323	39,104
Total Contractual Services	541,981	490,568	490,568	353,747
CAPITAL OUTLAY				
Vehicles	-	-	-	15,000
Other Machinery & Equipment	104,106	87,929	87,929	19,000
Buildings	-	35,000	35,000	-
Improvements	-	50,214	50,214	-
Total Capital Outlay	104,106	173,143	173,143	34,000
TOTAL EXPENDITURES	\$ 2,250,937	\$ 2,658,644	\$ 2,658,644	\$ 2,460,384

PUBLIC WORKS DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 3,000	\$ 3,000	\$ -
General Supplies	3,000	3,000	-
Operating Supplies	\$ 75,540	\$ 62,910	\$ (12,630)
Building Maintenance	10,000	9,000	(1,000)
Equipment	5,000	4,000	(1,000)
Postage	-	370	370
Equipment Supplies	1,500	1,500	-
Fleet	4,000	4,000	-
Fuel (30%)	8,040	8,040	-
Grunds Maintenance	5,000	5,000	-
Janitorial Supplies	10,000	10,000	-
Materials	10,000	5,000	(5,000)
Personnel (PPE Boots)	6,000	7,000	1,000
ROW Maintenance	6,500	4,000	(2,500)
Special Projects	1,000	-	(1,000)
General Supplies	8,500	-	(8,500)
Dog Kennels A/C	-	5,000	5,000
Repairs & Maintenance - Internal	\$ 28,500	\$ 16,000	\$ (12,500)
Building Maintenance - water filters, toilets, HVAC parts	2,000	2,000	-
Fleet - oil, brake fluid, wiper fluid, filters, lubricants, def	10,500	10,500	-
ROW Maintenance	6,000	2,500	(3,500)
Supplies - A/C, electrical, plumbing, water heater repairs	10,000	1,000	(9,000)
Miscellaneous Supplies	\$ 32,500	\$ 15,000	\$ (17,500)
Miscellaneous	32,500	15,000	(17,500)
Total Supplies	\$ 139,540	\$ 96,910	\$ (42,630)

PUBLIC WORKS DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Professional Services	\$ 100,420	\$ 42,920	\$ (57,500)
Cafeteria Plan	420	420	-
Engineering Services	100,000	42,000	(58,000)
Victor Pollution Liability	-	500	500
Contractual Services	\$ 130,825	\$ 80,915	\$ (49,910)
Debris removal	15,000	10,000	(5,000)
Copier Service Agreement	2,500	2,500	-
Uniforms	5,500	7,000	1,500
Software - ShareNet, NearMap, Urban SDK	24,325	-	(24,325)
Nearmap - 30%	-	2,180	2,180
Novo ShareNet - 30%	-	3,735	3,735
Urban SDK	-	12,000	12,000
Tire Disposal	1,000	1,000	-
Tree Trimming/Removal	15,000	15,000	-
Oil Igloo Disposal	2,500	2,500	-
Emergency Contractual	25,000	-	(25,000)
Building Maintenance - Painting, Pest Control, Security, & Other Contractual	40,000	25,000	(15,000)
Utilities-Telephone	\$ 4,000	\$ 10,008	\$ 6,008
Utilities-Water & Electric	\$ 70,000	\$ 71,800	\$ 1,800
Printing	\$ 6,000	\$ 6,000	\$ -
Advertising	\$ 5,000	\$ 5,000	\$ -
Repairs & Maintenance - External	\$ 70,000	\$ 70,000	\$ -
Equipment Rental	\$ 1,000	\$ 3,000	\$ 2,000
Travel - Training	\$ 15,000	\$ 15,000	\$ -
Memberships, Dues & Licenses	\$ 5,000	\$ 10,000	\$ 5,000
Liability Insurance	\$ 83,323	\$ 39,104	\$ (44,219)
Total Contractual	\$ 490,568	\$ 353,747	\$ (136,821)

Public Works Capital

{Section}.32.

<i>Item</i>	<i>Acquisition Date</i>	<i>Purchase Type</i>	<i>FY 25-26</i>
ATV - 2 seater	New	New	15,000
Concrete grinder walk behind	New	New	12,000
Equipment trailer	New	New	7,000
TOTAL PUBLIC WORKS			\$ 34,000

PLANNING & ZONING EXPENDITURES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	186,165	156,694	156,694	179,450
Retirement Plan	36,676	30,587	30,587	36,105
Group Insurance	26,058	20,297	20,297	21,855
Worker Compensation	357	278	278	2,071
Social Security	14,312	11,987	11,987	13,728
Longevity Pay	200	320	320	285
Total Personnel Services	263,768	220,162	220,162	253,494
SUPPLIES				
Office Supplies	1,251	2,000	2,000	1,500
Operating Supplies	2,980	4,300	4,300	5,135
Repairs & Maintenance - Internal	-	500	500	-
Misc. Supplies	284	500	500	-
Total Supplies	4,515	7,300	7,300	6,635
CONTRACTUAL SERVICES				
Professional Services	221,310	527,260	327,216	462,216
Contractual Services	20,773	280,000	280,000	20,000
Utilities - Telephone	1,092	1,940	1,940	1,320
Utilities - Gas, Water, Electric	12,324	13,000	13,000	10,800
Printing	843	1,500	1,500	1,500
Advertising	2,286	2,300	2,300	2,000
Travel	1,411	5,000	5,000	1,500
Membership, Dues & Licenses	466	1,500	1,500	2,000
Subscriptions to Publications	-	500	500	500
Liability Insurance	-	-	-	5,214
Total Contractual Services	260,505	833,000	632,956	507,050
TOTAL EXPENDITURES	\$ 528,788	\$ 1,060,462	\$ 860,418	\$ 767,179

PLANNING AND ZONING DEPARTMENT

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 2,000	\$ 1,500	\$ (500)
General Supplies	2,000	1,500	(500)
Operating Supplies	\$ 4,300	\$ 5,135	\$ 835
Printer Ink Cartridges	1,500	2,500	1,000
Postage	-	1,135	1,135
Computer Hardware	-	1,500	1,500
Miscellaneous	1,000	-	(1,000)
Software	300	-	(300)
ESRI ArcMAP GIS	1,500	-	(1,500)
Repairs & Maintenance - Internal	\$ 500	\$ -	\$ (500)
Repairs to Office Equipment	500	-	(500)
Miscellaneous Supplies	\$ 500	\$ -	\$ (500)
Department Uniforms	250	-	(250)
Board & Commission Supplies - Plaques, Trophy's	250	-	(250)
Total Supplies	\$ 7,300	\$ 6,635	\$ (665)

PLANNING AND ZONING DEPARTMENT

	FY2025	FY2026	VARIANCE	{Section}.32.
Professional Services	\$ 527,260	\$ 462,216	\$ (65,044)	
Building/Fire Plan Review & Inspections	190,044	100,000	(90,044)	
BB inspections/ Seneca West I	90,000	90,000	-	
BB inspections/ Seneca West II	90,000	90,000	-	
BB inspections/ Senna I	21,000	21,000	-	
BB inspections/ Senna II	21,000	21,000	-	
BB inspections/ Trilogy	42,000	42,000	-	
Engineering Services	50,000	75,000	25,000	
Health Inspections	20,000	20,000	-	
Cannon	3,000	3,000	-	
Cafeteria Plan	216	216	-	
Contractual Services	\$ 280,000	\$ 20,000	\$ (260,000)	
MyPermit Now	15,000	15,000	-	
City Attorney	15,000	5,000	(10,000)	
Comprehensive Master Plan	250,000	-	(250,000)	
Utilities-Telephone	\$ 1,940	\$ 1,320	\$ (620)	
Utilities-Water & Electric	\$ 13,000	\$ 10,800	\$ (2,200)	
Printing	\$ 1,500	\$ 1,500	\$ -	
Advertising	\$ 2,300	\$ 2,000	\$ (300)	
Travel - Training	\$ 5,000	\$ 1,500	\$ (3,500)	
Memberships, Dues & Licenses	\$ 1,500	\$ 2,000	\$ 500	
Subscriptions	\$ 500	\$ 500	\$ -	
Liability Insurance	\$ -	\$ 5,214	\$ 5,214	
Total Contractual	\$ 833,000	\$ 507,050	\$ (325,950)	

**ECONOMIC & COMMUNITY DEVELOPMENT
EXPENDITURES**

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	106,592	133,445	133,445	121,495
Retirement Plan	21,221	26,048	26,048	24,445
Group Insurance	10,854	12,685	12,685	13,659
Worker Compensation	280	236	236	1,035
Social Security	8,112	10,209	10,209	9,294
Special Pay	1,200	-	-	-
Longevity Pay	79	158	158	239
Total Personnel Services	148,338	182,781	182,781	170,168
SUPPLIES				
Office Supplies	782	650	650	650
Operating Supplies	10,164	12,825	12,825	3,825
Total Supplies	10,946	13,475	13,475	4,475
CONTRACTUAL SERVICES				
Professional Services	7,017	90	90	1,590
Contractual Services	31,501	57,925	57,925	43,186
Utilities - Telephone	285	500	500	300
Utilities - Gas, Water, Electric	292	500	500	300
Advertising	5,224	7,750	7,750	5,000
Repairs & Maintenance - External	1,281	300	300	750
Travel	953	6,695	6,695	3,070
Membership, Dues & Licenses	822	1,346	1,346	1,346
Subscriptions to Publications	144	1,625	1,625	1,625
Project Funding	50,510	127,711	127,711	202,596
4th of July Funding	30,000	30,000	30,000	-
Liability Insurance	2,000	2,326	2,326	5,214
Total Contractual Services	130,029	236,768	236,768	264,977
CAPITAL OUTLAY				
Peg Funds	-	225,000	42,000	-
Improvements	-	6,335	-	-
Total Capital Outlay	-	231,335	42,000	-
TOTAL EXPENDITURES	\$ 289,313	\$ 664,359	\$ 475,024	\$ 439,620

ECONOMIC DEVELOPMENT DEPARTMENT

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 650	\$ 650	\$ -
General Supplies	650	650	-
Operating Supplies	\$ 12,825	\$ 3,825	\$ (9,000)
Postage	-	-	-
Drone Equipment & Required Licenses	450	450	-
Plotter Supplies	2,000	2,000	-
Business Cards	125	125	-
New Business Welcome supplies	1,250	1,250	-
Misc. Expenses	1,500	-	(1,500)
Fiesta Medals	7,500	-	(7,500)
Total Supplies	\$ 13,475	\$ 4,475	\$ (9,000)

ECONOMIC DEVELOPMENT DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Professional Services	\$ 90	\$ 1,590	\$ 1,500
Cafeteria Plan	90	90	-
Miscellaneous	-	1,500	1,500
Contractual Services	\$ 57,925	\$ 43,186	\$ (14,739)
City Attorney Fees (EDCD Allocation)	12,500	12,500	-
Greater SATX	5,000	-	(5,000)
CRM System	2,500	-	(2,500)
ZAC Tax	3,000	3,000	-
Software Updates	400	-	(400)
Moody's Property Listing & Data	2,750	3,025	275
Placer. AI	12,875	13,261	386
Local Intel or Other Software	7,500	-	(7,500)
PegChannel	11,400	11,400	-
Utilities-Telephone	\$ 500	\$ 300	\$ (200)
Utilities-Water & Electric	\$ 500	\$ 300	\$ (200)
Advertising	\$ 7,750	\$ 5,000	\$ (2,750)
Repairs & Maintenance - External	\$ 300	\$ 750	\$ 450
Travel - Training	\$ 6,695	\$ 3,070	\$ (3,625)
Memberships, Dues & Licenses	\$ 1,346	\$ 1,346	\$ -
Subscriptions to Publications	\$ 1,625	\$ 1,625	\$ -
ED Project Funding	\$ 127,711	\$ 202,596	\$ 73,965
Liability Insurance	\$ 2,326	\$ 5,214	\$ 2,888
4th of July Funding	\$ 30,000	\$ -	\$ (30,000)
Total Contractual	\$ 236,768	\$ 264,977	\$ 27,289

CODE & ANIMAL CONTROL EXPENDITURES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	-	-	-	93,754
Retirement Plan	-	-	-	19,266
Group Insurance	-	-	-	21,855
Worker Compensation	-	-	-	2,071
Liability Insurance	-	-	-	-
Social Security	-	-	-	7,325
Clothing Allowance	-	-	-	2,000
Special Pay	-	-	-	-
Longevity Pay	-	-	-	145
Total Personnel Services	-	-	-	146,416
SUPPLIES				
Office Supplies	-	-	-	1,000
Operating Supplies	-	-	-	8,750
Total Supplies	-	-	-	9,750
CONTRACTUAL SERVICES				
Professional Services	-	-	-	5,000
Contractual Services	-	-	-	24,600
Utilities - Telephone	-	-	-	600
Utilities - Gas, Water, Electric	-	-	-	300
Printing	-	-	-	350
Repairs & Maintenance - External	-	-	-	2,500
Travel	-	-	-	1,500
Membership, Dues & Licenses	-	-	-	750
Liability Insurance	-	-	-	2,607
Total Contractual Services	-	-	-	38,207
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ 194,373

CODE & ANIMAL CONTROL DEPARTMENT

{Section}.32.

	FY 2025	FY 2026	VARIANCE
Office Supplies	\$ -	\$ 1,000	\$ 1,000
General Supplies	-	1,000	1,000
Operating Supplies	\$ -	\$ 8,750	\$ 8,750
Dog Food/ Dog Leashes/ Dog bowls/ etc.	-	750	750
Vehicle Computer Equipment	-	750	750
Trash bags/paint/requirement/ staff PPE	-	1,250	1,250
Gas	-	5,000	5,000
Tiger sant. Roll away for clean up events (\$500 per roll away)	-	1,000	1,000
Total Supplies	\$ -	\$ 9,750	\$ 9,750
Professional Services	\$ -	\$ 5,000	\$ 5,000
Animal euthanasia /Vet Exp/ Shots/etc.	-	5,000	5,000
Contractual Services	\$ -	\$ 24,600	\$ 24,600
Animal - San Antonio Pet Alive	-	10,000	10,000
Animal Boarding	-	5,000	5,000
Radios - 1	-	8,000	8,000
Cameras - 2	-	1,600	1,600
Utilities-Telephone	\$ -	\$ 600	\$ 600
Utilities-Water & Electric	\$ -	\$ 300	\$ 300
Printing	\$ -	\$ 350	\$ 350
Repairs & Maintenance - External	\$ -	\$ 2,500	\$ 2,500
Travel	\$ -	\$ 1,500	\$ 1,500
Membership, Dues & License	\$ -	\$ 750	\$ 750
Liability Insurance	\$ -	\$ 2,607	\$ 2,607
Total Contractual	\$ -	\$ 38,207	\$ 38,207

SPECIAL EVENTS EXPENDITURES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Retirement Plan	8,759	8,308	8,308	2,098
Overtime	23,000	39,600	39,600	10,000
Social Security	3,309	3,029	3,029	765
Total Personnel Services	35,068	50,937	50,937	12,863
SUPPLIES				
Advertising	831	3,000	3,000	-
Concerts	-	-	-	-
Volunteer Appreciation Dinner	2,781	4,000	4,000	-
Fourth of July	96,347	100,000	100,000	-
Christmas Tree Lighting	2,711	4,800	4,800	4,800
Earthwise Living Day	3,333	5,200	5,200	2,700
Arbor Day	120	-	-	-
Movies in the Park	2,115	2,160	2,160	-
Employee Luncheon	-	5,000	5,000	-
Total Supplies	108,238	124,160	124,160	7,500
TOTAL EXPENDITURES	\$ 143,306	\$ 175,097	\$ 175,097	\$ 20,363

SPECIAL EVENTS

	FY2025	FY2026	VARIANCE
Volunteer Appreciation Dinner	\$ 4,000	\$ -	\$ (4,000)
Fourth of July	\$ 100,000	\$ -	\$ (100,000)
Christmas Tree Lighting	\$ 4,800	\$ 4,800	\$ -
Earthwise LivingDay	\$ 5,200	\$ 2,700	\$ (2,500)
Movies in the Park	\$ 2,160	\$ -	\$ (2,160)
Advertising	\$ 3,000	\$ -	\$ (3,000)
Employee Luncheon	\$ 5,000	\$ -	\$ (5,000)
Total Supplies	\$ 124,160	\$ 7,500	\$ (116,660)

PARK & RECREATION EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	-	-	-	-
Retirement Plan	-	-	-	-
Group Insurance	-	-	-	-
Worker Compensation	-	-	-	-
Social Security	-	-	-	-
Longevity Pay	-	-	-	-
Total Personnel Services	-	-	-	-
SUPPLIES				
Office Supplies	-	300	300	-
Operating Supplies	24,838	39,300	39,300	27,000
Repairs & Maintenance - Internal	20,024	29,500	29,500	10,500
Misc. Supplies	4,992	11,500	11,500	4,000
Total Supplies	49,854	80,600	80,600	41,500
CONTRACTUAL SERVICES				
Professional Services	48,979	15,000	15,000	5,000
Contractual Services	165,670	105,000	105,000	124,975
Utilities - Telephone	3,447	3,000	3,000	1,850
Utilities - Gas, Water, Electric	33,769	40,000	40,000	30,030
Printing	-	5,000	5,000	2,000
Advertising	-	2,600	2,600	-
Repairs and Maintenance - External	89,590	25,000	25,000	25,000
Equipment Rental	695	-	-	6,800
Travel	-	2,000	2,000	-
Membership, Dues & Licenses	100	1,000	1,000	1,000
Liability Insurance	4,000	4,651	4,651	5,214
Total Contractual Services	346,250	203,251	203,251	201,869
CAPITAL OUTLAY				
Other Machinery & Equipment	-	40,000	40,000	35,000
Improvements	162,490	2,365,788	160,000	2,272,297
Total Capital Outlay	162,490	2,405,788	200,000	2,307,297
TOTAL EXPENDITURES	\$ 558,594	\$ 2,689,639	\$ 483,851	\$ 2,550,666

PARK & RECREATION DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 300	\$ -	\$ (300)
Park Commissioner supplies	300	-	(300)
Operating Supplies	\$ 39,300	\$ 27,000	\$ (12,300)
Equipment maintenance & supplies	4,000	4,000	-
Fuel 20% allocation	6,000	4,500	(1,500)
Grounds maintenance - fall zone, sand, soil, etc.	3,000	3,000	-
Janitorial supplies	6,500	6,500	-
Park maintenance - mulch, soil, irrigation, trimmer sup	5,000	5,000	-
Pool maintenance	6,800	-	(6,800)
Undefined park supplies	8,000	4,000	(4,000)
Repairs & Maintenance - Internal	\$ 29,500	\$ 10,500	\$ (19,000)
Fleet - Oil, brake fluid, wiper fluid, filters, lubricant	500	500	-
Park Maintenance - court/field nets, tables, chairs,	10,000	10,000	-
Playground maintenance	12,000	-	(12,000)
Pool maintenance - plumbing supplies, parts	3,000	-	(3,000)
Asphalt, base materials for trail repairs	4,000	-	(4,000)
Miscellaneous Supplies	\$ 11,500	\$ 4,000	\$ (7,500)
Other undefined materials and supplies	7,000	-	(7,000)
Park amenities	4,500	4,000	(500)
Total Supplies	\$ 80,600	\$ 41,500	\$ (39,100)

PARK & RECREATION DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 15,000	\$ 5,000	\$ (10,000)
Engineering Service	15,000	5,000	(10,000)
Contractual Services	\$ 105,000	\$ 124,975	\$ 19,975
Tree Removal, pest control	15,000	15,000	-
Pool Contract	90,000	108,000	18,000
Nearmap - 10%	-	730	730
Novo ShareNet - 10%	-	1,245	1,245
Utilities-Telephone	\$ 3,000	\$ 1,850	\$ (1,150)
Utilities-Water & Electric	\$ 40,000	\$ 30,030	\$ (9,970)
Printing	\$ 5,000	\$ 2,000	\$ (3,000)
Advertising	\$ 2,600	\$ -	\$ (2,600)
Repairs & Maintenance - External	\$ 25,000	\$ 25,000	\$ -
Equipment Rental	\$ -	\$ 6,800	\$ 6,800
Travel - Training	\$ 2,000	\$ -	\$ (2,000)
Memberships, Dues & Licenses	\$ 1,000	\$ 1,000	\$ -
Liability Insurance	\$ 4,651	\$ 5,214	\$ 563
Total Contractual	\$ 203,251	\$ 201,869	\$ (1,382)

Park & Recreation Capital

{Section}.32.

<i>Item</i>	<i>Acquisition Date</i>	<i>Purchase Type</i>	<i>FY 25-26</i>
Hike & Bike Trail Segment II	2026	New	2,173,297
Lawnmower 60"	New	New	15,000
Merry Go Round	1975	Replacement	20,000
Veterans Park Monument	New	New	24,000
Pool Repairs - Replastering	New	Replacement	75,000
TOTAL PARKS			\$ 2,307,297

LIBRARY EXPENDITURES

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	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	277,644	291,168	291,168	304,965
Retirement Plan	48,599	56,836	56,836	61,359
Group Insurance	26,088	50,741	50,741	43,710
Worker Compensation	747	692	692	7,247
Social Security	21,661	22,274	22,274	23,330
Longevity Pay	4,188	5,273	5,273	4,376
Total Personnel Services	378,927	426,985	426,985	444,987
SUPPLIES				
Office Supplies	738	1,350	1,350	1,100
Operating Supplies	9,408	41,600	41,600	14,525
Repairs & Maintenance - Internal	-	1,000	1,000	1,000
Misc. Supplies	11,041	-	-	-
Library Supplies	39,679	31,300	31,300	30,000
Gifts and Memorials	-	1,000	1,000	1,000
Total Supplies	60,866	76,250	76,250	47,625
CONTRACTUAL SERVICES				
Professional Services	532	1,338	1,338	300
Contractual Services	18,026	17,244	17,244	22,474
Utilities - Telephone	4,280	3,000	3,000	3,095
Utilities - Gas, Water, Electric	11,198	12,000	12,000	12,900
Printing	138	750	750	750
Repairs and Maintenance - External	-	3,000	3,000	1,500
Travel	2,626	3,000	3,000	3,000
Membership, Dues & Licenses	1,688	3,000	3,000	4,000
Subscriptions to Publications	3,525	3,500	3,500	4,000
Liability Insurance	-	5,000	5,000	5,214
Grant Expenses	-	-	-	-
Total Contractual Services	42,013	51,832	51,832	57,233
TOTAL EXPENDITURES	\$ 481,806	\$ 555,067	\$ 555,067	\$ 549,845

LIBRARY DEPARTMENT

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 1,350	\$ 1,100	\$ (250)
General Supplies	500	600	100
Filing & Organization - Binders, File Folders, Filingbins	700	500	(200)
Misc. Supplies - Magazine Holders, Laminating Sheets	150	-	(150)
Operating Supplies	\$ 41,600	\$ 14,525	\$ (27,075)
Paper for Printing Services; Colored Paper, Cardstock, Colored Cardstock	1,500	1,250	(250)
Postage	-	75	75
Cleaning & Janitorial Supplies	1,500	1,500	-
Processing Supplies - Book Tape, Covers, Labels	1,500	1,500	-
Circ Desk: Staff Desks (x2)	8,200	-	(8,200)
Circ Desk: ADA Height Desk	6,300	-	(6,300)
Circ Desk: Work Space Tables - Front Corners & Side (x3)	15,700	-	(15,700)
Circ Desk: Tall Desk Chairs (x4)	800	-	(800)
Staff Needs: Desk Chairs (x3)	600	-	(600)
Uniforms	-	-	-
Volunteer Appreciation	500	-	(500)
Regular Programming	3,000	2,000	(1,000)
Summer Reading - Weekly Presenters, Kickoff Party, Big Weekly Programs	2,000	2,000	-
Touch2Play Computers (Replace nonworking AVE computers)	-	5,000	5,000
Yoga	-	-	-
Library Outreach	-	-	-
Book Scanners - 3 New	-	1,200	1,200
Square Registers	-	-	-
CoLibri Book Covering System	-	-	-
Demco Cover One Book Repair - up to 3"	-	-	-
Repairs & Maintenance - Internal	\$ 1,000	\$ 1,000	\$ -
Routine Maintenance	1,000	1,000	-
Miscellaneous Supplies	\$ -	\$ -	\$ -
Library Materials	\$ 31,300	\$ 30,000	\$ (1,300)
Adult Materials (Fic: \$4750, NF: \$3500, GN: \$750)	8,000	9,000	1,000
Young Adult Materials (Fic: \$2200, NF: \$1200, GN: \$1000)	3,900	8,400	4,500
JUV Materials (Fic: \$2250, NF: \$1500, GN: \$1200)	4,400	3,600	(800)
Early Readers (Leveled Readers ER: \$1000, ER Chapters: \$1250)	2,000	1,250	(750)
Read Aloud (Picture Books \$3600, BB \$600)	4,200	3,725	(475)
Audio/Visual Materials (DVDs: \$1920, Digital Audio: \$5400, eBooks: \$2680)	8,800	-	(8,800)
DVDs	-	500	500
Hoopla	-	3,525	3,525
Gifts & Memorials	\$ 1,000	\$ 1,000	\$ -
Total Supplies	\$ 76,250	\$ 47,625	\$ (28,625)

{Section}.32.

LIBRARY DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 1,338	\$ 300	\$ (1,038)
Presenters Fees	750	-	(750)
Programming Fees	300	-	(300)
Cafeteria Plan	288	300	12
Contractual Services	\$ 17,244	\$ 22,474	\$ 5,230
Apollo/Biblionix Library System	2,960	3,000	40
Vallance Security	1,200	1,140	(60)
Amigos Texpress Courier ILL	2,700	3,000	300
Website Maintenance	200	250	50
Copier Service Agreement	1,200	5,400	4,200
eBook Content Platform	3,000	3,000	-
Movie License	600	600	-
Adobe	-	500	500
TexShare Database Fees	300	300	-
Print & Time Management Software	1,800	2,000	200
Angel Fire (moved lines)	100	100	-
Biblioboard	2,500	2,500	-
Computer Backup Service/Monitoring	684	684	-
Utilities-Telephone	\$ 3,000	\$ 3,095	\$ 95
Utilities-Water & Electric	\$ 12,000	\$ 12,900	\$ 900
Printing	\$ 750	\$ 750	\$ -
Repairs & Maintenance	\$ 3,000	\$ 1,500	\$ (1,500)
Travel - Training	\$ 3,000	\$ 3,000	\$ -
Memberships, Dues & Licenses	\$ 3,000	\$ 4,000	\$ 1,000
Subscriptions	\$ 3,500	\$ 4,000	\$ 500
Liability Insurance	\$ 5,000	\$ 5,214	\$ 214
Total Contractual	\$ 51,832	\$ 57,233	\$ 5,401

Enterprise Fund

Overview

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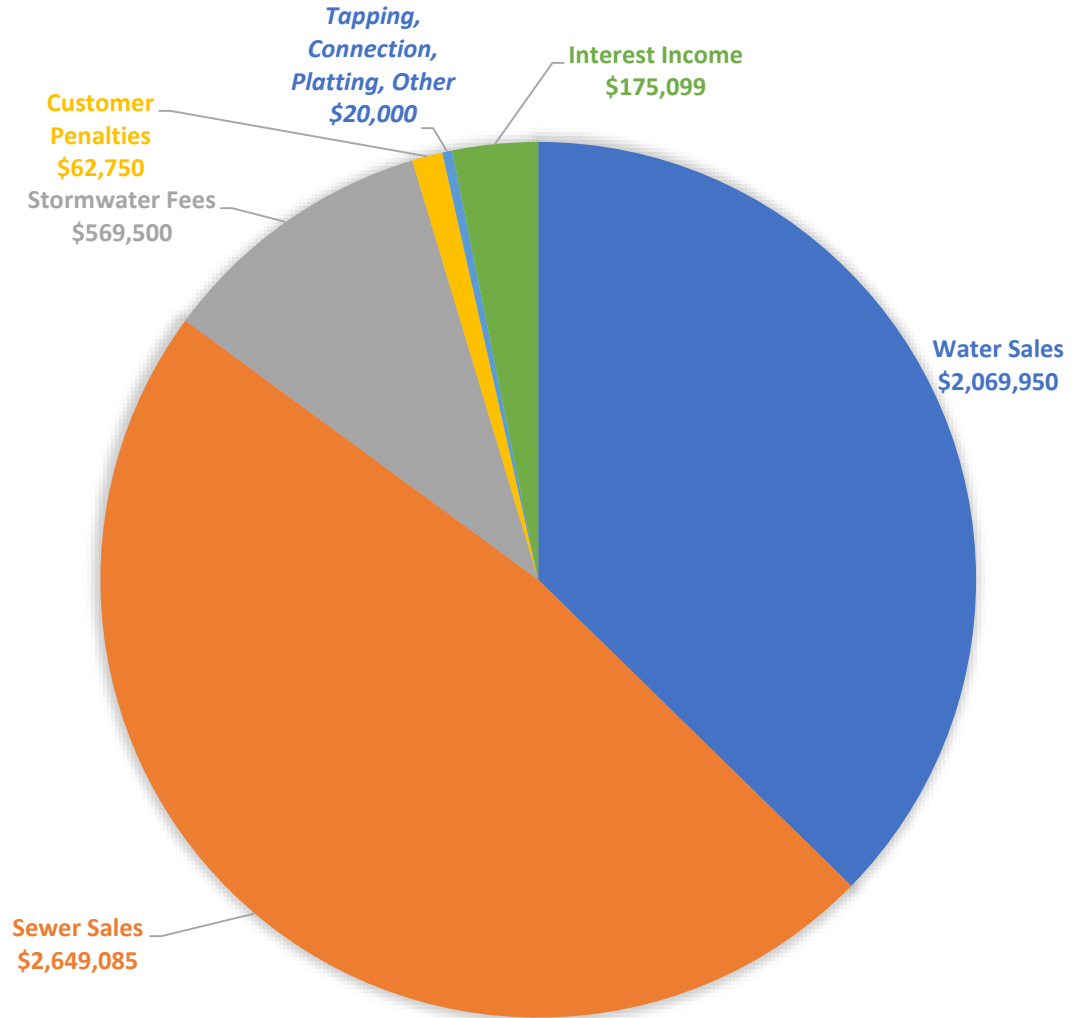
- Budget is Balanced
- Operating Revenues
 - \$5,371,285
- Operating Expenses
 - \$3,361,344

Overview

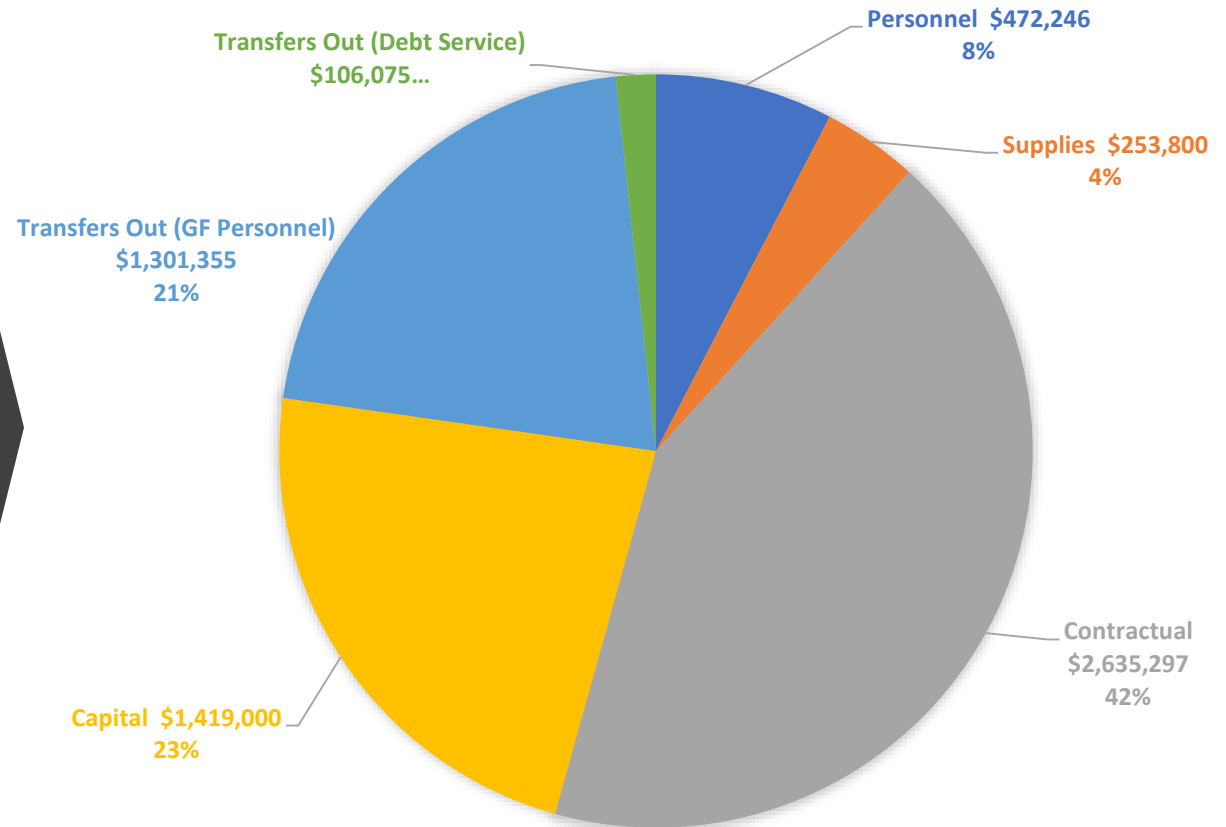
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- Transfer Out for Debt Service
 - \$106,075
- Transfer Out for Personnel Services
 - \$1,301,355
- Capital
 - \$1,419,000

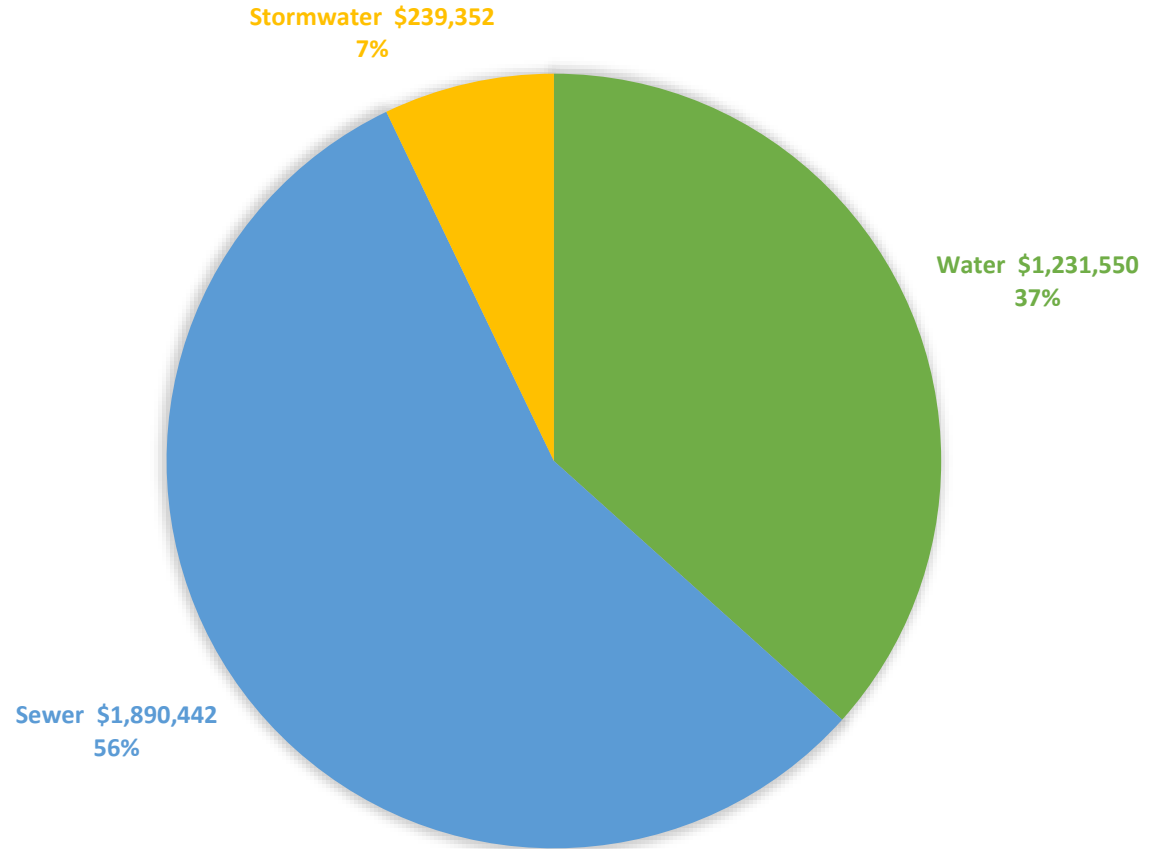
Enterprise Fund Revenue by Category



Enterprise Fund Expenses by Category



Enterprise Fund Expenses by Department



**WATER, SEWER AND STORMWATER
SUMMARY OF REVENUES AND EXPENSES**

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
OPERATING REVENUES				
Water Sales	\$ 2,007,835	\$ 2,119,100	\$ 2,119,100	\$ 2,069,950
Sewer Sales	2,650,915	2,508,000	2,508,000	2,649,085
Stormwater Fees	540,758	564,000	564,000	569,500
Customer Penalties	58,361	59,500	59,500	62,750
Tapping Fees	30,642	10,000	10,000	20,000
Connection & Platting	2,450	2,250	2,250	-
TOTAL OPERATING REVENUES	5,290,961	5,262,850	5,262,850	5,371,285
OPERATING EXPENSES				
Water System	828,558	1,191,607	1,191,607	1,231,550
Sewer System	1,896,996	2,275,650	2,275,650	1,890,442
Stormwater	211,994	184,800	184,800	239,352
Depreciation	395,785	-	-	-
TOTAL OPERATING EXPENSES	3,333,333	3,652,058	3,652,058	3,361,344
NET OPERATING INCOME (LOSS)	1,957,628	1,610,792	1,610,792	2,009,941
NON-OPERATING REVENUES (EXPENSES)				
Interest Income	207,415	171,666	171,666	175,099
Grants	245,726	-	-	-
Miscellaneous and Other	189,575	1,300,500	500	9,500
Water Supply Fee Reserve	-	-	834,263	-
Transfers In from Other Funds	316,863	-	-	-
Transfer out to Debt Service	(51,065)	(107,863)	(107,863)	(106,075)
Transfer Out Shared Personnel Services	(1,380,647)	(1,253,538)	(1,253,538)	(1,301,355)
TOTAL NON-OPERATING REVENUES (EXPENSES)	(472,133)	110,765	(354,972)	(1,222,831)
NET INCOME (LOSS)	1,485,496	1,721,557	1,255,820	787,110
CHANGES IN WORKING CAPITAL SOURCES (USES) OF WORKING CAPITAL				
Additions to Fixed Assets	-	3,773,438	1,700,000	1,419,000
TOTAL SOURCES (USES) OF WORKING CAPITAL	-	3,773,438	1,700,000	1,419,000
NET INCREASE (DECREASE) IN WORKING CAPITAL	1,485,496	(2,051,881)	(444,180)	(631,890)
BEGINNING FUND BALANCE	2,704,275	4,189,771	4,189,771	3,745,591
*ENDING FUND BALANCE	\$ 4,189,771	\$ 2,137,890	\$ 3,745,591	\$ 3,113,701

WATER EXPENSES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	202,996	220,292	220,292	228,680
Retirement Plan	(100,635)	45,395	45,395	50,947
Group Insurance	34,165	40,593	40,593	43,710
Worker Compensation	4,382	4,521	4,521	3,106
Overtime	21,855	8,000	8,000	8,000
Social Security	17,496	17,791	17,791	19,371
Standby	10,882	-	-	13,000
Certification Pay	-	4,264	4,264	3,536
Longevity Pay	7,610	8,066	8,066	3,602
Total Personnel Services	198,751	348,921	348,921	373,951
SUPPLIES				
Office Supplies	368	2,000	2,000	2,500
Operating Supplies	34,132	50,550	50,550	84,200
Repairs & Maintenance - Internal	53,970	140,000	140,000	122,500
Misc. Supplies	7,566	15,000	15,000	7,000
Water Conservation Program	-	2,000	2,000	2,000
Total Supplies	96,036	209,550	209,550	218,200
CONTRACTUAL SERVICES				
Professional Services	59,469	24,501	24,501	43,401
Contractual Services	219,866	282,250	282,250	298,013
Utilities - Telephone	136	17,000	17,000	140
Utilities - Gas, Water, Electric	106,175	100,000	100,000	113,175
Printing	3,542	3,000	3,000	4,000
Advertising	-	10,000	10,000	3,600
Repairs and Maintenance - External	106,656	145,000	145,000	140,000
Equipment Rental	4,532	8,000	8,000	5,000
Travel	2,121	7,000	7,000	5,000
Membership, Dues & Licenses	1,274	1,500	1,500	1,000
Liability Insurance	30,000	34,885	34,885	26,070
Total Contractual Services	533,771	633,136	633,136	639,399
CAPITAL OUTLAY				
Water Rights	-	1,350,000	1,350,000	143,000
Improvements	-	825,000	100,000	500,000
Total Capital Outlay	-	2,175,000	1,450,000	643,000
TOTAL EXPENSES	\$ 828,558	\$ 3,366,607	\$ 2,641,607	\$ 1,874,550

WATER DEPARTMENT

{Section}.32.

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 2,000	\$ 2,500	\$ 500
Normal Supplies	1,000	1,500	500
Administrative Reporting	1,000	1,000	-
Operating Supplies	\$ 50,550	\$ 84,200	\$ 33,650
Fuel 30% Allocation	10,800	12,000	1,200
Personnel - Boots, Ear Protection, Glasses, Gloves	2,250	1,200	(1,050)
Fleet - Vehicle Registration/Inspection, Lights	2,500	1,000	(1,500)
New Meters	10,000	20,000	10,000
Hand Tools, Nuts, Bolts, Clamps, Corps, Materials, Etc.	25,000	50,000	25,000
Repairs and Maintenance - Internal	\$ 140,000	\$ 122,500	\$ (17,500)
Fleet - Oil, Brake Fluid, Wiper Fluid, Filters, Lubricants	5,000	2,500	(2,500)
Replacement of Water Meters, Curb Stops, Mains	40,000	50,000	10,000
Repairs & Maintenance - Vehicles & Equipment	5,000	5,000	-
Replacement Fire Hydrants, Storz Connectors	90,000	65,000	(25,000)
Miscellaneous Supplies	\$ 15,000	\$ 7,000	\$ (8,000)
Other Unplanned Supplies	15,000	7,000	(8,000)
Conservation	\$ 2,000	\$ 2,000	\$ -
Rebates for Low Flow Toilets, HE Washers	1,000	1,000	-
Rebates for Rain Barrels & Xeriscaping	1,000	1,000	-
Total Supplies	\$ 209,550	\$ 218,200	\$ 8,650

WATER DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 24,501	\$ 43,401	\$ 18,900
Cafeteria Plan	288	288	-
Engineering Service	15,000	25,000	10,000
Mapping, Rate, & Asset Mgt Software	-	10,000	10,000
External Audit	9,213	8,113	(1,100)
Contractual Services	\$ 282,250	\$ 298,013	\$ 15,763
Uniforms	4,000	8,500	4,500
Techlead - 10%	-	5,664	5,664
Vehicle Inspection, Seals & Equipment Repairs	10,000	10,000	-
H2O Samples	5,000	5,500	500
Meter Reading Maintenance	8,000	5,000	(3,000)
EAA Program and Management Fees	150,000	165,000	15,000
Water Sampling	6,100	5,600	(500)
SAWS Interconnect	8,000	4,700	(3,300)
Water System bills	6,150	2,700	(3,450)
TCEQ Water Sampling	-	6,400	6,400
Annual Meter Replacement Program	2,000	-	(2,000)
Tank Inspections	10,000	10,000	-
Nearmap - 30%	-	2,180	2,180
Quadiant - 50%	30,000	15,000	(15,000)
Novo ShareNet - 30%	-	3,735	3,735
WaterWorth - 50%	-	7,000	7,000
Incode (Tyler Technologies) - 50%	10,000	5,034	(4,966)
SCADA System license	1,500	6,000	4,500
Chlorine	6,500	5,000	(1,500)
Pump Maintenance (Emergency Contractual)	25,000	25,000	-
Utilities-Telephone	\$ 17,000	\$ 140	\$ (16,860)
Utilities-Water & Electric	\$ 100,000	\$ 113,175	\$ 13,175
Printing	\$ 3,000	\$ 4,000	\$ 1,000
Advertising	\$ 10,000	\$ 3,600	\$ (6,400)
Repairs & Maintenance - External	\$ 145,000	\$ 140,000	\$ (5,000)
Equipment Rental	\$ 8,000	\$ 5,000	\$ (3,000)
Travel - Training	\$ 7,000	\$ 5,000	\$ (2,000)
Memberships, Dues & Licenses	\$ 1,500	\$ 1,000	\$ (500)
Liability Insurance	\$ 34,885	\$ 26,070	\$ (8,815)
Total Contractual	\$ 633,136	\$ 639,399	\$ 6,263

{Section}.32.

Water Capital

<i>Item</i>	<i>Acquisition Date</i>	<i>Purchase Type</i>	<i>FY 25-26</i>
WA - Replace Water Mains City-Wide	1960 - 1990	Replacement	500,000
WA - Purchase Water Rights	2018	New	143,000
TOTAL BY FISCAL YEAR			\$ 643,000

SEWER EXPENSES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	50,227	55,073	55,073	57,170
Retirement Plan	10,245	12,495	12,495	13,290
Group Insurance	8,541	10,148	10,148	10,927
Worker Compensation	1,207	1,244	1,244	2,071
Overtime	-	8,000	8,000	8,000
Social Security	3,795	4,897	4,897	5,053
Certification Pay	-	936	936	884
Longevity Pay	1,902	2,016	2,016	900
Total Personnel Services	75,917	94,809	94,809	98,296
SUPPLIES				
Office Supplies	3,251	-	-	-
Operating Supplies	-	8,152	8,152	3,000
Repairs & Maintenance - Internal	1,441	17,500	17,500	13,000
Misc. Supplies	-	27,500	27,500	6,000
Total Supplies	4,692	53,152	53,152	22,000
CONTRACTUAL SERVICES				
Professional Services	22,334	59,285	59,285	33,113
Contractual Services	1,765,088	1,980,276	1,980,276	1,636,763
Advertising	2,143	2,500	2,500	2,200
Repairs and Maintenance - External	4,600	60,000	60,000	60,000
Liability Insurance	10,000	11,628	11,628	26,070
Sewer Surcharge	12,222	14,000	14,000	12,000
Total Contractual Services	1,816,387	2,127,689	2,127,689	1,770,146
CAPITAL OUTLAY				
Improvements	-	937,633	150,000	500,000
Total Capital Outlay	-	937,633	150,000	500,000
TOTAL EXPENSES	\$ 1,896,996	\$ 3,213,283	\$ 2,425,650	\$ 2,390,442

SEWER DEPARTMENT

	FY2025	FY2026	VARIANCE
Operating Supplies	\$ 8,152	\$ 3,000	\$ (5,152)
Fuel 10% Allocation	3,152	3,000	(152)
Personnel - PPE	5,000	-	(5,000)
Repairs & Maintenance - Internal	\$ 17,500	\$ 13,000	\$ (4,500)
Sewer Main Parts	10,000	10,000	-
Sewer Camera Repairs	1,500	1,000	(500)
Fleet-Repair for Vehicles & Equipment	6,000	2,000	(4,000)
Miscellaneous Supplies	\$ 27,500	\$ 6,000	\$ (21,500)
Manhole Lids, PVC Pipe	25,000	5,000	(20,000)
Hand Tools, Clamps Fasteners, Nuts, Bolts	2,500	1,000	(1,500)
Total Supplies	\$ 53,152	\$ 22,000	\$ (31,152)

SEWER DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 59,285	\$ 33,113	\$ (26,172)
Cafeteria Plan	72	-	(72)
Engineering Service	50,000	25,000	(25,000)
External Audit	9,213	8,113	(1,100)
Contractual Services	\$ 1,980,276	\$ 1,636,763	\$ (343,513)
SAWS Sewer Service	1,710,747	1,600,000	(110,747)
Techlead	-	5,664	5,664
Sewer Video Program	250,000	-	(250,000)
TCEQ Water Sampling	-	100	100
Rate Software	-	3,800	3,800
Quadient - 50%	19,529	15,000	(4,529)
WaterWorth - 30%	-	4,200	4,200
Novo ShareNet - 20%	-	2,489	2,489
Nearmap - 20%	-	2,490	2,490
Incode (Tyler Technologies) - 30%	-	3,020	3,020
Advertising	\$ 2,500	\$ 2,200	\$ (300)
Repairs & Maintenance - External	\$ 60,000	\$ 60,000	\$ -
Liability Insurance	\$ 11,628	\$ 26,070	\$ 14,442
Sewer Surcharge	\$ 14,000	\$ 12,000	\$ (2,000)
Total Contractual	\$ 2,127,689	\$ 1,770,146	\$ (357,543)

Sewer Capital

{Section}.32.

<i>Item</i>	<i>Acquisition Date</i>	<i>Purchase Type</i>	<i>FY 25-26</i>
SW - Replace Sewer Mains City-Wide	1960 - 1990	Replacement	500,000
TOTAL BY FISCAL YEAR			\$ 500,000

STORMWATER EXPENSES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	-	-	-	-
Retirement Plan	-	-	-	-
Group Insurance	-	-	-	-
Overtime	-	-	-	-
Social Security	-	-	-	-
Longevity Pay	-	-	-	-
Total Personnel Services	-	-	-	-
SUPPLIES				
Operating Supplies	3,340	12,000	12,000	8,500
Repairs & Maintenance - Internal	150	10,000	10,000	1,500
Miscellaneous Supplies	4,288	6,000	6,000	3,600
Total Supplies	7,778	28,000	28,000	13,600
Contractual Services				
Professional Services	24,863	30,000	30,000	25,000
Contractual Services	41,761	58,500	58,500	146,952
Printing	25	3,000	3,000	1,000
Repairs and Maintenance - External	127,143	50,000	50,000	50,000
Travel	-	5,000	5,000	2,500
Membership, Dues & Licenses	424	300	300	300
Liability Insurance	10,000	10,000	10,000	-
Total Contractual Services	204,216	156,800	156,800	225,752
CAPITAL OUTLAY				
Improvements	-	660,805	100,000	-
Other Machinery & Equipment	-	-	-	276,000
Total Capital Outlay	-	660,805	100,000	276,000
TOTAL EXPENSES	\$ 211,994	\$ 845,605	\$ 284,800	\$ 515,352

STORMWATER DEPARTMENT

	FY 2025	FY 2026	VARIANCE
Operating Supplies	\$ 12,000	\$ 8,500	\$ (3,500)
Fuel 10% Allocation	6,000	4,000	(2,000)
Personnel - Trash Pickers, Gloves	1,000	2,000	1,000
Supplies for Lawnmowers/Trimmers	5,000	2,500	(2,500)
Repairs & Maintenance - Internal	\$ 10,000	\$ 1,500	\$ (8,500)
Fleet - Oil, Fluids, Lubricant, Brooms	10,000	1,500	(8,500)
Miscellaneous Supplies	\$ 6,000	\$ 3,600	\$ (2,400)
ROW Maintenance	6,000	3,600	(2,400)
Total Supplies	\$ 28,000	\$ 13,600	\$ (14,400)

STORMWATER DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 30,000	\$ 25,000	\$ (5,000)
Engineering Service	30,000	25,000	(5,000)
Contractual Services	\$ 58,500	\$ 146,952	\$ 88,452
Uniforms	1,100	2,500	1,400
Techlead - 10%	-	5,664	5,664
Debris Removal from Street Sweeping	15,000	13,000	(2,000)
Street Sweeper Maintenance	-	1,000	1,000
Repairs to Drainage System	40,000	85,000	45,000
High Sierra Flood Control	-	33,000	33,000
Sharenet & Waterworth Software	2,400	-	(2,400)
WaterWorth - 20%	-	2,800	2,800
Nearmap - 10%	-	730	730
Novo ShareNet - 10%	-	1,245	1,245
Incode (Tyler Technologies) - 20%	-	2,013	2,013
Printing	\$ 3,000	\$ 1,000	\$ (2,000)
Travel	\$ 5,000	\$ 2,500	\$ (2,500)
Repairs & Maintenance - External	\$ 50,000	\$ 50,000	\$ -
Memberships, Dues & Licenses	\$ 300	\$ 300	\$ -
Liability Insurance	\$ 10,000	\$ -	\$ (10,000)
Total Contractual	\$ 156,800	\$ 225,752	\$ 68,952

Storm Water Capital

{Section}.32.

<i>Item</i>	<i>Acquisition Date</i>	<i>Purchase Type</i>	<i>FY 25-26</i>
STW - Wood chipper 9" throat	New	New	41,000
STW - M2 Case Backhoe	2010	Replacement	150,000
STW - 2 ton Brush removal truck	New	New	85,000
TOTAL BY FISCAL YEAR			\$ 276,000

Red Light Camera

RED LIGHT CAMERA AND TRAFFIC SAFETY SUMMARY OF REVENUES AND EXPENDITURES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
BEGINNING FUND BALANCE	\$1,077,147	\$944,823	\$944,823	\$329,920
Revenues				
Red Light Camera Fines	2,116,767	2,080,051	1,650,041	1,884,258
Red Light Camera Late Fees	187,588	200,000	200,000	200,000
Interest	42,329	37,740	37,000	45,000
Miscellaneous	(1,436)	-	-	-
Total Revenue	2,345,248	2,317,791	1,887,041	2,129,258
Other Funding Sources				
ARP Funds	-	-	-	-
Total Other Funding Sources	-	-	-	-
TOTAL RESOURCES	\$ 3,422,395	\$ 3,262,614	\$ 2,831,864	\$ 2,459,178
Expenditures				
Personnel Services	787,991	881,984	881,984	919,463
Supplies	9,198	46,275	46,275	82,400
Contractual Services	904,200	986,803	986,803	1,048,886
Capital Outlay	433,625	216,618	216,618	-
Total Expenditures	2,135,014	2,131,680	2,131,680	2,050,749
Other Financing Uses				
Shared Personnel Services to GF-RLC	342,558	370,264	370,264	286,838
Total Other Financing Uses	342,558	370,264	370,264	286,838
TOTAL EXPENDITURES	\$ 2,477,572	\$ 2,501,944	\$ 2,501,944	\$ 2,337,587
ENDING FUND BALANCE	\$ 944,823	\$ 760,670	\$ 329,920	\$ 121,591

RED LIGHT CAMERA EXPENDITURES

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	388,347	432,204	432,204	460,481
Retirement Plan	82,550	89,927	89,927	98,616
Group Insurance	43,395	60,890	60,890	65,565
Worker Compensation	10,280	10,606	10,606	6,212
Unemployment Compensation	-	-	-	-
Overtime	3,738	-	-	-
Social Security	30,652	35,243	35,243	37,496
Clothing Allowance	7,775	6,000	6,000	6,000
Stand - By	3,120	3,120	3,120	3,120
Special Pay	140	-	-	1,170
Certification Pay	17,090	19,370	19,370	19,370
Longevity Pay	7,940	6,794	6,794	7,531
Total Personnel Services	595,027	664,154	664,154	705,561
SUPPLIES				
Office Supplies	-	200	200	200
Operating Supplies	1,781	8,350	8,350	18,450
Total Supplies	1,781	8,550	8,550	18,650
CONTRACTUAL SERVICES				
Professional Services	193	820	820	920
Contractual Services	846,961	907,000	907,000	884,328
Liability Insurance	-	-	-	26,070
Total Contractual Services	847,154	907,820	907,820	911,318
TOTAL EXPENDITURES	\$ 1,443,962	\$ 1,580,524	\$ 1,580,524	\$ 1,635,529

RED LIGHT CAMERA DEPARTMENT

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 200	\$ 200	\$ -
Foray board/ Expo Markers/ Self ink Stamps	200	200	-
Operating Supplies	\$ 8,350	\$ 18,450	\$ 10,100
Hole Punch/ Pens/Folders/Paper/Legal pads/Tape	750	750	-
Toner, Ink	1,100	1,100	-
Batteries	500	600	100
Office Furniture Replacement	1,000	1,000	-
Fuel	-	10,000	10,000
Expendable Traffic Equipment	1,600	1,600	-
Ammunition	3,400	3,400	-
Total Supplies	\$ 8,550	\$ 18,650	\$ 10,100

RED LIGHT CAMERA DEPARTMENT

{Section}.32.

	FY 2025	FY 2026	VARIANCE
Professional Services	\$ 820	\$ 920	\$ 100
Cafeteria Plan	360	360	-
New Hires	460	560	100
Contractual Services	\$ 907,000	\$ 884,328	\$ (22,672)
City Attorney Contract (RLC Allocation)	15,000	15,000	-
Techlead - 20%	-	11,328	11,328
RLC ATSC Contract	798,000	798,000	M
RLC Audit Fees	10,000	10,000	-
RLC Legal Fees	10,000	-	(10,000)
Computer Maintenance	34,000	10,000	(24,000)
Copier Maintenance	3,500	3,500	-
High Speed Internet (For RLC Videos)	17,500	17,500	-
Signal Maintenance (included all signals)	7,000	7,000	-
Axon Taser	5,000	5,000	-
Axon (Body Cameras)	7,000	7,000	-
Police Cleaning Service	-	-	-
Liability Insurance	\$ -	\$ 26,070	\$ 26,070
Total Contractual	\$ 907,820	\$ 911,318	\$ 3,498

TRAFFIC SAFETY EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	113,315	124,540	124,540	126,261
Retirement Plan	26,176	29,737	29,737	29,872
Group Insurance	15,961	20,297	20,297	21,855
Worker Compensation	4,794	3,508	3,508	2,071
Overtime	18,724	18,000	18,000	18,000
Social Security	9,729	11,654	11,654	11,358
Clothing Allowance	360	2,000	2,000	2,000
Special Pay	455	650	650	-
Certification Pay	3,275	7,150	7,150	2,210
Longevity Pay	175	295	295	275
Total Personnel Services	192,964	217,831	217,831	213,902
SUPPLIES				
Office Supplies	56	500	500	700
Operating Supplies	6,861	19,900	19,900	40,200
Misc. Supplies	500	17,325	17,325	22,850
Total Supplies	7,417	37,725	37,725	63,750
CONTRACTUAL SERVICES				
Professional Services	603	1,216	1,216	1,216
Contractual Services	44,476	67,767	67,767	98,282
Repairs and Maintenance - External	11,967	10,000	10,000	12,000
Liability Insurance	-	-	-	26,070
Total Contractual Services	57,046	78,983	78,983	137,568
CAPITAL OUTLAY				
Vehicles	152,898	187,102	187,102	-
Other Machinery & Equipment	181,222	-	-	-
Improvements other than Building	99,505	29,516	29,516	-
Total Capital Outlay	433,625	216,618	216,618	-
TOTAL EXPENDITURES	\$ 691,052	\$ 551,157	\$ 551,157	\$ 415,220

TRAFFIC SAFETY DEPARTMENT

	FY2025	FY2026	VARIANCE
Office Supplies	\$ 500	\$ 700	\$ 200
Computer cables/ HDMI, Misc. Equipment	500	700	200
Operating Supplies	\$ 19,900	\$ 40,200	\$ 20,300
Radar Equipment/Laptop equipment	3,000	5,500	2,500
Traffic Vehicles Lights/ Accessories and Traffic Cones	6,500	7,500	1,000
Office Furniture Replacement	5,000	5,000	-
Investigative Equipment/Tools	2,000	3,000	1,000
Fuel	-	10,000	10,000
Ammunition	3,400	9,200	5,800
Miscellaneous Supplies	\$ 17,325	\$ 22,850	\$ 5,525
SD Card, Batteries	400	550	150
Printer Cables	125	200	75
Flares	300	600	300
Patrol Vehicles Lights/ Accessories/ Traffic Cones	10,000	15,000	5,000
Traffic signs, barricades, cones, bollards	6,500	6,500	-
Total Supplies	\$ 37,725	\$ 63,750	\$ 26,025

TRAFFIC SAFETY DEPARTMENT

	FY2025	FY2026	VARIANCE
Professional Services	\$ 1,216	\$ 1,216	\$ -
Cafeteria Plan	216	216	-
New Hires	1,000	1,000	-
Contractual Services	\$ 67,767	\$ 98,282	\$ 30,515
Axon (Vehicle & Body Cameras)	13,000	27,785	14,785
Axon Taser	5,000	5,000	-
SAT Radio Air Time	39,997	39,997	-
Urban SDK	4,875	7,500	2,625
Municode	1,895	-	(1,895)
Charter Communications	-	1,000	1,000
Trusted Driver	-	5,000	5,000
First Net - Phones (Trusted Driver)	-	5,000	5,000
Cardinal CAD/RMS Service Contract	3,000	7,000	4,000
Repairs & Maintenance - External	\$ 10,000	\$ 12,000	\$ 2,000
Liability Insurance	\$ -	\$ 26,070	\$ 26,070
Total Contractual	\$ 78,983	\$ 137,568	\$ 58,585

American Rescue Plan

**AMERICAN RESCUE PLAN (ARP)
SUMMARY OF REVENUES AND EXPENDITURES**

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
BEGINNING FUND BALANCE	\$ 380,273	\$ 236,548	\$ 236,548	\$ 265,125
Revenues				
ARP	286,172	184,027	123,738	-
Interest	18,218	-	-	-
Total Revenue	304,390	184,027	123,738	-
Other Funding Sources				
Transfers In	-	-	-	-
Total Other Funding Sources	-	-	-	-
TOTAL RESOURCES	\$ 684,663	\$ 420,575	\$ 360,286	\$ 265,125
Expenditures				
Personnel Services	-	-	-	-
Supplies	-	-	-	-
Contractual Services	-	-	-	-
Capital Outlay	-	-	-	-
Total Expenditures	-	-	-	-
Other Financing Uses				
Transfers Out	448,115	360,286	95,161	265,125
Transfer to Capital	-	-	-	-
Total Other Financing Uses	448,115	360,286	95,161	265,125
TOTAL EXPENDITURES	\$ 448,115	\$ 360,286	\$ 95,161	\$ 265,125
ENDING FUND BALANCE	\$ 236,548	\$ 60,289	\$ 265,125	\$ -

Crime Control and Prevention District

Crime Control and Prevention Budget Overview

- Budget is Balanced
 - Operating Revenues: \$440,300
 - Operating Expenditures: \$427,897
- This Funds the Salary and Benefits for
 - 50% of the Assistant Police Chief
 - One Patrol Officer
 - One Investigations Sergeant

CRIME CONTROL DISTRICT SUMMARY OF REVENUES AND EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
BEGINNING FUND BALANCE	\$624,621	\$738,579	\$738,579	\$808,957
Revenues				
Crime Control Sales Tax	411,883	407,595	407,595	415,747
Interest	24,348	24,072	24,072	24,553
Miscellaneous	845	-	-	-
Total Revenue	437,076	431,667	431,667	440,300
Other Funding Sources				
ARP Funds	-	-	-	-
Total Other Funding Sources	-	-	-	-
TOTAL RESOURCES	\$ 1,061,697	\$ 1,170,246	\$ 1,170,246	\$ 1,249,257
Expenditures				
Personnel Services	232,064	266,652	266,652	268,025
Supplies	-	-	-	4,200
Contractual Services	10,403	10,572	10,572	13,179
Capital Outlay	-	-	-	65,000
Total Expenditures	242,467	277,224	277,224	350,404
Other Financing Uses				
Shared Personnal Services to GF	80,651	84,065	84,065	77,493
Total Other Financing Uses	80,651	84,065	84,065	77,493
TOTAL EXPENDITURES	\$ 323,118	\$ 361,289	\$ 361,289	\$ 427,897
ENDING FUND BALANCE	\$ 738,579	\$ 808,957	\$ 808,957	\$ 821,360

CRIME CONTROL DISTRICT EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
PERSONNEL SERVICES				
Salaries	119,967	144,818	144,818	145,912
Retirement Plan	32,159	36,717	36,717	38,066
Group Insurance	15,201	20,297	20,297	21,855
Worker Compensation	-	4,331	4,331	2,071
Overtime	42,298	34,000	34,000	34,000
Social Security	12,187	14,390	14,390	14,473
Clothing Allowance	-	2,000	2,000	2,000
Standby	3,120	3,120	3,120	3,120
Special Pay	805	-	-	-
Certification Pay	3,700	4,160	4,160	4,160
Longevity Pay	2,627	2,819	2,819	2,368
Shared Services	-	-	-	-
Total Personnel Services	232,064	266,652	266,652	268,025
SUPPLIES				
Operating Supplies	-	-	-	4,200
Total Supplies	-	-	-	4,200
CONTRACTUAL SERVICES				
Professional Services	6	-	-	-
Contractual Services	10,397	10,572	10,572	10,572
Liability Insurance	-	-	-	2,607
Total Contractual Services	10,403	10,572	10,572	13,179
CAPITAL OUTLAY				
Vehicles	-	-	-	65,000
Total Capital Outlay	-	-	-	65,000
TOTAL EXPENDITURES	\$ 242,467	\$ 277,224	\$ 277,224	\$ 350,404

Community Center Fund

Community Center Budget Overview

- Budget is Balanced
- Operating Revenues
 - \$168,242
- Operating Expenditures
 - \$165,688

**COMMUNITY/CONFERENCE CENTER
SUMMARY OF REVENUES AND EXPENDITURES**

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
BEGINNING FUND BALANCE	\$290,939	\$294,009	\$294,009	\$266,482
Revenues				
Hotel/Motel Taxes	84,144	80,000	80,000	85,000
Rental Fees	60,453	66,417	66,417	68,000
Interest	12,667	14,943	14,943	15,242
Miscellaneous	40,405	-	-	-
Total Revenue	197,669	161,360	161,360	168,242
Other Funding Sources				
Transfers in from PEG Reserve	-	-	-	-
Total Other Funding Sources	-	-	-	-
TOTAL RESOURCES	\$ 488,608	\$ 455,369	\$ 455,369	\$ 434,724
Expenditures				
Personnel Services	88,848	93,284	93,284	100,500
Supplies	5,306	11,725	11,725	13,650
Contractual Services	40,788	50,101	50,101	51,538
Capital Outlay	59,657	12,000	12,000	-
Total Expenditures	194,599	167,110	167,110	165,688
Other Financing Uses				
Shared Personnal Services to GF	-	21,777	21,777	22,131
Total Other Financing Uses	-	21,777	21,777	22,131
TOTAL EXPENDITURES	\$ 194,599	\$ 188,887	\$ 188,887	\$ 187,818
ENDING FUND BALANCE	\$ 294,009	\$ 266,482	\$ 266,482	\$ 246,906

**COMMUNITY/CONFERENCE CENTER
EXPENDITURES**

{Section}.32.

	ACTUAL	BUDGET	ESTIMATED	BUDGET
	2023-2024	2024-2025	2024-2025	2025-2026
PERSONNEL SERVICES				
Salaries	64,704	67,175	67,175	71,294
Retirement Plan	12,741	13,113	13,113	14,344
Group Insurance	6,515	7,611	7,611	8,196
Worker Compensation	-	119	119	1,035
Social Security	4,816	5,139	5,139	5,454
Longevity Pay	72	128	128	176
Total Personnel Services	88,848	93,284	93,284	100,500
SUPPLIES				
Office Supplies	37	1,375	1,375	2,500
Operating Supplies	1,189	4,100	4,100	4,400
Repairs & Maintenance - Internal	4,080	5,250	5,250	5,750
Misc. Supplies	-	1,000	1,000	1,000
Total Supplies	5,306	11,725	11,725	13,650
CONTRACTUAL SERVICES				
Professional Services	3,007	2,626	2,626	2,626
Contractual Services	3,347	3,425	3,425	5,045
Utilities - Telephone	4,358	5,200	5,200	4,700
Utilities - Gas, Water, Electric	22,550	20,000	20,000	21,550
Printing	-	750	750	750
Advertising	730	3,100	3,100	3,100
Repairs and Maintenance - External	1,173	5,000	5,000	5,000
Membership, Dues & Licenses	623	1,500	1,500	1,085
Equipment Rental	-	2,000	2,000	2,000
Travel	-	1,500	1,500	3,075
Liability Insurance	5,000	5,000	5,000	2,607
Total Contractual Services	40,788	50,101	50,101	51,538
CAPITAL OUTLAY				
Office Equipment	-	12,000	12,000	-
Improvements	59,657	-	-	-
Total Capital Outlay	59,657	12,000	12,000	-
TOTAL EXPENDITURES	\$ 194,599	\$ 167,110	\$ 167,110	\$ 165,688

COMMUNITY CENTER

	FY 2025	FY 2026	VARIANCE
Office Supplies	\$ 1,375	\$ 2,500	\$ 1,125
General Supplies	375	1,750	1,375
Toner	1,000	750	(250)
Operating Supplies	\$ 4,100	\$ 4,400	\$ 300
Solar Light Cleaning	600	600	-
Chair cleaning	2,000	2,000	-
Reception Chair	-	300	300
Miscellaneous - Window cleaning	1,500	1,500	-
Repairs & Maintenance - Internal	\$ 5,250	\$ 5,750	\$ 500
Toilet repairs	-	500	500
Light fixture repairs	750	750	-
Kitchen appliance repairs	-	-	-
Other misc. repairs	2,500	2,500	-
Misc. - Add/Replace Restroom sanitary bins (18)	2,000	2,000	-
Miscellaneous Supplies	\$ 1,000	\$ 1,000	\$ -
Replace Soap Dispensers	1,000	1,000	-
Total Supplies	\$ 11,725	\$ 13,650	\$ 1,925

COMMUNITY CENTER

	FY 2025	FY 2026	VARIANCE
Professional Services	\$ 2,626	\$ 2,626	\$ -
Security System	2,500	2,500	-
Cafeteria Plan	126	126	-
Contractual Services	\$ 3,425	\$ 5,045	\$ 1,620
Activenet Software	-	-	-
Adobe	-	420	420
Canva	-	600	600
Constant Contact	-	600	600
Cable/Internet Services	1,700	1,700	-
Fire Alarm (sensor repair)	1,725	1,725	-
Utilities-Telephone	\$ 5,200	\$ 4,700	\$ (500)
Utilities-Water & Electric	\$ 20,000	\$ 21,550	\$ 1,550
Printing	\$ 750	\$ 750	\$ -
Advertising	\$ 3,100	\$ 3,100	\$ -
Repairs & Maintenance - External	\$ 5,000	\$ 5,000	\$ -
Equipment Rental	\$ 2,000	\$ 2,000	\$ -
Travel - Training	\$ 1,500	\$ 3,075	\$ 1,575
Memberships, Dues & Licenses	\$ 1,500	\$ 1,085	\$ (415)
Liability Insurance	\$ 5,000	\$ 2,607	\$ (2,393)
Total Contractual	\$ 50,101	\$ 51,538	\$ 1,437

Street Maintenance Tax Fund

STREET MAINTENANCE

SUMMARY OF REVENUES AND EXPENDITURES

{Section}.32.

	ACTUAL 2023-2024	BUDGET 2024-2025	ESTIMATED 2024-2025	BUDGET 2025-2026
BEGINNING FUND BALANCE	\$1,820,388	\$1,751,192	\$1,751,192	\$1,113,362
Revenues				
Street Sales Taxes	830,759	822,170	822,170	805,727
Interest	78,877	40,000	40,000	40,800
Total Revenue	909,636	862,170	862,170	846,527
Other Financing Uses				
Transfer from General Fund	76,603	-	-	-
Total Other Financing Uses	76,603	-	-	-
TOTAL RESOURCES	\$ 2,806,627	\$ 2,613,362	\$ 2,613,362	\$ 1,959,889
Expenditures				
Personnel Services	-	-	-	-
Supplies	-	-	-	-
Contractual Services	1,055,435	2,825,528	1,500,000	1,959,889
Total Expenditures	1,055,435	2,825,528	1,500,000	1,959,889
TOTAL EXPENDITURES	\$ 1,055,435	\$ 2,825,528	\$ 1,500,000	\$ 1,959,889
ENDING FUND BALANCE	\$ 1,751,192	\$ (212,166)	\$ 1,113,362	\$ -

Special Revenue Funds

Special Revenue Funds

	<u>Revenue</u>
Grant Fund (LEOSE)	5,412
Building Security Fund	15,040
Child Safety Fund	12,481
Municipal Court Technology	13,530
Debt Service	601,594

Department	General Fund	Salary Allocations							
		Enterprise Fund			Economic Dev.	Community Center Fund	RLC Fund	Crime Control Fund	Child Safety Fund
		Water	Sewer	Storm Water					
Court (4 Employees)									
Municipal Court Clerk	-	-	-	-	-	-	100%	-	-
Court Clerk/Cashier	-	-	-	-	-	-	100%	-	-
Sr. Court Clerk	40%	20%	20%	-	-	-	20%	-	-
Court Administrator	40%	20%	20%	-	-	-	20%	-	-
Finance (3 Employees)									
Receptionist	30%	20%	20%	10%	-	-	20%	-	-
Assistant Finance Director	30%	20%	20%	10%	-	-	20%	-	-
Finance Director	30%	20%	20%	10%	-	-	20%	-	-
City Manager (4 Employees)									
City Manager	35%	10%	10%	5%	40%	-	-	-	-
City Secretary	60%	15%	15%	10%	-	-	-	-	-
HR Manager	50%	20%	20%	10%	-	-	-	-	-
Exec. Asst. to CM	50%	20%	20%	10%	-	-	-	-	-
IT (0 Employee)									
	50%	10%	10%	10%	-	-	20%	-	-
Police (29 Employees)									
PD Admin	100%	-	-	-	-	-	-	-	-
Police Chief	75%	-	-	-	-	-	25%	-	-
Assistant Police Chief	25%	-	-	-	-	-	25%	50%	-
Lieutenant	100%	-	-	-	-	-	-	-	-
Sergeant/Patrol	100%	-	-	-	-	-	-	-	-
Sergeant/Patrol	100%	-	-	-	-	-	-	-	-
DEA Task Force/Detective	100%	-	-	-	-	-	-	-	-
DEA Task Force/Detective	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
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Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
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Patrol Officer	100%	-	-	-	-	-	-	-	-
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Patrol Officer	100%	-	-	-	-	-	-	-	-
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Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-	-	-	-	-
Patrol Officer	100%	-	-	-	-				

Salary Allocations										Id ety nd
	General Fund	Enterprise Fund			Economic Dev.	Community Center Fund	{Section}.32.			
Department		Water	Sewer	Storm Water						
Public Works (21 Employees)										
PW Director	35%	25%	25%	15%	-	-	-	-	-	
Assistant PW Director	35%	25%	25%	15%	-	-	-	-	-	
Construction Foreman	50%	20%	20%	10%	-	-	-	-	-	
Construction Crewman Leader	50%	20%	20%	10%	-	-	-	-	-	
Construction Crewman	50%	20%	20%	10%	-	-	-	-	-	
Construction Crewman	50%	20%	20%	10%	-	-	-	-	-	
Maintenance Foreman	90%	-	-	10%	-	-	-	-	-	
Maintenance Crewleader	90%	-	-	10%	-	-	-	-	-	
Maintenance Crewman (Laborer)	90%	-	-	10%	-	-	-	-	-	
Maintenance Crewman (Laborer)	90%	-	-	10%	-	-	-	-	-	
Maintenance Crewleader	80%	-	-	10%	-	10%	-	-	-	
PW Maintenance (Laborer)	80%	5%	-	-	-	10%	-	-	-	
Maintenance Crewman (Laborer)	80%	20%	-	-	-	-	-	-	-	
Maintenance Crewman (Laborer)	50%	20%	20%	10%	-	-	-	-	-	
Maintenance Crewman (Laborer)	50%	20%	20%	10%	-	-	-	-	-	
Maintenance Crewleader	90%	-	-	10%	-	-	-	-	-	
Laborer - ROW Parks (Laborer)	80%	-	-	10%	-	10%	-	-	-	
Laborer - ROW (Laborer)	90%	-	-	10%	-	-	-	-	-	
Maintenance Crewman (Laborer)	90%	-	-	10%	-	-	-	-	-	
Fleet Foreman	50%	20%	20%	10%	-	-	-	-	-	
Maintenance Crewman (Laborer)	80%	20%	-	-	-	-	-	-	-	
Planning & Zoning (2 Employees)										
PLANNER I	100%	-	-	-	-	-	-	-	-	
Planning Director	75%	10%	10%	5%	-	-	-	-	-	
Library (5.5 Employees)										
Asst. Library Director	100%	-	-	-	-	-	-	-	-	
Library Assistant II	100%	-	-	-	-	-	-	-	-	
Library Aid - PT	100%	-	-	-	-	-	-	-	-	
Library Director	100%	-	-	-	-	-	-	-	-	
Library Assistant I - PT	100%	-	-	-	-	-	-	-	-	
Technician	100%	-	-	-	-	-	-	-	-	
Library Assistant I PT	100%	-	-	-	-	-	-	-	-	
Water System (5 Employees)										
Water Utility Billing	-	80%	20%	-	-	-	-	-	-	
Laborer - W/S	-	80%	20%	-	-	-	-	-	-	
Foreman - Utilities	-	80%	20%	-	-	-	-	-	-	
Laborer - W/S	-	80%	20%	-	-	-	-	-	-	
Crew Leader - W/S	-	80%	20%	-	-	-	-	-	-	
OVERTIME	-	100%	-	-	-	-	-	-	-	
OVERTIME	-	-	100%	-	-	-	-	-	-	
OVERTIME	-	-	-	100%	-	-	-	-	-	
OVERTIME	-	100%	-	-	-	-	-	-	-	
OVERTIME	-	-	100%	-	-	-	-	-	-	
Red Light Camera (6 Employees)										
Detective -TS	-	-	-	-	-	-	100%	-	-	
Admin Officer / Patrol Officer	-	-	-	-	-	-	100%	-	-	
Officer - RLC	-	-	-	-	-	-	100%	-	-	
Sergeant/RLC	-	-	-	-	-	-	100%	-	-	
RLC Lieutenant	-	-	-	-	-	-	100%	-	-	
Officer - RLC	-	-	-	-	-	-	100%	-	-	
Impound Lot (1 Employee)										
Detective/Impound Lot	100%	-	-	-	-	-	-	-	-	
Economic Development (1 Employee)										
Executive / ED Manager	100%	-	-	-	-	-	-	-	-	
Crime Control (2 Employees)										
Patrol Officer/CCD	-	-	-	-	-	-	-	100%	-	
Sergeant/CID	-	-	-	-	-	-	-	100%	-	
Child Safety (0 Employee)										
	-	-	-	-	-	-	-	-	100%	
Community Center (1 Employee)										
Community Relations Director	25%	-	-	-	-	75%	-	-	-	
Forfeiture (1 Employee)										
Patrol Officer	100%	-	-	-	-	-	-	-	-	

Personnel

- Funding 117 positions
 - Does not include school crossing guard and 7 hour week library aide
- Salaries have been adjusted to current market rates
- Funds longevity pay for all qualifying full-time City employees
 - Paid annually in November

Personnel

- The proposed budget includes funding for the City's Medical Insurance Program which provides medical, dental, vision and life insurance coverage
 - The program provides medical insurance to employees at no cost
 - Dependent insurance cost is paid for by the employee
- Funds the retirement at 20.12% effective January 1, 2026.

Personnel

- Christmas Holidays – City is Closed
 - Wednesday, December 24 to Thursday, January 1
 - **The City will Reopen Friday, January 2**

Next Steps

- Crime, Control & Prevention District Budget Public Hearing and Adoption
 - August 19th, 2025 (start time 5:00 pm)
- Budget Public Hearing and Formal Adoption
 - September 2nd, 2025
- Tax Rate Public Hearing and Formal Adoption
 - September 2nd, 2025

PROPOSED ANNUAL OPERATING BUDGET FY 2026





**CITY OF LEON VALLEY
CITY COUNCIL REGULAR MEETING**
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238
Tuesday, July 15, 2025 at 6:30 PM

MINUTES

The City of Leon Valley City Council Shall Hold an In-Person Meeting with A Quorum of Members of City Council to Be Physically Present in The Leon Valley City Council Chambers, 6400 El Verde Road, Leon Valley, Texas 78238. Some Members of City Council May Appear and Participate in The Meeting by Videoconference Pursuant to The Requirements Set Forth in The Texas Open Meetings Act.

Citizens May E-Mail Public Comments To citizenstobeheard@leonvalleytexas.gov. All Other Citizen Participation May Be Provided In-Person at City Council Chambers.

1. Call to Order; Determine a Quorum is Present, Pledge of Allegiance

PRESENT

Mayor Chris Riley
Council Place 1 Danielle Bolton
Mayor Pro-Tem, Council Place 2 Betty Heyl
Council Place 3 Philip Campos
Council Place 4 Rey Orozco
Council Place 5 Beth Mursch

Mayor Chris Riley called the meeting to order at 6:30 PM and announced that a quorum of City Council was present in Council Chambers.

Mayor Riley asked Council Place 1, Bolton, to lead the Pledge of Allegiance.

2. Citizens to be Heard - Citizens wishing to address the City Council for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the City Council is restricted from discussing or acting on items not listed on this agenda.

Those who spoke at this time were Tina Chasan and Mark Brogley.

3. Presentations

- Presentation of the Texas Municipal Clerks Association (TMCA) 2025-2026 Municipal Clerk's Office Achievement of Excellence Award - S. Passailaigue, City Secretary**

Mayor Chris Riley presented the 2025 TMCA Municipal Clerk's Office Achievement of Excellence Award to Sandra Passailaigue, City Secretary.

2. Presentation and Discussion of the Monthly Financial Report Ending June 30, 2025 - C. Goering, Finance Director

Carol Goering, Finance Director, presented the monthly financial report.

4. Announcements by the Mayor and Council Members. At this time, reports about items of community interest, which no action will be taken may be given to the public as per Chapter 551.0415 of the Government Code, such as: expressions of thanks, congratulations or condolence, information regarding holiday schedules, reminders of social, ceremonial, or community events organized or sponsored by the governing body or that was or will be attended by a member of the Leon Valley City Council or a City official.

Mayor Chris Riley and members of the City Council shared announcements.

5. City Manager's Report

Dr. Crystal Caldera, City Manager, announced that the City Manager's Report was available in print on the table in the foyer and posted on the City website.

She also provided the following updates:

- Reminded everyone about the upcoming Coffee with the Mayor & Council event on July 26, 2025.
- Thanked Crystal Miranda, Community Relations Director, for all of her hard work preparing for the July 4th event.
- Thanked Dawn Tarr, Assistant Finance Director, for her volunteerism with the Ingram Volunteer Fire Department.

Mayor Chris Riley asked everyone to join her in wishing a happy birthday to Council Place 1, Bolton, and Council Place 5, Mursch.

1. Upcoming Important Events:

- **Regular City Council Meeting, Tuesday, July 15, 2025, at 6:30 PM, in City Council Chambers.**
- **Mini Golf, August 07, 2025 from 3:30 PM to 7:30 PM; and August 08, 2025 from 9:30 AM to 1:30 PM, at the Leon Valley Public Library.**
- **Miscellaneous other events and announcements.**

6. Consent Agenda - All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of a Consent Agenda item unless a member of City Council requests that the item be pulled from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

Dr. Crystal Caldera, City Manager, asked that City Council consider appointing a Council Liaison to the Board of Adjustment when making a motion to approve the Consent Agenda.

She also reminded everyone that fosters are needed for dogs currently in the care of Animal Control.

A motion was made by Council Place 4, Orozco, to approve the Consent Agenda as presented and to appoint Mayor Pro Tem, Council Place 2, Heyl, as Council Liaison to the Board of Adjustment. The motion was seconded by Council Place 3, Campos.

Voting Yea: Council Place 1, Bolton; Council Place 3, Campos; Council Place 4, Orozco; Council Place 5, Mursch.

- 1. Discussion and Possible Action Approving of the Following City Council Minutes:**
 - a. 06-03-2025 Regular City Council Meeting Minutes**
 - b. 06-19-2025 Special City Council Meeting/Workshop Minutes**
- 2. Discussion and Possible Action Accepting of the Following Board/Commission Minutes:**
 - a. 05-08-2025 Park Commission Meeting Minutes**
 - b. 04-22-2025 Planning Zoning Commission Meeting Minutes**
- 3. Presentation and Discussion of the Monthly Financial Report Ending May 31, 2025 - C. Goering, Finance Director**
- 4. Discussion and Possible Action of the Quarterly Investment Report for the Quarter Ended June 30, 2025 - C. Goering, Finance Director**
- 5. Discussion and Possible Action to Amend the Leon Valley Code of Ordinances Appendix A – Fee Schedule, Article A4.00- Animal Control Fees, to add Article A4.006- Dog Microchipping (1st Read was Held on 06-05-2025) - R. Salinas, Executive Director**
- 6. Presentation on the City Manager's Training Report as per the Employment Agreement - Dr. Crystal Caldera, City Manager**
- 7. Discussion and Possible Action on a Resolution Appointing Members to the Citizens Police Advisory Committee - S. Passailaigue, City Secretary**
- 8. Discussion and Possible Action of a Resolution Appointing a Member, and a Council Liaison to the Board of Adjustment - S. Passailaigue, City Secretary**
- 9. Discussion and Possible Action on a Resolution Appointing a Member to the Economic and Community Development Advisory Committee - S. Passailaigue, City Secretary**
- 10. Discussion and Possible Action on a Resolution Appointing a Member to the Library Advisory Board - S. Passailaigue, City Secretary**

11. Discussion and Possible Action on a Resolution Appointing a Member to the Earthwise Living Day Committee - S. Passailaigue, City Secretary

7. Regular Agenda

1. **Presentation, Discussion and Public Hearing to Consider Approval of an Ordinance on a Request for a Specific Use Permit to Allow Construction and Operation of a Telecommunication Antennae/Tower in a B-3 Commercial Zoning District, Located at 6004 Grissom Road; and More Specifically Described as Lot 4, CB 5955, Leon Valley Ranches Subdivision (1st Read as Required by City Charter) - S. Huerta, Planning and Zoning Director**

Susana Huerta, Planning and Zoning Director, presented the item.

The applicant was present to answer questions.

Mayor Riley opened the Public Hearing at 7:26 PM. There being no public comment, she closed the Public Hearing at 7:26 PM.

There was a consensus to place this item on the August 5, 2025, Consent Agenda.

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

Dr. Crystal Caldera, City Manager, provided a brief background on this matter.

Susana Huerta, Planning and Zoning Director, presented the item.

Mayor Chris Riley opened the Public Hearing at 8:13 PM.

Those who spoke at this time were Kim Crawford and Jed Hefner.

There being no further public comment, Mayor Riley closed the Public Hearing at 8:19 PM.

The City Council agreed to proceed with the adoption of this ordinance at the next meeting and will consider amending other provisions of the ordinance section-by-section, thereafter, for example, Plan Development District, streetscape provisions, Mixed Use ect.

3. Discussion and Possible Action on Revisions to the Short-Term Rentals - Council Place 3, Campos, and Mayor Pro Tem, Council Place 2, Heyl

Council Place 3, Philip Campos, presented this item.

Those who spoke at this time were Maria Gamboa, Benny Martinez, Jed Hefner, and Tina Chasan.

A motion was made by Council Place 3, Campos, to direct staff to draft an ordinance incorporating the amendments discussed this evening, have the City Attorney review it for legal purposes, and bring it back to City Council for review and consideration. The motion was seconded by Council Place 4, Orozco.

Voting Yea: Council Place 1, Bolton; Mayor Pro Tem, Council Place 2, Heyl; Council Place 3, Campos; Council Place 4, Orozco; Council Place 5, Mursch.

4. Discussion and Possible Action Regarding Dog Tethering - Council Place 1, Bolton and Mayor Pro Tem, Council Place 2, Heyl

Council Place 1, Danielle Bolton, presented this item.

A motion was made by Council Place 1, Bolton, to amend the item to prohibit the use of chains in order to be compliant with the City of San Antonio. The motion was seconded by Mayor Pro Tem, Council Place 2, Heyl.

Those who spoke at this time were Tina Chasan, Jed Hefner, and Maria Gamboa.

After further discussion, Council Place 1, Bolton withdrew her motion and instead requested to table the item. She stated that she would conduct additional research on the issue and bring back proposed amendments at a later date. Mayor Pro Tem, Council Place 2, Heyl, withdrew her second to the previously made motion.

8. Requests from Members of City Council to Add Items to Future Agendas – Per Section 3.10 (A) of the City of Leon Valley’s Code of Ordinances, at a Meeting of City Council, a Member of City Council May Place an Item on an Agenda by Making a Motion to Place the Item on a Future Agenda and Receiving a Second. No Discussion Shall Occur at the Meeting Regarding the Placement of the Item on a Future Agenda.

Mayor Chris Riley stated that she, along with at least two members of City Council, is requesting a paper meeting packet for City Council meetings. She said this item will be placed on a future agenda for further discussion.

9. Adjournment

Mayor Riley announced that the meeting adjourned at 9:34 PM.

These minutes were approved by the Leon Valley City Council on the 5th of August, 2025.

APPROVED

CHRIS RILEY
MAYOR

ATTEST: _____
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY



**CITY OF LEON VALLEY
COFFEE WITH THE MAYOR AND CITY COUNCIL**

Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas 78240
Saturday, July 26, 2025 at 9:00 AM

MINUTES

1. Call to Order; Determine a Quorum is Present

PRESENT

Mayor Chris Riley
Council Place 1 Danielle Bolton
Mayor Pro-Tem, Council Place 2 Betty Heyl
Council Place 3 Philip Campos
Council Place 4 Rey Orozco
Council Place 5 Beth Mursch

Mayor Chris Riley called the meeting to order at 9:00 AM, welcomed everyone, and introduced the members of City Council who were present.

2. Leon Valley City Council Will Host a Citizens' Communication Meeting to Hear Citizen Issues and Provide General Policy and Factual Information as To Issues Brought Up by Citizens. No Action Will Be Taken Except to Place an Item on A Future Agenda as Appropriate

Mayor Chris Riley read the Coffee Guidelines aloud for everyone to hear.

3. Citizens to be Heard

Those who spoke at this time were Erick Matta, Benny Martinez, Will Bradshaw, Vera Ann Sawyer, and Jesse Barrera.

4. Presentations

1. Presentation by the Leon Valley Fire Chief on the City of Leon Valley's Flood Emergency Response Plan - M. Naughton, Fire Chief

Michael Naughton, LVFD Chief, gave a presentation on the Leon Valley Flood Emergency Response Plan and answered questions.

Those who spoke at this time were Judy Pearl, Mayor Pro Tem-Council Place 2-Heyl, Jesse Barrera, Council Place 1-Bolton, Erick Matta, Olen Yarnell, and Eric Olson.

2. **Presentation, Discussion, and Possible Action on the Proposed Fiscal Year 2026 Budget - Dr. C. Caldera, City Manager**

Dr. Crystal Caldera, City Manager, presented the Proposed Fiscal Year 2026 Budget and answered questions.

Those who spoke at this time were Vera Ann Sawyer, Darby Riley, Olen Yarnell, Council Place 3-Campos, Council Place 5-Mursch, Jesse Barrera, Council Place 4-Orozco, Benny Martinez, Kim Crawford, and Elaine Valdez.

5. 11:10 a.m. **Adjournment**

These minutes were approved by the Leon Valley City Council on the 5th of August, 2025.

APPROVED

CHRIS RILEY
MAYOR

ATTEST: _____
SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

Approved as written
4-30-25

MEETING MINUTES
For
BANDERA ROAD GROUNDWATER PLUME SUPERFUND SITE
COMMUNITY ADVISORY GROUP (CAG)
Meeting of: December 11, 2024

The CAG met on Wednesday, December 11, 2024 at 2:00 p.m. in the City of Leon Valley Conference Center, 6421 Evers Road, Leon Valley, Texas. The CAG met for the purpose of the following business:

1. Call to Order and Roll Call

Chairman John Hoyt called the meeting to order at 2:07 p.m. and welcomed all in attendance.

CAG members in attendance:

NAME:

Roger Andrade
Kyle Cunningham
Veronica Cantu
Simon Payne
Omar Valdez
John Hoyt
Chris Riley (for Darby Riley)
Terry Casey

REPRESENTING:

Edwards Aquifer Authority
San Antonio Metro Health District
San Antonio Water System
Texas Commission on Environmental Quality
Texas Department of State Health Services
Leon Valley resident
Leon Valley resident/Leon Valley Mayor
Area Citizen

Eight CAG members were present; a quorum of the CAG was present.

CAG Resource/Support members in attendance:

NAME:

David Dimaline
Stephen Tzhone
Greg Thome
Taylor Diehl
Alex Spiller

REPRESENTING:

City of Leon Valley – City staff Liaison
EPA - Project Manager
EPA Remedial Action Contractor (HydroGeoLogic)
EPA Remedial Action Contractor (HydroGeoLogic)
EPA Remedial Action Contractor (EA Engineering)

2. Public Comment

No public comment was received.

3. Approval of Minutes for the December 14, 2023 CAG Meeting

Chairman Hoyt asked members if they had any corrections or additions to the draft minutes. No corrections were recommended and the minutes were approved as written.

CAG MEETING MINUTES (contd.)
Meeting of: December 11, 2024

Approved as written
 4-30-25


4. Election of CAG Chair

John Hoyt was re-elected as CAG Chair by a unanimous vote.

5. EPA Update on Remedial Action and Sampling Results

Mr. Stephen Tzhone (EPA) and Mr. Greg Thome (HydroGeoLogic) presented the updates and answered related questions. The presenters provided the following general information:

- A review of site background information, the Superfund process, the Record of Decision (ROD), and the Remedial Design.
- A review of Remedial Action activities performed in 2024 including:
 - Soil Vapor Extraction (SVE) system installations were completed in January 2024. Diagrams of SVE system layouts and photos of the SVE system equipment compounds were provided.
 - SVE systems began full time operation on January 31, 2024, operation and maintenance (O&M) of the SVE systems is ongoing. SVE influent monitoring results indicate the method is effectively removing organic compound vapors from the two project areas and media of concern.
 - The first round of in situ bioremediation (ISB) injections was completed at Area of Investigation 1 (AOI-1), the Savings Square site, in February 2024 and a related performance monitoring event was completed in September 2024. ISB performance monitoring results indicate the method is effectively reducing organic compound concentrations in Austin Chalk groundwater.
- A review of groundwater monitoring results from 2016, 2019, 2022 and 2023. December 2023 was the most recent groundwater monitoring event. Of the wells sampled in December 2023, water samples from six wells contained tetrachloroethene (PCE) above EPA's Maximum Contamination Level (MCL) of 5 µg/L. The December 2023 groundwater monitoring results were consistent with historic results for the project. A groundwater monitoring event will be conducted in December 2024.
- A review of air monitoring results from 2017, 2019, 2022, 2023 and 2024. Of the sites where air samples were collected in September 2024, none of the samples contained PCE concentrations above EPA's Industrial Air Risk Screening Level of 47µg/m³ and thus the ROD Indoor Air Cleanup Goal of 175 µg/m³. PCE concentrations detected in air samples collected in September 2024 generally indicate a declining trend in PCE concentrations relative to historic air quality data. Trichloroethene (TCE) concentrations in AOI-1 Building 3 (Veterinary Clinic) were detected above the ROD Indoor Air Cleanup Goal for TCE of 8.8µg/m³. EPA contractors will work to repair and return to service an existing sub-slab vapor intrusion mitigation system for Building 3.
- Project activities in 2025 will include:
 - Continued SVE O&M and system optimization studies. To optimize SVE system performance, the systems may be operated intermittently.
 - Semi-annual indoor air quality monitoring and annual groundwater quality monitoring.
 - ISB injections at AOI-2 (Pilgrim Cleaners) and semi-annual ISB performance monitoring will be conducted.

Approved as is
4-30-25


{Section}.62.

CAG MEETING MINUTES (contd.)

Meeting of: December 11, 2024

EPA's PowerPoint style presentation can be viewed on EPA's website at www.epa.gov/superfund/bandera-road. The presentation can also be viewed on the City of Leon Valley's website at www.leonvalleytexas.gov/bc-cag.

6. Discuss Items for Future CAG Meetings

Those in attendance indicated that the 2:00 pm meeting start time worked well for them. EPA suggested a spring meeting to update the CAG on project activities.

7. Adjournment.

Chairman Hoyt adjourned the meeting at approximately 3:08 p.m.

Minutes Prepared by:

John Hoyt
CAG Chair





**CITY OF LEON VALLEY
CITIZEN POLICE ADVISORY COMMITTEE**
Leon Valley Conference Center
6421 Evers Rd, Leon Valley, Texas 78238
Wednesday, April 16, 2025, at 6:30 p.m.

MINUTES

The Citizen Police Advisory Committee met on the 16th day of April 2025, at the Leon Valley Conference Center located at 6421 Evers Rd, Leon Valley, Texas 78238 for the purpose of the following business:

Agenda Item #1 Call to Order and Announcement of a Quorum

Manuel Rubio called the Police Advisory Committee Meeting to order at 6:32 p.m. Committee Members present included Darby Riley, Olen Yarnell, Andrea Roofe, Ann Sawyer, Kim Crawford, Bill Stannard, Frank Gonzalez, Tina Chasan, Ronnie Morgan and City Council members Rey Orozco, Betty Heyl, Philip Campos and Benny Martinez.

Absent members included Erick Matta, Michelle Rawls and Joshua Stevens. Erick Matta emailed prior to the meeting advising of his absence.

The documented staff present was Police Lieutenant Kasey Tucker.

Agenda Item #2 Discussion and Possible Action on the Approval of the Following Minutes:

- a. October 23, 2024, Citizens Police Advisory Committee Meeting Minutes.
- b. January 15, 2025, Citizens Police Advisory Committee Meeting Minutes.

Committee Member Tina Chasan made a motion to approve the minutes as presented, which was seconded by committee member Olen Yarnell. The motions carried unanimously.

Agenda Item #3 Discussion and Updates provided on the following: (a.) Flock Camera System, (b.) Training and TCOLE Provider Status, (c.) GIS Mapping, d. Neighborhood Watch, e. Property Room Funding, and f. 4th of July Event planning.

- (a.) Member Tina Chasan asked Lt. Tucker if she had read the email she had sent to Chief Gonzalez regarding alternatives to Flock and asked if we had looked at competitors. Lt. Tucker advised that she had not received the email but with any

Police expenditure, staff always look to what will yield the highest results at the lowest cost. She additionally emphasized that when looking at camera systems, Law Enforcement needs can differ from Commercial or Personal needs. For Police Department application and use the following is considered: Law Enforcement crime prevention or resolution focus, continuity with other policing workflows, turnkey operation (IT considerations, site planning, installation, maintenance, integration complexities), transparency in data retention (rolling footage, no facial recognition-civil liberties considerations, no selling of data), Real time alerts (NCIC/Fusion Centers/BOLO's and Interagency data sharing capability) and Rapid Resolution of Investment (crime solving. Lt. Tucker discussed that Commercial and Residentially focused systems do not meet Law Enforcement needs due to the following: lack of LPR's (license plate readers), lack of criminal analytics, fleet management, commercial quality video, expense, complexity of system, AI facial analytics which can have privacy concerns, data storage considerations, bandwidth, access control, advanced setup, need for inhouse programming, learning curve in operations, and extensive other IT considerations.

Lt. Tucker provided an update of the Safety Camera Systems which included the following: March 18, 2025, City Council meeting where Chief Gonzalez received approval to continue grant process. Submission prior to formal proposal due to tight deadline. Grant application was submitted to the Office of Governor (OAG) where DPS requested additional documentation for processing and staff is actively working to meet all grant requirements.

- (b.) Lt. Tucker provided the following update regarding training and the TCOLE Provider Status process: the Department is drafting and revising policies as required by state requirements, while also ensuring all mandated training requirements for this cycle are met by all peace officers in the city before August 31, 2025. Lt. Tucker further stated that the TCOLE Provider status application will be submitted after all state requirements are completed.
- (c.) Lt. Tucker provided the following update on GIS Mapping where she stated that a budget request was submitted for GIS mapping software connected to the RMS (Report Management Software) to enhance data visualization, crime mapping, and resource deployment. This request has a one-time implementation fee but lower recurring annual maintenance cost. The Department is exploring options to reduce costs. Currently, Lt. Tucker provides all data elements and manually pulls all data requests.
- (d.) Lt. Tucker provided an update on Neighborhood Watch Programs and theft deterrence measures. She discussed that these Neighborhood Watch programs are citizen led with police officer support and guidance. She discussed that each neighborhood in the city has an assigned Officer liaison for communication and explained where on the website to locate your assigned officer. Lt. Tucker discussed the vehicle windshield screen deterrence initiative briefly which was

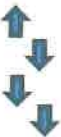
expounded on by Chair Manual Rubio and committee member Frank Gonzalez. This initiative seeks to reinforce community visibility and involvement in crime prevention measures.

- (e.) Lt. Tucker gave update on the property room advising that budget request was submitted for property/evidence room improvements, which is needed for secure evidence handling, legal compliance, and operational accountability. Property Room and evidence processing are classified as a mandated function of a police department. She further stated that due to current City budget constraints, if this item is cut from the Police budget, the department will continue to advocate for its inclusion.
- (f.) Lt. Tucker provided an update on 4th of July planning and safety measures. She discussed that 2025 event planning began directly after the 2024 event and after-action review. Key 2024 safety incidents included a pedestrian dropping a handgun in the street and the entry of a vehicle into the event perimeter. Personnel have sought to incorporate lessons learned from the New Orleans parade shooting, San Antonio Fiesta shooting, and other incidents involving weapons and vehicles at public events. Lt. Tucker discussed focus for 2025 events including perimeter security, traffic control and mitigation, police visibility. She stated that while the Police Department creates their initial plan all final plans are pending based on City Council decisions on event structure.

Agenda Item #4 Discussion Regarding Leon Valley White Collar Crime.

Lt. Tucker was asked to discuss White Collar Crime in Leon Valley. She discussed statistics surrounding Credit card/Debit card abuse, Fraudulent possession or use of credit/debit card information, fraudulent possession or use of identifying information and mail theft. In addition, she provided definitions of each, methods and prevention measures. Lt. Tucker also stated that these are reported incidents and that these types of offenses can go unreported.

The following data was discussed:

Credit Card/Debit Card Abuse	(2022) 16 (2023) 16 (2024) 12 (2025-1 st Quarter) 5	
Fraud Poss/use Credit/Debit Card Info	(2022) 05 (2023) 07 (2024) 09 (2025-1 st Quarter) 1	
Fraud Poss/use Identifying Info	(2022) 12 (2023) 17 (2024) 15 (2025-1 st Quarter) 2	
Mail Theft	(2022) 17 (2023) 11 (2024) 16 (2025-1 st Quarter) 0	

At the conclusion of the discussion, Committee member Olen Yarnell stated the information was very valuable to all residents and requested that it be included in the next volume of the Leon Valley Lion's Roar publication. Lt. Tucker advised that she would submit an article to the Lion's Roar for inclusion.

Agenda Item #5 Discussion of change to meeting location.

Chair Rubio and members discussed moving the meeting back to the Leon Valley City Hall as a measure to make it more accessible to residents and to decrease staffing needs for setting up the location for each meeting. The Committee agreed and determined that future meetings would be held at the Large Conference Room of City Hall.

Agenda Item #6 Discussion and Possible Action on Future Agenda Items

Updates regarding the issues discussed today along with a discussion of the Fitch Study recommendations for the Police Department.

Agenda Item #7 Citizens to be Heard

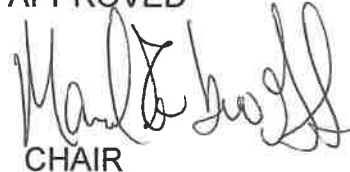
An email was received from Elaine Valdez as Go Gov Request #961 and sent to Lt. Tucker before the meeting, requesting it to be read at the meeting regarding traffic concerns near Leon Valley Elementary School (letter attached). Lt. Tucker read the letter out loud to all who were present. Committee members stated that traffic congestion near Elementary Schools occurs all over and that avoidance of the area at peak times and residents not needing to travel that way should avoid increasing the congestion. Additionally, a few members stated that they arrive later to avoid being the first in line. Lt. Tucker advised that Northside I.S.D. Police Department was contacted and made aware of the concern and asked to see if any processes had been changed to cause traffic congestion. They stated they would be contacting the school to see if any processes could be improved to mitigate the traffic.

In addition, committee member Bill Stannard brought up concerns of pedestrian creek access on the weekends with loose dogs and coyotes seen in the area. He stated that signs previously displayed were no longer there and requested they be put up near Bally and Evers.

Agenda Item #7 Adjournment at 8:13 p.m. CST on 04/16/2025.

These minutes were approved by the Leon Valley Police Advisory Committee on the 16th of July 2025.

APPROVED



CHAIR



**City of Leon Valley
PLANNING AND ZONING COMMISSION
MEETING MINUTES
6:30 PM – JUNE 24, 2025
Leon Valley City Council Chambers
6400 El Verde Road, Leon Valley, TX 78238**

1. CALL TO ORDER AND ROLL CALL

Chair Erick Matta called the Planning and Zoning Commission meeting to order at 6:30 PM.

PRESENT

Commissioner	Pat Martinez	Place 4 Voting member
1 st Vice-Chair	Mary Ruth Fernandez	Place 5 Voting member
Council Liaison	Phillip Campos	Council Member
Chair	Erick Matta	Place 6 Voting member
Commissioner	Cynthia Koger	Place 7 Voting member
1 st Alternate	Olen Yarnell	Voting member
Commissioner	David Perry	Place 1 Voting member

Commissioners Roofe and Diaz had excused absences.

Also, in attendance were City Manager Crystal Caldera, Planning and Zoning Director Susana Huerta and Executive Director Roque Salinas.

1. CALL TO ORDER AND ROLL CALL

Chair Erick Matta called the meeting to order at 6:30 PM with all members present.

2. APPROVAL OF ZONING COMMISSION MINUTES

1. Discussion and Action to Consider Approval of the April 22, 2025, Planning and Zoning Commission Meeting Minutes - S. Huerta, Planning and Zoning Director

Commissioner Yarnell made a correction to the minutes to show that he and Commissioner Mursch were out with excused absences. Commissioner Koger made a motion to approve the minutes with corrections which were seconded by Commissioner Fernandez. The motion carried unanimously with a vote of 6 to 0.

3. NEW BUSINESS

1. Discussion and Action - Administration of Oath of Office – Planning and Zoning Commissioners.

Ms. Huerta administered the oaths for all the Commissioners.

2. Presentation, Discussion and Public Hearing to Consider a Recommendation on a Specific Use Permit Request to Allow a Telecommunication Antennae/Tower in a B-3 Commercial Zoning District, Located at 6004 Grissom Road; and More Specifically Described as Lot 4, CB 5955, Leon Valley Ranches Subdivision - S. Huerta, Planning and Zoning Director

Commissioner Martinez made a motion to approve the Specific Use Permit as presented. The motion was seconded by Commissioner Perry. The motion passed with a vote of 6 to 0.

3. Presentation, Public Hearing, and Possible Action to Approve a Vacate and Replat and Establishing a 9.035-acres Lot 1R, Block 2, CB 4446 and 0.08-Acres Right-of-Way Dedication to Leon Valley Out of the M.G. De Los Santos Survey No. 82, and 1.0 acre of Huebner & Evers Subdivision of the M.G. De Los Santos Survey No. 82, Abstract No. 664, CB 4446, Leon Valley, Bexar County, and 1.656 Acres of an Unplatted Tract of Land South of Huebner and Evers Subdivision; Located at 6800 Evers Road - S. Huerta, Planning and Zoning Director

Commissioner Fernandez made a motion to approve the Vacate and Replat request. The motion was seconded by Commissioner Martinez. The motion passed with a vote of 6 to 0.

4. Presentation, Discussion and Public Hearing to Consider a Recommendation on an Ordinance Amendment to CHAPTER 15, "ZONING," Appendix C. Sustainability, Gateway, and Commercial/Industrial Overlay District Standards to Delete the Sustainability and the Commercial/Industrial Overlay Districts. Revisions to Article 15.02 Zoning Ordinance, Sec. 15.02.052, "Definitions", Sec.15.02.301, "Districts", Sec. 15.02.304 "Description and Purpose of Districts"; Sec. 15.02.305 "Regulation for All Districts"; Sec. 15.02.314 "Residential Use Table"; Amending Sec. 15.02.318 "PD Planned Development District" to a Different Section; and Deleting Sec. 15.02.318 "MX-1 Mixed Use District"; Amending Sections 15.02.319 "O-1 Office District", Sec. 15.02.320 "B-1 Small Business District", Sec. 15.02.321 "B-2 Retail District", Sec. 15.02.322 "B-3 Commercial District", and Sec. 15.02.323 "I-1 Industrial District" to Add Landscaping and Lighting Requirements; Amending Sec. 15.02.324 Table of Minimum Requirements to Add the R-7 District; Amending Sec. 15.02.381 "Permitted Use Table" to Delete the Sustainability and Commercial/Industrial Overlay Districts; Amending Sec. 15.02.441 "Parking Regulations" to Add Landscaping Regulations and Add Bicycle Parking; Deleting Exhibit 2 – Overlay Boundaries, Exhibit 2A – Sustainability Overlay and Exhibit 2C – Commercial/Industrial Overlay; and Renumbering Exhibit 2B. – Gateway Overlay - S. Huerta, Planning and Zoning Director Ms. Huerta advised the Commission that the applicant had withdrawn the request. Therefore, no action was required.

Commissioner Martinez made a motion to approve the ordinance amendment as presented. The motion was seconded by Commissioner Yarnell. The motion carried with a vote of 6 to 0.

2.

4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF

No announcements were made.

5. ADJOURNMENT

Chair Matta announced the meeting adjourned at 7:37 PM.

These minutes were approved by the Leon Valley Planning & Zoning Commission on the 22nd of July 2025.

APPROVED



ERICK MATTA
CHAIR

ATTEST:



SUSANA HUERTA, AICP
PLANNING AND ZONING DIRECTOR



MAYOR AND CITY COUNCIL COMMUNICATION

DATE: August 5, 2025

TO: Mayor and City Council

FROM: Susana Huerta, Planning and Zoning Director

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

SUBJECT: Discussion and Possible Action to Approve an Ordinance Approving a Specific Use Permit Request for the Construction and Operation of a Telecommunication Antennae/Tower in a B-3 Commercial Zoning District Located at 6004 Grissom Road; and More Specifically Described as Lot 4, CB 5955, Leon Valley Ranches Subdivision

PURPOSE

The purpose of this item is to consider approval of an Ordinance approving a Specific Use Permit request to allow construction and operation of a Telecommunication Antennae/Tower in a B-3 Commercial Zoning District on approximately 1.0 acres of land in a B-3 Commercial District, located at 6004 Grissom Road.

Sec. 15.02.381 - Permitted use table, allows a Telecommunication Antennae/Tower in a B-3 District with a Specific Use Permit and in compliance with Sec. 15.02.382 - Permitted uses, with additional regulations.

The applicant, APC Towers TX, is proposing to construct a 160-foot-tall monopole tower and related antennas and equipment within a 50' by 50' square foot fenced area. They have a total leased area of approximately 10,000 square feet within the 1.0-acre parent tract.

Sec. 15.02.382 - Permitted uses which require additional regulation

(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.

STAFF COMMENTS

The proposed tower must comply with all code requirements as outlined in Sec. 15.02.382(b) including setbacks, fencing, signage, and lighting regulations. A building permit will be required prior to construction.

Surrounding Zoning

- North: B-3 Commercial, B-2 Retail and R-3 Multiple-Family Dwelling District
- West: B-3 Commercial and R-3 Multiple-Family Dwelling District
- East: B-3 Commercial District
- South: R-1 Single-Family Dwelling District

Master Plan

The Master Plan, Grissom Road Corridor, suggests promoting primarily retail uses with some Multiple Family Dwelling, Townhouse Dwelling and Garden Home Uses. The request is compatible with the City's Master Plan if the applicant maintains the minimum setbacks and separation requirements from adjacent residential uses.

Notification

- | | |
|---|----|
| • Letters mailed to property owners within 200' | 16 |
| • 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 Specific Use Permit request. The development of a Telecommunication Antennae/Tower may increase property taxes in the city. Mobile telecommunications services are subject to state and local sales tax based on the place of primary use.

P&Z RECOMMENDATION

The Planning and Zoning Commission recommended approval of this request by a vote of 6 – 0.

RECOMMENDATION

Staff have no objection to the approval of the Specific Use Permit request to allow a Telecommunication Antennae/Tower at 6004 Grissom Road.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Saundra Passailaigue, TRMC
City Secretary

ORDINANCE No. 2025-

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL GRANTING A SPECIFIC USE PERMIT TO ALLOW CONSTRUCTION AND OPERATION OF A TELECOMMUNICATION ANTENNAE/TOWER IN A B-3 COMMERCIAL ZONING DISTRICT, LOCATED AT 6004 GRISSOM ROAD; AND MORE SPECIFICALLY DESCRIBED AS LOT 4, CB 5955, LEON VALLEY RANCHES SUBDIVISION; PROVIDING A REPEALER CLAUSE; SEVERABILITY CLAUSE; NOTICE OF MEETING; SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS Chapter 211 of the Vernon's Local Government Code empowers cities to enact zoning regulations and provide for their administration, enforcement, and amendment; and

WHEREAS the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City, to promote the public health, safety, and welfare of the residents of the City; and

WHEREAS the Leon Valley Code of Ordinances Chapter 15 Zoning constitutes the City's Zoning regulations and requires the property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 15 of the Leon Valley Code of Ordinances; and

WHEREAS, the City Council, after proper notice and public hearing determined that the request is consistent and compatible with the surrounding zoning and with the City's Future Land Use Plan, and

WHEREAS the City Council of the City of Leon Valley now desires to grant the Specific Use Permit Request, as requested at the subject location.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, THAT:

SECTION 1. The request for a Specific Use Permit to Allow Construction and Operation of a Telecommunication Antennae/Tower in a B-3 Commercial Zoning District Located at 6004 Grissom Road; and More Specifically Described as Lot 4, CB 5955, Leon Valley Ranches Subdivision, Leon Valley, Texas, is hereby approved as depicted in the attached Exhibit "A".

SECTION 2. REPEALER CLAUSE. The provisions of the Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are

hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

SECTION 3. SEVERABILITY CLAUSE. If any provision, section, sentence, clause, or phrase of this ordinance or application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Leon Valley City Council in adopting, and the Mayor in approving this Ordinance, that no portion thereof or provisions or regulation contained herein shall become inoperative or fall by reason of any unconstitutionally or invalidity of any portion, provision, or regulation.

SECTION 4. SAVINGS CLAUSE. The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION 5. NOTICE OF MEETING CLAUSE. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective on and after its passage, approval and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 5th day of August, 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: _____
ART RODRIGUEZ
City Attorney

GENERAL NOTES

1. ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. SUBCONTRACTORS SHALL ISSUE ALL APPROPRIATE NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK.
2. ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
3. UNLESS NOTED OTHERWISE , THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
4. THE SUBCONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER’S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
5. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE SUBCONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION SPACE FOR APPROVAL BY THE CONTRACTOR.
6. THE SUBCONTRACTOR SHALL LEGALLY AND PROPERLY DISPOSE OF ALL SCRAP MATERIALS SUCH AS COAXIAL CABLE AND OTHER ITEMS REMOVED FROM THE EXISTING FACILITY. ANTENNAS REMOVED SHALL BE RETURNED TO THE OWNER’S DESIGNATED LOCATION.
7. THE SUBCONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION.
8. SUBCONTRACTOR SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS PRIOR TO COMMENCING ANY WORK. ALL DIMENSIONS OF EXISTING CONSTRUCTION SHOWN ON THE DRAWING MUST BE VERIFIED. SUBCONTRACTOR SHALL NOTIFY THE CONTRACTOR OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
9. ALL SAFETY PRECAUTIONS MUST BE TAKEN WHEN WORKING AROUND HIGH LEVELS OF ELECTROMAGNETIC RADIATION. EQUIPMENT SHOULD BE SHUTDOWN PRIOR TO PERFORMING ANY WORK THAT COULD EXPOSE THE WORKERS TO DANGER. PERSONAL RF EXPOSURE MONITORS ARE ADVISED TO BE WORK TO ALERT OF ANY DANGEROUS EXPOSURE LEVELS.

DRIVING DIRECTIONS:

DEPART FROM SAN ANTONIO INTERNATIONAL AIRPORT (9800 AIRPORT BLVD, SAN ANTONIO, TX 78216), HEAD EAST ON DEE HOWARD WAY TOWARD JOHN SAUNDERS RD (0.2 MI), TURN RIGHT ONTO AIRPORT BLVD (0.3 MI), TURN RIGHT ONTO I– 410 ACCESS RD/NE INTERSTATE 410 LOOP (0.3 MI), CONTINUE ON I–410 W TO LEON VALLEY. TAKE EXIT 13B FROM I–410 W (9 MIN, 8.6 MI), MERGE ONTO TX–16 N/BANDERA RD (0.7 MI), USE THE LEFT LANE TO TURN LEFT ONTO GRISSOM RD (0.5 MI), DESTINATION WILL BE ON THE LEFT.

SATELLITE MAP



EXHIBIT "A"

NEW SITE BUILD

VERIZON LOCATION CODE
5000203022

VERIZON SITE NAME
TX-1115 LEON CREEK

SITE ADDRESS
6004 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY

BUILDING CODES

- INTERNATIONAL BUILDING CODE, 2021 EDITION AS ADOPTED BY LOCAL JURISDICTION.
- NATIONAL ELECTRICAL CODE, 2020 EDITION AS ADOPTED BY LOCAL JURISDICTION.
- INTERNATIONA MECHANICAL CODE, 2021 EDITION AS ADOPTED BY LOCAL JURISDICTION.
- INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION AS ADOPTED BY LOCAL JURISDICTION.

VICINITY MAP



APPROVED FOR CONSTRUCTION

PROPERTY OWNER OR REP.	RF
LAND USE PLANNER	NETWORK
T–MOBILE	BACKHAUL
OPERATIONS	CONSTRUCTION MANAGER

SHEET INDEX

- T–1TITLE SHEET (COVER PAGE)
- SURVEY (BY OTHERS)
- Z–1OVERALL ZONING MAP
- Z–1AOVERALL SITE PLAN
- Z–2ENLARGED SITE PLAN
- Z–3COMPOUND SITE PLAN
- Z–4ELEVATION
- C–3AIMPERVIOUS COVER EXHIBIT
- C–3BEXISTING DRAINAGE PLAN
- C–3CPROPOSED / ULTIMATE DRAINAGE PLAN
- C–3DGRADING PLAN

PROJECT SUMMARY:

SITE TYPE

160’ MONOPOLE
WITH UNMANNED COMMUNICATION EQUIPMENT
AT BASE OF TOWER.

SITE INFORMATION

LAT: 29.488°
LONG: –98.622139°
ELEV: 797.23’ AMSL
JURISDICTION: CITY OF LEON VALLEY
OCCUPANCY: UNMANNED
CONSTRUCTION TYPE: MONOPOLE/NEW SITE BUILD

APPLICANT

APC TOWERS IV
8601 SIX FORKS RD., SUITE 250
RALEIGH, NC 27615
(919) 578–8233

LANDLORD

ARREDONDO GROUP LP
6004 GRISSOM RD
SAN ANTONIO, TX 78238–2227

11"x17" PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED

CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.



CONTRACTORS:

A&E CONTRACTOR

ALLPRO CONSULTING GROUP, INC.
9221 LYNDON B. JOHNSON FREEWAY,
SUITE 204
DALLAS, TX 75243
CONTACT: CHIYU ZHANG P.E.
OFFICE: 972–231–8893
FAX: 866–364–8375

ENGINEERING FIRM

ALLPRO CONSULTING GROUP, INC.
9221 LYNDON B. JOHNSON FREEWAY,
SUITE 204
DALLAS, TX 75243
CONTACT: CHIYU ZHANG, P.E.
OFFICE: 972–231–8893
FAX: 866–364–8375

TEXAS ONE CALL

CONTRACTOR TO CALL 48
HOURS BEFORE DIGGING!
PHONE: 800–545–6005
INDEPENDENT LOCATORS
TO BE USED ON ALL SITES

DEVELOPMENT PLAN FOR

FOR

(NAME OR DESCRIPTION OF USE)

{Section}. 63.



ACGI NO: 25–0729

DRAWN BY: WZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/14/25	ZONING DRAWING	WZ



ZONING
PRELIMINARY

5000203022
TX-1115 LEON CREEK

6004 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY

29.488°, -98.622139°

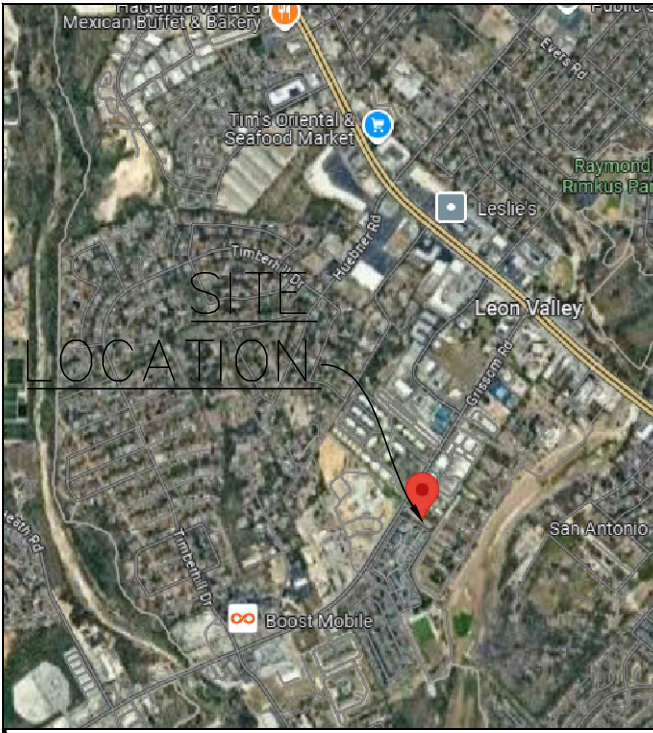
SHEET TITLE

TITLE SHEET

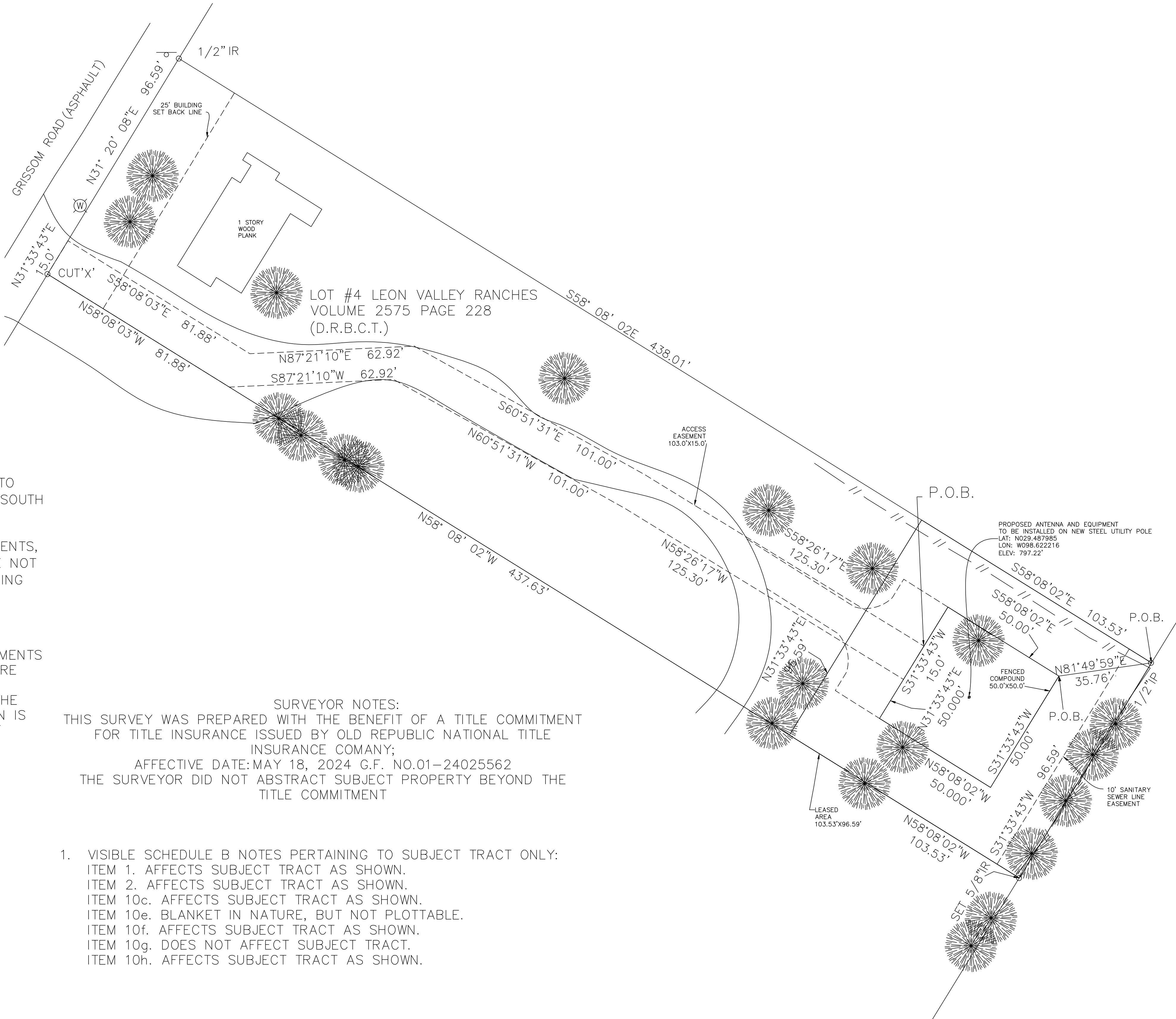
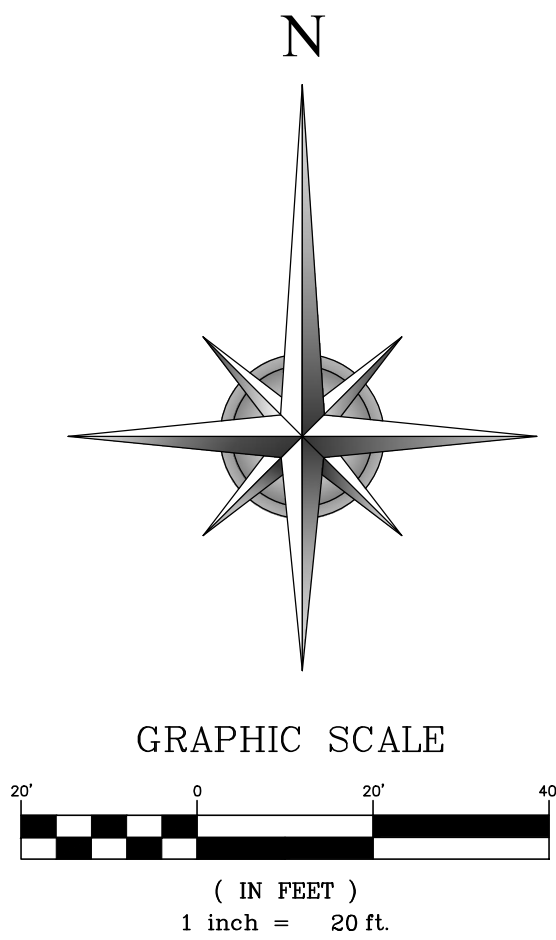
SHEET NUMBER

T-1

141



LOCATION MAP
NOT TO SCALE



SURVEYOR NOTES:

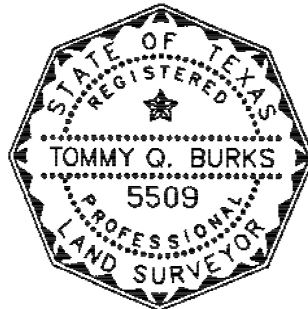
1. ALL COORDINATES, BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983 (2011 ADJUSTMENT), SOUTH CENTRAL ZONE (4204), U.S. SURVEY FEET BASED ON GPS OBSERVATIONS MADE BY CIVIL CORE SURVEY.
2. UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY. PLEASE CALL '811' BEFORE PROCEEDING WITH ANY TYPE DIGGING.
3. THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND FINANCING AND SHOULD NOT BE USED FOR CONSTRUCTION PURPOSES.
4. THERE MAY BE EASEMENTS, RIGHTS-OF-WAY OR OTHER INSTRUMENTS OF RECORD THAT MAY AFFECT THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON.
5. SURVEY IS VALID ONLY IF IT HAS AN ORIGINAL SIGNATURE OF THE REGISTERED PROFESSIONAL LAND SURVEYOR ON IT. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

SURVEYOR'S CERTIFICATE

I, TOMMY Q. BURKS, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION ON XXX, AND SUBSTANTIALLY COMPLIES WITH THE MINIMUM STANDARDS FOR LAND SURVEYING IN TEXAS AS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THERE ARE NO PROTRUSIONS OR INTRUSIONS OR EVIDENCE OF VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON.

Tommy Q. Burks

TOMMY Q. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5509



DATE SIGNED

APRIL 05, 2025

SURVEYOR NOTES:
THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT FOR TITLE INSURANCE ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMANY;
AFFECTIVE DATE:MAY 18, 2024 G.F. NO.01-24025562
THE SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY BEYOND THE TITLE COMMITMENT

1. VISIBLE SCHEDULE B NOTES PERTAINING TO SUBJECT TRACT ONLY:
ITEM 1. AFFECTS SUBJECT TRACT AS SHOWN.
ITEM 2. AFFECTS SUBJECT TRACT AS SHOWN.
ITEM 10c. AFFECTS SUBJECT TRACT AS SHOWN.
ITEM 10e. BLANKET IN NATURE, BUT NOT PLOTTABLE.
ITEM 10f. AFFECTS SUBJECT TRACT AS SHOWN.
ITEM 10g. DOES NOT AFFECT SUBJECT TRACT.
ITEM 10h. AFFECTS SUBJECT TRACT AS SHOWN.

WT GROUP
Surveying & Engineering with Precision, Pace and Passion.
10210 Grogans Mill Road, Suite 130
San Antonio, Texas 78257-7286
T: 224.629.1208
wengineering.com
TBP&S REG NO. 5509

WT Group
Surveying • Engineering

PROJECT LOCATION:
6000 GRISSOM RD.
SAN ANTONIO, TEXAS

BOUNDARY / TOPOGRAPHIC SURVEY
LOT 17 BLOCK 58 LIVE OAK VILLAGE UNIT
17-B BEARX COUNTY, TEXAS

ISSUE
TO _____ DATE _____
CLIENT 05/05/25

CHECK: MC
DRAWN: LW
JOB: U25-00034

SUR-1
SHEET 1 OF 1

142

LAND SURVEY \ CIVIL

(Section) 63

METES AND BOUNDS DESCRIBED HERE AS FOLLOWS:

TRACT ONE (LEASED COMPOUND)

BEING 0.230 ACRES TRACT OUT OF LOT #4, LEON VALLEY RANCHES, IN THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOL. 2575, PAGE(S) 228, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF TEXAS AS RECORDED IN VOLUME 3629, PAGE 147, DEED RECORDS OF BEXAR COUNTY, TEXAS (D.R.B.C.T.).

BEGINNING AT A FOUND 1/2" IRON PIPE BEING THE EAST CORNER OF THE HEREIN DESCRIBED AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THENCE S31°33'43"W A DISTANCE OF 96.59' TO A SET 5/8" IR BEING THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N58°08'02"W A DISTANCE OF 103.53' TO A POINT BEING THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N31°33'43"E A DISTANCE OF 96.59' TO A POINT BEING THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S58°08'02"W A DISTANCE OF 103.53' TO THE POINT OF BEGINNING, AND BEING 0.230 ACRES MORE OR LESS.

TRACT TWO (FENCED AREA)

BEING 0.057 ACRES TRACT OUT OF LOT #4, LEON VALLEY RANCHES, IN THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOL. 2575, PAGE(S) 228, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF TEXAS AS RECORDED IN VOLUME 3629, PAGE 147, DEED RECORDS OF BEXAR COUNTY, TEXAS (D.R.B.C.T.).

BEGINNING AT A POINT BEING THE EAST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A FOUND 1/2" IRON PIPE BEARS N81°49'59"E AND A DISTANCE OF 35.76' AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THENCE S31°33'43"W A DISTANCE OF 50.0' AND BEING THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N58°08'02"W A DISTANCE OF 50.0' TO A POINT BEING THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N31°33'43"E A DISTANCE OF 50.0' TO A POINT BEING THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S58°08'02"W A DISTANCE OF 50.0' TO THE POINT OF BEGINNING, AND BEING 0.057 ACRES MORE OR LESS.

TRACT THREE (ACCESS EASEMENT)

BEING 0.124 ACRES TRACT OUT OF LOT #4, LEON VALLEY RANCHES, IN THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOL. 2575, PAGE(S) 228, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF TEXAS AS RECORDED IN VOLUME 3629, PAGE 147, DEED RECORDS OF BEXAR COUNTY, TEXAS (D.R.B.C.T.).

BEGINNING AT A POINT BEING THE EAST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THENCE S31°33'43"W A DISTANCE OF 15.0' AND BEING THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N58°26'17"W A DISTANCE OF 125.3' TO A POINT BEING AN INNER CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N60°51'31"W A DISTANCE OF 101.0' TO A POINT BEING AN INNER CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S87°21'10"W A DISTANCE OF 62.92' TO A POINT BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N58°08'03"W A DISTANCE OF 81.88' TO A POINT BEING THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N31°33'43"E A DISTANCE OF 15.0' TO A POINT BEING THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N58°08'03"W A DISTANCE OF 81.88' TO A POINT BEING AN INNER CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S87°21'10"W A DISTANCE OF 62.92' TO A POINT BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N60°51'31"W A DISTANCE OF 101.0' TO A POINT BEING AN INNER CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S58°26'17"W A DISTANCE OF 125.3' TO THE POINT OF BEGINNING, AND BEING 0.124 ACRES MORE OR LESS.

BEING LOT #4, LEON VALLEY RANCHES, IN THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOL. 2575, PAGE(S) 228, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF TEXAS AS RECORDED IN VOLUME 3629, PAGE 147, DEED RECORDS OF BEXAR COUNTY, TEXAS (D.R.B.C.T.).

LAND SURVEYING TBPLS REG NO. 5509





10210 GROGANS MILL ROAD, SUITE 130
THE WOODLANDS, TX 77380
T: 224.928.1208
WTENGINEERING.COM

TITLE SURVEY OF:

6000 GRISSOM ROAD

SAN ANTONIO, TEXAS

BEXAR COUNTY

ABBREVIATIONS & SYMBOLS LEGEND			
LONGITUDE	LONG	FOUND AS DESCRIBED	O
DOCUMENT	DOC	IRON PIPE	IP
POINT OF BEGINNING	POB	IRON ROD	IR
PAGE	PG	OFFICIAL PUBLIC RECORDS	OPR BCT
VOLUME	VOL	BEXAR COUNTY, TEXAS	
LATITUDE	LAT	ELEVATION	ELEV
TREE		BARBED WIRE FENCE	
		WATER METER	
		SIGN	

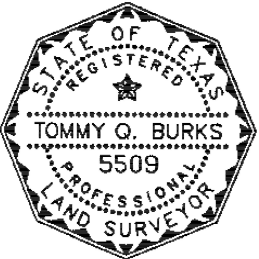
SURVEYOR'S CERTIFICATE

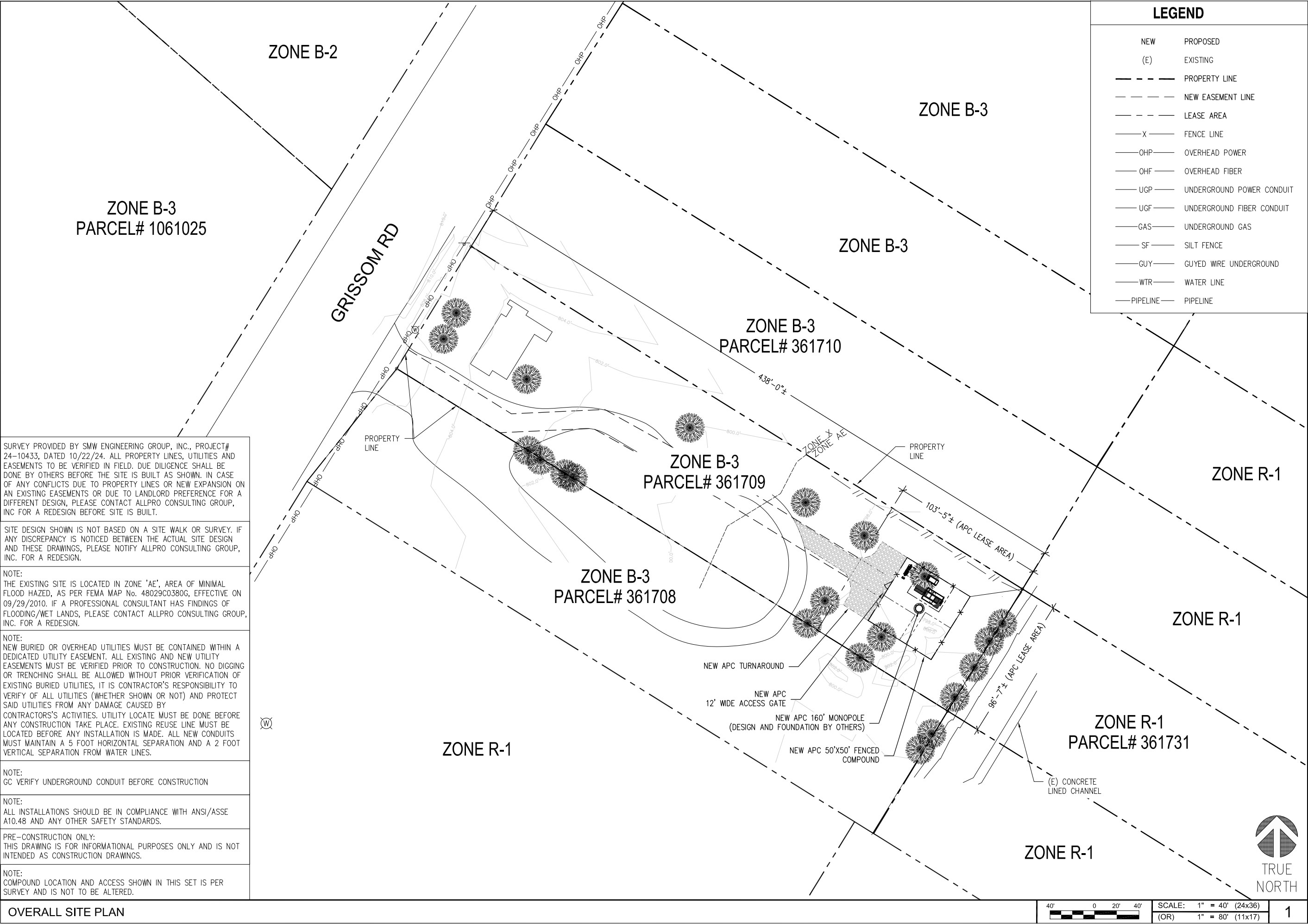
I, TOMMY Q. BURKS, A REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION ON XXX, AND SUBSTANTIALLY COMPLIES WITH THE MINIMUM STANDARDS FOR LAND SURVEYING IN TEXAS AS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THERE ARE NO PROTRUSIONS OR INTRUSIONS OR EVIDENCE OF VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREON.

Tommy Q. Burks

TOMMY Q. BURKS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5509

DATE SIGNED APRIL 24, 2025





SURVEY PROVIDED BY SMW ENGINEERING GROUP, INC., PROJECT# 24-10433, DATED 10/22/24. ALL PROPERTY LINES, UTILITIES AND EASEMENTS TO BE VERIFIED IN FIELD. DUE DILIGENCE SHALL BE DONE BY OTHERS BEFORE THE SITE IS BUILT AS SHOWN. IN CASE OF ANY CONFLICTS DUE TO PROPERTY LINES OR NEW EXPANSION ON AN EXISTING EASEMENTS OR DUE TO LANDLORD PREFERENCE FOR A DIFFERENT DESIGN, PLEASE CONTACT ALLPRO CONSULTING GROUP, INC FOR A REDESIGN BEFORE SITE IS BUILT.

SITE DESIGN SHOWN IS NOT BASED ON A SITE WALK OR SURVEY. IF ANY DISCREPANCY IS NOTICED BETWEEN THE ACTUAL SITE DESIGN AND THESE DRAWINGS, PLEASE NOTIFY ALLPRO CONSULTING GROUP, INC. FOR A REDESIGN.

NOTE:
THE EXISTING SITE IS LOCATED IN ZONE 'AE', AREA OF MINIMAL FLOOD HAZED, AS PER FEMA MAP No. 48029C0380G, EFFECTIVE ON 09/29/2010. IF A PROFESSIONAL CONSULTANT HAS FINDINGS OF FLOODING/WET LANDS, PLEASE CONTACT ALLPRO CONSULTING GROUP, INC. FOR A REDESIGN.

NOTE:
NEW BURIED OR OVERHEAD UTILITIES MUST BE CONTAINED WITHIN A DEDICATED UTILITY EASEMENT. ALL EXISTING AND NEW UTILITY EASEMENTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. NO DIGGING OR TRENCHING SHALL BE ALLOWED WITHOUT PRIOR VERIFICATION OF EXISTING BURIED UTILITIES, IT IS CONTRACTOR'S RESPONSIBILITY TO VERIFY OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE CAUSED BY CONTRACTOR'S ACTIVITIES. UTILITY LOCATE MUST BE DONE BEFORE ANY CONSTRUCTION TAKE PLACE. EXISTING REUSE LINE MUST BE LOCATED BEFORE ANY INSTALLATION IS MADE. ALL NEW CONDUITS MUST MAINTAIN A 5 FOOT HORIZONTAL SEPARATION AND A 2 FOOT VERTICAL SEPARATION FROM WATER LINES.

NOTE:
GC VERIFY UNDERGROUND CONDUIT BEFORE CONSTRUCTION

NOTE:
ALL INSTALLATIONS SHOULD BE IN COMPLIANCE WITH ANSI/ASSE A10.48 AND ANY OTHER SAFETY STANDARDS.

PRE-CONSTRUCTION ONLY:
THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED AS CONSTRUCTION DRAWINGS.

NOTE:
COMPOUND LOCATION AND ACCESS SHOWN IN THIS SET IS PER SURVEY AND IS NOT TO BE ALTERED.

LEGEND	
NEW	PROPOSED
(E)	EXISTING
---	PROPERTY LINE
- - -	NEW EASEMENT LINE
- - -	LEASE AREA
-X-	FENCE LINE
-OHP-	OVERHEAD POWER
-OHF-	OVERHEAD FIBER
-UGP-	UNDERGROUND POWER CONDUIT
-UGF-	UNDERGROUND FIBER CONDUIT
-GAS-	UNDERGROUND GAS
-SF-	SILT FENCE
-GUY-	GUYED WIRE UNDERGROUND
-WTR-	WATER LINE
-PIPELINE-	PIPELINE

{Section}.63.

600 HIDDEN RIDGE
IRVING, TX 75038

8601 SIX FORKS RD.
SUITE 250
RALEIGH, NC 27615

ACGI NO: 25-0729

DRAWN BY: WZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/14/25	ZONING DRAWING	WZ

CONSULTING GROUP, INC.
9221 LYNDON B JOHNSON FWY
SUITE 204, DALLAS, TX 75243
PHONE: 972-231-8893
FAX: 866-364-8375
WWW.ALLPROCGI.COM
FIRM NO. F-8242

ZONING
PRELIMINARY

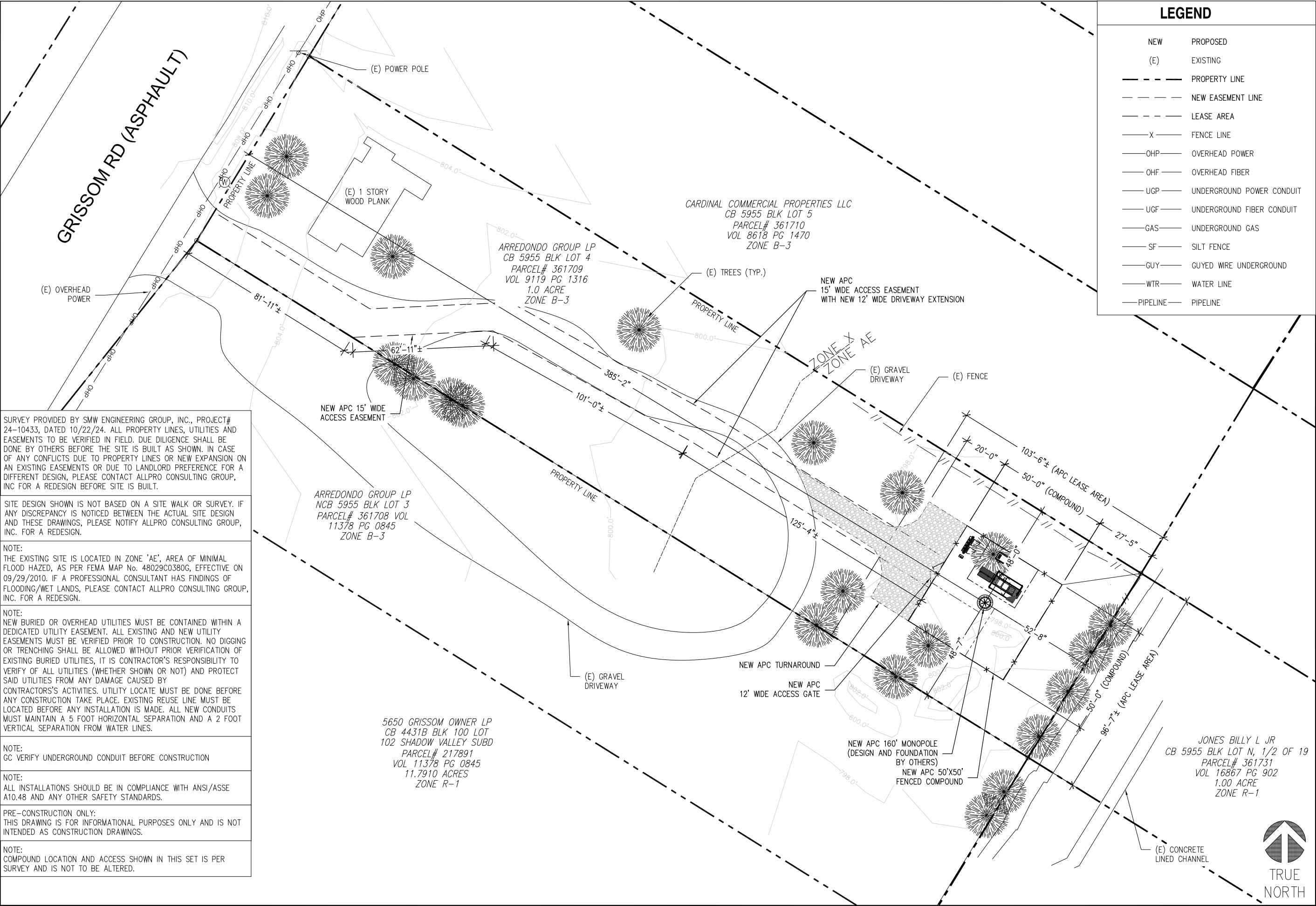
5000203022
TX-1115 LEON CREEK

6004 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY
29.488°, -98.622139°

SHEET TITLE
OVERALL
ZONING MAP

SHEET NUMBER
Z-1

144



SURVEY PROVIDED BY SMW ENGINEERING GROUP, INC., PROJECT# 24-10433, DATED 10/22/24. ALL PROPERTY LINES, UTILITIES AND EASEMENTS TO BE VERIFIED IN FIELD. DUE DILIGENCE SHALL BE DONE BY OTHERS BEFORE THE SITE IS BUILT AS SHOWN. IN CASE OF ANY CONFLICTS DUE TO PROPERTY LINES OR NEW EXPANSION ON AN EXISTING EASEMENTS OR DUE TO LANDLORD PREFERENCE FOR A DIFFERENT DESIGN, PLEASE CONTACT ALLPRO CONSULTING GROUP, INC FOR A REDESIGN BEFORE SITE IS BUILT.

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NOTE:
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NOTE:
GC VERIFY UNDERGROUND CONDUIT BEFORE CONSTRUCTION

NOTE:
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PRE-CONSTRUCTION ONLY:
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NOTE:
COMPOUND LOCATION AND ACCESS SHOWN IN THIS SET IS PER SURVEY AND IS NOT TO BE ALTERED.

OVERALL SITE PLAN

LEGEND	
NEW	PROPOSED
(E)	EXISTING
---	PROPERTY LINE
- - -	NEW EASEMENT LINE
- - -	LEASE AREA
-X-	FENCE LINE
-OHP-	OVERHEAD POWER
-OHF-	OVERHEAD FIBER
-UGP-	UNDERGROUND POWER CONDUIT
-UGF-	UNDERGROUND FIBER CONDUIT
-GAS-	UNDERGROUND GAS
-SF-	SILT FENCE
-GUY-	GUYED WIRE UNDERGROUND
-WTR-	WATER LINE
-PIPELINE-	PIPELINE

{Section}. 63.

600 HIDDEN RIDGE
IRVING, TX 75038

8601 SIX FORKS RD.
SUITE 250
RALEIGH, NC 27615

ACGI NO: 25-0729

DRAWN BY: WZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/14/25	ZONING DRAWING	WZ

9221 LYNDON B JOHNSON FWY
SUITE 204, DALLAS, TX 75243
PHONE: 972-231-8893
FAX: 866-364-8375
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FIRM NO. F-8242

ZONING
PRELIMINARY

5000203022
TX-1115 LEON CREEK

6004 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY
29.488°, -98.622139°

SHEET TITLE
OVERALL
SITE PLAN

SHEET NUMBER
Z-1A

145

{Section}.63.



600 HIDDEN RIDGE
IRVING, TX 75038



8601 SIX FORKS RD
SUITE 250
RALEIGH, NC 27615

ACGI NO: 25-0729

DRAWN BY: WZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	
0	04/14/25	ZONING DRAWING	



CONSULTING GROUP, INC.

9221 LYNDON B JOHNSON FWY
SUITE 204, DALLAS, TX 75243
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ZONING
PRELIMINARY

5000203022
TX-1115 LEON CREEK

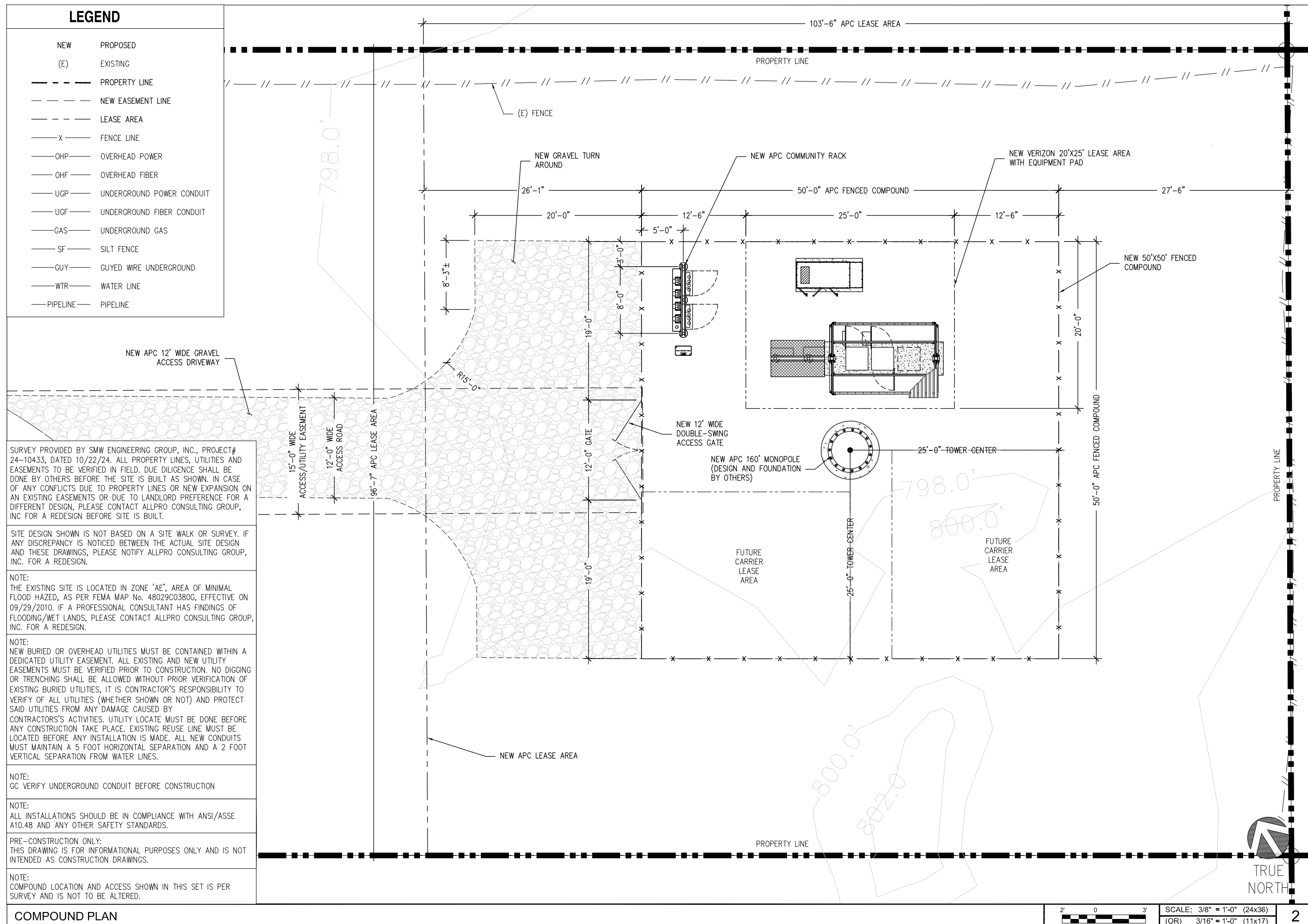
6004 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY

SHEET TITLE
ENLARGED
SITE PLAN

SHEET NUMBER

Z-2

146



{Section}.63.



600 HIDDEN RIDGE
IRVING, TX 75038



8601 SIX FORKS RD.
SUITE 250
RALEIGH, NC 27615

ACGI NO: 25-0729

DRAWN BY: WZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/14/25	ZONING DRAWING	WJ



CONSULTING GROUP, INC.

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6004 GRISSOM RD
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BEXAR COUNTY

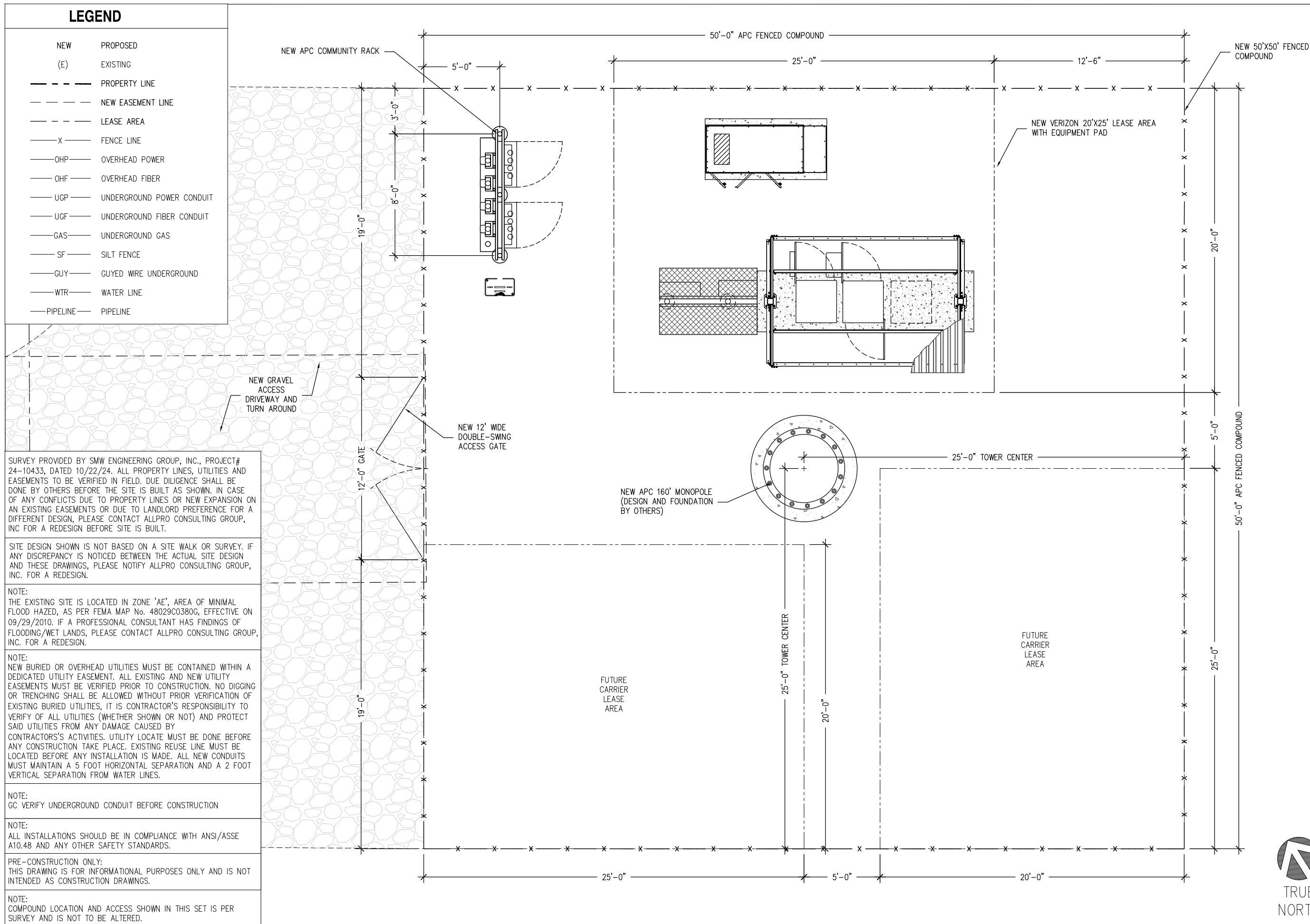
29.488°, -98.622139°

SHEET TITLE
ENLARGED
SITE PLAN

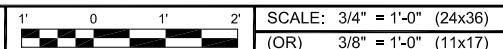
SHEET NUMBER

Z-3

147



COMPOUND PLAN



2

TOWER DESIGN
IS PENDING BY OTHERS

STRUCTURAL ANALYSIS NOTE:
AN ANALYSIS OF THE TOWER OR STRUCTURE
IS PENDING BY OTHERS

MOUNT ANALYSIS NOTE (PMI REQUIREMENTS):
IS PENDING BY OTHERS

NO EQUIPMENT TO BE INSTALLED ON THE MOUNT WITHOUT
THE APPROVAL OF A STRUCTURAL ENGINEER.

NOTE:
PROPOSED ANTENNA PLACEMENT LOCATION TO BE FIELD
VERIFIED BY GENERAL CONTRACTOR PRIOR TO
CONSTRUCTION TO AVOID ANY INTERFERENCE OR
SHADOWING OF EXISTING ANTENNAS. IF INTERFERENCE OR
SHADOWING OF EXISTING ANTENNAS IS DISCOVERED DURING
FIELD VERIFICATION. PLEASE CONTACT ALLPRO CONSULTING
GROUP INC. FOR DESIGN REVISION PRIOR TO ANY NEW
ANTENNA INSTALLATION.

NOTE:
ELEVATION PLAN IS MEANT TO DEPICT TOWER HEIGHT AND
IS NOT TO BE USED FOR CONSTRUCTION. FOR
CONSTRUCTION SEE TOWER DRAWINGS AND/OR STRUCTURAL
ANALYSES PREPARED BY OTHERS

NOTE:
CLIMBERS SHOULD NOT LATCH OR TIE THEIR SUPPORT LANYARD
OR GEAR ON TO ANTENNAS, RADIOS, ALL TYPES OF MOUNTS,
ETC. UNLESS APPROVED BY THE ORIGINAL DESIGN ENGINEER.
THEY SHOULD ONLY TIE TO THEIR SUPPORT LANYARDS OR GEAR
TO OR ATTACH TO TOWER STRUCTURAL MEMBERS THAT HAVE
VISIBLE BOLTING AND CONNECTION TO THE LARGER STRUCTURE.

NOTE:
THE LATEST ANTENNA DESIGN IS TO BE REFERENCED
PRIOR TO TOWER WORK TO VERIFY THE LATEST EQUIPMENT
IS ACCOUNTED FOR.

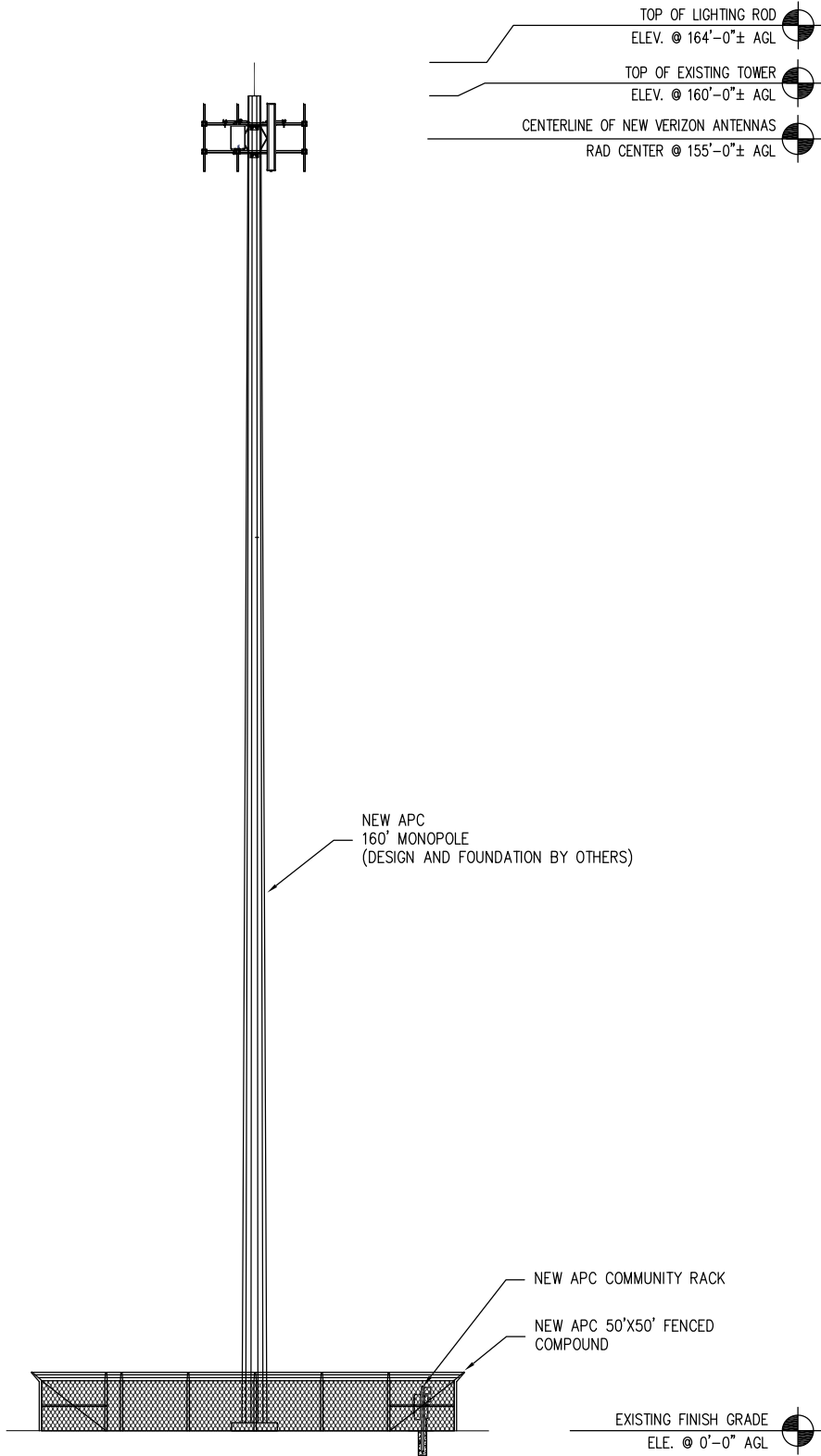
NOTE:
PLATFORM/ MOUNT DRAWING FOR REFERENCE ONLY.
MOUNT ANALYSIS BY OTHERS. NO NEW ANTENNAS OR
EQUIPMENT LOADS TO BE INSTALLED ON THE MOUNT
WITHOUT THE APPROVAL OF STRUCTURAL ENGINEER.

NOTE:
PRIOR TO ATTACHING ANTENNAS AND MOUNTING SECTIONS,
TOWER AND TOWER FOUNDATION MUST BE ANALYZED BY A
LICENSED STRUCTURAL ENGINEER TO VERIFY TOWER IS
CAPABLE OF SUPPORTING THE NEW LOADS. REFER TO
STRUCTURAL ANALYSIS BY OTHERS.

NOTE:
MOUNT TO BE PROVIDED BY TOWER MANUFACTURER CM TO
VERIFY

NOTES:
1. VERIFY AZIMUTHS WITH RFDS
2. 2' ANTENNA SEPARATION REQUIRED.
3. CONTRACTOR TO MOVE (E) ANTENNAS TO ENDS OF
PLATFORM AS REQUIRED, WHEN APPLICABLE.
4. ROTATE SECTOR MOUNTS TO MATCH ANTENNA AZIMUTHS AS
NECESSARY

NOTE:
ALL INSTALLATIONS SHOULD BE IN COMPLIANCE WITH
ANSI/ASSE A10.48 AND ANY OTHER SAFETY STANDARDS.



ELEVATION - LOOKING NORTH

SCALE:
NTS

1

{Section}.63.



600 HIDDEN RIDGE
IRVING, TX 75038



8601 SIX FORKS RD.
SUITE 250
RALEIGH, NC 27615

ACGI NO: 25-0729

DRAWN BY: WZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/14/25	ZONING DRAWING	WZ



9221 LYNDON B JOHNSON FWY
SUITE 204, DALLAS, TX 75243
PHONE: 972-231-8893
FAX: 866-364-6375
WWW.ALLPROCGI.COM
FIRM NO. F-8242

ZONING
PRELIMINARY

5000203022
TX-1115 LEON CREEK

6004 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY

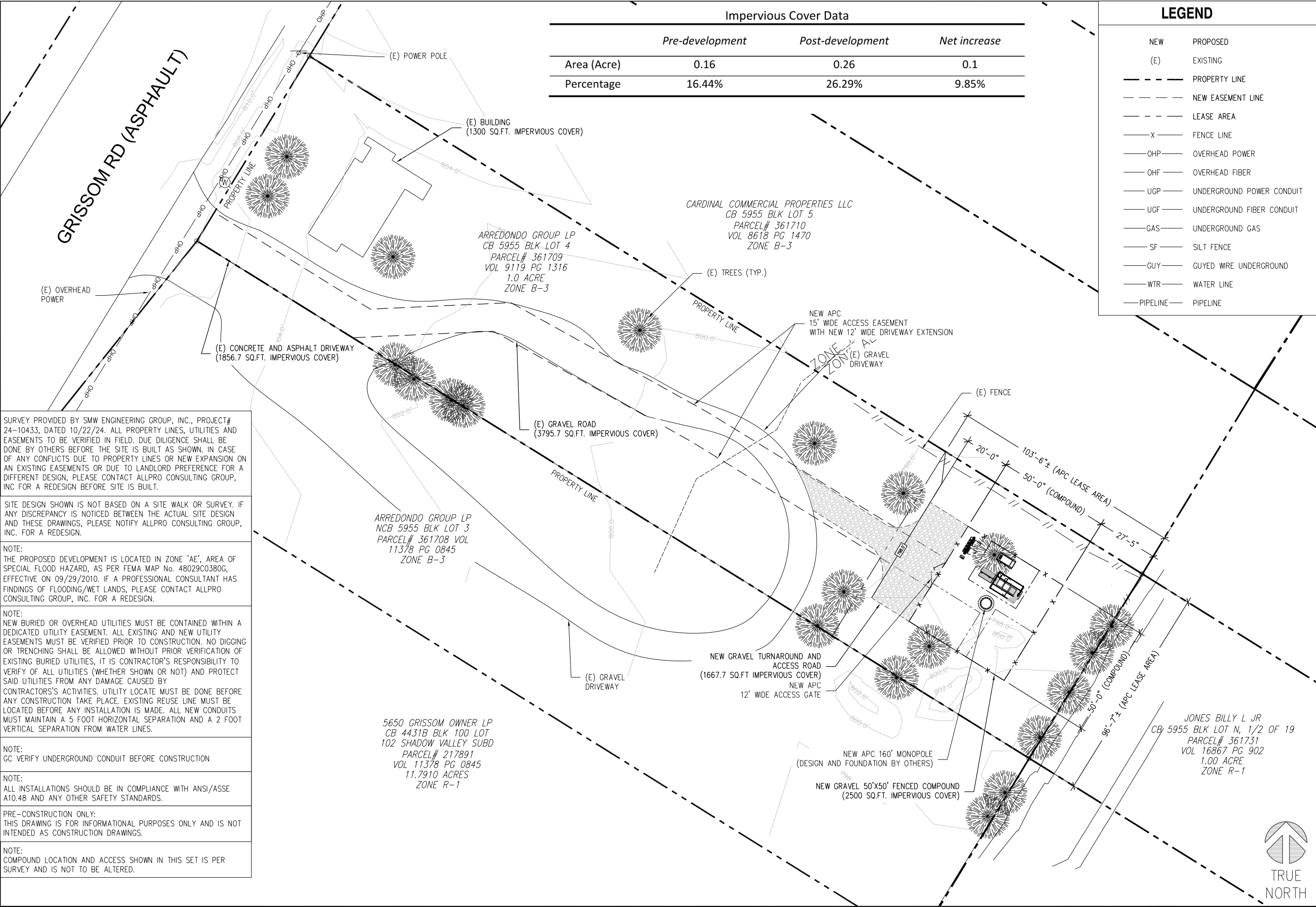
29.488°, -98.622139°

SHEET TITLE

ELEVATION

SHEET NUMBER

Z-4



SURVEY PROVIDED BY SMW ENGINEERING GROUP, INC., PROJECT# 24-10433, DATED 10/22/24. ALL PROPERTY LINES, UTILITIES AND EASEMENTS TO BE VERIFIED IN FIELD. DUE DILIGENCE SHALL BE DONE BY OTHERS BEFORE THE SITE IS BUILT AS SHOWN. IN CASE OF ANY CONFLICTS DUE TO PROPERTY LINES OR NEW EXPANSION ON AN EXISTING EASEMENTS OR DUE TO LANDLORD PREFERENCE FOR A DIFFERENT DESIGN, PLEASE CONTACT ALLPRO CONSULTING GROUP, INC FOR A REDESIGN BEFORE SITE IS BUILT.

SITE DESIGN SHOWN IS NOT BASED ON A SITE WALK OR SURVEY. IF ANY DISCREPANCY IS NOTICED BETWEEN THE ACTUAL SITE DESIGN AND THESE DRAWINGS, PLEASE NOTIFY ALLPRO CONSULTING GROUP, INC. FOR A REDESIGN.

NOTE:
THE PROPOSED DEVELOPMENT IS LOCATED IN ZONE 'AE', AREA OF SPECIAL FLOOD HAZARD, AS PER FEMA MAP No. 48029C0380G, EFFECTIVE ON 09/29/2010. IF A PROFESSIONAL CONSULTANT HAS FINDINGS OF FLOODING/WET LANDS, PLEASE CONTACT ALLPRO CONSULTING GROUP, INC. FOR A REDESIGN.

NOTE:
NEW BURIED OR OVERHEAD UTILITIES MUST BE CONTAINED WITHIN A DEDICATED UTILITY EASEMENT. ALL EXISTING AND NEW UTILITY EASEMENTS MUST BE VERIFIED PRIOR TO CONSTRUCTION. NO DIGGING OR TRENCHING SHALL BE ALLOWED WITHOUT PRIOR VERIFICATION OF EXISTING BURIED UTILITIES, IT IS CONTRACTOR'S RESPONSIBILITY TO VERIFY OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE CAUSED BY CONTRACTOR'S ACTIVITIES. UTILITY LOCATE MUST BE DONE BEFORE ANY CONSTRUCTION TAKE PLACE. EXISTING REUSE LINE MUST BE LOCATED BEFORE ANY INSTALLATION IS MADE. ALL NEW CONDUITS MUST MAINTAIN A 5 FOOT HORIZONTAL SEPARATION AND A 2 FOOT VERTICAL SEPARATION FROM WATER LINES.

NOTE:
GC VERIFY UNDERGROUND CONDUIT BEFORE CONSTRUCTION

NOTE:
ALL INSTALLATIONS SHOULD BE IN COMPLIANCE WITH ANSI/ASSE A10.48 AND ANY OTHER SAFETY STANDARDS.

PRE-CONSTRUCTION ONLY:
THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED AS CONSTRUCTION DRAWINGS.

NOTE:
COMPOUND LOCATION AND ACCESS SHOWN IN THIS SET IS PER SURVEY AND IS NOT TO BE ALTERED.

Impervious Cover Data			
	Pre-development	Post-development	Net increase
Area (Acre)	0.16	0.26	0.1
Percentage	16.44%	26.29%	9.85%

LEGEND	
NEW	PROPOSED
(E)	EXISTING
---	PROPERTY LINE
---	NEW EASEMENT LINE
---	LEASE AREA
—X—	FENCE LINE
—OHP—	OVERHEAD POWER
—OHF—	OVERHEAD FIBER
—UGP—	UNDERGROUND POWER CONDUIT
—UGF—	UNDERGROUND FIBER CONDUIT
—GAS—	UNDERGROUND GAS
—SF—	SILT FENCE
—GUY—	GUYED WIRE UNDERGROUND
—WTR—	WATER LINE
—PIPELINE—	PIPELINE

{Section}.63.

600 HIDDEN RIDGE
IRVING, TX 75038

8601 SIX FORKS RD.
SUITE 250
RALEIGH, NC 27615

ACGI NO: 25-2385

DRAWN BY: YZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/30/25	DRAINAGE EXHIBIT	YZ

9221 LYNDON B JOHNSON FWY
SUITE 204, DALLAS, TX 75243
PHONE: 972-231-8893
FAX: 866-364-8375
WWW.ALLPROCG.COM
FIRM NO. F-8242

CHIU YU ZHANG
128187
PROFESSIONAL ENGINEER

5000203022
TX-1115 LEON CREEK

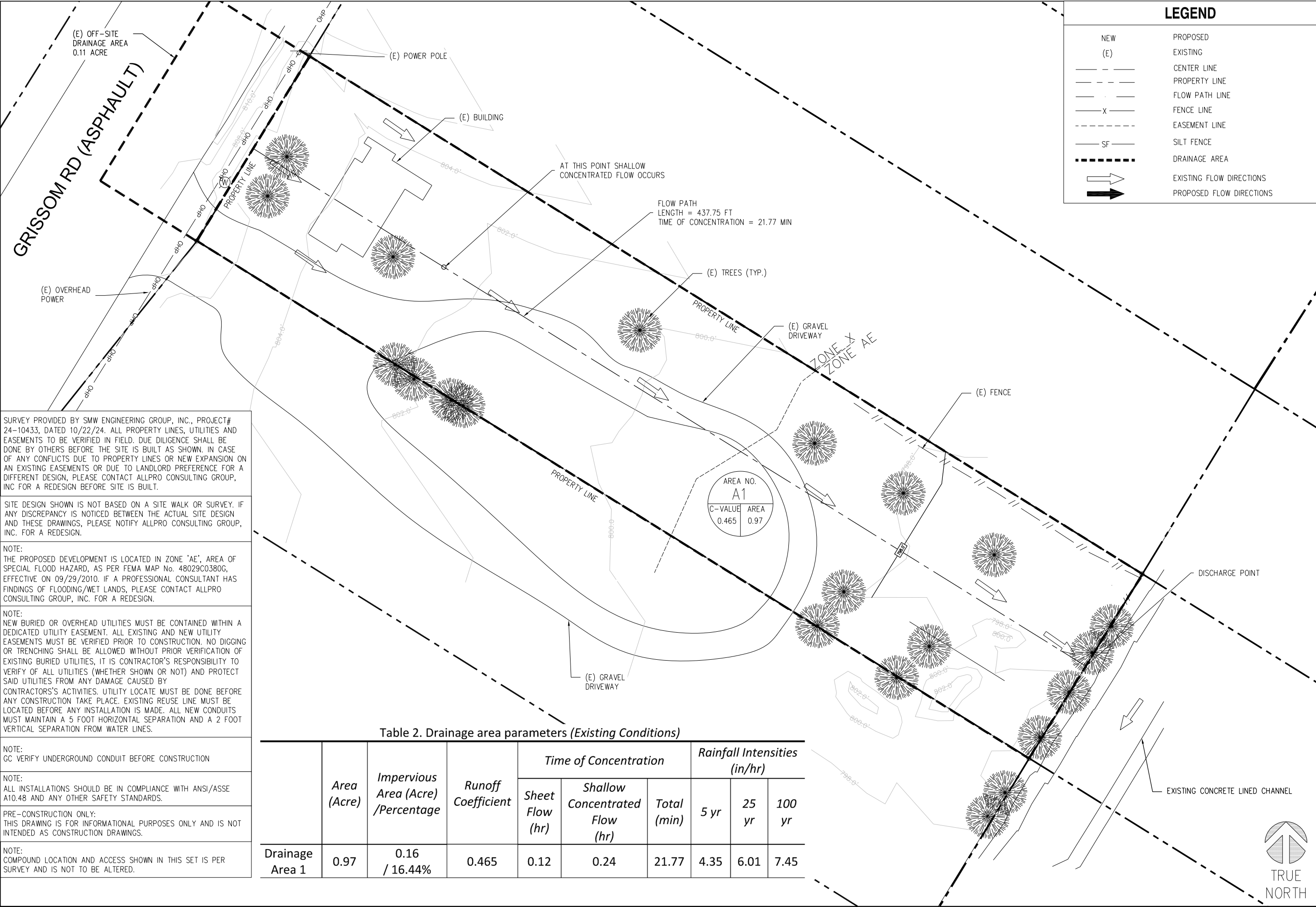
6000 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY
29.488°, -98.622139°

SHEET TITLE
IMPERVIOUS COVER
EXHIBIT

SHEET NUMBER
C-3A

149

OVERALL SITE PLAN



600 HIDDEN RIDGE
IRVING, TX 75038



8601 SIX FORKS RD.
SUITE 250
RALEIGH, NC 27615

ACGI NO: 25-2385

DRAWN BY: YZ

CHECKED BY: CZ

REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/30/25	DRAINAGE EXHIBIT	YZ



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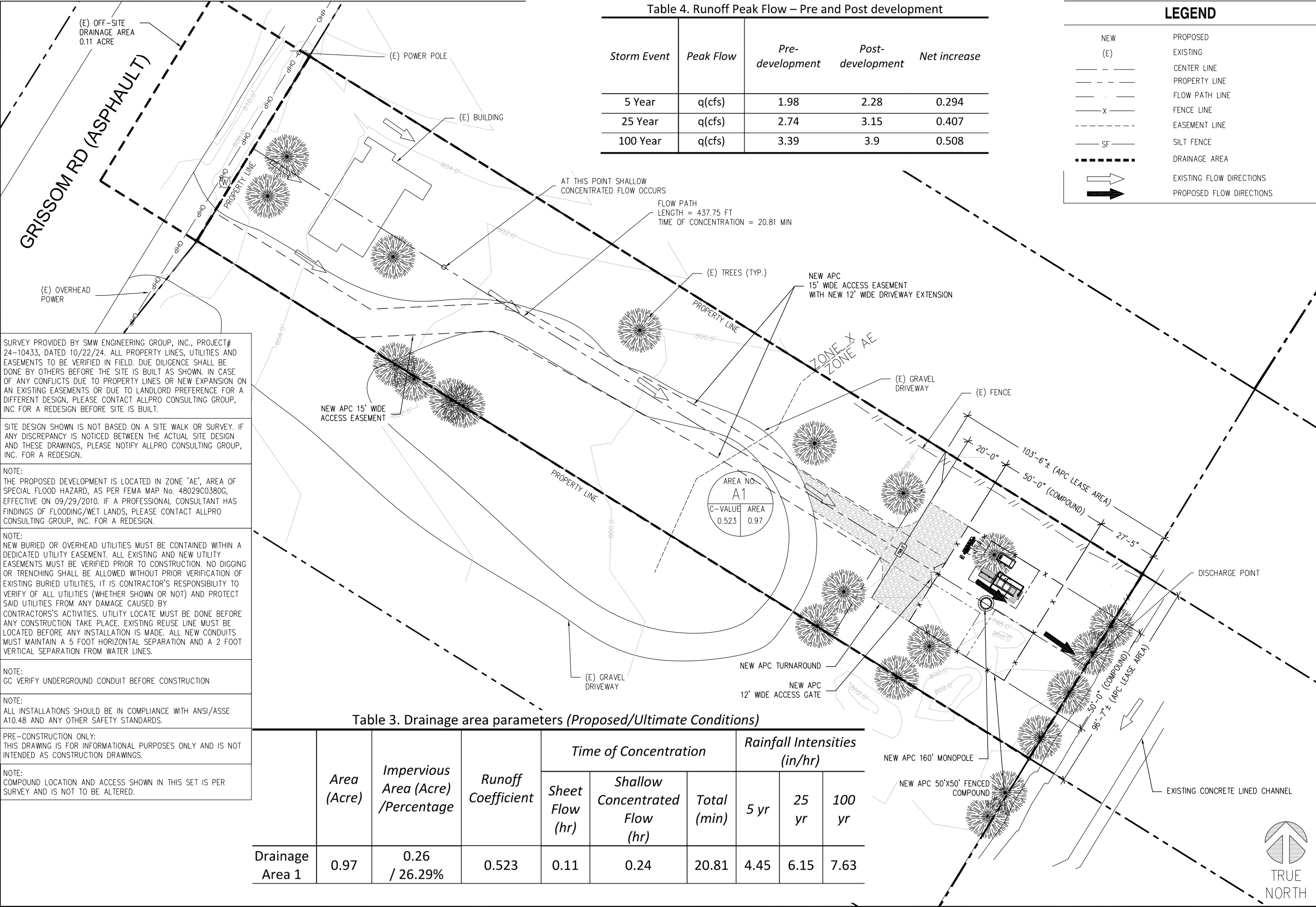
5000203022
TX-1115 LEON CREEK

6000 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY

29.488°, -98.622139°

SHEET TITLE
EXISTING DRAINAGE
PLAN

SHEET NUMBER
C-3B



REVISIONS			
NO	DATE	DESCRIPTION	BY
0	04/30/25	DRAINAGE EXHIBIT	YZ



ALLPRO
CONSULTING GROUP, INC.

9221 LYNDON B JOHNSON FWY
SUITE 204, DALLAS, TX 75243
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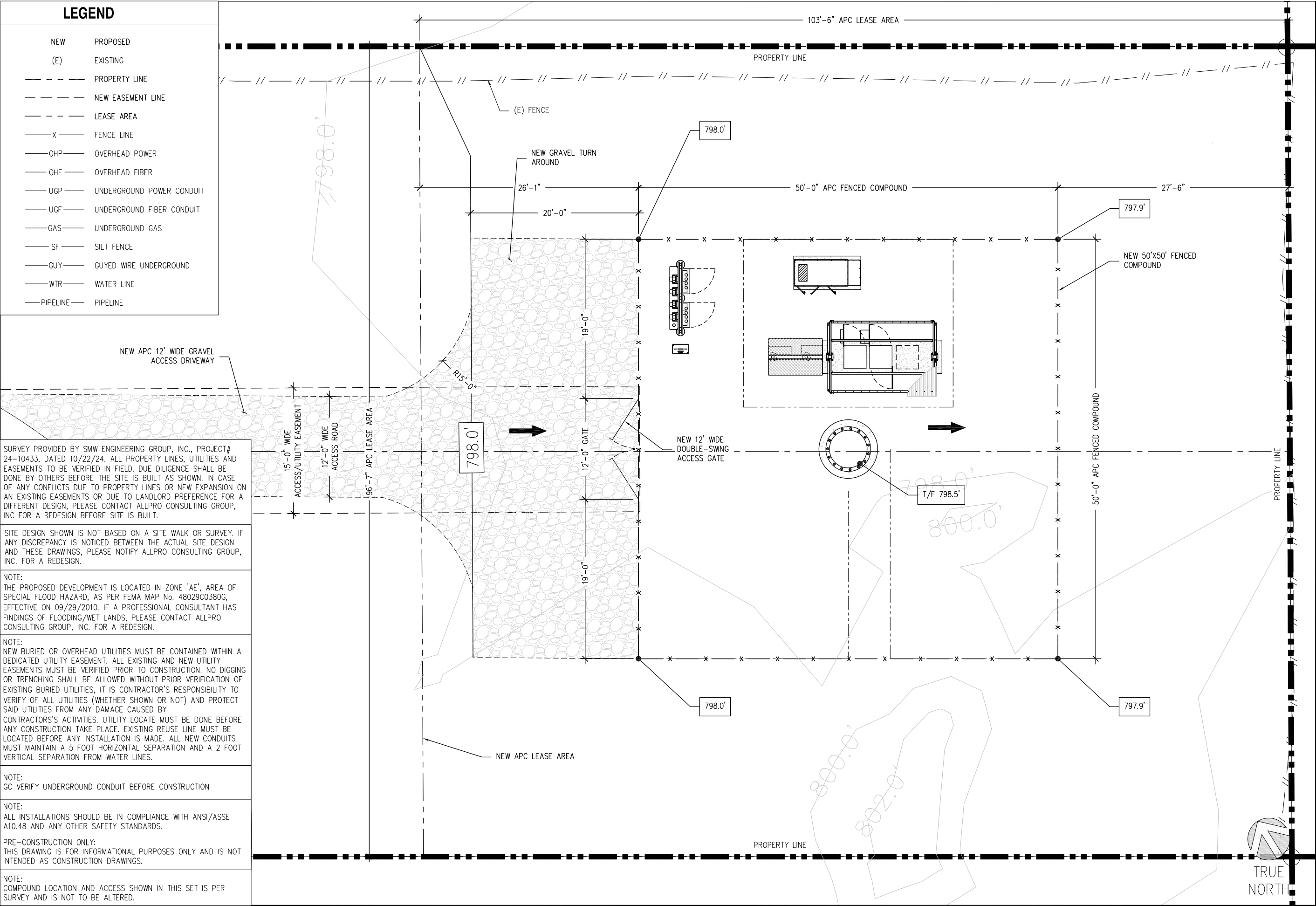
STATE OF TEXAS
CHIYU ZHANG
128187
PROFESSIONAL ENGINEER

5000203022
TX-1115 LEON CREEK

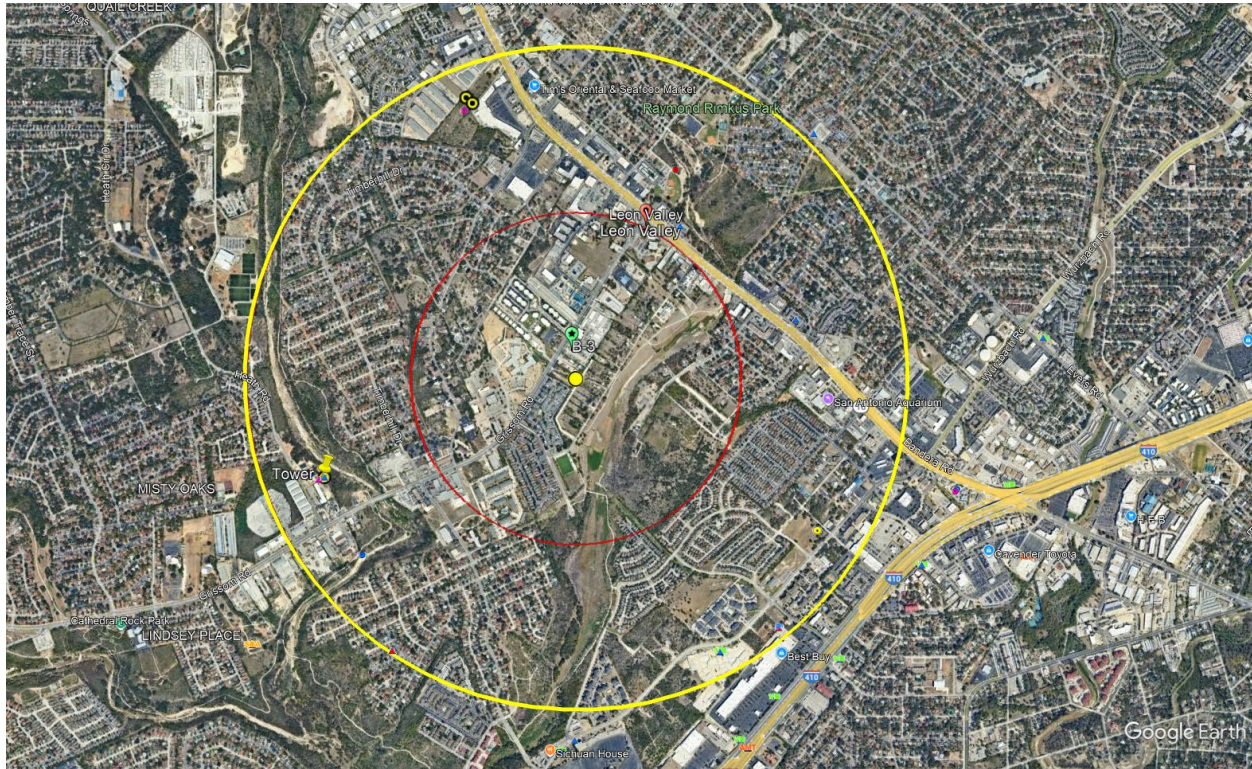
6000 GRISSOM RD
SAN ANTONIO, TX 78238
BEXAR COUNTY
29.488°, -98.622139°

SHEET TITLE
PROPOSED/ULTIMATE
DRAINAGE PLAN

SHEET NUMBER
C-3C



APC Towers – Competitive Structure Analysis



Red Circle: 0.5 mile radius

Yellow Circle: 1.0 mile radius

Owner: CCATT LLC

Type: POLE

FCC#: 1277679 Registration: A1027325

Height: 128 feet

Altitude: 794 feet

Address: 5330 HEATH ROAD

City: SAN ANTONIO

State: TX

Zip: 78250

Distance from subject property: 0.83 mile

Available Open Rad Center: 104'

Verizon Wireless is requiring a rad center of 155' at the subject location. It has been determined that this existing site will not meet RF's coverage objectives.

Owner: AT&T Towers
Type: Monopole (2)
Site Name: LEON VALLEY
Height: 120 feet
Altitude: 869 feet
Address: 7104 BANDERA ROAD
City: SAN ANTONIO
State: TX Zip: 78238

Distance from subject property: 0.91 mile

Available Open Rad Center: Tower 1: 50', Tower 2: 110'

Verizon Wireless is requiring a rad center of 155' at the subject location. It has been determined that this existing site will not meet RF's coverage objectives.

The original search area assigned by Verizon Wireless was only 0.25 mile radius. We did submit the two locations above for RF's consideration, but it was determined that both sites were too far away from the intended coverage area as well as the available heights being well below what Verizon is looking for to meet their objectives, even if they had been closer to the target area.

April 25, 2025

City of Leon Valley
Development Department
6400 El Verde Rd.
Leon Valley, TX 78238

**Re: APC Towers IV, LLC Tower Inventory / City of Leon Valley / Bexar County
TX-1115 Leon Creek – Proposed Monopole at 6004 Grissom Rd., Leon Valley,
TX 78238**

Dear City of Leon Valley:

This letter is being provided to confirm that APC Towers IV, LLC (“APC”) does not currently any towers constructed in your city or within Bexar County.

Should you have questions, please do not hesitate to contact me directly at (984) 234-5353 or via email at mhitchcock@apctowers.com.

Sincerely,

A handwritten signature in black ink that reads "Michael Hitchcock".

Michael Hitchcock
Director of Development
APC Towers IV, LLC

PZ-2025-15
Specific Use Permit Request
Telecommunication
Antennae/Tower
6004 Grissom Road

Susana Huerta, AICP
Planning and Zoning Director
City Council Meeting
August 5, 2025

Summary

- Question
 - The Council is being asked to consider a Specific Use Permit Request to allow a Telecommunication Antennae/Tower in a B-3 Commercial Zoning District on approximately 1.0 acres of land in a B-3 Commercial District, located at 6004 Grissom Road
- Options
 - 1. Approval
 - 2. Denial
 - 3. Other
- Declaration
 - The SUP is compatible with surrounding zoning

Purpose

- Property is zoned B-3 Commercial District
- Applicant wants to construct a 160-foot high monopole tower with related antennas/equipment in a 50' by 50' square fenced area
- Total leased area is approximately 10,000 sq. ft. within the 1.0-acre parent tract

Purpose

Sec. 15.02.382 - Permitted uses which require additional regulation

(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:

Purpose

Sec. 15.02.382 - Permitted uses which require additional regulation (contd.)

- (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.*

Location Map

{Section}.63.



Aerial View

{Section}.63.



Surrounding Zoning

{Section}.63.

- North: B-3 Commercial, B-2 Retail and R-3 Multiple-Family Dwelling District
- West: B-3 Commercial and R-3 Multiple-Family Dwelling District
- East: B-3 Commercial District
- South: R-1 Single-Family Dwelling District

Site and Zoning

- Pink – B-2 Retail with SO
- Brown – R-6 Garden House District
- Blue - R-1 Single Family Dwelling
- Bright Green – B-3 Commercial with SO
- Light Pink - R-3 Multiple-Family Dwelling
- Yellow Outline – Property



Master Plan

- The Master Plan, Grissom Road Corridor encourages promoting primarily retail uses with some Multiple Family Dwelling, Townhouse Dwelling and Garden Home Uses
- Request is compatible with the City's Master Plan, as long as the applicant maintains the minimum setbacks and separation requirements from adjacent residential uses

Staff Comments

- Proposed tower must comply with all code requirements (Sec. 15.02.382(b)) including setback, fencing, signage and lighting regulations
- Building permit required prior to construction

Notification

• Letters mailed to property owners within 200'	16
• Letters received in favor	0
• Letters received in opposition	0
• Letters returned undeliverable	0

Fiscal Impact

- The applicant has paid all fees associated with the processing of this Specific Use Permit request
- The development of a Telecommunication Antenna/Tower may increase ad valorem property taxes
- Mobile telecommunications services are subject to state and local sales tax, based on the place of primary use

Recommendation

- Staff has no objection to the issuance of a Specific Use Permit to allow construction & operation of a Telecommunication Antenna/Tower at 6004 Grissom Rd
- The Planning and Zoning Commission recommends approval of the SUP with a 6 – 0 vote

MAYOR AND CITY COUNCIL COMMUNICATION

DATE: August 5, 2025

TO: City Council

FROM: Susana Huerta, Planning and Zoning Director

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

SUBJECT: Discussion and Possible Action on an Ordinance Amending Chapter 15, “Zoning,” Appendix C. Sustainability, Gateway, and Commercial/Industrial Overlay District Standards to Delete the Sustainability and the Commercial/Industrial Overlay Districts. Revisions to Article 15.02 Zoning Ordinance, Sec. 15.02.052, "Definitions", Sec.15.02.301, "Districts", Sec. 15.02.304 "Description and Purpose of Districts"; Sec. 15.02.305 "Regulation for All Districts"; Sec. 15.02.314 "Residential Use Table"; Amending Sec. 15.02.318 "PD Planned Development District" to a Different Section; and Deleting Sec. 15.02.318 "MX-1 Mixed Use District"; Amending Sections 15.02.319 "O-1 Office District", Sec. 15.02.320 "B-1 Small Business District", Sec. 15.02.321 "B-2 Retail District", Sec. 15.02.322 "B-3 Commercial District", and Sec. 15.02.323 "I-1 Industrial District" to Add Landscaping and Lighting Requirements; Amending Sec. 15.02.324 Table of Minimum Requirements to Add the R-7 District; Amending Sec. 15.02.381 "Permitted Use Table" to Delete the Sustainability and Commercial/Industrial Overlay Districts; Amending Sec. 15.02.441 "Parking Regulations" to Add Landscaping Regulations and Add Bicycle Parking; Deleting Exhibit 2 – Overlay Boundaries, Exhibit 2A – Sustainability Overlay and Exhibit 2C – Commercial/Industrial Overlay; and Renumbering Exhibit 2B (1st Read was Held on 07/05/2025) – Gateway Overlay

PURPOSE

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

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

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

PROPOSED REVISIONS

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

STAFF COMMENTS

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

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

MASTER PLAN

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

Notification

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

FISCAL IMPACT:

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

RECOMMENDATION

Staff recommends approval of the proposed ordinance amendments.

P&Z RECOMMENDATION

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

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

Saundra Passailaigue
City Secretary

ORDINANCE No. 2025-

AN ORDINANCE OF THE CITY OF LEON VALLEY, TX, CITY COUNCIL AMENDING THE LEON VALLEY CODE OF ORDINANCES CHAPTER 15, "ZONING," APPENDIX C. SUSTAINABILITY, GATEWAY, AND COMMERCIAL/INDUSTRIAL OVERLAY DISTRICT STANDARDS TO DELETE THE SUSTAINABILITY AND COMMERCIAL/INDUSTRIAL OVERLAY DISTRICTS. REVISIONS TO ARTICLE 15.02 ZONING ORDINANCE, SEC. 15.02.052, "DEFINITIONS", SEC.15.02.301, "DISTRICTS", SEC. 15.02.304 "DESCRIPTION AND PURPOSE OF DISTRICTS"; SEC. 15.02.305 "REGULATION FOR ALL DISTRICTS"; SEC. 15.02.314 "RESIDENTIAL USE TABLE"; AMENDING SEC. 15.02.318 "PD PLANNED DEVELOPMENT DISTRICT" TO A DIFFERENT SECTION; AND DELETING SEC. 15.02.318 "MX-1 MIXED USE DISTRICT"; AMENDING SECTIONS 15.02.319 "O-1 OFFICE DISTRICT", SEC. 15.02.320 "B-1 SMALL BUSINESS DISTRICT", SEC. 15.02.321 "B-2 RETAIL DISTRICT", SEC. 15.02.322 "B-3 COMMERCIAL DISTRICT", AND SEC. 15.02.323 "I-1 INDUSTRIAL DISTRICT" TO ADD LANDSCAPING AND LIGHTING REQUIREMENTS; AMENDING SEC. 15.02.324 TABLE OF MINIMUM REQUIREMENTS TO ADD THE R-7 DISTRICT; AMENDING SEC. 15.02.381 "PERMITTED USE TABLE" TO DELETE THE SUSTAINABILITY AND COMMERCIAL/INDUSTRIAL OVERLAY DISTRICTS; AMENDING SEC. 15.02.441 "PARKING REGULATIONS" TO ADD LANDSCAPING REGULATIONS AND ADD BICYCLE PARKING; PROVIDING A REPEALER CLAUSE; SEVERABILITY CLAUSE; NOTICE OF MEETING; SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS Chapter 211 of the Vernon's Local Government Code empowers cities to enact zoning regulations and provide for their administration, enforcement, and amendment; and

WHEREAS the City has previously deemed it necessary and desirable to adopt zoning regulations to provide for the orderly development of property within the City, to promote the public health, safety, and welfare of the residents of the City; and

WHEREAS the Leon Valley Code of Ordinances Chapter 15 Zoning constitutes the City's Zoning regulations and requires the property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS the Planning and Zoning Commission of the City of Leon Valley provided adequate notice and held a public hearing in accordance with Chapter 15 of the Leon Valley Code of Ordinances; and

WHEREAS, the City Council, after proper notice and public hearing determined that the request is consistent and compatible with the surrounding zoning and with the City's Future Land Use Plan, and

WHEREAS the City Council of the City of Leon Valley now desires to amend Chapter 15 Zoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, THAT:

SECTION 1. The ordinance amending Chapter 15 Zoning, is hereby approved as depicted in the attached Exhibit “A” and Exhibit “B”.

SECTION 2. REPEALER CLAUSE. The provisions of the Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent by any other ordinance.

SECTION 3. SEVERABILITY CLAUSE. If any provision, section, sentence, clause, or phrase of this ordinance or application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the Leon Valley City Council in adopting, and the Mayor in approving this Ordinance, that no portion thereof or provisions or regulation contained herein shall become inoperative or fall by reason of any unconstitutionally or invalidity of any portion, provision, or regulation.

SECTION 4. SAVINGS CLAUSE. The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION 5. NOTICE OF MEETING CLAUSE. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective on and after its passage, approval and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 5th day of August 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form: _____
ART RODRIGUEZ
City Attorney

ARTICLE 15.02 ZONING ORDINANCE¹

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.

¹Editor'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 DEFINITIONS²

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 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. 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.

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.

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 sf.

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 curblin 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 curblin 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.

Director Director of Planning and Zoning or designee

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

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 congregated 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.

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

Garage. A shelter for automotive vehicles.

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.

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.

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.

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 scarring.

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 6 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:

- i. At least 3-inch caliper
- ii. Single trunk
- iii. "Limbed up" to 6 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 4 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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Sec. 15.02.182 Nonconformance incompatibility

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

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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.

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 feet 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.

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.

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- (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.

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) ~~*Masonry required.* A minimum of 75 percent of total overall exterior walls shall be constructed of masonry, or other similar noncombustible materials.~~
- (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)



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) ~~*Masonry required.* Masonry or other similar noncombustible materials to the extent of not less than 75 percent of overall exterior walls.~~
- (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)

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

(a) Purpose and description.

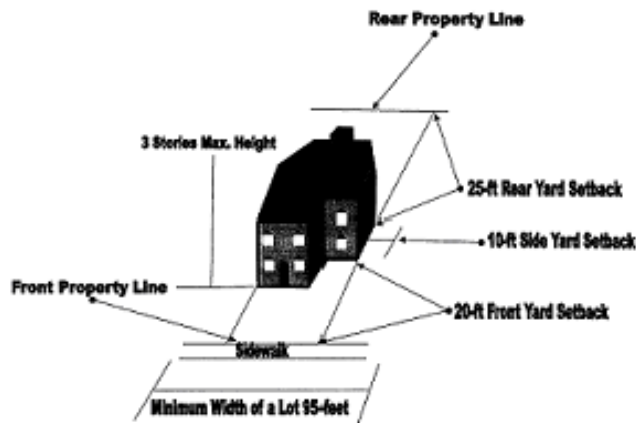
- (1) The R-3 district is composed of areas containing multiple-family dwellings. The district regulations are designed to: (1) protect the residential character of the area by prohibiting commercial and industrial activities and manufactured homes; (2) encourage a suitable neighborhood environment; (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.

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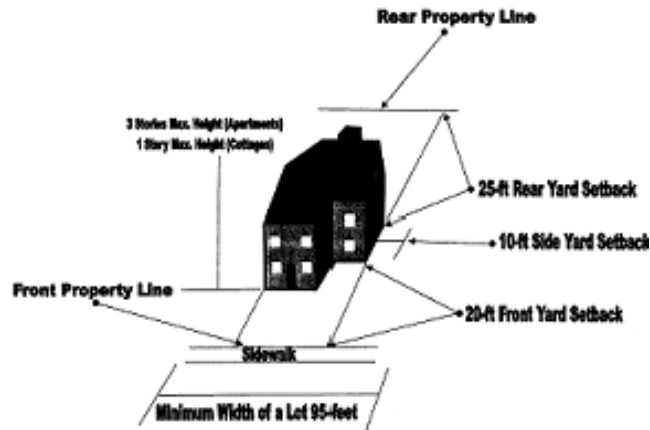
Sec. 15.02.310 "R-3A" multiple-family retirement district

- (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)



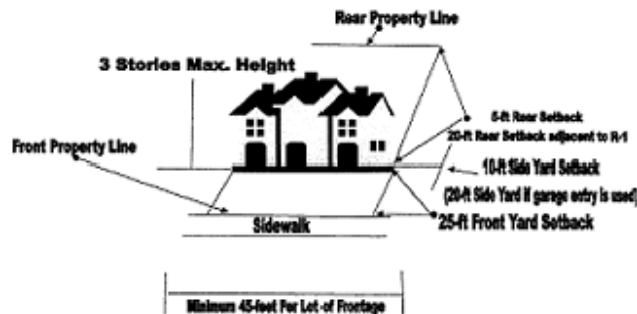
Sec. 15.02.311 "R-4" townhouse district

- (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)



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)

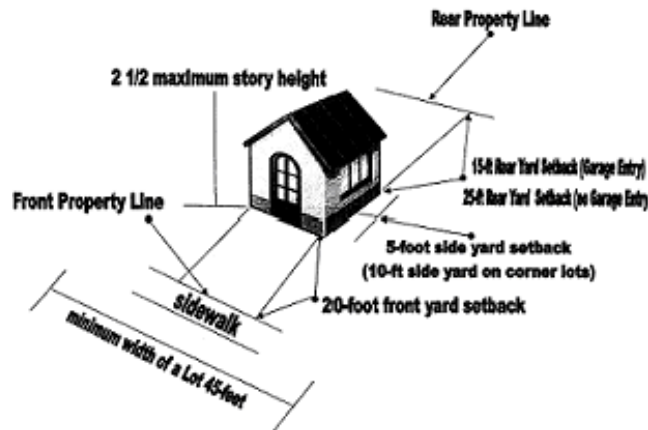


Sec. 15.02.313 "R-6" garden house district

- (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.

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- (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)



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.

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
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Accessory dwelling unit	P	SUP P	XP	X-P	X-P	X P	X-P	X P	P	**Permitted by right in the R-1 District if lot exceeds 0.5 acres in area. ³
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	

³Editor's note(s)—Ord. No. 2021-61, § 2, adopted December 7, 2021, amended the Code by adding "accessory dwelling unit" to section 15.02.381. Instead, said provisions have been added to section 15.02.314 at the discretion of the editor.

~~{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}~~

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}~~

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.

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)~~

Sec. 15.02.319 "PD" planned development district

- (a) *Purpose.* The purpose of a planned development ("PD") zoning district is to facilitate a specific development project, in accordance with a PD project plan, that may include uses, regulations and other requirements that vary from the provisions of other zoning districts. PD districts are intended to generally implement the following:
 - (1) Flexible and creative planning;
 - (2) The goals, objectives, and maps of the city's comprehensive plan, including but not limited to, the city's future land use plan;
 - (3) Economic development;
 - (4) Compatibility of land uses;
 - (5) Innovative planning concepts;
 - (6) Higher quality development for the community than would result from the use of the city's standard zoning districts; and
 - (7) Expansion of uses with buildings constructed prior to the adoption of the sustainability overlay district on December 1, 2009, that may be difficult to re-purpose.
- (b) *Applicability.* A PD district shall only be established in one or more of the following circumstances:
 - (1) The land is proposed for development as a mixed-use development or a traditional neighborhood development requiring more flexible and innovative design standards;
 - (2) The land is located in close proximity to established residential neighborhoods where standard zoning classifications may not adequately address neighborhood concerns regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer, or the city to develop and implement mutually-agreed, enforceable development standards;
 - (3) The land serves as transition between different and seemingly incompatible land uses;
 - (4) The land, or adjacent property that would be impacted by the development of the land, has sensitive or unique environmental features requiring a more flexible approach to zoning and clustering of uses, or special design standards, in order to afford the best possible protection of the unique qualities of the site or the adjacent property;
 - (5) To provide for the expansion of a lawfully operating nonconforming uses under the conditions that follow:
 - (A) Prior to December 1, 2009, the lawfully operating nonconforming use was both:
 - (i) Fully conforming with the then applicable zoning regulations;
 - (ii) Located within an existing development or building(s), which were specifically designed, both functionally and aesthetically, for its presently legally nonconforming use; and

- (iii) Rezoning the land on which the lawfully operating nonconforming use operates to a standard zoning district or classification, which would allow the expansion of the nonconforming use as a matter of right, may cause the zoning district designation of the land to be determined to be incompatible with the surrounding uses and zoning districts.
- (c) *Nature of the district.* Each PD district shall be unique and tailored to the specific site and proposed development project. Each PD district shall be governed by "base zoning" comprised of a zoning district specified within section 15.02.301 of this chapter 15 and any additional overlay districts if appropriate. Each PD district shall also be governed by a PD project plan, as well as any other items specific to the ordinance adopting the PD district as specified in section 15.02.327(d) below.
- (d) *Items specific to the ordinance.* The adopting ordinance establishing a PD district shall set forth the following:
 - (1) *Base zoning district.* The adopting ordinance shall specify a base zoning district by which use and development standards shall be applied to subsequent development permits for land within the PD district; unless specifically excepted according to the provisions of this section. The base zoning district specified shall conform to the provisions of the city's comprehensive master plan, including the city's future land use plan.
 - (2) *Permitted or prohibited uses.*
 - (A) The adopting ordinance shall specify any uses not allowed in the base zoning district and applicable overlay districts that shall be permitted in the PD district, provided that such uses do not conflict with any provisions of the city's comprehensive plan.
 - (B) The adopting ordinance shall specify any uses permitted in the base district and any uses permitted in the applicable overlay districts that shall be prohibited in the PD district.
 - (3) *Development standards.*
 - (A) The adopting ordinance shall specify any supplemental design or development standards not required by the base zoning district that shall be applied to subsequent development permits for land within the PD district.
 - (B) The adopting ordinance shall specify any development standards required by the base zoning district and applicable overlay districts that shall be varied for subsequent development permits for land within the PD district.
 - (C) Standards that may be varied include but are not limited to the following:
 - (i) Residential density.
 - (ii) Building setbacks.
 - (iii) Building height.
 - (iv) Lot coverage.
 - (v) Parking and access.
 - (vi) Landscaping and buffering.
 - (vii) Streetscape design.
 - (viii) Architecture.
 - (D) Varied standards may increase or decrease the requirements otherwise applicable to particular uses.

- (E) Any graphic depictions used to illustrate such standards, unless otherwise provided in the PD district regulations, shall be considered standards that apply to subsequent development applications.
- (4) *PD project plan.* No PD district may be established without approval of a project plan, containing the documents and minimum information specified in section 15.02.327(e) below.
- (5) *Additional items.* The adopting ordinance may also specify the following if necessary:
 - (A) Required dedications of land or public improvements;
 - (B) A phasing schedule for the project, where applicable, setting forth the dates for submittal of site development plans and the timing of performance by the developer for dedications of land or public improvements and satisfaction of any conditions in relation to the phasing of development, where applicable;
 - (C) Any variations from the city's subdivision or utilities standards pertaining to provision of roadway and drainage facilities provided such variance is justified by a city approved traffic impact study, drainage study, or other type of applicable engineering study, which may be required as a prerequisite for approving a PD district. Otherwise, all facilities or improvements within public rights-of-way shall be provided in accordance with design standards set forth within the city subdivision regulations;
 - (D) Identification of the levels of the deviation allowed between the PD project plan and subsequent development applications that may be approved by the planning and zoning director; and
 - (E) Such additional conditions as are established by the council to assure that the PD district is consistent with the city's comprehensive plan.
- (e) *PD project plan requirements.* No PD district may be established without approval of a PD project plan. The PD project plan shall be adopted with the ordinance establishing the PD district and shall be construed in conjunction with the authorized uses and development standards set forth within the PD district.
 - (1) *Required documents.* The following documents shall be required to be included in a PD project plan. For smaller projects the following documents may be combined into one or more documents at the discretion of the planning and zoning director.
 - (A) Land use plan.
 - (B) Site plan.
 - (C) Landscape plan.
 - (D) Traffic impact analysis (TIA).
 - (E) Drainage analysis.
 - (2) *Additional documents.* Additional documents may be required to be submitted as part of a PD project plan, including but not limited to the following.
 - (A) Building elevations.
 - (B) Parking plan.
 - (C) Signage plan.
 - (D) Phasing plan.
 - (E) Site or building material specifications.

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- (3) *Form of documents.* All required and additional documents shall be fully dimensioned and drawn to scale.
- (4) *Content of documents.* Required PD project plan documents shall include but not be limited to the existing and proposed site features such as the following:
- (A) Topography.
 - (B) Floodplain information.
 - (C) Adjacent properties.
 - (D) Ingress/egress.
 - (E) Existing buildings.
 - (F) Parking and loading bays.
 - (G) Landscaping.
 - (H) Large tree groupings.
 - (I) Fire lanes and hydrants.
 - (J) Trash receptacle locations.
 - (K) Lots.
 - (L) Building materials.
 - (M) Facade features.
 - (N) Street rights-of-way, curblines, widths, and street names.
 - (O) Screening fences or walls.
- (5) *Consistency required.* All development applications within the PD district shall be consistent with the incorporated PD project plan. Failure of a subsequent development application to conform to the approved PD project plan for the PD district shall result in denial of the application, unless the PD district regulations are first amended through incorporation of a PD project plan with which the development application is consistent. The degree of conformity required between the project plan and subsequent development applications shall be set forth in the adopting ordinance.
- (6) *Location and arrangement of uses.* The location and arrangement of all authorized uses in the PD district shall be consistent with the PD project plan approved with the PD district.
- (7) *Deviations from approved PD project plan.*
- (A) *Minor deviations.* In determining whether development applications are consistent with the PD project plan, minor deviations from the PD project plan may be approved by the planning and zoning director. Unless otherwise specified in the adopting ordinance, minor deviations are limited to the following:
 - (i) Corrections in spelling, distances, and other labeling that does not affect the overall development concept.
 - (ii) Change in building layout, when shown, that is less than a ten percent increase in size.
 - (iii) Changes in the proposed property lines internal to the PD district, as long as the originally approved district boundaries are not altered.
 - (iv) Changes in parking layouts as long as the number of required spaces is not decreased and the general original design is maintained.

- (B) *Major deviations from the approved PD project plan.* All major deviations from the approved PD project plan shall be submitted to the planning and zoning commission for recommendation and city council for approval as an amendment to the PD district.
- (f) *Procedures for establishment.*
- (1) *Steps for approval.* The review process for a PD district application shall include but not be limited to the following steps:
 - (A) Pre-application conference;
 - (B) Application submittal;
 - (C) Project plan review by the planning and zoning director or designees;
 - (D) Preliminary feedback from the planning and zoning commission;
 - (E) Recommendation from the planning and zoning commission;
 - (F) Final approval from city council.
 - (2) *Application requirements.* No application for a PD district shall be accepted by the city until the following items have been submitted to the city by the applicant.
 - (A) A completed city zone change application, including all requirements as stated on the application form;
 - (B) A statement from the property owner giving authorization to the applicant to file the request for rezoning shall be required as part of the rezoning application, if necessary;
 - (C) A legal description of the property under consideration;
 - (D) A PD project plan;
 - (E) A description of any uses and development standards requested to be modified or varied from those in the base zoning district, as well as the purpose of the variation (i.e., why they are necessary);
 - (F) A description of how the proposed PD district fulfills the goals and objectives of the city's adopted comprehensive plan or any other formally adopted city planning document;
 - (G) A development schedule outlining a timetable for completion of the entire project;
 - (H) A copy of all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the PD district and any of its common areas, if applicable;
 - (I) The required application fee.
- (g) *Criteria for approval of PD districts.* No PD district shall be established which does not meet all of the following criteria:
- (1) The land covered by the proposed PD district fits one or more of the special circumstances warranting a PD district classification;
 - (2) The proposed PD district furthers the policies of the city's adopted comprehensive plan (as amended) and other formally adopted city planning documents;
 - (3) The proposed PD district demonstrates a more superior development than could be achieved through standard zoning classifications;
 - (4) The proposed PD district demonstrates the resolution of compatibility issues with surrounding development;

- (5) The proposed uses and the configuration of uses depicted in the PD project plan are compatible with existing and planned adjoining uses;
- (6) The proposed PD district demonstrates consistency with adopted public facilities plans, including those related to water, wastewater, transportation, drainage and other public facilities; and
- (7) The proposed PD district (if a mixed-use or traditional neighborhood project) demonstrates the provision of open space and recreational amenities within the development that provides for a superior living environment and enhanced recreational opportunities for residents of the district and for the public generally.
- (h) *Conditions for approval.* The city council may impose such conditions to the PD district regulations and project plan as are necessary to assure that the purpose of the PD district is implemented.
- (i) *Subsequent development applications.* The development standards for a PD district shall be applied to the authorized uses through a plat, site development plan, general site plan, or other development applications as set forth in the adopting ordinance.
- (j) *Documentation of PD districts.* All PD districts approved after adoption of this Code section, as may be amended, shall be prefixed by a "PD" designation and assigned a unique identification number (e.g., PD-1, PD-2, PD-3, and so on), and shall also be shown on the zoning map.
- (k) *Expiration of a planned development district.*
 - (1) Except for the base zoning, including any applicable overlay districts established by a PD district ordinance, all provisions of PD district, including the project plan, shall initially be valid for a period of 24 months.
 - (2) If a building permit has not been issued or construction begun on the detail plan within the 24 months, the PD district shall automatically expire and no longer be valid, and the zoning of the property shall automatically convert to the base zoning specified.
 - (3) The city council may, prior to the 24 month expiration, for good cause shown, extend for up to 24 additional months; during which time all provisions of the original PD district ordinance may remain valid. Only one extension may be granted.
 - (4) Following both the issuance and commencement of progress pursuant to the adopted PD project plan, all provisions of the PD district shall remain effective without expiration.

(Ordinance 2019-58 adopted 11-19-19)

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.

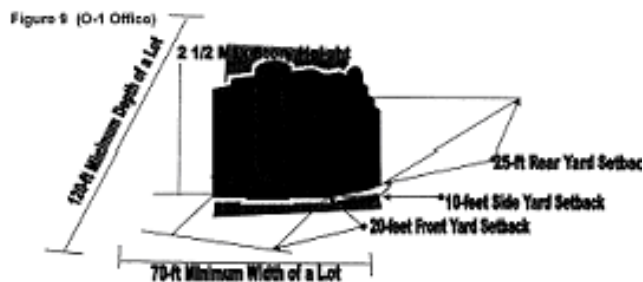
<p>Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by streets, landscaping and/or building Frontages. Its landscape shall consist of lawn and trees.</p>	
<p>Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially 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.</p>	
<p>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.</p>	

(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 9 (O-1 Office)



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) *Masonry required.* A minimum of 75 percent of total overall exterior walls shall be constructed of masonry, or other similar noncombustible materials.~~
 - (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.*

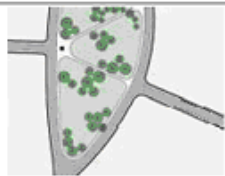

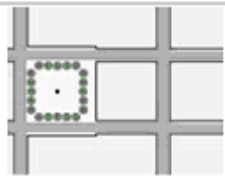
- (a) Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

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.

<p>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.</p>	
<p>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.</p>	
<p>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.</p>	

- (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 10 (B-1 Small Business)



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.

(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.

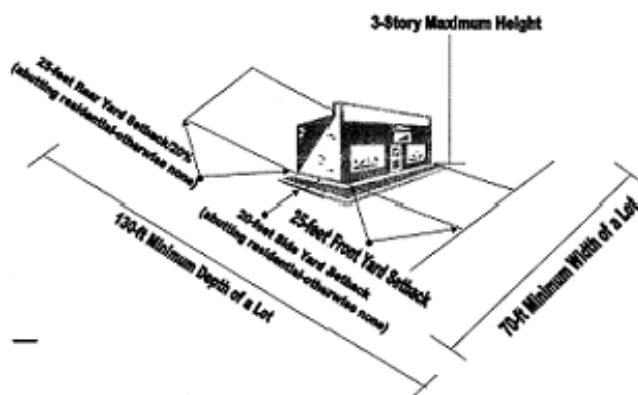
<p>Green: An Open Space, available for unstructured recreation. A Green may be spatially defined by streets, landscaping and/or building Frontages. Its landscape shall consist of lawn and trees.</p>	
<p>Square: An Open Space available for unstructured recreation and Civic purposes. A Square is spatially 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.</p>	
<p>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.</p>	

(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)



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)
- (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.

(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.*

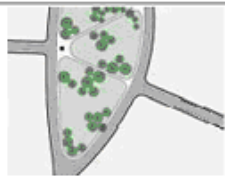

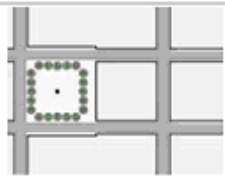
- (a) Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

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.

<p>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.</p>	
<p>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.</p>	
<p>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.</p>	

- (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)



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.

<p>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.</p>	
<p>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.</p>	
<p>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.</p>	

(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)



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	20	*5	*15	6050	85-552.5	3
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.

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 2018-90, ex. A, adopted 12-4-18)~~

Secs. 15.02.327—15.02.380 Reserved

CHAPTER 15 - ZONING
ARTICLE 15.02 - ZONING ORDINANCE
DIVISION 7. PERMITTED USE TABLE

{Section}.64.

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	X	X	X	P	P			X	

installation and/or repair incidental									
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	<p>***Not be located within a radius of 1,000 feet from the nearest existing non-chartered financial institution.</p> <p>***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.</p> <p>***Storefronts shall have glass or transparent glazing in the</p>

									<p>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.</p> <p>***May only operate within a freestanding building and may not operate in the same structure as any other use of the same type.</p>
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, modular, mobile, prefabricated	X	X	X	P	P			X	
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	

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 or 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.

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:
 - i. 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.
 - ii. There shall be a minimum of one shade tree planted for each 300 square feet or fraction thereof of required interior landscape area.
 - iii. 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 $(30,000/250) + (5 \times 10) = 170$).
 - (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

1. *Goals.* Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.
2. *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.
3. *Bicycle parking standards.*
 - a. *Location.*
 - i. Required bicycle parking should be located within 50 feet of an entrance to the building.
 - ii. 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)

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, 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 without the recorded consent of the chairman, shall be construed as resignation from the commission by absence. This provision shall apply to both members and alternates.

- (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 (4) [sic] commission members and alternate members of the commission. At least 72 hours' 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 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.
- (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}~~

~~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.

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- (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
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- (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
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- 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.

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- (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
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- 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.

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- (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;
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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.
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- (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.~~

CHAPTER 15 - ZONING
APPENDIX C. ~~SUSTAINABILITY, GATEWAY, AND COMMERCIAL/INDUSTRIAL~~ OVERLAY DISTRICT STANDARDS

**APPENDIX C. ~~SUSTAINABILITY, GATEWAY, AND COMMERCIAL/INDUSTRIAL~~
OVERLAY DISTRICT STANDARDS**

These standards and procedures are in addition to the current standards and procedures as written in article 15.02 of this chapter. Where there is a conflict, these standards and procedures shall govern.

I. OVERLAY DISTRICTS - GENERAL

- A. ~~Definitions: Terms in this Appendix have the same meaning as that term is defined in 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.~~

~~*Big box* A building with a single tenant that comprises more than 50,000-sf.~~

~~*Commercial and industrial overlay (CIO)* An overlay of existing zoning which modifies the base zoning as defined in this ordinance.~~

~~*Director* Director of community development or designee such as the zoning administrator.~~

~~*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.~~

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

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

~~*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.~~

~~*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.~~

~~*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.~~

~~*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.~~

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

~~*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.~~

~~*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.).~~

~~*Sustainability overlay (SO)* An overlay of existing zoning which modifies the base zoning as defined in this ordinance.~~

~~*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 6 units and shall have rear entry garages.~~

~~*Urban tree* 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:~~

- ~~i. At least 3-inch caliper~~
- ~~ii. Single trunk~~
- ~~iii. "Limbed up" to 6 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 4 feet in width.~~

B. Administration/procedures.

1. *Intent.* It is the intent of this Code to offset the high level of detailed standards in this Code with an expeditious approval of projects which meet its general goals and intent, and:
 - a. To ensure adequate linkages and connections within and between project areas, and
 - b. To ensure consistency and quality of design to enhance the livability and image of the city.
2. *Review process.* The director shall have staff administrative jurisdiction over any processes authorized under this Code. The director shall be expeditious in reviewing and advancing the permitting process by undertaking any action consistent with this Code, state law, and the city charter to facilitate the permitting process.
3. *Site plan.*
 - a. Prior to applying for a building permit, a site plan must be approved by the director, demonstrating that the proposal meets the goals, intent and general standards contained in these design standards.
 - b. A site plan application must include the following information and documents that demonstrate compliance with the city's Code of Ordinances:
 - i. Completed application with proposed uses
 - ii. Detailed site plan showing proposed streets, buildings, parking areas, access easements and other pertinent site features

Commented [CD1]: Differs from definition in Ch. 15

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- iii. Landscape plan
- iv. Building elevations
- v. Lighting plan
- vi. Preliminary civil plans
- vii. Review fee
- c. An application for a site plan shall be processed in accordance with the city's procedures for determining whether an application is complete. Following a determination of completeness, the director shall approve, approve with conditions or deny the application for a site plan and shall notify the applicant of the decision.
- d. Denial or conditional approval of a site plan by the director may be initially appealed to the planning and zoning commission and, following the recommendation of the commission, to the city council. The appeal shall be filed within 30 days of the date of the director's action on the application for approval of a site plan.
- e. The director in making an initial decision on a site plan application, the planning and zoning commission in making recommendations to the city council, or the city council in deciding the application for site plan approval, shall determine whether the plan is consistent with the regulating plan for the property (if there is one), and meets the goals, intent and standards of the city's Code of Ordinances.
- 4. *Regulating plan.*
 - a. *Intent.* The intent of a regulating plan is to ensure that access both within and to adjacent parcels of land will function properly and be ensured. It is also intended to ensure a comprehensive provision of amenities as the overall project develops out.
 - b. Regulating plans shall be required of multi-phased projects of five acres or more or which involve subdivision into smaller parcels.
- 5. *Amendments.*
 - a. Amendments to an approved site plan may be accomplished in the same manner as approval of the original site plan.
 - b. An amendment to an approved site plan must be made prior to the time for lapse of approval provided below. In the event an amended plan is approved, the approving authority amending the plan shall specify the time for lapse of such approval, consistent with below.
- 6. *Lapse of approval.* If a building permit has not been obtained within one year following approval of a site plan approval, such plan shall lapse unless the property owner requests an extension prior to the expiration of the one-year period. The request for extension shall be considered by the planning and zoning commission. The authority may grant an extension of the time for expiration of the plan for a period not to exceed one year from the original expiration date of the application approval.

 Every request for extension shall include a statement of the reasons why the expiration date should be extended. The approving authority may grant a request for extension upon demonstration that circumstances beyond the control of the applicant have resulted in the applicant's inability to perform the tasks necessary to prevent the site plan from expiring before the lapse date.

C. Specific use permit process.

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1. *Intent.* The intent of the specific use permit process is to establish guidelines to review certain uses in the overlay districts that have external impacts and on surrounding areas. These standards and procedures shall be in addition to the procedures outlined in article 15.02, division 12 of the zoning ordinance.
2. 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 (see article 15.02, division 12).
3. In addition to any condition identified by the city council that the applicant, owner, and grantee must comply with, the planning and zoning commission and city council shall consider the following criteria in determining the validity of the specific use permit (SUP) in the overlay standards:
 - a. The application is complete and information contained within the application is sufficient and correct enough to allow adequate review and final action.
 - b. The application illustrates conformance with the vision of Leon Valley and purpose and intent of these overlay district standards.
 - c. Structures should orient to public streets.
 - d. The extent that connectivity among proposed and existing rights-of-way is demonstrated.
 - e. The extent to which uses, such as freestanding pad sites, are clustered at or around focal points within a development and relate to other components of the overall development. Such focal points may include, but are not limited to retention systems, greenways, dedicated hike/bike facilities, plazas, parks or other features that create a gathering place.
 - f. The application illustrates compliance with the requirements and guidelines of these overlay district standards.
 - g. The application exhibits compatibility of the design with surrounding properties and development patterns.
 - h. The application exhibits compatibility and coordination between the character of the streetscape and the planned surrounding built environment.
 - i. The application exhibits no substantial negative impacts on the historic, cultural or architectural nature of the site or surrounding area, or successfully mitigates such impacts.
 - j. In addition to screening along streetscape zones and screening of parking areas, as well as screening requirements stated in article 3.05 of the Code of Ordinances, certain activities associated with any business or use requiring an SUP, as identified by the planning and zoning commission or city council, must be screened from view from adjacent public streets, rights-of-way or major private access drives. Development features to be screened may include but are not limited to automotive repair, installation, or services, vehicle storage, vacuum areas, carwash and drying areas, storage, and other activity(ies) considered to have external impacts on the surrounding area by the planning and zoning commission or the city council. This does not include parking areas, which will follow the standards in section I.E of these overlay district standards. Specific screening requirements include one or a combination of the following:
 - i. Dense and continuous landscaping to a minimum height of four feet, along with ornamental or shade trees spaced no further than 15 feet apart to provide partial vertical screening; (or),

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- ii. A combination of a wall and landscaping. The screening wall must be located adjacent to the activity area, shall be constructed of masonry material and be between a minimum height of three feet and a maximum of four feet above the grade of the activity area. Adjacent landscaping shall consist of grasses and shrubs that are capable of reaching a height of three feet within two years of planting. Vertical trees shall be included every 15 feet adjacent to the wall;
- iii. Utilization of the primary building to screen outdoor activities. To the extent possible, the primary building should be oriented toward the street, and outdoor business activities shall be placed behind the building. This option shall not replace the landscaping requirements of section I.E of these overlay district standards.

~~D. Structural nonconformity.~~

- ~~1. Intent. It is the intent to allow nonconforming structures to be expanded and to bring properties into conformity in proportion to the amount of work being done.~~
- ~~2. Where improvements equal 51 percent or more of the value of existing improvements or 51 percent or more of the building area, then all zoning requirements for setback, height, building materials, color, landscaping, parking and signs shall be brought into conformity with current regulations. The 51 percent requirement shall be cumulative over any five-year period.~~
- ~~3. Any expansion of a building must be contiguous and meet current zoning requirements for setback, height, building materials, color, landscaping and parking.~~

DE. Landscaping.

The following supplements and modifies existing landscape standards that apply to the ~~Sustainability and Gateway~~ Overlay Districts:

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- 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.

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- 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

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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.*

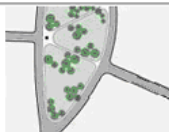
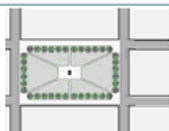
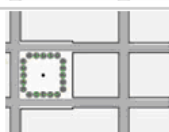
- a) Landscape plans must include a minimum number of amenity items listed below in order to obtain approval. Landscape points are determined by the size of the pre-subdivided lot being developed.

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:
- Enhanced entranceway paving (using stone or architectural concrete pavers, or colored-stamped concrete).
 - Enhanced hardscape (stamped crosswalks, decorative stone or architectural concrete paver walkways, meandering sidewalks, etc.).
 - Enhanced landscaping (within development and at the entranceways of the development).
 - Enhanced site canopy (planting perimeter trees one per 30 feet and locating a parking island every ten spaces).
 - Enhanced streetscape elements (i.e. decorative lampposts, benches, receptacles, bike racks, decorative bollards, etc.).
 - Landscaped open space provision greater than what is required (20 to 30 percent over requirement).
 - Buffer berms (providing three foot high berms along the street frontage) for properties fronting on Bandera.
 - Public art (obelisks, sculptures, statues, clock towers, water fountains, etc.): Small: 1; Large: 2.
 - Use of shaded and decorative outdoor seating areas (benches, outdoor dining, etc.).
 - Use of masonry planters with irrigation (minimum four feet in width).
 - Foundation plantings along 75 percent of the building's primary facade (for non-retail frontages) a minimum of five feet in width.
 - Decorative entrance including a landscaped median entry which is a minimum eight feet in width and 60 feet long.
 - 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).

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I. OVERLAY DISTRICTS - GENERAL

- 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.	

EF. Performance standards.

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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

G. Reserved.

~~(Ordinance 10-049 adopted 11-16-10; Ordinance 10-020 adopted 5-18-10; 2008 Code, ch. 14, app. C, sec. I; Ordinance 2020-10, secs. 10, 11, adopted 3-3-20; Ord. No. 2021-70, § 1, 12-21-2021; Ord. No. 2021-69, § 1, 12-21-2021)~~

~~II. STANDARDS FOR SUSTAINABILITY OVERLAY~~

~~A. Intent.~~

~~The intent of these standards is to~~

- ~~1. Create an identity for Leon Valley to distinguish it from surrounding communities~~
- ~~2. Stabilize and strengthen property values over the long term~~
- ~~3. Attract new residents and businesses that will invest and reinvest in properties~~
- ~~4. Increase the quality of development~~
- ~~5. Strengthen and clarify existing zoning ordinance provisions for nonresidential design standards.~~
- ~~6. Make the community more sustainable for future generations through~~
 - ~~a. Providing for integrated mixed use.~~
 - ~~b. Embodying LEED-ND (Leadership in Energy and Environmental Design – Neighborhood Development) principles, and~~
 - ~~c. Assuring pedestrian and bicycle friendliness.~~

~~B. Land use.~~

- ~~1. Intent. It is intended that allowed uses will encourage pedestrian-oriented mixed use projects that are well integrated with retail and residential activities.~~
- ~~2. Residential uses in the form of townhouses are allowed up to 50 percent of the site area and shall abide by the townhouse district standards and the standards in this ordinance. However, at least 50 percent of the retail must be constructed prior to obtaining a certificate of occupancy for the residential component.~~

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~~3. Residential uses above nonresidential uses at grade shall be permitted by right and defined as a mixed use building. Lobbies to upper stories may be located at grade level.~~

~~4. General standards. Approval of a specific use permit, landscaping requirements, sign standards, performance standards, and requirements for nonconforming structures shall follow the procedures established by the zoning ordinance as well as procedures and standards outlined in section I, Overlay Standards—General of these overlay district standards.~~

C. ~~Building height and site area regulations.~~

~~1. Intent. The intent of the height and area regulations is to convey a stronger sense of community by bringing buildings closer to the street.~~

~~2. Building height.~~

~~a. Buildings shall not exceed 50 feet or three stories, whichever is less, unless it qualifies as a landmark building, in which case the landmark feature may be up to 25 percent greater than the remainder of the building height as approved by the director.~~

~~b. However, buildings on properties abutting Bandera and Grissom may be constructed up to four stories or 60 feet.~~

~~c. Portions of any buildings within 100 feet of a single-family zoned residential lot may not exceed 45 feet in height or 2.5 stories.~~

~~3. Minimum lot size. One acre unless otherwise approved through the site plan.~~

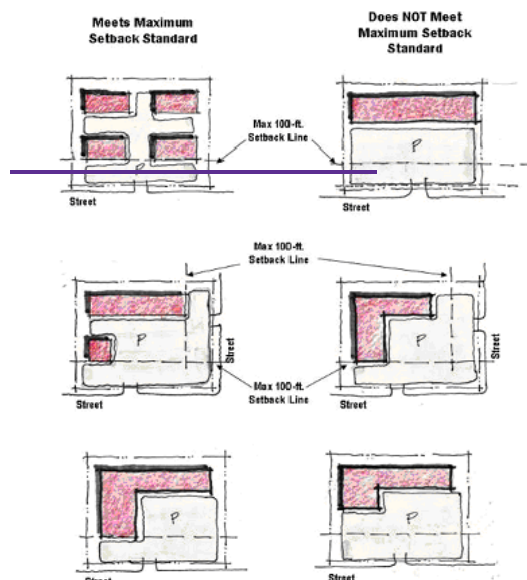
~~4. Front yard. Minimum front yard shall be six feet and a maximum setback of 100 feet (which would allow for one full bay of parking).~~

~~5. Rear yard. Minimum six feet, or 25 feet when abutting residentially zoned land.~~

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D. Building orientation.

1. Intent. It is intended that buildings have direct orientation to the street.
2. Facades shall generally be built parallel to the street or major access drive frontage, except at street intersections, where a facade containing a primary building entrance may be curved or angled toward an intersection.

E. Cross access drives.

1. Intent. It is the intent that access ways will facilitate the movement of pedestrians and autos in an attractive environment, and that blocks ensure cross access to adjacent non-single family zoned sites.
2. Cross access. All nonresidential lots must provide cross access to adjoining nonresidential lots.

F. Automobile parking.

1. Intent. The following is the intent of the city's parking policies and these design standards for the Sustainability Overlay District:
 - a. Minimize paved surfaces which increase runoff, ambient temperature and construction costs.
 - b. Support the creation of shared parking in order to enable visitors to park once at a convenient location and to access a variety of nonresidential enterprises in a pedestrian and bicycle friendly environment.
 - c. Manage parking so that it is convenient and efficient, and supports an active and vibrant retail environment.

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- d. ~~Ensure ease of access to parking.~~
- e. ~~Provide flexibility for changes in land uses which have different parking requirements within the district.~~
- f. ~~Provide flexibility for the redevelopment of small sites.~~
- g. ~~Avoid diffused, inefficient single purpose reserved parking.~~
- h. ~~Avoid adverse parking impacts on residential neighborhoods.~~

2. ~~Parking requirements.~~

- a. ~~Off street parking facilities shall be provided in accordance with this subsection.~~
- b. ~~Off street parking spaces for the applicable use classification shall meet the city's current standards.~~
- c. ~~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:~~
 - i. ~~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.~~
 - ii. ~~There shall be a minimum of one shade tree planted for each 300 square feet or fraction thereof of required interior landscape area.~~
 - iii. ~~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.~~

G. ~~Bicycle parking.~~

- 1. ~~Goals. Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.~~
- 2. ~~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.~~
- 3. ~~Bicycle parking standards.~~
 - a. ~~Location.~~
 - i. ~~Required bicycle parking should be located within 50 feet of an entrance to the building.~~
 - ii. ~~Bicycle parking may be provided within a building, but the location must be easily accessible to bicycles.~~

H. ~~Supplementary architectural regulations.~~

- 1. ~~Intent. The intent of this subsection is to create buildings which reflect the desired Leon Valley character of being a sustainable and attractive city as stated above. It is also intended that~~

Commented [CD3]: Moved to Division 8, Parking

Commented [CD4]: Since the intent is to repeal this overlay district, Staff will need to review and determine what, if any, provisions in Subsection H they want to incorporate into Chapter 15.

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nonresidential buildings are constructed in a manner that allows flexibility to accommodate a range of uses over time in order to avoid the need to demolish and rebuild for successive uses. The size, disposition and design of buildings play an important role in achieving that goal. This includes encouraging the following:

- a. ~~Landmark elements such as enhanced open spaces and building features.~~
- b. ~~Buildings which directly contribute to the attractiveness, safety and function of the street and public areas.~~
- c. ~~Buildings which are constructed in a manner, and with materials, that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.~~

~~It is intended by this section, to encourage a variety of building and design solutions in response to the standards and regulations outlined herein.~~

~~2. Building standards - Nonresidential and mixed use.~~

~~a. Building form.~~

- i. ~~All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle and top.~~

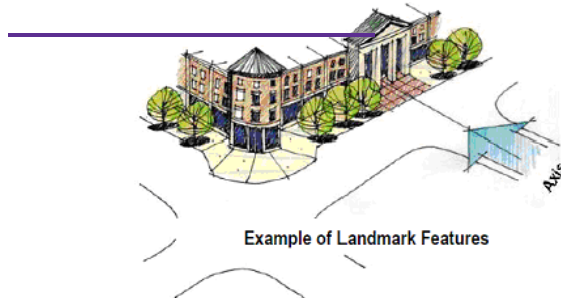
Examples of Single Story Tri-Partite



- ii. ~~Buildings which are located on axis with a terminating street or access drive or at the intersection of streets and/or major access drives shall be considered a landmark building. Such buildings shall be designed with landmark features which take advantage of that~~

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location, such as an accentuated entry and a unique building articulation which is offset from the front wall planes and goes above the main building eave or parapet line.

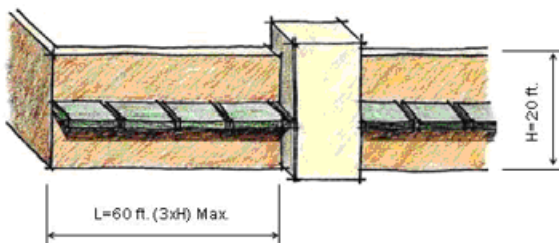


- iii. ~~Building articulation. One- and two-story facades visible from a public street, drive or open space shall meet the following minimum standards for articulation. Articulation for buildings three or more stories in height shall be required for the primary entries and the building's main corners.~~

~~Horizontal articulation. No building wall shall extend for a distance equal to three times the wall's height without having an offset equal to 25 percent of the wall's height, and that new plane shall extend for a distance equal to at least 25 percent of the maximum length of the first plane.~~

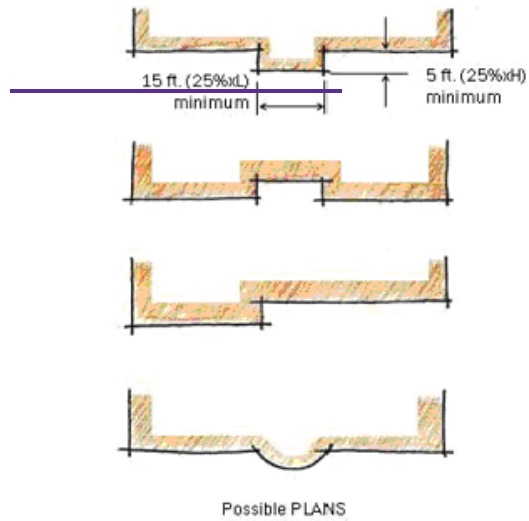
~~Vertical articulation. No horizontal wall shall extend for a distance greater than three times the height of the wall without changing height by a minimum of 25 percent of the wall's height. Pitched roofs shall count toward achieving vertical articulation, provided they are 65 degrees or less from horizontal.~~

Building Articulation Examples



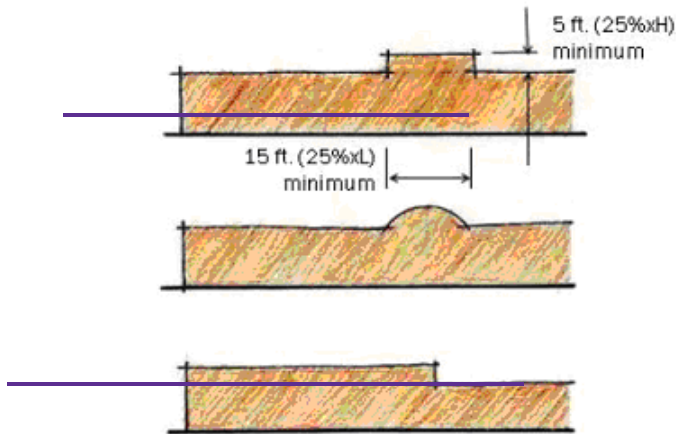
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HORIZONTAL Articulation



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VERTICAL Articulation



Possible ELEVATIONS



3. Architectural features.

- a. Where clearly visible from a public street, open space or major access drive:
 - i. Roofs. For buildings with hip, gable or mansard roofs, allowed materials include metal standing seam, slate, clay or concrete tile (barrel or Roman shape).
 - ii. Windows, except for retail at grade, shall be vertical in proportion and have at least a three-inch reveal. Vertically proportioned windows which are joined together by a mullion shall be considered as meeting this standard.
- b. Architectural point system. All structures shall be designed to incorporate no less than four of the architectural elements from the list below. Buildings over 50,000 square feet must include a minimum of five of the referenced architectural elements.
 - i. Canopies, awnings, porticos with colonnade, or arcades for at least 70 percent of the front facade;
 - ii. Raised pilasters or quoined corners;
 - iii. Vertical elements (landmark feature as defined in this Code);

Commented [CD5]: For any provisions that appear to violate Govt Code Sec. 3000.02, it may be possible to keep the provision if the property falls into a listed exemption, such as a Main Street Program, certain historic areas/buildings, etc.

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- iv. ~~Windows and doors framed with stone, cast stone, limestone, or other decorative masonry headers and sills;~~
- v. ~~Outdoor patios and/or courtyards (landscaped and furnished);~~
- vi. ~~Decorative ornamentation integrated into the building facade, such as corbels, medallions (non-signage), functioning clocks, niches, wrought iron, balconettes or horizontal and rhythm patterned brickwork; or other architectural features approved by the director.~~
- vii. ~~Rainwater harvesting system for on-site use.~~
- c. ~~Exterior facade materials:~~
 - i. ~~Allowed exterior materials.~~ Allowed exterior surface materials are categorized into three groups:
 - ~~Group A.~~ Brick, stone and exterior grade stucco applied in a three step process. At least 10% of any primary facade shall contain brick or stone.
 - ~~Group B.~~ Stucco, architectural concrete block with integrated color, factory primed cementitious fiberboard (in the form of lap siding or board and batten), colored or stamped tilt wall, EIFS (above 14 feet from grade only). Cementitious fiberboard is limited to 20 percent of any facade.
 - ~~Group C.~~ Accent. Metal, EIFS, wood.
 - ii. ~~Prohibited exterior materials.~~ Prohibited exterior surface materials include metal building panels, cinderblock and aggregate finished surfaces.
 - iii. ~~Primary facades.~~ The following shall apply to all exterior walls of buildings which are clearly visible from a public street, open space, or active storefront:
 - a) ~~Primary facades, excluding windows, doors, and other openings, shall be constructed of at least 80% Group A materials and up to 20 percent Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features.~~
 - iv. ~~Secondary facades.~~ The following shall apply to all exterior walls of buildings which are not clearly visible from a public street, open space or active storefront, or are constructed on a property line as one of a series of in-line buildings where the wall will become part of a common wall:
 - a) ~~Walls, excluding windows, doors, and other openings, shall be constructed of a minimum of 20 percent Group A materials and up to 80% Group B materials. However, the color of the walls shall match the primary facades.~~
 - b) ~~Wrapping the primary facade treatment.~~ Secondary facades which are adjacent to the primary facade shall contain the primary facade treatment for at least 10% of its area. This may occur as a simple continuation of the primary facade treatment, or elements such as cornices, bases and vertical elements. In all cases, however, wall surface materials shall wrap the corner, except when located on a common property line.
 - v. ~~At least two materials shall be used on all exterior facades.~~

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vi. ~~Windows and glazing shall be limited to a minimum of 30 percent and maximum of 70 percent of each building elevation facing a street, major access drive or side yard greater than ten feet. This does not apply to big boxes or industrial buildings. See subsection 6.b below for special requirements for retail at grade.~~

vii. ~~Color.~~

a) ~~The dominant color of all buildings shall be muted shades of color. Black shall not be used except as an accent color.~~

~~There are no restrictions on accent colors which comprise less than 1.0% of the building face, except that bright and florescent colors are prohibited.~~

b) ~~Roof colors shall be a muted shade of cool gray, warm gray, brown or red.~~

c) ~~The planning director may refer the interpretation of appropriate colors to city council.~~

4. ~~Townhouse district standards.~~

a. ~~All townhouse developments within the overlay are subject to site plan review and approval by director. The site plan shall show the typical layout of the townhouse lot and an overall layout of the development.~~

b. ~~All townhouse developments shall provide rear entry off street parking with a minimum two car garage. Alleys servicing these developments shall be a minimum 20 feet in width.~~

c. ~~Open space.~~

i. ~~Ten percent of the total townhouse development shall be dedicated as usable open space. This area shall be platted as common area; open space must be usable and serve as an amenity for residents.~~

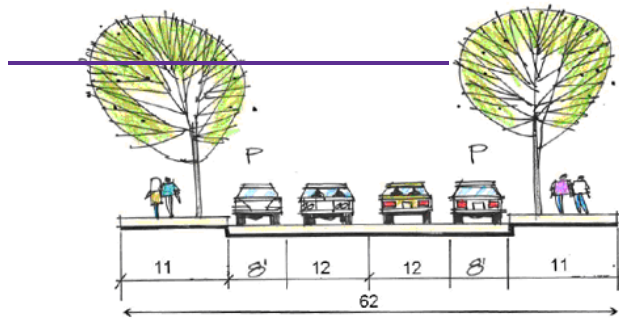
ii. ~~Open space shall contain at least one large canopy tree and one small ornamental tree for each 5,000 square feet of required open space. The location of open space should endeavor to preserve existing trees.~~

d. ~~The maximum height of townhouses shall be at least two stories but may not exceed three stories or 50' whichever is less.~~

e. ~~Streets adjacent to townhouses shall have a minimum 62 foot right of way or public access driveway. All townhouses shall be platted on individual lots and require public street frontage, but cannot have double street frontage.~~

Commented [CD6]: Is there a desire to incorporate any of these provisions into the R-4 district in Ch. 15?

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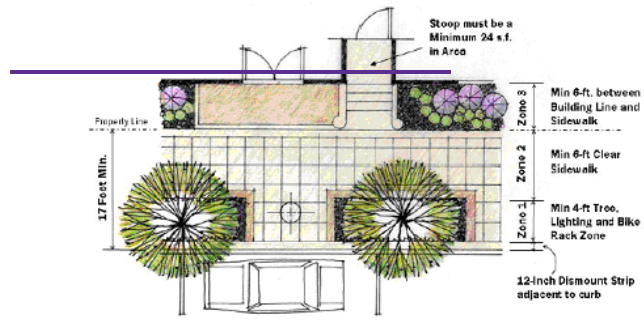


- f. ~~Parallel parking shall be provided along the curb in the right-of-way.~~
- g. ~~The front building setback shall be a minimum of six feet and a maximum of 15 feet.~~
- h. ~~Three zones between back of curb and the building line:~~
 - i. ~~Streetscape zone—a minimum four foot wide area adjacent to the back of curb for urban trees, street furniture plus a one foot dismount strip. An urban tree in a tree well shall be provided for each 25 linear feet in the streetscape zone. For each two urban trees, a bike rack, trash receptacle, bench, pedestrian streetlights, or other approved street furniture is required.~~
 - ii. ~~Sidewalk zone (2)—a minimum six foot wide clear sidewalk;~~
 - iii. ~~Landscape zone (3)—a minimum six foot landscape/patio area adjacent to the building. In order to differentiate the different zones (public v. private) of the sidewalk and the townhouse, a three-foot high wrought iron, masonry, or cast stone fence may be constructed. Balcony and patio railings and fences shall be largely transparent and constructed of tempered glass, wrought iron or metal. Masonry columns may be used on patios provided that they are used as accents. Wood fences and railings and chain-link fencing are prohibited for balconies and patios.~~
- i. ~~All buildings which have residential unit floor plates within six feet of grade shall include a primary front door entrance into the unit which may be accessed from the sidewalk.~~
- j. ~~The front door entry shall be located a minimum of two feet above the sidewalk elevation and include a minimum 24 sf stoop. If pre-empted by topographic conditions, the entry may be lowered in elevation, subject to approval of the director. However, up to 50 percent of units [may be] built at grade for ADA accessibility from the sidewalk provided there is a metal fence (in the form of metal tubing or wrought iron) separating the private area from the public sidewalk area.~~

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Masonry Column

Primary Entrance



Visibility to Sidewalk

Elevated Ground Floor Plate

- k. ~~A 20-foot rear building setback shall be applied from the alley right of way which includes a five-foot fence setback with an urban tree for each property.~~
- l. ~~The minimum side yard is five feet between groups of three to six townhouses; side yard at corner shall be the same as for a front yard, and requires all three zones.~~
- m. ~~The minimum lot width is 25 feet. Lot depth is a minimum of 100 feet.~~
- n. ~~The maximum block length should not exceed 400 feet.~~
- o. ~~A ten-foot wide rear landscape buffer shall be provided and shall contain one tree for each 30 linear feet.~~
- p. ~~Units must also include windows which provide residents a view of the street or public access easement and sidewalk area.~~

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5. ~~Residential at-grade.~~ In developments that contain residential at-grade, the front door entry shall be located a minimum of two feet above the sidewalk elevation and include a minimum 24 sf stoop. If pre-empted by topographic conditions, the entry may be lowered in elevation, subject to approval of the director. However, up to 50 percent of units [may be] built at grade for ADA accessibility from the sidewalk provided there is a metal fence (in the form of metal tubing or wrought iron) separating the private area from the public sidewalk area. (See diagram in townhouse standards above.)

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6. ~~Retail and mixed use building standards.~~

a. The ground floor entry must be located at the approximate elevation of the adjacent sidewalk and should be inset by at least four feet.

b. Retail uses adjacent to the sidewalk at grade shall:

i. Be constructed to meet fire code separation from any other uses constructed above;

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ii. Have a minimum clear height of 14 feet between finished floor and the bottom of the structure above. Mezzanines within the retail space shall be allowed per building code;

iii. Have an awning or canopy which extends at least six feet over the sidewalk for at least 75 percent of the frontage on any portion of a building. Such awning or canopy shall maintain a minimum 7.5-foot clearance over the sidewalk; and

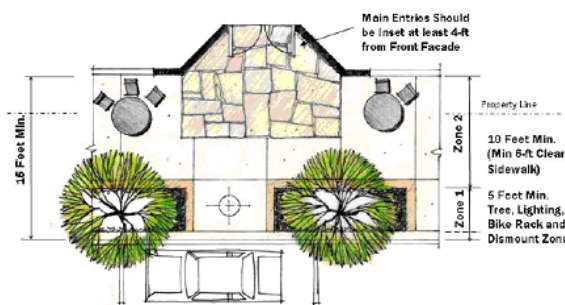
iv. Have highly transparent glass windows for at least 60 percent, but no greater than 80 percent, of the ground floor facade. The ground floor shall be excluded from the minimum and maximum window requirement above.

c. Two zones between back of curb and the building line:

i. Streetscape zone—a minimum four-foot wide area adjacent to the back of curb for urban trees, street furniture plus a one-foot dismount strip. An urban tree in a tree well shall be provided for each 25 linear feet in the streetscape zone. For each three urban trees along a sidewalk, a bike rack, trash receptacle, bench, lighted bollard, or other approved street furniture should be provided.

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ii. Sidewalk zone (2)—a minimum ten-foot wide sidewalk. The sidewalk zone may be encroached by a three-foot high fenced patio area for dining, as long as a minimum six-foot width is maintained for a pedestrian way.

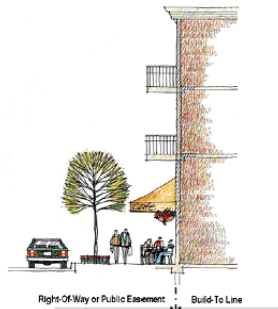


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II. STANDARDS FOR SUSTAINABILITY OVERLAY



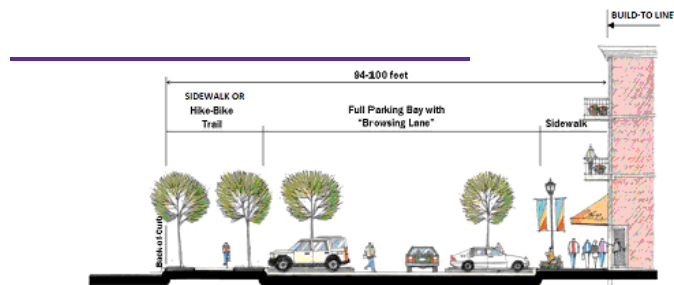
- d. ~~*Build to line.*~~ At least 70 percent of the front building face shall be constructed within a minimum of 15 feet from the back of curb and a maximum of 20 feet when adjacent to a major access drive. The remainder of the building frontage may be set back further to allow such things as outdoor dining, plazas, entry courts and pass throughs to parking. For developments where there is parking between the building and property line, the build to line shall be 100 feet from the back of curb.

Build-To Diagrams



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CHAPTER 15 - ZONING
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~~II. STANDARDS FOR SUSTAINABILITY OVERLAY~~



~~(Ordinance 10-049 adopted 11-16-10; 2008 Code, ch. 14, app. C, sec. II; Ordinance 2019-50 adopted 9-30-19)~~

III. STANDARDS FOR GATEWAY OVERLAY

A. Intent.

The intent of these standards is to

1. Create an identity for Leon Valley to distinguish it from surrounding communities
2. Stabilize and strengthen property values over the long term
3. Attract new residents and businesses that will invest and reinvest in properties
4. Increase the quality of development
5. Strengthen and clarify existing zoning ordinance provisions for nonresidential design standards.
6. Make the community more sustainable for future generations through
 - a. Providing for integrated mixed use,
 - b. Embodying LEED-ND (Leadership in Energy and Environmental Design - Neighborhood Development) principles, and
 - c. Assuring pedestrian and bicycle friendliness.

B. Land use.

1. *Intent.* It is intended that allowed uses will encourage pedestrian-oriented mixed use projects that are well integrated with retail and residential activities.
2. Residential uses in the form of townhouses are allowed on up to 50 percent of the site area and shall abide by the townhouse district standards and the standards in this ordinance. However, at least 50 percent of the retail must be constructed prior to obtaining a certificate of occupancy for the residential component.
3. Residential uses above nonresidential uses at-grade shall be permitted by right and defined as a mixed use building. Lobbies to upper stories may be located at grade level.
4. *General standards.* Approval of a specific use permit, landscaping requirements, sign standards, performance standards, and requirements for nonconforming structures shall follow the procedures

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established by the zoning ordinance as well as procedures and standards outlined in section I, Overlay Standards - General of these overlay district standards.

C. Building height and site area regulations.

1. *Intent.* The intent of the height and area regulations is to convey a stronger sense of community by bringing buildings closer to the street.
2. *Building height.*
 - a. Buildings shall not exceed 50 feet or three stories, whichever is less, unless it qualifies as a landmark building, in which case the landmark feature may be up to 25 percent greater than the remainder of the building height as approved by the director.
 - b. However, buildings on properties abutting Bandera may be constructed up to four stories or 60 feet.
 - c. Portions of any buildings within 100 feet of a single-family zoned residential lot may not exceed 45 feet in height or 2.5 stories.
3. *Minimum lot size.* One acre unless otherwise approved through the site plan.
4. *Front yard.* Minimum front yard shall be six feet and a maximum setback of 100 feet (which would allow for one full bay of parking).
5. *Rear yard.* Minimum seven feet, or 30 feet when abutting residentially zoned land.

D. Building orientation.

1. *Intent.* It is intended that buildings have direct orientation to the street.
2. Facades shall generally be built parallel to the street or major access drive frontage, except at street intersections, where a facade containing a primary building entrance may be curved or angled toward an intersection.

~~E. Cross access drives.~~

- ~~1. *Intent.* It is the intent that access ways will facilitate the movement of pedestrians and autos in an attractive environment, and that blocks ensure cross access to adjacent non-single family zoned sites.~~
- ~~2. *Cross access.* All nonresidential lots must provide cross access to adjoining nonresidential lots.~~

~~F. Automobile parking.~~

- ~~1. *Intent.* The following is the intent of the city's parking policies and these design standards for the Gateway Overlay District:~~
 - ~~a. Minimize paved surfaces which increase runoff, ambient temperature and construction costs.~~
 - ~~b. Support the creation of shared parking in order to enable visitors to park once at a convenient location and to access a variety of nonresidential enterprises in a pedestrian and bicycle friendly environment.~~
 - ~~c. Manage parking so that it is convenient and efficient, and supports an active and vibrant retail environment.~~
 - ~~d. Ensure ease of access to parking.~~

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- e. Provide flexibility for changes in land uses which have different parking requirements within the district.
- f. Provide flexibility for the redevelopment of small sites.
- g. Avoid diffused, inefficient single purpose reserved parking.
- h. Avoid adverse parking impacts on residential neighborhoods.

2. ~~Parking requirements.~~

- a. Off street parking facilities shall be provided in accordance with this subsection.
- b. Off street parking spaces for the applicable use classification shall meet the city's current standards.
- c. 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:
 - i. 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.
 - ii. There shall be a minimum of one shade tree planted for each 300 square feet or fraction thereof of required interior landscape area.
 - iii. 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% of the total requirement.

G. ~~Bicycle parking.~~

- 1. ~~Goals.~~ Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.
- 2. ~~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.
- 3. ~~Bicycle parking standards.~~
 - a. ~~Location.~~
 - i. Required bicycle parking should be located within 50 feet of an entrance to the building.
 - ii. Bicycle parking may be provided within a building, but the location must be easily accessible to bicycles.

H. ~~Supplementary architectural regulations.~~

- 1. *Intent.* The intent of this subsection is to create buildings which reflect the desired Leon Valley character of being a sustainable and attractive city as stated above. It is also intended that nonresidential buildings are constructed in a manner that allows flexibility to accommodate a range of uses over time in order to avoid the need to demolish and rebuild for successive uses. The size,

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disposition and design of buildings play an important role in achieving that goal. This includes encouraging the following:

- a. Landmark elements such as enhanced open spaces and building features.
- b. Buildings which directly contribute to the attractiveness, safety and function of the street and public areas.
- c. Buildings which are constructed in a manner, and with materials, that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.

It is intended by this section, to encourage a variety of building and design solutions in response to the standards and regulations outlined herein.

2. *Building standards - Nonresidential and mixed use.*

- a. *Building form.*
 - i. All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle and top.

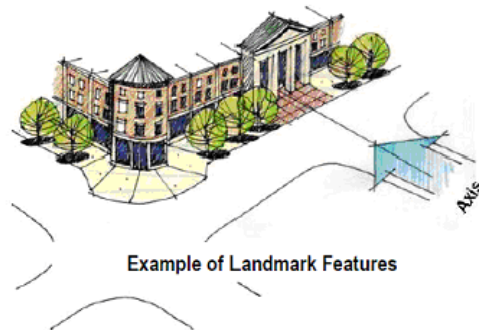
Examples of Single Story Tri-Partite



- ii. Buildings which are located on axis with a terminating street or access drive or at the intersection of streets and/or major access drives shall be considered a landmark building.

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Such buildings shall be designed with landmark features which take advantage of that location, such as an accentuated entry and a unique building articulation which is offset from the front wall planes and goes above the main building eave or parapet line.

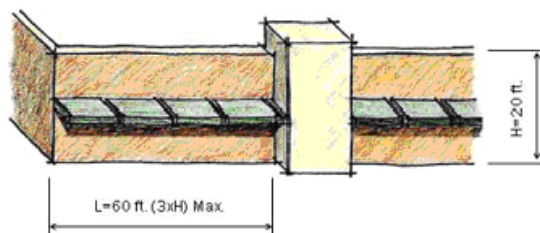


- iii. **Building articulation.** One- and two-story facades visible from a public street, drive or open space shall meet the following minimum standards for articulation. Articulation for buildings three or more stories in height shall be required for the primary entries and the building's main corners.

Horizontal articulation. No building wall shall extend for a distance equal to three times the wall's height without having an offset equal to 25 percent of the wall's height, and that new plane shall extend for a distance equal to at least 25 percent of the maximum length of the first plane.

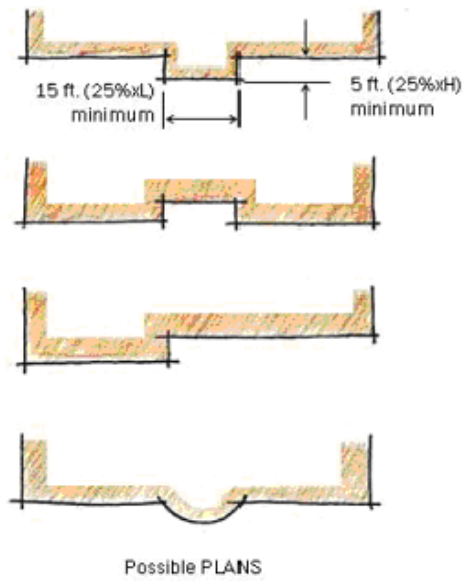
Vertical articulation. No horizontal wall shall extend for a distance greater than three times the height of the wall without changing height by a minimum of 25 percent of the wall's height. Pitched roofs shall count toward achieving vertical articulation, provided they are 65 degrees or less from horizontal.

Building Articulation Examples

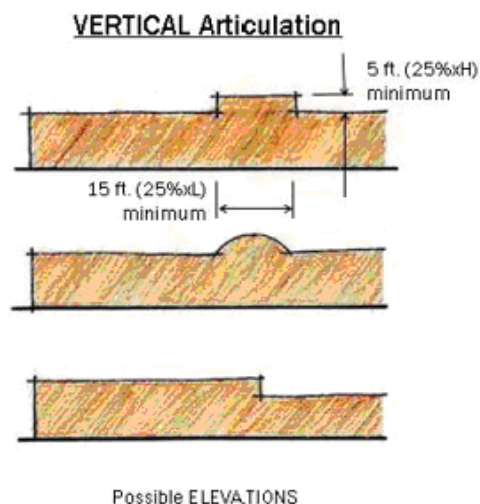


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HORIZONTAL Articulation



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3. *Architectural features.*
 - a. Where clearly visible from a public street, open space or major access drive:
 - i. *Roofs.* For buildings with hip, gable or mansard roofs, allowed materials include metal standing seam, slate, clay or concrete tile (barrel or Roman shape).
 - ii. *Windows,* except for retail at-grade, shall be vertical in proportion and have at least a three-inch reveal. Vertically proportioned windows which are joined together by a mullion shall be considered as meeting this standard.
 - b. *Architectural point system.* All structures shall be designed to incorporate no less than four of the architectural elements from the list below. Buildings over 50,000 square feet must include a minimum of five of the referenced architectural elements.
 - i. Canopies, awnings, porticos with colonnade, or arcades for at least 70 percent of the front facade;
 - ii. Raised pilasters or quoined corners;
 - iii. Vertical elements (landmark feature as defined in this Code);
 - iv. Windows and doors framed with stone, cast stone, limestone, or other decorative masonry headers and sills;
 - v. Outdoor patios and/or courtyards (landscaped and furnished);
 - vi. Decorative ornamentation integrated into the building facade, such as corbels, medallions (non-signage), functioning clocks, niches, wrought iron, balconettes or horizontal and rhythm patterned brickwork; or other architectural features approved by the director.
 - vii. Rainwater harvesting system for on-site use.

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c. *Exterior facade materials.*

- i. *Allowed exterior materials.* Allowed exterior surface materials are categorized into three groups:

Group A. Brick, stone and exterior grade stucco applied in a three-step process. At least 10% of any primary facade shall contain brick or stone.

Group B. Stucco, architectural concrete block with integrated color, factory primed cementitious fiberboard (in the form of lap siding or board and batten), colored or stamped tilt-wall, EIFS (above 14 feet from grade only). Cementitious fiberboard is limited to 20 percent of any facade.

Group C - Accent. Metal, EIFS, wood.

- ii. *Prohibited exterior materials.* Prohibited exterior surface materials include metal building panels, cinderblock and aggregate finished surfaces.
- iii. *Primary facades.* The following shall apply to all exterior walls of buildings which are clearly visible from a public street, open space, or active storefront:
- a) Primary facades, excluding windows, doors, and other openings, shall be constructed of at least 80 percent Group A materials and up to 20 percent Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features.
- iv. *Secondary facades.* The following shall apply to all exterior walls of buildings which are not clearly visible from a public street, open space or active storefront, or are constructed on a property line as one of a series of in-line buildings where the wall will become part of a common wall:
- a) Walls, excluding windows, doors, and other openings, shall be constructed of a minimum of 20 percent Group A materials and up to 80 percent Group B materials. However, the color of the walls shall match the primary facades.
 - b) *Wrapping the primary facade treatment.* Secondary facades which are adjacent to the primary facade shall contain the primary facade treatment for at least 10 percent of its area. This may occur as a simple continuation of the primary facade treatment, or elements such as cornices, bases and vertical elements. In all cases, however, wall surface materials shall wrap the corner, except when located on a common property line.
- v. At least two materials shall be used on all exterior facades.
- vi. Windows and glazing shall be limited to a minimum of 30 percent and maximum of 70 percent of each building elevation facing a street, major Access Drive or side yard greater than ten feet. This does not apply to big boxes or industrial buildings. See subsection 6.b below for special requirements for retail at-grade.
- vii. *Color.*
- a) The dominant color of all buildings shall be muted shades of color. Black shall not be used except as an accent color.

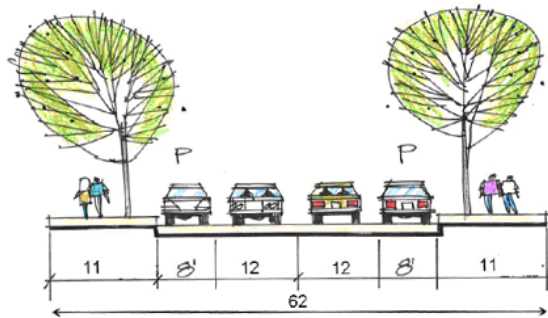
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There are no restrictions on accent colors which comprise less than 1.0 percent of the building face, except that bright and florescent colors are prohibited.

- b) Roof colors shall be a muted shade of cool gray, warm gray, brown or red.
- c) The planning director may refer the interpretation of appropriate colors to city council.

4. *Townhouse district standards.*

- a. All townhouse developments within the overlay are subject to site plan review and approval by director. The site plan shall show the typical layout of the townhouse lot and an overall layout of the development.
- b. All townhouse developments shall provide rear entry off-street parking with a minimum two-car garage. Alleys servicing these developments shall be a minimum 20 feet in width.
- c. *Open space.*
 - i. Ten percent of the total townhouse development shall be dedicated as usable open space. This area shall be platted as common area; open space must be usable and serve as an amenity for residents.
 - ii. Open space shall contain at least one large canopy tree and one small ornamental tree for each 5,000 square feet of required open space. The location of open space should endeavor to preserve existing trees.
- d. The maximum height of townhouses shall be at least two stories but may not exceed three stories or 50 feet whichever is less.
- e. Streets adjacent to townhouses shall have a minimum 62-foot right-of-way or public access driveway. All townhouses shall be platted on individual lots and require public street frontage, but cannot have double street frontage.



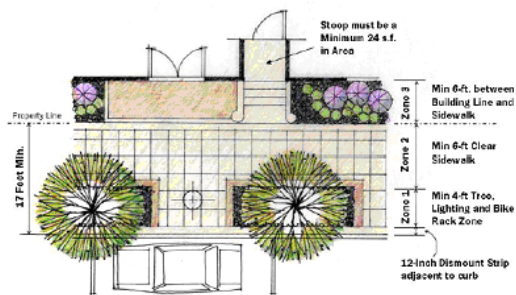
- f. Parallel parking shall be provided along the curb in the right-of-way.
- g. The front building setback shall be a minimum of six feet and a maximum of 15 feet.
- h. Three zones between back of curb and the building line:

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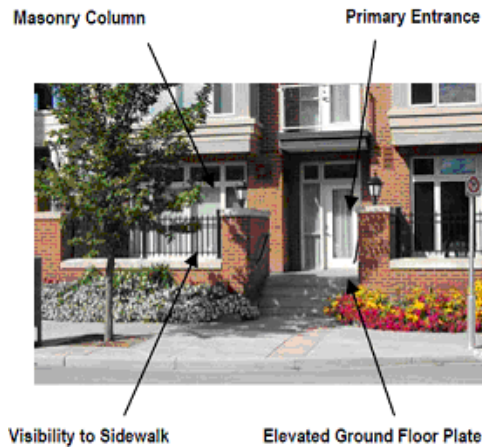
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- i. Streetscape zone - a minimum four-foot wide area adjacent to the back-of-curb for urban trees, street furniture plus a one-foot dismount strip. An urban tree in a tree well shall be provided for each 25 linear feet in the streetscape zone. For each two urban trees, a bike rack, trash receptacle, bench, pedestrian streetlights, or other approved street furniture is required.
 - ii. Sidewalk zone (2) - a minimum six-foot wide clear sidewalk;
 - iii. Landscape zone (3) - a minimum six-foot landscape/patio area adjacent to the building. In order to differentiate the different zones (public v. private) of the sidewalk and the townhouse, a three-foot high wrought iron, masonry, or cast stone fence may be constructed. Balcony and patio railings and fences shall be largely transparent and constructed of tempered glass, wrought iron or metal. Masonry columns may be used on patios provided that they are used as accents. Wood fences and railings and chain-link fencing are prohibited for balconies and patios.
- i. All buildings which have residential unit floor plates within six feet of grade shall include a primary front door entrance into the unit which may be accessed from the sidewalk.
 - j. The front door entry shall be located a minimum of two feet above the sidewalk elevation and include a minimum 24 sf stoop. If pre-empted by topographic conditions, the entry may be lowered in elevation, subject to approval of the director. However, up to 50 percent of units [may be] built at grade for ADA accessibility from the sidewalk provided there is a metal fence (in the form of metal tubing or wrought iron) separating the private area from the public sidewalk area.



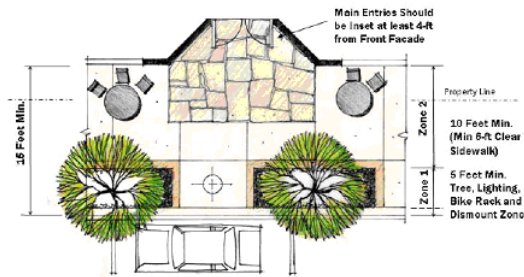
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- k. A 20-foot rear building setback shall be applied from the alley right-of-way which includes a five-foot fence setback with an urban tree for each property.
 - l. The minimum side yard is five feet between groups of three to six townhouses; side yard at corner shall be the same as for a front yard, and requires all three zones.
 - m. The minimum lot width is 25 feet. Lot depth is a minimum of 100 feet.
 - n. The maximum block length should not exceed 400 feet.
 - o. A ten-foot wide rear landscape buffer shall be provided and shall contain one tree for each 30 linear feet.
 - p. Units must also include windows which provide residents a view of the street or public access easement and sidewalk area.
5. *Residential at-grade.* In developments that contain residential at-grade, the front door entry shall be located a minimum of two feet above the sidewalk elevation and include a minimum 24 sf stoop. If preempted by topographic conditions, the entry may be lowered in elevation, subject to approval of the director. However, up to 50 percent of units [may be] built at grade for ADA accessibility from the sidewalk provided there is a metal fence (in the form of metal tubing or wrought iron) separating the private area from the public sidewalk area. (See diagram in townhouse standards above.)
6. *Retail and mixed use building standards.*
- a. The ground floor entry must be located at the approximate elevation of the adjacent sidewalk and should be inset by at least four feet.
 - b. Retail uses adjacent to the sidewalk at-grade shall:
 - i. Be constructed to meet fire code separation from any other uses constructed above;
 - ii. Have a minimum clear height of 14 feet between finished floor and the bottom of the structure above. Mezzanines within the retail space shall be allowed per building code;

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- iii. Have an awning or canopy which extends at least six feet over the sidewalk for at least 75 percent of the frontage on any portion of a building. Such awning or canopy shall maintain a minimum 7.5-foot clearance over the sidewalk; and
 - iv. Have highly transparent glass windows for at least 60 percent, but no greater than 80 percent, of the ground floor facade. The ground floor shall be excluded from the minimum and maximum window requirement above.
- c. Two zones between back of curb and the building line:
- i. Streetscape zone - a minimum four-foot wide area adjacent to the back-of-curb for urban trees, street furniture plus a one-foot dismount strip. An urban tree in a tree well shall be provided for each 25 linear feet in the streetscape zone. For each three urban trees along a sidewalk, a bike rack, trash receptacle, bench, lighted bollard, or other approved street furniture should be provided.
 - ii. Sidewalk zone (2) - a minimum ten-foot wide sidewalk. The sidewalk zone may be encroached by a three-foot high fenced patio area for dining, as long as a minimum six-foot width is maintained for a pedestrian way.

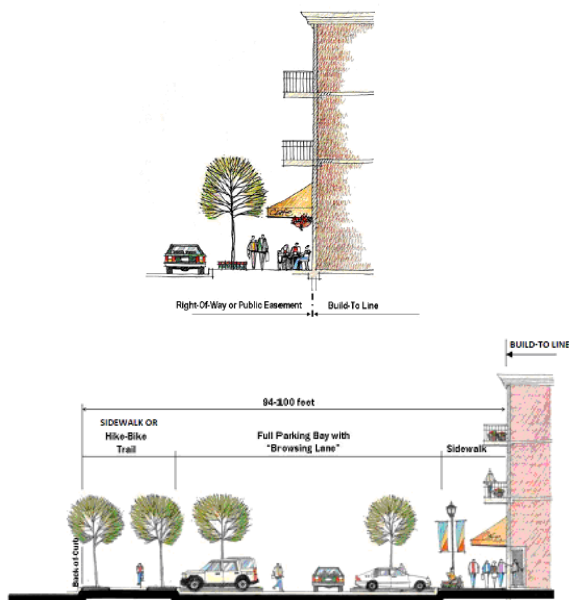


- d. *Build-to line.* At least 70 percent of the front building face shall be constructed within a minimum of 15 feet from the back of curb and a maximum of 20 feet when adjacent to a major access drive. The remainder of the building frontage may be set back further to allow such things as outdoor dining,

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plazas, entry courts and pass-throughs to parking. For developments where there is parking between the building and property line, the build-to line shall be 100 feet from the back-of-curb.

Build-To Diagrams



(Ordinance 10-049 adopted 11-16-10; 2008 Code, ch. 14, app. C, sec. III)

~~IV. STANDARDS FOR COMMERCIAL AND INDUSTRIAL OVERLAY~~

~~A. Land use.~~

- ~~1. General standards. Approval of a specific use permit, landscaping requirements, sign standards, performance standards, and requirements for nonconforming structures shall follow the procedures established by the zoning ordinance as well as procedures and standards outlined in section I, Overlay Standards—General of these overlay district standards.~~

~~B. Building standards.~~

~~1. Building form.~~

- ~~a. The primary entries to buildings and the main corners of the building are required to be articulated. Each primary entry to an office area of the building shall be articulated both horizontally and vertically by at least 6 feet or 20 percent of the adjacent wall length, whichever is greater. (See nonresidential building articulation example diagram in Sustainability Overlay District standards.) Pitched roofs shall count toward~~

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~~achieving vertical articulation provided they are 65 degrees or less from horizontal. Building corners shall also be articulated as approved by the director.~~

~~2. Exterior facade materials:~~

~~a. Primary exterior facades which are clearly visible from a public street shall be constructed with a minimum ten percent Group A materials and up to 90% Group B materials. Group C materials may be used for accents.~~

~~The Group A materials noted above shall be applied to corners, entries, and other areas in order to mitigate monotony and increase aesthetics. A minimum of two different materials shall be used.~~

~~b. Secondary exterior facades not facing a public street may be constructed with up to one hundred percent Group B materials.~~

~~3. Color.~~

~~a. The dominant color of all buildings shall be muted shades of color. Black and stark white shall not be used except as an accent color.~~

~~There are no restrictions on accent colors which comprise less than 1.0% of the building face, except that bright or florescent colors are prohibited.~~

~~b. Roof colors shall be a muted shade of cool gray, warm gray, brown or red.~~

~~4. Auxiliary design standards. Structures shall incorporate at least two of the following auxiliary design elements:~~

~~a. Raised pilasters or quoined corners;~~

~~b. Vertical elements (landmark feature as defined in this Code);~~

~~c. Windows and doors framed with stone, cast stone, limestone, or other decorative masonry headers and sills;~~

~~d. Decorative ornamentation integrated into the building facade, such as corbels, medallions (non signage), functioning clocks, niches, wrought iron, balconettes or horizontal and rhythm patterned brickwork; or other architectural features approved by the director.~~

~~e. Rainwater harvesting system for on-site use.~~

~~(Ordinance 10-049 adopted 11-16-10; 2008 Code, ch. 14, app. C, sec. IV)~~

Ordinance Amendment Chapter 15 - Zoning Sustainability and Commercial/Industrial Overlay Districts

Susana Huerta, AICP
Planning and Zoning Director
City Council Meeting
August 5, 2025

Summary

{Section}.64.

- Question - The Council is being asked to consider an ordinance amending Chapter 15, “Zoning”, specifically to delete the Sustainability and Commercial/Industrial Overlay Districts and revising other sections as necessary
- Options
 - approval
 - denial
 - Other
- Declaration
 - The ordinance amendments will make Zoning regulations more user friendly, comply with state law, and remove nonconforming status of certain properties

Purpose

- Chapter 15 Zoning should be reviewed & amended periodically, as directed by city council, to incorporate new trends & current building regulations
- City Council has expressed their desire to revise Appendix C Sustainability, Gateway, and Commercial/Industrial Overlay Standards
- Staff would also like to make these revisions, which will make the Zoning Code easier to understand for both internal and external users, comply with new state laws, & remove nonconformity on certain properties

Proposed Revisions

- Appendix C. Sustainability, Gateway, and Commercial/Industrial Overlay District Standards – amended to delete the Sustainability and the Commercial/Industrial Overlay Districts
- Sec.15.02.052 “Definitions” – amended to include definitions previously in Overlay Districts
- Sec. 15.02.301 “Districts”- amended to add the R-7 Single-Family Medium Density District
- Sec. 15.02.304 “Description and Purpose of Districts” - amended applicability to only Gateway Overlay District

Proposed Revisions

- Sec. 15.02.305 “Regulation for All Districts” – amended to delete the Sustainability and Commercial Overlay Districts
- “RE-1” Residential Estate District – amended to move to section before R-1 Single-Family Dwelling District and renumbered to Sec. 15.02.306. Changed following section numbers accordingly.
- Masonry requirements - amended to remove from all districts in accordance with state law
- Sec. 15.02.314 “Residential Use Table” – amended to add column for RE-1
- “PD” planned development district to Sec. 15.02.319 – amended to move to section before the commercial/industrial districts
- Sec. 15.02.318 “MX-1” mixed use district – amended to delete (never used)

Proposed Revisions

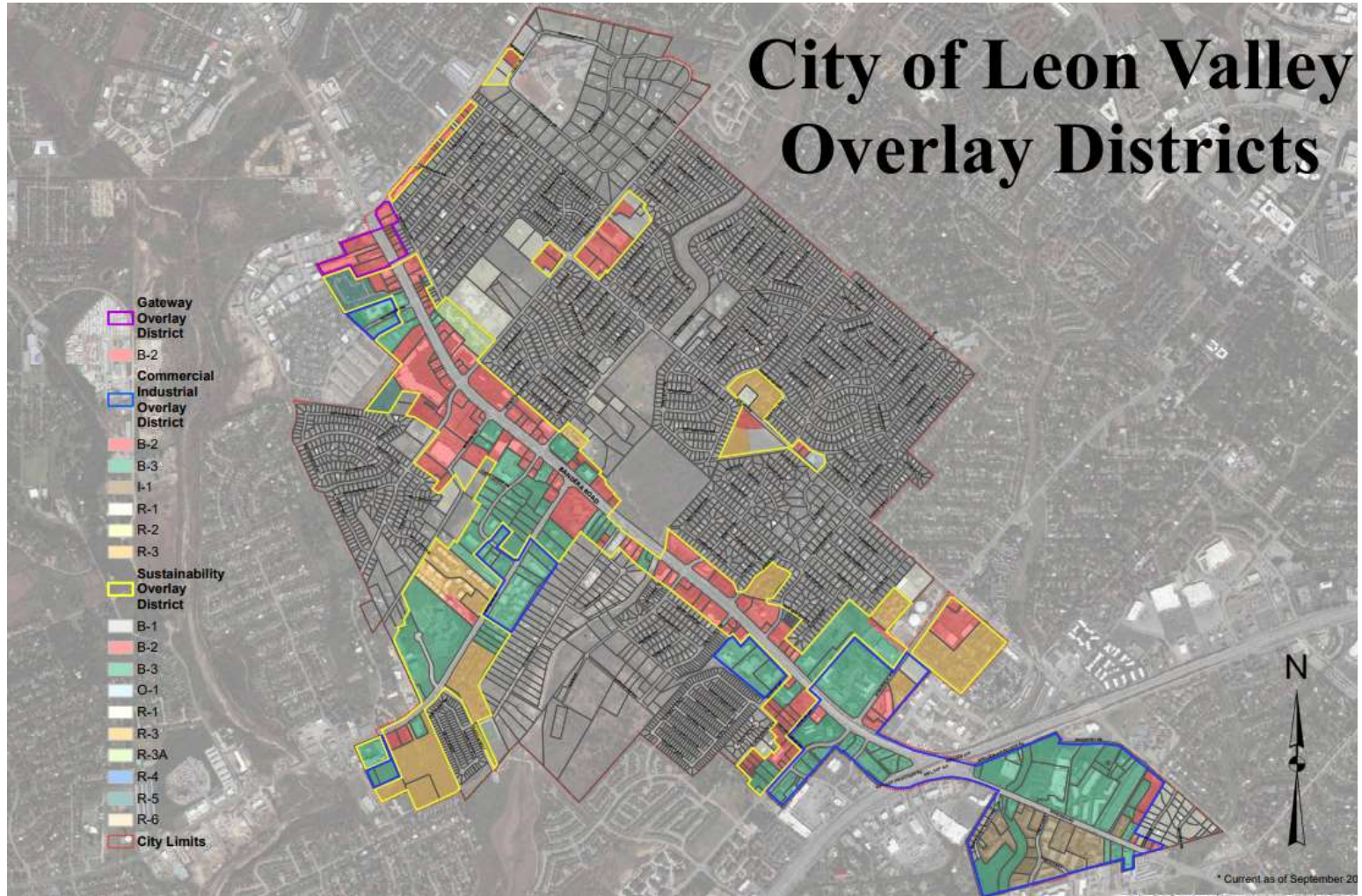
- Sections 15.02.319 "O-1 Office District", Sec. 15.02.320 "B-1 Small Business District", Sec. 15.02.321 "B-2 Retail District", Sec. 15.02.322 "B-3 Commercial District", and Sec. 15.02.323 "I-1 Industrial District" – amended to add landscaping, parking and lighting Requirements that were in the Overlay districts
- Sec. 15.02.324 Table of Minimum Requirements – amended to add the RE-1 & R-7 Districts
- Sec. 15.02.381 "Permitted Use Table" – amended to delete Sustainability & Commercial/Industrial Overlay Districts
- Sec. 15.02.441 "Parking Regulations" – amended to add landscaping regulations and add bicycle parking
- Exhibit 2 – Overlay Boundaries, Exhibit 2A – Sustainability Overlay and Exhibit 2C – Commercial/Industrial Overlay – amended to delete
- Exhibit 2B. – Gateway Overlay – amended to renumber

State Law

{Section}.64.

- **H.B. 2439** added Government Code Section 3000.002 prohibiting a governmental entity from adopting or enforcing a regulation that either: directly or indirectly prohibits or limits the use or installation of a building product or material in the construction or alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or establishes a standard for a building product, material, or aesthetic method in the construction or alteration of such a building that is more stringent than a standard for the product, material, or aesthetic method under such a code that applies to the construction or alteration of the building
- **SB 2453 Exceptions to Building Material Preemption:** allows a city to adopt a regulation regarding the building the use or installation of a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if that product, material or method relates to: (1) certain energy codes adopted by the State Energy Conservation Office; (2) certain energy and water conservation design standards established by the State Energy Conservation Office; or (3) certain high-performance building standards approved by the board of regents of an institute of higher education (Effective 9/1/23)

Overlay Districts Map



Notification

• Letters mailed to property owners within 200'	1,100
• Letters received in favor	1
• Letters received in opposition	14
• Letters returned undeliverable	63

Staff Comments

- Proposed amendments address needed changes for readability, compliance with state law, undue hardship from sudden nonconformity, & ease of use
- Suggest Planning and Zoning Commission & City Council review Table of Permitted Uses to assure uses that were allowed in the underlying zoning district but prohibited in the SO & CI Overlay Districts are still appropriate for their underlying districts

Staff Comments

- City's Comprehensive Master Plan will also need revisions to delete references to SO & CI Overlay zoning districts, but can be accomplished in-house by Staff & the Planning and Zoning Commission, with Council approval
- Should be completed by the end of year

Fiscal Impact

- Revisions will positively impact developers as vacant land becomes developed and as existing developments are remodeled or redeveloped
- This may increase ad valorem and sales taxes

Recommendation

- Staff recommends approval of the proposed ordinance amendments
- The Planning and Zoning Commission voted to recommend approval of the ordinance amendment with a vote of 6 – 0

MAYOR AND COUNCIL COMMUNICATION

DATE: August 05, 2025

TO: Mayor and Council

FROM: Saundra Passailaigue, City Secretary

THROUGH: Dr. Crystal Caldera, City Manager

SUBJECT: Discussion and Possible Action on a Resolution Appointing a Member to the Earthwise Living Committee

SPONSOR(S): (N/A)

PURPOSE

The purpose of this item is to present to City Council all City of Leon Valley applications to serve on the Earthwise Living Committee.

THE FOLLOWING APPLICATIONS WERE SUBMITTED:

Nestor Vazquez - Received on 07/17/2025

FISCAL IMPACT

None

RECOMMENDATION

City Council Discretion

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

RESOLUTION NO. 25-0__R

**A RESOLUTION OF THE CITY OF LEON VALLEY, TX., CITY COUNCIL APPOINTING
A MEMBER TO THE EARTHWISE LIVING DAY COMMITTEE**

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF
THE CITY OF LEON VALLEY, TEXAS, THAT:**

The following individual(s) are hereby appointed as Members to the **Earthwise Living
Day Committee**:

Nestor Vazquez

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF
THE CITY OF LEON VALLEY, TEXAS:**

That the appointment of the aforementioned individual to the Leon Valley Board of
Adjustment and that the term become effective immediately.

PASSED, ADOPTED, AND APPROVED by the City Council of the City of Leon Valley
on this the 5th day of August, 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest: _____
SAUNDRA PASSAILAGUE, TRMC, City Secretary

Approved as to Form: _____
ARTURO D. "ART" RODRIGUEZ, City Attorney

MAYOR AND COUNCIL COMMUNICATION

DATE: August 5, 2025

TO: Mayor and Council

FROM: David Dimaline, Public Works Assistant Director

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

SUBJECT: Presentation, Discussion, and Possible Action to Consider Authorizing the City Manager to Enter Into an Agreement between the San Antonio Water System (SAWS) and the City of Leon Valley for the Emergency Interconnection Between SAWS and the City of Leon Valley Water System for the Purpose of Providing an Emergency Water Supply

SPONSOR(S): None

PURPOSE & BACKGROUND

The purpose of this item is to consider authorizing the City Manager to enter into an Agreement between SAWS and the City of Leon Valley, for the use of an emergency water interconnect between both water systems for the purpose of providing an emergency supply of water.

The emergency interconnect was constructed as part of the Leon Valley Municipal Water Well Project in 2015. The original Agreement for the Emergency Interconnect was a ten year agreement, signed on October 20, 2015. The new Agreement will have an effective date of October 20, 2025, and will expire in 2035.

FISCAL IMPACT

The SAWS monthly water interconnect service rate and meter availability fee for the 6" water meter located at the Grass Hill well is \$386.18 per month. Funding for this is included annually in the Water Utility budget.

Any usage is billed the current SAWS usage rate in accordance with City of San Antonio Ordinance #101684.

RECOMMENDATION

Staff recommends approval of the Agreement.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

EMERGENCY INTERCONNECT AGREEMENT

This Emergency Interconnect Agreement (the “Agreement”) is entered into to be effective on the 20th day of October 2025 (the “Effective Date”) by and between the San Antonio Water System Board of Trustees, a water, wastewater, and water reuse utility organized under Article 1115 V.A.T.S, and City Ordinance No. 75686 (the “Indenture Ordinance”), and by and through its President and CEO, Robert R. Puente (“SAWS”) and City of Leon Valley (the “Requesting Purveyor”), with respect to SAWS providing an emergency interconnect to the Requesting Purveyor under the following conditions:

Whereas, SAWS and the Requesting Purveyor now desire to execute this Emergency Interconnect Contract (2025 Contract); and

Whereas, SAWS and the Requesting Purveyor enter into this Agreement to further the water security of the City of Leon Valley; and

Now Therefore, the Parties agree as follows:

1. The Requesting Purveyor agrees that SAWS has the obligation to first provide water service to its customers not located in the area to be served through the emergency interconnect. SAWS has the right to not sell water through the emergency interconnect if it has determined that its first priority customers would be adversely impacted. The Requesting Purveyor understands and agrees that SAWS, in its sole discretion, may terminate the emergency interconnect at any time and reject any future emergency interconnects.
2. All emergency interconnections shall be charged the interconnect water service rate and the meter availability fee and billed in accordance with City of San Antonio Ordinance #101684 and as may be amended from time to time and shall be subject to the requirements of the ordinance. Impact fees will not be charged by SAWS for an emergency interconnect.
3. Physical connections to SAWS infrastructure for the emergency interconnect shall be funded entirely by the Requesting Purveyor. The Requesting Purveyor must apply for a Water Connection Permit through SAWS’ Counter Service Division. SAWS must approve the engineering plans and inspect the construction of the connection prior to activating the emergency connection. Construction of the connection must comply with all SAWS’ specifications and regulations. Requesting Purveyor must also obtain all required approvals from the Texas Commission on Environmental Quality, or successor agency (“TCEQ”), prior to construction of the connection. SAWS will provide the Requesting Purveyor with information regarding SAWS’ facilities as required by TCEQ.

4. The Requesting Purveyor has one (1) emergency interconnection points to SAWS distribution system (Attachment 1):

6210 Grass Hill Dr. Between Bandera Rd. & Mary Jamison St., 6” Meter# 24125129

5. SAWS shall furnish, operate and maintain, at its own expense the necessary metering equipment and other devices required for properly measuring the quantity of water delivered to the Requesting Purveyor. The SAWS obligations under this Contract shall terminate at the established point of delivery, and the Requesting Purveyor shall be solely responsible for complying with all applicable requirements, including the maintenance of minimum pressure. The Requesting Purveyor will maintain sanitary control over the system downstream of the point of delivery.
6. Activation of the connection is temporary and shall be limited to conditions necessitated by mechanical failure of the Requesting Purveyor’s system.
 - The emergency connection shall not be used as the mechanism to delay repairs or modifications to the Requesting Purveyor’s system.
 - Activation of the connection shall be performed by SAWS staff.
 - Requesting Purveyor shall contact SAWS Emergency Operations Center for activation of the connection by calling 210-704-7297 (210-704-SAWS).
7. Each activation of the emergency interconnect shall not exceed 30 consecutive calendar days. If more than 30 consecutive calendar days are needed to repair the mechanical failure with the system, the Requesting Purveyor shall submit a written request to SAWS. SAWS will then reassess the request to determine if adequate water supply is available for SAWS’ first priority customers and also for the emergency interconnect.
8. Water use from the emergency interconnect, by the Requesting Purveyor, shall be limited to domestic indoor use – not for landscape watering.
9. The Requesting Purveyor shall develop and implement a water conservation plan using the applicable elements of 30 TAC Chapter 288. The Requesting Purveyor agrees to make available a copy of the approved Conservation Plan to SAWS upon request.
10. The emergency interconnect is not intended to serve as a supplemental source due to declining water supply and cannot be used to avoid acquiring additional water supplies or to avoid building redundant infrastructure.
 - The emergency interconnect cannot be used to satisfy any redundancy or back-up infrastructure or water supply requirements, including those that may be prescribed by the Texas Commission on Environmental Quality (TCEQ), or as part of the Requesting Purveyor's Emergency Preparedness Plan under Texas Water Code 13.1394.

- If the Requesting Purveyor does not have an adequate water supply to meet customer demand, a wholesale connection may be requested, however, SAWS shall have the discretion to accept or reject such a request.
 - A wholesale connection will require an engineering study to determine compatibility with SAWS' master plan, the availability of capacity, and if additional facilities will be required.
 - A wholesale connection will require the payment of impact fees.
 - A wholesale connection will require that a take or pay wholesale contract be executed between SAWS and the Requesting Purveyor.
11. Liability. Requesting Purveyor shall be solely responsible for any and all claims, damages, deaths, losses, injury, fines, penalties, suits and liability of every kind, including environmental liability, arising from the use, distribution, sale, delivery or discharge of the water provided under this Agreement, whether such use is intended or accidental, or authorized by this Agreement and applicable laws or otherwise. Requesting Purveyor shall be solely responsible for any and all claims, damages, deaths, losses, injury, fines, penalties, suits and liability of every kind arising from or relating to the design, installation, construction, connection, maintenance, operation and modification of the interconnection, regardless as to whether the interconnection was released for service by SAWS.
12. **INDEMNIFICATION.** TO THE EXTENT PERMITTED BY APPLICABLE LAW, REQUESTING PURVEYOR AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY OF SAN ANTONIO, SAWS, AND THEIR EMPLOYEES, OFFICERS, AGENTS AND REPRESENTATIVES ("CITY/SAWS REPRESENTATIVES") FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, FINES, PENALTIES, CAUSES OF ACTION, SUITS, AND LIABILITY OF EVERY KIND, INCLUDING ENVIRONMENTAL LIABILITY, ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEYS' FEES, FOR INJURY TO OR DEATH OF ANY PERSON, OR FOR DAMAGE TO ANY PROPERTY, ARISING OUT OF OR IN CONNECTION WITH REQUESTING PURVEYOR'S DISTRIBUTION, USE, SALE, DELIVERY AND/OR STORAGE OF THE WATER PROVIDED HEREUNDER, AND/OR THE DESIGN, INSTALLATION, CONSTRUCTION, CONNECTION, MAINTENANCE, MODIFICATION OR OPERATION OF REQUESTING PURVEYOR'S SYSTEM, INCLUDING WHEN CAUSED, IN WHOLE OR PART, BY REQUESTING PURVEYOR, THIRD PARTIES, OR BY THE CONTRIBUTORY NEGLIGENCE OF CITY/SAWS REPRESENTATIVES. IT IS THE EXPRESSED INTENT OF THE PARTIES HERETO THAT THE INDEMNITY PROVIDED FOR IN THIS PARAGRAPH IS AN INDEMNITY BY REQUESTING PURVEYOR TO INDEMNIFY AND PROTECT CITY/SAWS REPRESENTATIVES FROM THE NEGLIGENT ACTS OF THE REQUESTING PURVEYOR, THIRD PARTIES, AND CITY/SAWS REPRESENTATIVES, EXCEPT WHEN CAUSED BY THE SOLE NEGLIGENCE OF CITY/SAWS REPRESENTATIVES.
13. The term of this Agreement commences on the Effective Date and shall remain in full force and effect for a period of ten (10) years beginning on October 20, 2025 and shall terminate on October 20, 2035.

14. Either party may terminate this Agreement by providing prior written notice to the other with an immediate effective date. This right to terminate may be exercised to apply to any or all of the emergency interconnection sites specified in Sections 4 above. If the termination applies to less than all of those sites, then this Agreement shall remain in effect for the remaining sites unless subsequently terminated by either party.

IN WITNESS WHEREOF, SAWS AND Requesting Purveyor have duly executed this Agreement as of the Effective Date.

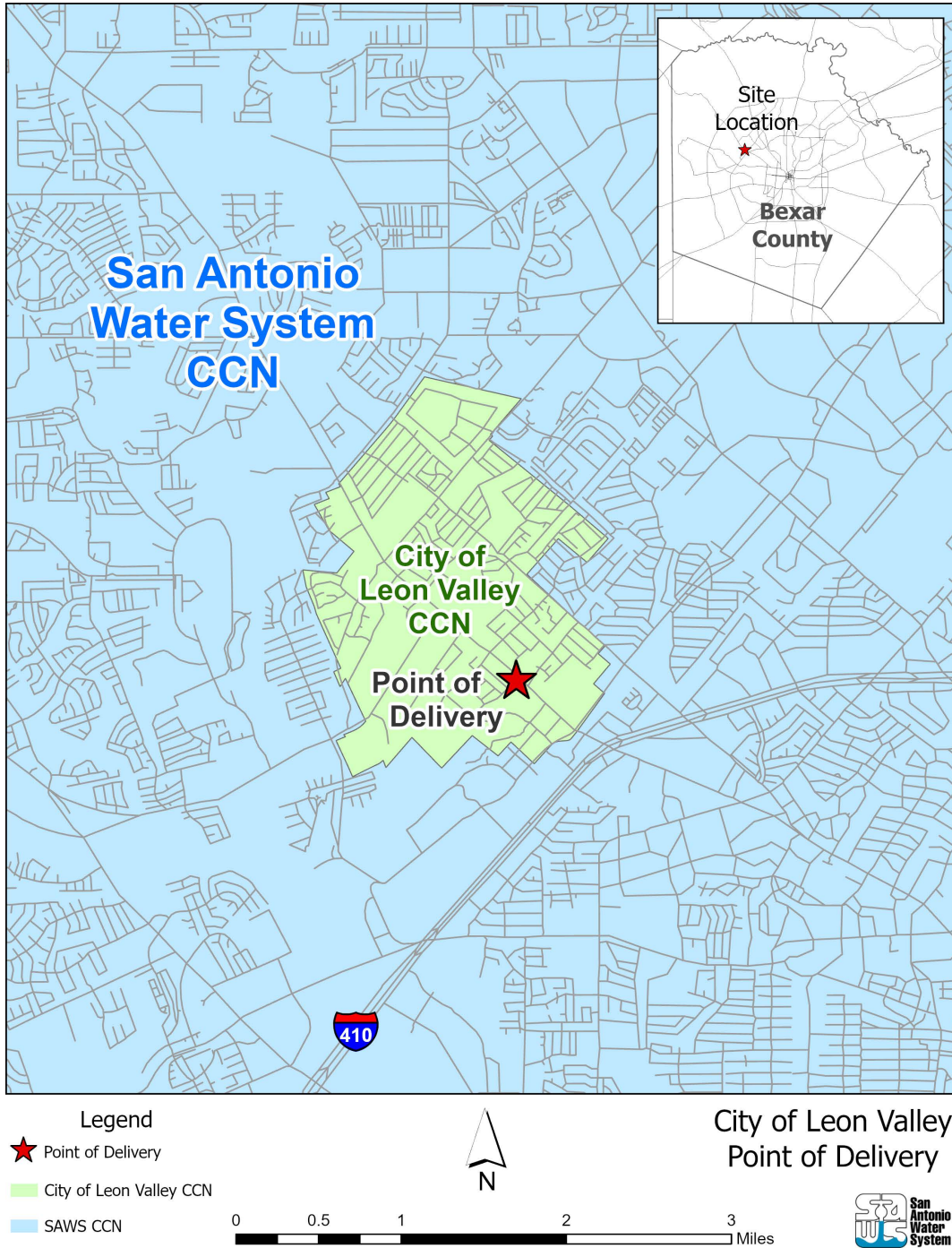
REQUESTING PURVEYOR

By: _____
Name: Crystal Caldera, PhD
Title: City Manager

SAN ANTONIO WATER SYSTEM

By: _____
Name: Robert R. Puente
Title: President/CEO

Attachment 1



Consider Agreement
San Antonio Water System(SAWS)
City of Leon Valley
Emergency Water Interconnect

David Dimaline
Public Works Assistant Director
City Council Meeting
August 5, 2025

Summary

- Question: Should the City Council enter into an agreement with SAWS for an emergency interconnection?
- Options
 - Approve
 - Deny
 - Other
- Declaration
 - Recommend entering into agreement with SAWS for an emergency interconnection

Purpose

- To consider authorizing the City Manager to enter into an Agreement between SAWS and the City of Leon Valley for the Emergency Interconnect and Providing an Emergency Water Supply

Background

- Emergency interconnect was constructed as part of the Leon Valley Municipal Water Well Project
- 30" SAWS water main along Bandera Rd. was tapped with a 6" connection running along Grass Hill into the Grass Hill Well site
- Connects directly into the 750,000-gallon ground storage tank
- Activation is to be temporary & limited to conditions necessitated by mechanical failure

Background

- Original 10-year Agreement (signed on October 20, 2015) set to terminate
- New Agreement will begin October 20, 2025 & terminate on October 20, 2035

Fiscal Impact

- Monthly fee for 6" meter is \$386.18 per month
- Funding for this is included annually in the Water Utility budget
- Any usage is billed the current SAWS water service rate in accordance with City of San Antonio Ordinance #101684
- Only used once (briefly) during Winter Storm Uri when tanks went low

Recommendation

- Staff recommends approval of the Agreement

MAYOR AND COUNCIL COMMUNICATION

DATE: August 5, 2025

TO: Mayor and City Council

FROM: Susana Huerta, Planning and Zoning Director

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

SUBJECT: Presentation, Discussion, and Public Hearing to Consider an Ordinance Closing Samaritan Drive for Public Purposes

SPONSOR(S): None

PURPOSE & BACKGROUND

The property owners of Seneca Trails Subdivision have petitioned the City to abandon and vacate the street known as Samaritan Drive. It is their intention to close this street and build a new Samaritan Drive closer to the drainage way between the existing Samaritan Drive and Grass Hill St. (see attached exhibit). The existing roadway was not built to current roadway construction standards, is too narrow for emergency access vehicles, and does not have modern utilities, curbs, or sidewalks.

The property owner, who owns the properties adjacent to both sides of the roadway, is replatting the Grass Hill Estates subdivision to construct a new neighborhood, known as Seneca Trails, and this closure will allow for better circulation, a standard width roadway, and new utilities. The Master Plan of the Development was approved by City Council with this street closure being included.

It has been determined that such a declaration of abandonment is in the public's best interest. The street closure does not affect or impair any public rights in the subject tracts for drainage, water and wastewater mains, electrical transmission lines, communication lines of all types, or any other rights, except for the right of the public to travel on the subject tract.

FISCAL IMPACT

The developer will be responsible for the removal of the existing street and any utilities and for the construction of the new street and utilities. After the city accepts the new street, the city will be responsible for future maintenance.

RECOMMENDATION

Staff recommends approval of the attached Ordinance declaring the abandonment and vacation of Samaritan Drive.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Petition for Right-of-Way Closure

July 22, 2025

To: Mayor and City Council
City of Leon Valley, Texas

RE: Street Closure – Samaritan Drive

Dear Mayor and City Council,

We, the undersigned, as owners of property adjoining Samaritan Drive as shown on Exhibit "A", do hereby petition the City of Leon Valley to vacate, and abandon the entire right-of-way, known as Samaritan Drive. We understand that the City will retain any utility easements in the closed street until such time as a replat is approved removing any utility or other easements.

Property Owner: 63 SENECA WEST INVESTMENTS LTD

Signature



Brad Richie

Printed Name

10003 NW Military Hwy., Suite 2201
Address

210-344-9200
Phone Number

Lot 1&2 Block 1 LOT 2 CB 4430B Subdivision GRASS HILL ESTATES
Legal Description

ORDINANCE NO. 2025-__**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, CLOSING, VACATING, AND ABANDONING SAMARITAN DRIVE; PROVIDING FOR REPEALER, PENALTY, SEVERABILITY AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the property owners of Seneca Trails Subdivision, who own the property directly abutting both sides of the right-of-way known as Samaritan Drive, have petitioned the City to abandon and vacate the right-of-way and will construct a new Samaritan Drive in a suitable location to provide public access; and

WHEREAS, the existing right-of-way was not built to current roadway construction standards, is too narrow for emergency access vehicles, and does not have modern utilities, curbs, or sidewalks; and

WHEREAS, the existing right-of-way is overgrown and subject to dumping, and

WHEREAS, the Texas Transportation Code, Chapter 311, Section 311.001 states that a home-rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality and further states that a municipality may open or change a public street or alley of the municipality, or improve a public highway, street, or alley of the municipality.

WHEREAS, it is in the interest of the public that the City of Leon Valley be relieved of the obligation to maintain the right-of-way segment;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS THAT:

Section 1. The City of Leon Valley finds the following right-of-way ("Right-of-Way Segment") is no longer essential to the safe and efficient flow of traffic in the area in which the right-of-way is located. As an exercise of its discretion, the City Council closes, vacates, and abandons the Right-of-Way segment. The Right-of-Way segment is identified below.

Section 2. An exhibit of the Right-of-Way Segment is set forth in Exhibit A attached hereto, along with a detailed metes and bounds description. The Exhibit is incorporated into this Ordinance for all purposes as if it was fully set forth.

Section 3. The Right-of-Way Segment exists by virtue of a deed set forth in Volume 3740, Pages 1488-1489, 1492-1493, and 1496-1497, in the Bexar County Office of Deeds and Records.

Section 4. The properties abutting the Right-of-Way Segment are:

Lot 1, Block 1, CB 4430B, Grass Hill Estates Subdivision
 Lot 2, Block 1, CB 4430B, Grass Hill Estates Subdivision
 P-1, ABS 399, CB 4430
 P-11 ABS 432, CB 4430
 Lot 1, Block 1, CB 4430C Good Samaritan Lodge Nursing Home Subdivision

Owner: 63 SENECA WEST INVESTMENTS LTD
 c/o ISRAEL FOGIEL
 Address: 10003 NW MILITARY HWY STE 2201
 SAN ANTONIO, TX 78231

The listing above is made solely to facilitate indexing this Ordinance in real property records. If the listing is inaccurate or not comprehensive, it does not affect the validity of the closure.

Section 5. All presently existing water and wastewater mains and facilities, electrical transmission and distribution lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, may remain in place despite this Ordinance and may continue to be used, maintained, repaired, and enlarged in the ordinary course of business. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. Any person building on the Right-of-Way Segment without first reaching an agreement with a utility having lines or facilities in the Segment does so at their own risk. After the date of this Ordinance, no utility may add additional utility lines or facilities in the Right-of-Way Segment based on a claim that the Right-of-Way Segment is a public street right-of-way. All existing drainage rights in the Right-of-Way Segment are retained by the City, unless removed by an approved replat. This closure does not give up any right arising from the plat or other instrument creating the public street right-of-way. Neither does this Ordinance create new easement rights.

Section 6. The City Manager or her designee, severally, are authorized and directed to execute and deliver all documents and to perform all other tasks conducive to reflect this closure, abandonment, and vacation.

Section 7. The Right-of-Way Segment exists by easement. The underlying fee ownership of the Right-of-Way Segment by the adjacent property owners is now unburdened by the rights closed, vacated, and abandoned. For purposes of future conveyance and to better reflect their ownership generally, the owners of the adjacent property shall replat. No such replat impairs the rights retained by the City unless in the course of replatting, the owner, at his own expense, otherwise provides for those rights according to platting rules of general applicability.

Section 8. In consideration of such Right-of-Way Segment closure, vacation, and abandonment, the adjacent property owners agree to construct a new Samaritan Drive

Right-of-Way in accordance with City regulations and the approved Samaritan Trails Master Development Plan.

Section 9. Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 10. Conflicts. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 11. Savings. That all rights and privileges of the City are expressly saved as to any and all violations of the provision of any ordinances repealed by this ordinance which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violation and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 12. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 13. TOMA compliance. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 14. Effective date. This Ordinance shall be effective ten (10) days after passage and final adoption hereof and any publication required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the 19th day of August, 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

Approved as to Form:

ARTURO D. 'ART' RODRIGUEZ
City Attorney

**ROAD CLOSURE
FIELD NOTES
For a 1.580-acre (68,825 square feet)**

A 1.580-ACRE TRACT (68,825 SQ. FT) OF LAND SITUATED IN THE FELIX LOSOYA SURVEY NO. 187, ABSTRACT 432, BEING A PORTION OF A 1.377-ACRE TRACT, ALSO KNOWN AS TRACT 3, CONVEYED TO 63 SENECA WEST INVESTMENTS, LTD, BY DEED RECORDED IN DOCUMENT # 20240215993 DEED RECORDS OF BEXAR COUNTY, TEXAS (D.R.B.C.T.), AND BEING A PORTION OF SAMARITAN DRIVE, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, LOCATED IN THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a found 1/2-inch iron rod with a yellow cap marked "PAPE DAWSON", (N= 13,724,941.18, E= 2,090,123.39), northwest corner of Samaritan Drive, a variable width right-of-way, for a north corner of a called 48.684-acre tract of land, known as Tract 1, conveyed to 63 Seneca West Investments, Ltd. By deed recorded in Document No. 20240215993 (O.P.R.B.C.T.), a north corner of said Lot 2, Block 1, Grass Hill Estates Lots 1 & 2, same being the east end of the curve return at the intersection of the southwest right-of-way line of said Samaritan Drive with the southeast right-of-way line of Aids Drive, a variable width private right-of-way(no record information found), and the northwest corner of this herein described tract from which a 1/2-inch iron rod found with yellow cap marked "PAPE DAWSON", for an interior northwest corner of a curve to the left having radius of 20.00-feet, a delta angle of 103°49'45", a chord bearing of S 82°19'14" W, a chord length of 31.48-feet, and an arc length of 36.24-feet;

THENCE N 61°45'48" E, departing the northeast line of said Lot 2, and the northwest right-of-way line of Samaritan Drive, over and across Samaritan Drive, a distance of 88.78 feet to a found 1/2-inch iron rod with yellow cap marked "PAPE DAWSON", at a west corner of Lot 1, Block 1 of said Grass Hill Estates Lots 1 & 2, same being the curve return at the intersection of the northeast right-of-way line of said Samaritan Drive with the southeast right-of-way line of Seneca Drive, a 60-foot public right-of-way, for an angle corner of this herein described tract and the beginning of a non-tangent curve to the left having radius of 20.00-feet, a delta angle of 100°15'36", a chord bearing of S 02°06'17" W, a chord length of 30.69-feet, and an arc length of 34.99-feet;

THENCE Southeasterly, along and with said non-tangent curve to the left, a distance of 34.99-feet to a found 1/2-inch iron rod with yellow cap marked "PAPE DAWSON", for a corner of said 48.684-acre tract and a north corner of said Lot 2, being the west end of said curve return and an angle corner of this herein described tract;

THENCE S 48°01'12" E, along and with the southwest line of said Lot 1, Grass Hill Estates Lots 1 & 2, same being the northeast right-of-way line of said Samaritan Drive, a distance of 932.45 feet to a found 1/2-inch iron rod with yellow cap marked "PAPE DAWSON", at a south corner of said Lot 1, Grass Hill Estates Lots 1 & 2, at the west end of the curve return at the intersection of the northeast right-of-way line of said Samaritan Drive with the northwest right-of-way line of Grass Hill Drive, a 60-foot public right-of-way, for an angle corner of this herein described tract and the beginning of a non-tangent curve to the left having radius of 20.00-feet, a delta angle of 90°42'51", a chord bearing of N 86°37'52" E, a chord length of 28.46feet, and an arc length of 31.66-feet;

THENCE Northeasterly, along and with said non-tangent curve to the left, a distance of 31.66-feet to a found 1/2-inch iron rod with yellow cap marked “PAPE DAWSON”, for a corner of said Lot 1, Grass Hill Estates Lots 1 & 2 being the east end of said curve return and an angle corner of this herein described tract from a mag nail with “PAPE DAWSON” washer found for the southeast corner of said Lot 1, Block 1, Grass Hills Estates bears, N 41°16’55” E – 271.26-feet;

THENCE S 41°16’55” W, departing the south line of said Lot 1, Grass Hill Estates Lots 1 & 2, over said Samaritan Drive, a distance of 29.20 feet to a point on the northeast right-of-way line of Samaritan Drive and northwest right-of-way line of said Grass Hill Drive for an angle corner of this herein described tract;

THENCE S 47°50’05” W, along and with the northeast right-of-way line of Samaritan Drive and northwest right-of-way line of said Grass Hill Drive, a distance of 186.11-feet to the southwesterly line of a called 0.59-acre tract, also known as Lot 55, The Ridge at Leon Valley Subdivision, Unit 2 recorded in Volume 9573, Page 41 (D.P.R.B.C.T.) for the southeast corner of this herein described tract;

THENCE S 41°17’55” W along and with the southwesterly line of said 0.59-acre tract, a distance of 44.11-feet to a found mag nail with “PAPE DAWSON” washer and the northeast line of the remaining portion of a called 27.27-acre tract conveyed to Good Samaritan Lodge Nursing Home, Inc. by deed recorded in Volume 5323, Page 157 (O.P.R.B.C.T.) for the southwest corner of this herein described tract;

THENCE with the southwest right-of-way line of said Samaritan Drive and the northeast line of said 27.27-acre tract the following three (3) courses and distances:

N 49°57’59” W a distance of 186.12-feet to a found 1/2-inch iron rod with yellow cap marked “PAPE DAWSON” for an angle corner of this herein described tract;

N 48°24’42” W, a distance of 76.35 feet to a found 1/2-inch iron rod with yellow cap marked “PAPE DAWSON” for an angle corner of this herein described tract;

N 47°58’09” W a distance of 107.80 feet to a point on the north corner of the remaining portion of said 27.27 acre tract, same being the east corner of said Lot 1, Good Samaritan Lodge Nursing Home, Inc. for an angle corner of this herein described tract;

THENCE N 47°58’09” W with the northeast line of said Lot 1, Good Samaritan Lodge Nursing Home, Inc. and the southwest right-of-way line of said Samaritan Drive, a distance of 307.66 feet to a found 1/2-inch iron rod with orange cap marked “SINCLAIR” being the north corner of said Lot 1, Good Samaritan Lodge Nursing Home, Inc. for an angle corner of this herein described tract;

THENCE N 48°00'12" W with the northeast line of said Lot 1, Good Samaritan Lodge Nursing Home, Inc. and the southwest right-of-way line of said Samaritan Drive, a distance of 511.35 feet to the **POINT OF BEGINNING** and containing within these metes and bounds a 1.580-acre (68,825 sq. ft.) tract of land, more or less. Said tract being described in accordance with an actual survey made on the ground and a survey map prepared by Ardurra Group, Inc.

All distances shown hereon are GRID, with bearings based on the Texas State Plane Coordinate System, NAD 83, South Central Zone (4204). This description is accompanied by and made a part of an exhibit with the same date and acreage.


PATRICIA M. MORALES
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 7150



PROJECT #: 23
CITY OF LEON VALLEYSKETCH TO ACCOMPANY
LEGAL DESCRIPTION

NOTES:

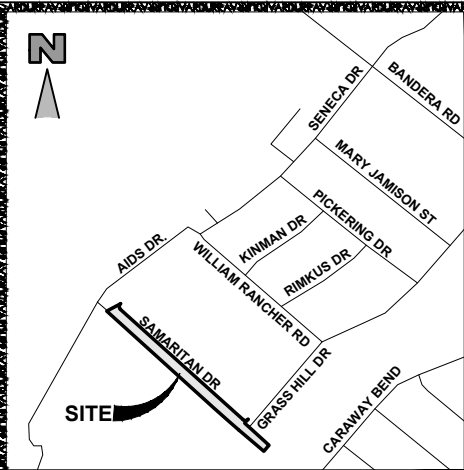
1. ACCOMPANYING METES AND BOUNDS DESCRIPTION HAS BEEN PREPARED.
2. BASIS OF BEARING OF THIS SURVEY IS GRID NORTH AS OBSERVED BY GPS, TEXAS COORDINATE SYSTEM OF 1983(NAD83), SOUTH CENTRAL ZONE 4204.
3. PARENTHESIS INDICATE CALLED BEARING AND/OR DISTANCE.
4. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, AND AS SUCH, NOT ALL EASEMENTS OR SERVITUDE HAVE BEEN RESEARCHED AND/OR SHOWN AT THIS TIME.

REFERENCES:

O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
D.P.R.B.C.T. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
P.R.B.C.T. PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
D.R.B.C.T. DEED RECORDS OF BEXAR COUNTY, TEXAS
P.O.B. POINT OF BEGINNING

LEGEND:

- FOUND 1/2-INCH IRON ROD WITH YELLOW CAP "PAPE-DAWSON"
- CALCULATED POINT
- FOUND MAGNAIL WITH WASHER "PAPE-DAWSON"



LOCATION MAP N.T.S.

GRASS HILLS ESTATES
CITY OF LEON VALLEY
LOT 1, BLOCK 1
C.B. 4430
10.087-ACRES
(VOL. 20003, PG. 1262)
D.P.R.B.C.T.

63 SENECA WEST INVESTMENTS, LTD.
TRACT 2
DOC 20240215993
O.P.R.B.C.T.

14.0' ELECTRIC, GAS, TELEPHONE, AND CA. TV. EASEMENT
VOL. 20003, PG. 1262

28.0' ELECTRIC, GAS, TELEPHONE, AND CA. TV. EASEMENT
VOL. 20003, PG. 1262

AIDS DR.
(30' WIDE R.O.W.)

SENECA DR.
(60' WIDE R.O.W.)

1/2-INCH BENT IRON ROD WITH NO CAP

L1

C1

P.O.B.

1/2-INCH IRON ROD WITH YELLOW CAP "PAPE-DAWSON"
Y = 13,724,941.18
X = 2,090,123.39

ROAD CLOSURE
1.580-ACRE TRACT
(68,825 SQ. FT.)

VARIABLE WIDTH R.O.W. DEDICATION 0.584-ACRE

AIDS DR
(PRIVATE VARIABLE WIDTH R.O.W. NO RECORD INFORMATION FOUND)

63 SENECA WEST INVESTMENTS, LTD.
TRACT 1
(48.684-ACRES CALLED)
DOC 20240215993
O.P.R.B.C.T.

1/2-INCH IRON ROD WITH ORANGE CAP "SINCLAIR"

14.0' ELECTRIC, GAS, TELEPHONE, AND CA. TV. EASEMENT
VOL. 1700, PG. 769

GRASS HILLS ESTATES
CITY OF LEON VALLEY
LOT 2, BLOCK 1
C.B. 4430
9.527-ACRES
(VOL. 20003, PG. 1262)
D.P.R.B.C.T.

35.0' ELECTRIC, GAS, TELEPHONE, AND UTILITY EASEMENT
VOL. 9537, PG. 190
D.P.R.B.C.T.

THIS SURVEY WAS PREPARED BASED ON A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION. THIS 29TH DAY OF JULY, 2025 A.D.



PATRICIA M. MORALES
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 7150

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	20.00'	36.24'	31.48'	S 82°19'14" W	103°49'45"
C2	20.00'	34.99'	30.69'	S 02°06'17" W	100°15'36"

50' 0 50' 100'

SCALE: 1" = 100'

LINE	BEARING	DISTANCE
L1	N 61°45'48" E	88.78'

ROAD CLOSURE EXHIBIT OF :

A 1.580-ACRE TRACT (68,825 SQ. FT) OF LAND SITUATED IN THE FELIX LOSOYA SURVEY NO. 187, ABSTRACT 432, BEING A PORTION OF A 1.377-ACRE TRACT, ALSO KNOWN AS TRACT 3, CONVEYED TO 63 SENECA WEST INVESTMENTS LTD, BY DEED RECORDED IN DOCUMENT # 20240215993 DEED RECORDS OF BEXAR COUNTY, AND BEING A PORTION OF SAMARITAN DRIVE, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, LOCATED IN THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS

DRAWN BY: JC
JOB NO: 230156.000
SURVEYED: Jan. 2025
SHEET:

4 OF 5

PROJECT #:
CITY OF LEON VALLEYSKETCH TO ACCOMPANY
LEGAL DESCRIPTION

REFERENCES:

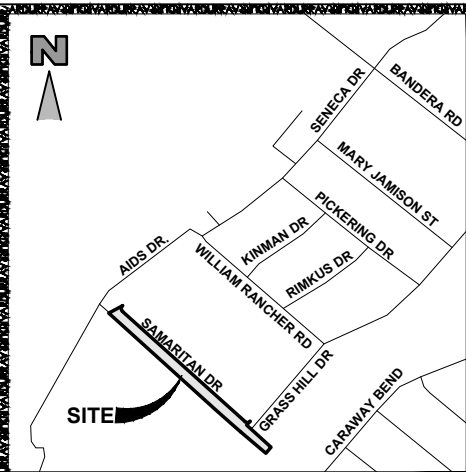
O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF
BEXAR COUNTY, TEXAS
D.P.R.B.C.T. DEED AND PLAT RECORDS OF BEXAR
COUNTY, TEXAS
P.R.B.C.T. PUBLIC RECORDS OF BEXAR COUNTY,
TEXAS
D.R.B.C.T. DEED RECORDS OF
BEXAR COUNTY, TEXAS
P.O.B. POINT OF BEGINNING

LEGEND:

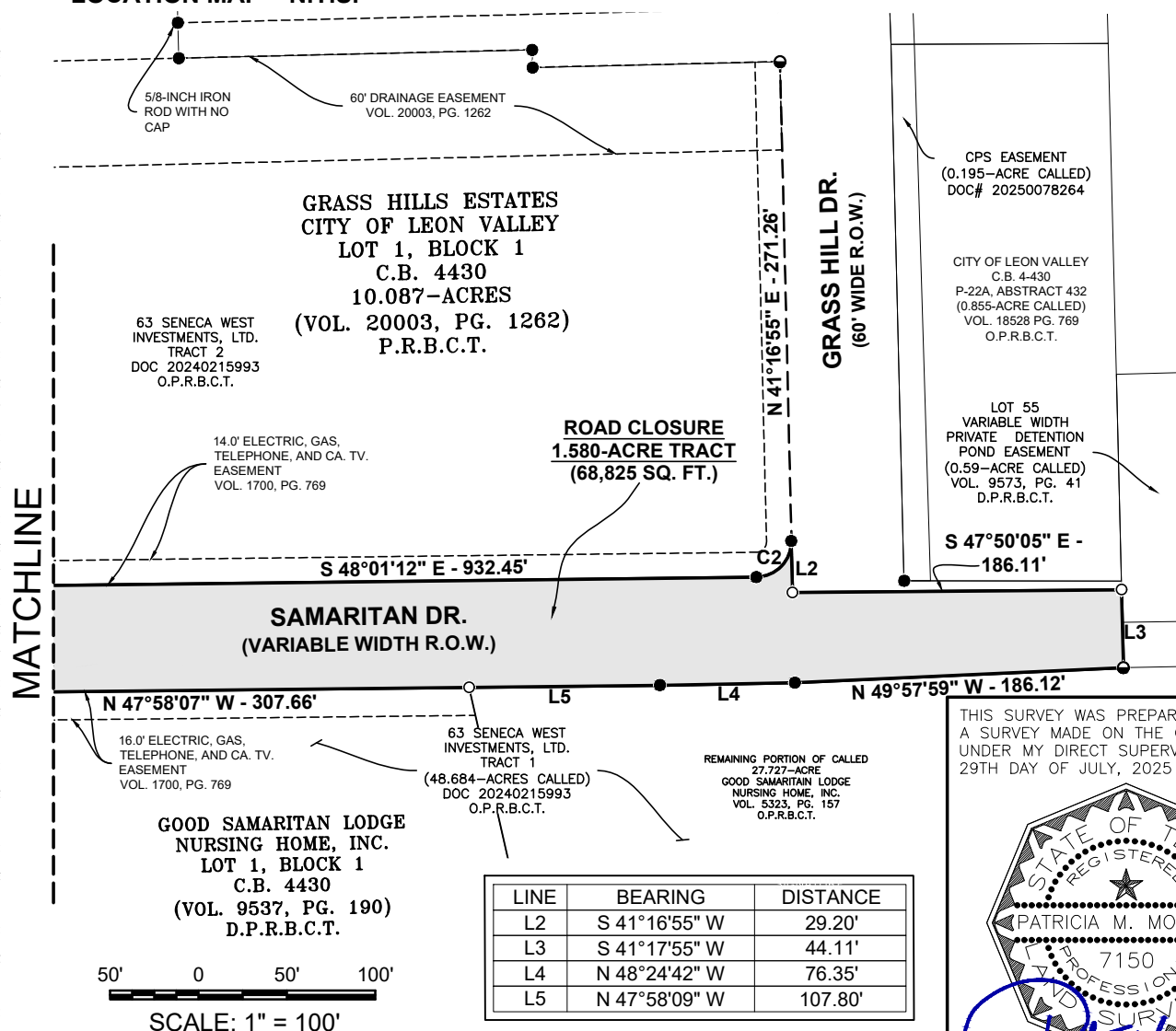
- FOUND 1/2-INCH IRON ROD WITH
YELLOW CAP "PAPE-DAWSON"
- CALCULATED POINT
- FOUND MAGNAIL WITH WASHER
"PAPE-DAWSON"

NOTES:

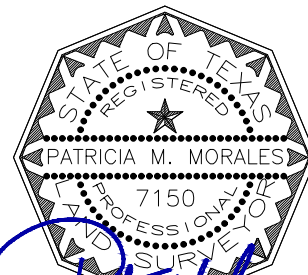
1. ACCOMPANYING METES AND BOUNDS
DESCRIPTION HAS BEEN PREPARED.
2. BASIS OF BEARING OF THIS SURVEY IS GRID
NORTH AS OBSERVED BY GPS, TEXAS
COORDINATE SYSTEM OF 1983(NAD83), SOUTH
CENTRAL ZONE 4204.
3. PARENTHESIS INDICATE CALLED BEARING
AND/OR DISTANCE.
4. THIS SURVEY WAS COMPLETED WITHOUT THE
BENEFIT OF A CURRENT TITLE COMMITMENT,
AND AS SUCH, NOT ALL EASEMENTS OR
SERVITUDE HAVE BEEN RESEARCHED AND/OR
SHOWN AT THIS TIME.



LOCATION MAP N.T.S.



THIS SURVEY WAS PREPARED BASED ON
A SURVEY MADE ON THE GROUND
UNDER MY DIRECT SUPERVISION. THIS
29TH DAY OF JULY, 2025 A.D.



PATRICIA M. MORALES
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 7150

ROAD CLOSURE EXHIBIT OF:

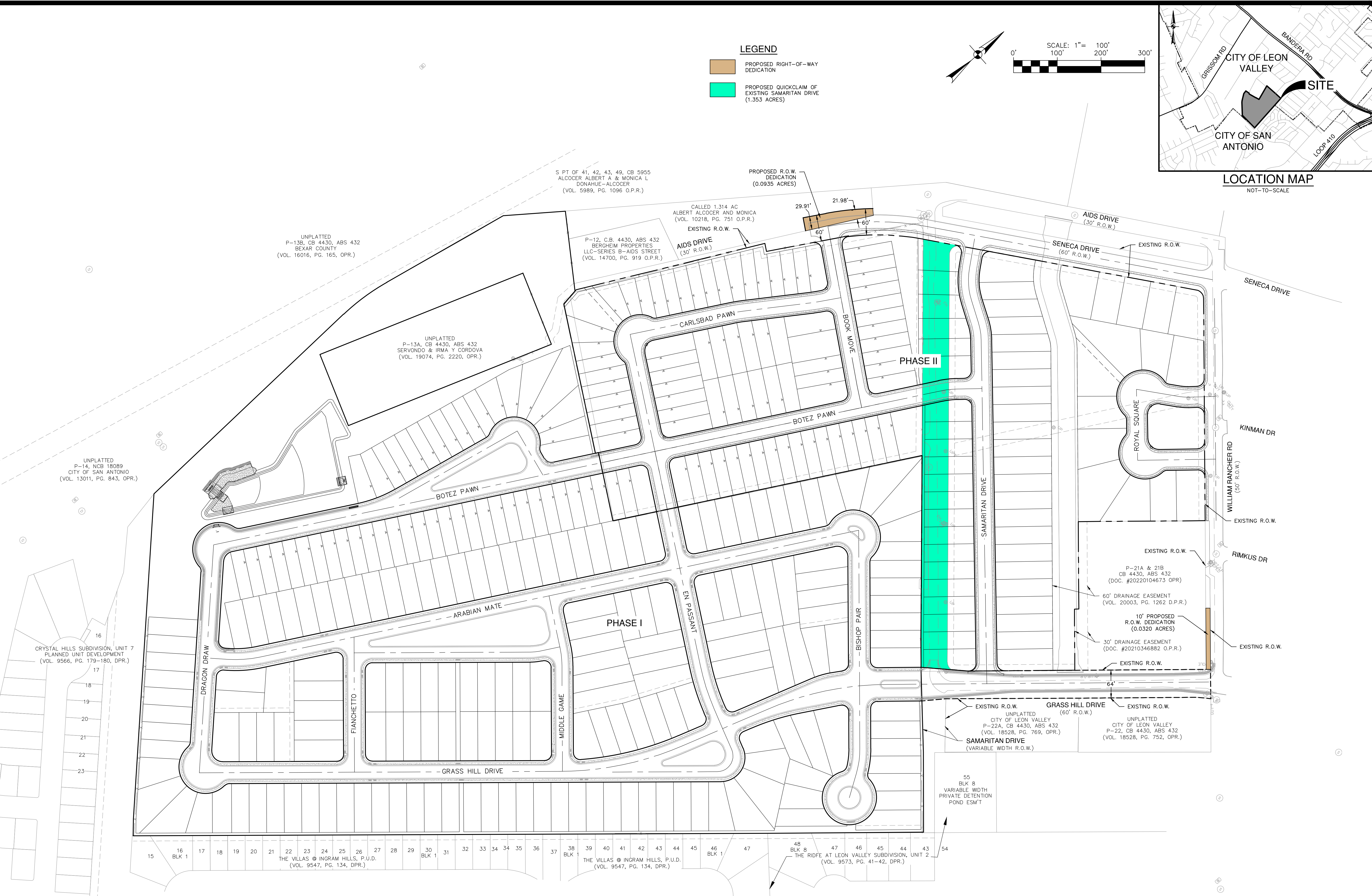
A 1.580-ACRE TRACT (68,825 SQ. FT) OF LAND SITUATED IN THE FELIX LOSOYA SURVEY NO. 187, ABSTRACT 432, BEING A PORTION OF A 1.377-ACRE TRACT, ALSO KNOWN AS TRACT 3, CONVEYED TO 63 SENECA WEST INVESTMENTS LTD, BY DEED RECORDED IN DOCUMENT # 20240215993 DEED RECORDS OF BEXAR COUNTY, AND BEING A PORTION OF SAMARITAN DRIVE, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, LOCATED IN THE CITY OF LEON VALLEY, BEXAR COUNTY, TEXAS

DRAWN BY: JC
JOB NO: 230156.000
SURVEYED: Jan. 2025
SHEET:

5 OF 5



8918 Tesoro Dr., Suite 401
San Antonio, Texas 78217
Phone: (210) 822-2232
www.Ardurra.com
Engineering License #F-10053
Ardurra Group, Inc.
Surveying Firm 10194688

[illegible]

**PAPE-DAWSON
ENGINEERS**
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1023800

SENECA WEST
LEON VALLEY, TEXAS

PLAT NO. _____
JOB NO. _____ 13569-01
DATE _____ SEPTEMBER 2024
DESIGNER _____ RG
CHECKED _____ BL DRAWN _____ GN
SHEET _____ 1

Consider Ordinance Vacating, Abandoning, Quitclaiming Samaritan Drive

Susana Huerta
Planning and Zoning Director
City Council Meeting
August 5, 2025

Summary

- Question
 - City Council is being asked to consider approval of an Ordinance vacating, abandoning, & quitclaiming Samaritan Drive
- Options
 - Recommended: Approve Ordinance Vacating, Abandoning, & Quitclaiming Samaritan Drive
 - Denial
 - Other
- Declaration
 - Samaritan is a substandard roadway, too narrow for emergency vehicles, is frequently overgrown, used for dumping, and has a PCI of 56 (poor)
 - Property owner of both sides of right-of-way will be building a new Samaritan Drive that will meet current roadway standards

Purpose

- Property owners of Seneca Trails Subdivision have petitioned the City to abandon, vacate, & quitclaim the right-of-way known as Samaritan Drive
- They intend to close street & build a new Samaritan Drive closer to the drainage way between the existing Samaritan Drive and Grass Hill St
- Existing roadway was not built to current roadway construction standards, is too narrow for emergency access vehicles, and does not have modern utilities, curbs, or sidewalks
 - If kept, would require full reconstruction – not covered by Street Maintenance Tax funds

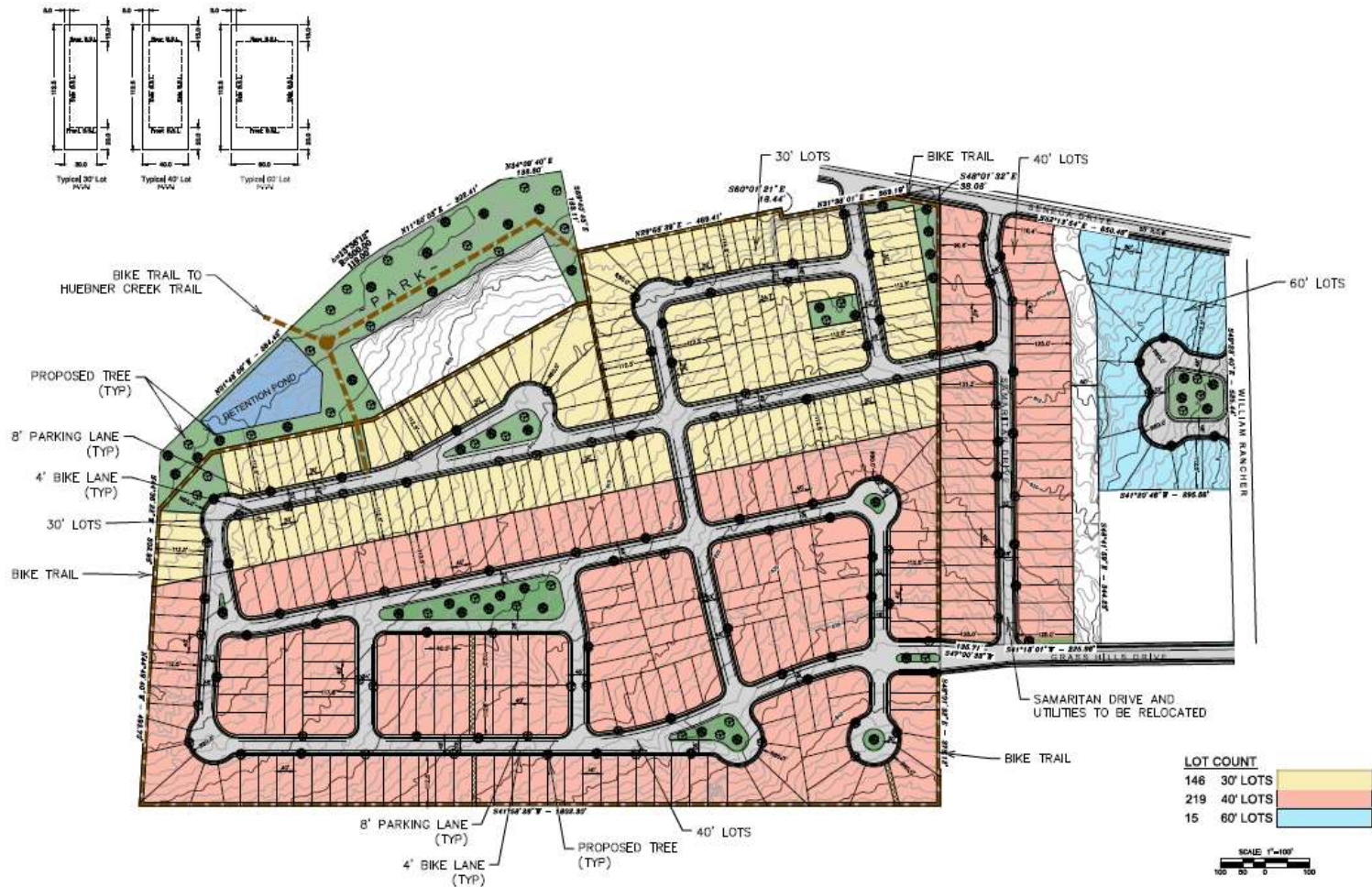
Purpose / Background

- Property owner, who owns the properties adjacent to both sides of the roadway, is replatting the Grass Hill Estates subdivision to construct a new neighborhood, known as Seneca Trails
- This closure will allow for better circulation, a standard width roadway, and new utilities
- Master Plan of the Development was approved by City Council with this street closure being included

Purpose / Background

- Such a declaration of abandonment is in the public's best interest
- The street closure does not affect or impair any public rights in the subject tracts for easements or any other rights, except for the right of the public to travel on the subject tract
- Texas Transportation Code, Chapter 311, Section 311.001 states home-rule municipalities have exclusive control over & under public highways, streets, & alleys of the municipality
- Further states municipality may open or change a public street or alley of the municipality, or improve a public highway, street, or alley of the municipality

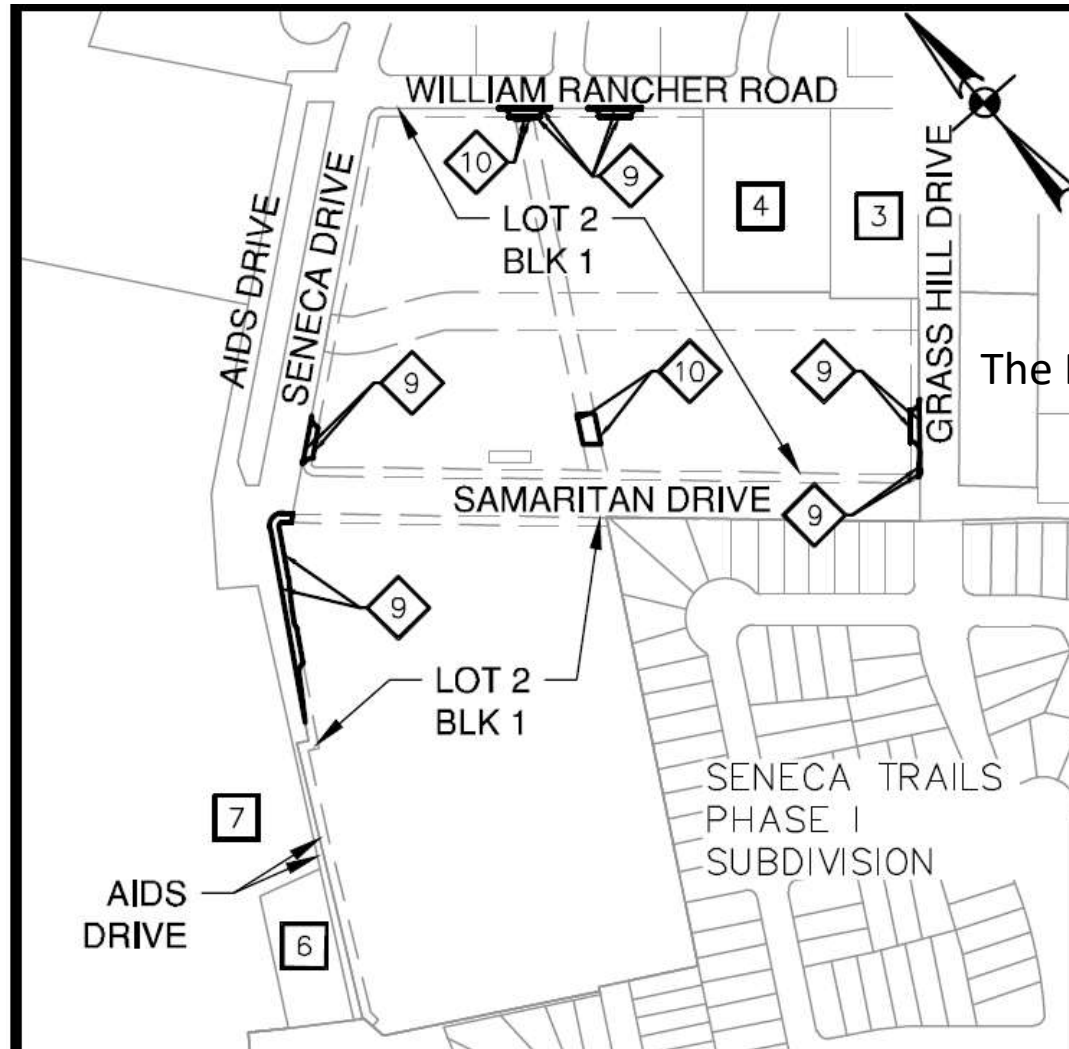
Master Development Plan



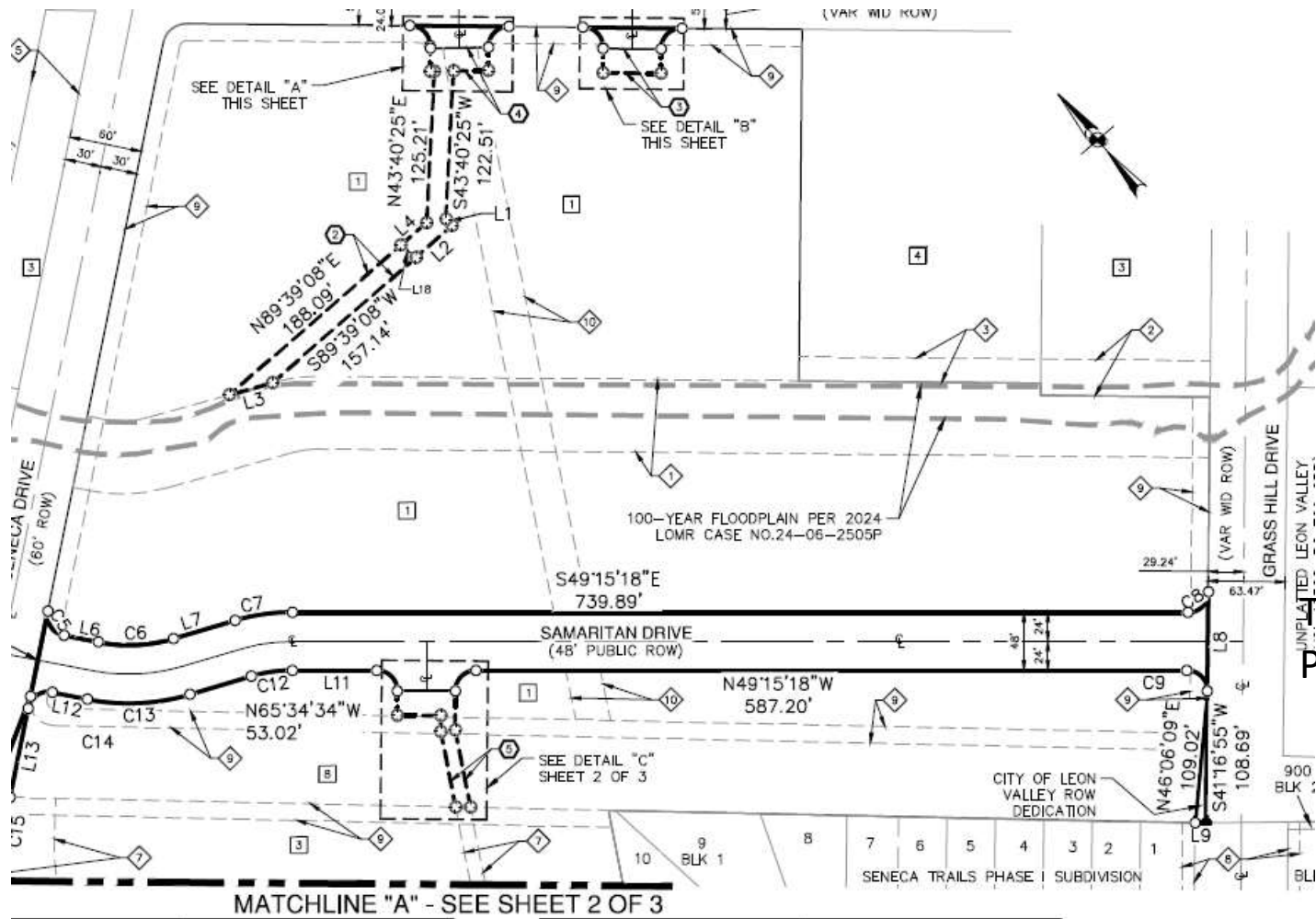
MASTER SITE PLAN
PLAN 3

SAMARITAN+LAUBACH+CITY PROPERTIES
(± 60 ACRES)
JUNE 13, 2024

Current Alignment



New Alignment



The Ridge
Park

Existing Condition



Fiscal Impact

- The developer will be responsible for the removal of the existing street, any utilities, and for the construction of the new street & utilities
- After the city accepts the new street, the city will be responsible for future maintenance
- Developer will build new homes on roadway property

Recommendation

- Staff recommends approval of the Ordinance to vacate & abandon Samaritan Drive & Quitclaim the property to the adjacent property owners

MAYOR AND COUNCIL COMMUNICATION

DATE: August 5, 2025

TO: Mayor and City Council

FROM: Susana Huerta, AICP, Planning and Zoning Director

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

SUBJECT: Discussion and Possible Action to Consider Approval of an Amendment to Ordinance No. 2024-25 for a Request for a One Year Extension to the Approved Specific Use Permit (SUP) for the Construction of a Church and Learning Center on an Approximately 2.75 Acre Tract of Vacant Land, Zoned B-3 Commercial District with Commercial/Industrial Overlay Zoning, Located at 5307 Wurzbach Road, Being the Replat of Rollingwood Ridge Subdivision, Lots 24 and 25 and Rollingwood Estates Unit 1 Subdivision the West 250' of Lot 5, County Block 9904, Establishing Lot 30R (1st Read as Required by City Charter) - S. Huerta, Planning and Zoning Director

PURPOSE

To consider approval of a request for an amendment to Ordinance No. 2024-25 Specific Use Permit (SUP) granting an extension for the construction of a Church and Learning Center on an approximately 2.75 Acre tract of vacant land, located at 5307 Wurzbach Road, being the Replat of Rollingwood Ridge Subdivision, Lots 24 and 25 and Rollingwood Estates Unit 1 Subdivision the West 250' of Lot 5, County Block 9904, Establishing Lot 30R.

The SUP was approved by City Council on August 6, 2024. A Replat of the property was recorded in May 2025. The applicant is requesting an extension of the approved SUP because they are not ready to start construction. Structures on the property will consist of a 6,081 square foot Mosque and a 5,529 square foot learning center. These structures will face Wurzbach Road. A parking lot will be built with an exit onto Blackberry Drive. In addition to the buildings, the owner is proposing a basketball court and a picnic area. The Zoning Code requires a SUP where the new construction abuts a residentially zoned property. The residential property is adjacent to the planned parking lot.

The project meets all requirements for landscaping, parking, and lighting.

DIVISION 12. - SPECIFIC USE PERMITS***Sec. 15.02.661 - Purpose and general provisions***

(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.

HISTORY

The property was rezoned from R-1 (Single Family) Dwelling to B-3 (Commercial) in 1983. The City rezoned this property from B-3 (Commercial) to B-3 (Commercial) with Commercial/Industrial Overlay zoning in 2010. The property was platted in 1949 and then replatted in 1982, and then again in 2002. It remained vacant.

FISCAL IMPACT

The applicant has paid all fees associated with this project.

The improvements to this property will be ad valorem tax exempt, but the parishioners may purchase goods and services that would provide some sales tax revenue to the city.

APPROVED : _____ DISAPPROVED : _____

APPROVED WITH THE FOLLOWING AMENDMENTS :

ATTEST :

SAUNDRA PASSAILAGUE, TRMC
CITY SECRETARY

Approved as to Form:

ARTURO D. 'ART' RODRIGUEZ
CITY ATTORNEY

AN ORDINANCE GRANTING AN AMENDMENT TO ORDINANCE NO. 2024-25 FOR A REQUEST FOR A ONE YEAR EXTENSION TO THE APPROVED SPECIFIC USE PERMIT (SUP) FOR THE CONSTRUCTION OF A CHURCH AND LEARNING CENTER ON AN APPROXIMATELY 2.75 ACRE TRACT OF VACANT LAND, ZONED B-3 COMMERCIAL DISTRICT WITH COMMERCIAL/INDUSTRIAL OVERLAY ZONING, LOCATED AT 5307 WURZBACH ROAD, BEING THE REPLAT OF ROLLINGWOOD RIDGE SUBDIVISION, LOTS 24 AND 25 AND ROLLINGWOOD ESTATES UNIT 1 SUBDIVISION THE WEST 250' OF LOT 5, COUNTY BLOCK 9904, ESTABLISHING LOT 30R

WHEREAS, Chapter 211 of the Texas Local Government Code empowers a city to enact zoning regulations and provide for its administration, enforcement and amendment; and

WHEREAS, the City has previously deemed it necessary and desirable to adopt zoning regulations and zoning tools to provide for the orderly development of property within the City to promote the public health, safety, morals and general welfare of the residents of the City, and

WHEREAS, the Leon Valley Code of Ordinances Chapter 14 constitutes the City's Zoning Regulations and requires property to be zoned in accordance with proper designations as defined by the City; and

WHEREAS, the City Council of the City of Leon Valley has held a public hearing regarding the One Year Extension of the Specific Use Permit for operation of an "Church and Learning Center" on the affected property and has issued adequate notice to all the affected parties; and

WHEREAS, the City Council of the City of Leon Valley believes the granting of a Specific Use Permit will not adversely affect the character of the area of the neighborhood in which it is proposed to operate the Specific Use Permit; and

WHEREAS, said Specific Use Permit will not substantially depreciate the value of adjacent or nearby properties; and

WHEREAS, said Specific Use Permit will be in keeping with the spirit and intent of the City's Zoning Ordinance; and

WHEREAS, said Specific Use Permit will comply with applicable standards of the district in which located; and

WHEREAS, said Specific Use Permit will not adversely affect traffic, public health, public utilities, public safety, and the general welfare of the residents of the City of Leon Valley; and

WHEREAS, it is now the desire of the City Council of the City of Leon Valley to grant a

one year extension to the Specific Use Permit for the construction and operation of an "Church and Learning Center".

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:

SECTION 1. Property being described as the Replat of Rollingwood Ridge Subdivision, Lots 24 and 25 and Rollingwood Estates Unit 1 Subdivision the West 250' of Lot 5, County Block 9904, Establishing Lot 30R, generally located at 5307 Wurzbach Street and more particularly described in case file PZ-2025-19, is hereby granted a one year extension for the Specific Use Permit to construct a " Church and Learning Center", in a B-3 Commercial District.

SECTION 2. The City staff is hereby authorized to issue said zoning when all conditions imposed by the City Council have been addressed and complied with in full.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley this the ____ day of, _____ 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAGUE, TRMC
CITY SECRETARY

Approved as to Form:

ARTURO D. 'ART' RODRIGUEZ
CITY ATTORNEY

PZ-2025-19
Request for an SUP One Year
Extension
Church & Learning Center
5307 Wurzbach Road

Susana Huerta, AICP
Planning and Zoning Director
August 5, 2025

Purpose

- Consider approval of a request for a one-year extension of SUP
- 5307 Wurzbach Road – approx. 2.75 acres of vacant land
- Replat of Rollingwood Ridge Subd., Lots 24 & 25 and Rollingwood Estates Unit 1 Subd., the West 250' of Lot 5, CB 9904, Establishing Lot 30R
- Construction of a “Church”, specifically a Mosque and Learning Center
- Replat recorded in May 2025

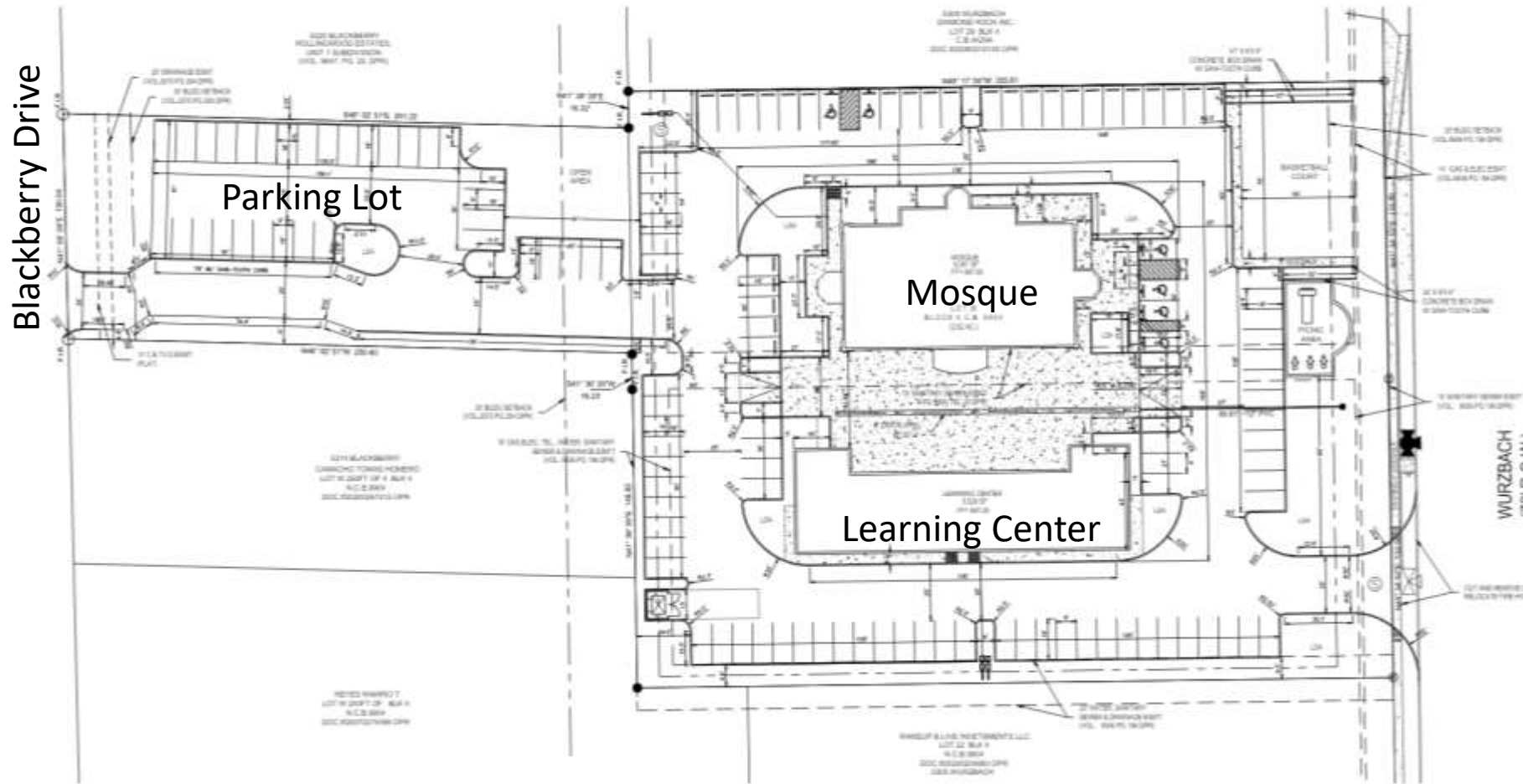
Aerial View



Purpose

- Project consists of a replatted lot:
- 6,081 sq ft Mosque
- 5,529 square foot learning center
 - These structures will face Wurzbach Road
- Parking lot
 - Vehicles will exit onto Blackberry Drive
- Owner is also proposing a basketball court & picnic area
- Owner needs one year extension because not ready to start construction.

Site Plan



Purpose

DIVISION 12. - SPECIFIC USE PERMITS

Sec. 15.02.661 - Purpose and general provisions

(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.

Purpose

- Zoning Code requires an SUP where new construction abuts residentially zoned property
- Residential property is adjacent to the planned parking lot
- The project meets all requirements for landscaping, parking, and lighting
- The use “Church” is allowed in all zoning districts

History / TIA

- 1983 - property rezoned from R-1 (Single Family Dwelling) to B-3 (Commercial)
- 2010 - City rezoned property from B-3 (Commercial) to B-3 (Commercial) with Commercial/Industrial Overlay zoning
- 1949 - property platted
- 1982 - replatted
- 2002 – replatted
- Land has remained vacant
- Use has less than 100 peak hour trips – no TIA required

Fiscal Impact

- The owner has paid all fees associated with this application
- The land will not be taxed; however, parishioners may shop in Leon Valley, which could provide small sales tax revenue.

Recommendation

- Staff recommends approval of the one-year extension.

MAYOR AND COUNCIL COMMUNICATION

DATE: August 5, 20205

TO: Mayor and Council

FROM: Melinda Moritz, Public Works Director

THROUGH: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation, Discussion, and Possible Action to Consider Approval of a Resolution Authorizing Staff to Apply to the Texas Department of Parks and Wildlife for a Local Park Grant Program to Provide Funding for the Renovation of the Forest Oaks Community Pool Facility

SPONSOR(S): None

PURPOSE & BACKGROUND

The Forest Oaks Community Pool facility was originally constructed in 1965 and was operated by the Forest Oaks Community Association until it was donated to the City in 2017. Following the donation, an inspection revealed that nearly all mechanical systems, including electrical, HVAC, water heater, and plumbing, were either in disrepair or obsolete. Additional issues identified included the need for replastering the pool, replacing pool plumbing and drains, and performing pool bonding. Furthermore, the entire facility, including the building and patio areas, is not compliant with ADA (Americans with Disabilities Act) standards.

The City Council has held multiple discussions regarding the potential rehabilitation of the facility and reviewed several design concepts. Concept D was determined to be the most viable option (see attached), with an estimated cost of \$1.6 million. While no final decision has been made to proceed, funding options considered include bond issuance and/or grant funding.

City staff identified a grant opportunity through the Texas Department of Parks and Wildlife, which would cover approximately 50% of the project cost. To apply for the grant, the City must submit a formal Resolution in support of the funding.

FISCAL IMPACT

The total estimated cost of rehabilitating the facility under Concept D is \$1,600,000. The grant offers a 50/50 funding match, leaving the City's share at approximately \$800,000. Potential funding sources include the General Fund Reserve or bond financing.

RECOMMENDATION

The decision is at the discretion of the City Council. Council has budgeted \$75,000 in FY 26 to replaster the pool.

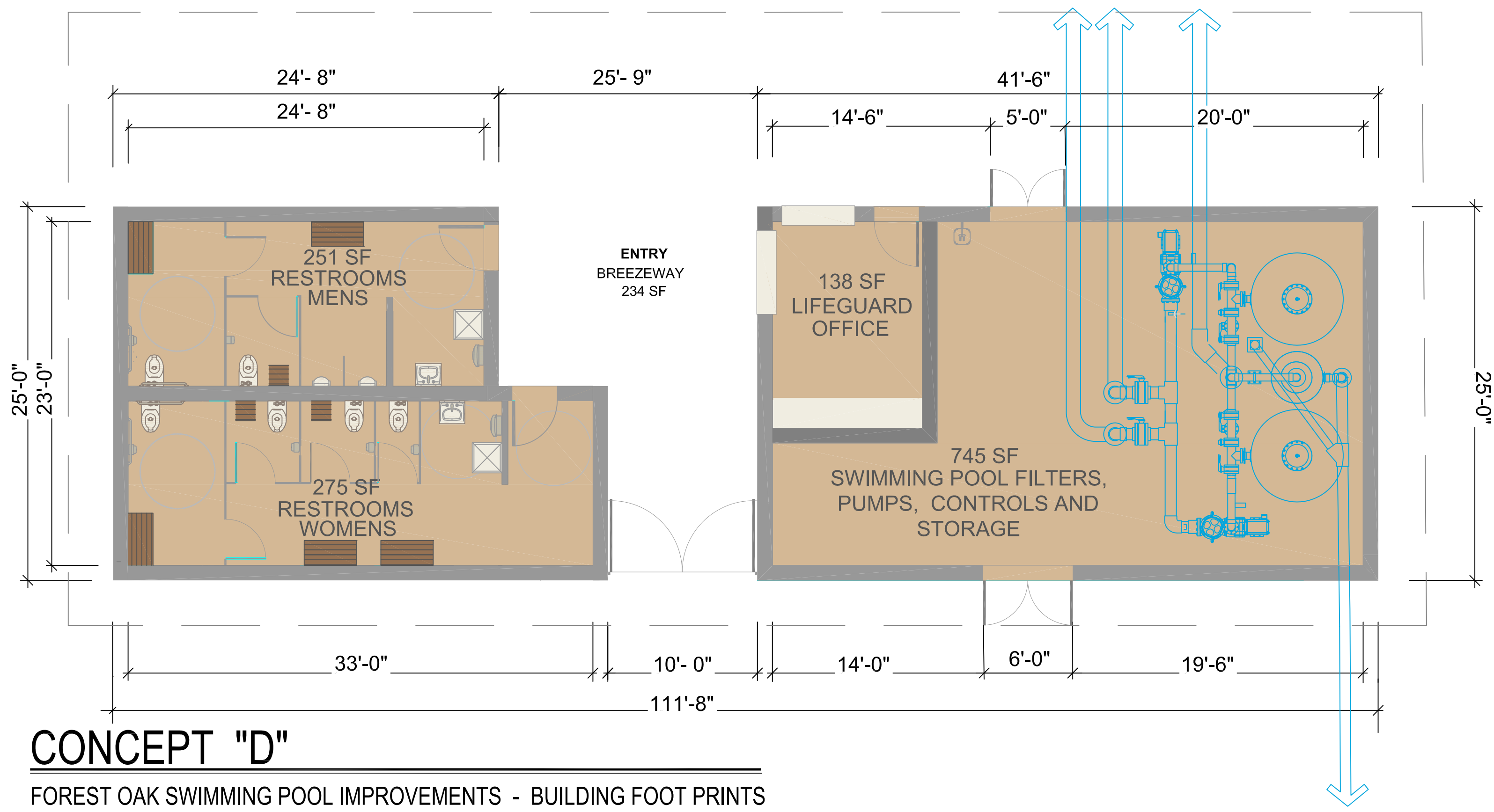
APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

D



FOREST OAKS POOL

Opinion of Probable Cost - Concept D

{Section}.73.

No	Item	Qty	Unit	Unit Price	Cost	Total Item Cost
MOBILIZATION, INSURANCE AND BONDS						\$234,418.30
1	Mobilization and OH&P (11%)	1	L.S.	\$156,278.86	\$156,278.86	
2	Insurance and Bonds (4%)	1	L.S.	\$56,828.68	\$56,828.68	
3	Erosion Control And SWPPP (1%)	1	L.S.	\$14,207.17	\$14,207.17	
4	Barricades, Signs, and Traffic Handling	1	L.S.	\$7,103.58	\$7,103.58	
DEMOLITION						\$37,365.45
5	Demolition and Haul off for Pool Cabana Showers and Meeting Room	1	L.S.	\$22,275.45	\$22,275.45	
6	Excavation and Haul off Pool Side Walk	8,850	S.F.	\$1.00	\$8,850.00	
7	Excavation and Haul off Pool Pump and Filter Bunker	8	C.Y.	\$500.00	\$4,000.00	
8	Site Grading	56	C.Y.	\$40.00	\$2,240.00	
POOL						\$1,197,636.50
9	New plaster finish, coping, piping, valves, inlets, skimmers, drains, surfacing, tile, pumps, filters, back wash surge tank, and controls	5,478	S.F.	\$41.00	\$224,598.00	
10	Underdrain Pipe (6" Corrugated Perforated Drain Pipe w/sock) to eliminate water accumulation under the pool shell.	260	L.F.	\$20.46	\$5,319.60	
11	24" x 12" Submersible Pump With Sump	1	L.S.	\$12,469.40	\$12,469.40	
12	Gravel subgrade filler	600	C.Y.	\$42.86	\$25,716.00	
13	Metal Fence Gates, 4 ft Wide x 6 ft Height	2	E.A.	\$800.00	\$1,600.00	
14	Metal Fence Double Gate, 8 ft Wide x 6 ft Height	1	E.A.	\$1,600.00	\$1,600.00	
15	Perimeter Wood Fence	415	L.F.	\$26.73	\$11,092.95	
16	Perimeter Metal Fence	360	L.F.	\$37.00	\$13,320.00	
17	Shower Tower	1	L.S.	\$8,377.89	\$8,377.89	
18	Chair Lift	2	E.A.	\$6,332.11	\$12,664.22	
19	Exterior lighting, poles and fixtures	3	E.A.	\$7,306.28	\$21,918.84	
20	Concrete Walks	8,890	S.F.	\$6.33	\$56,292.46	
21	Lifeguard Chairs	3	E.A.	\$954.70	\$2,864.10	
22	Drinking Fountain	1	E.A.	\$4,091.75	\$4,091.75	
23	Shade Canopies (12'x12')	9	E.A.	\$12,500.00	\$112,500.00	
24	Pool Signage	4	E.A.	\$2,240.59	\$8,962.36	
25	Pool Warning Sign Signage	6	E.A.	\$194.83	\$1,168.98	
26	Pool Occupancy Sign	3	E.A.	\$97.42	\$292.26	
27	Replace Asphalt Parking and Striping	9,315	S.F.	\$4.76	\$44,320.77	
28	Six Under Water Pool Lights	6	E.A.	\$3,214.76	\$19,288.56	
29	New Restroom Buildings, Life Guard Office, Storage and Pool Equipment Room	1,778	S.F.	\$342.62	\$609,178.36	
LANDSCAPING & IRRIGATION						\$185,715.00
32	Landscaping	4,065	S.F.	\$7.00	\$28,455.00	
	Bio-Swales & Rain Gardens Landscaping		S.F.	\$7.00	\$0.00	
	Riparian Landscaping		S.F.	\$6.00	\$0.00	
33	Irrigation	4,065	S.F.	\$4.00	\$16,260.00	
34	Flagstone Path and Patio	2,520	S.F.	\$25.00	\$63,000.00	
35	Hip and Vented Roof Pavilion, 20'x40' with 8' height, powder coat finish, pre-cut standing seam metal roofing, and engineering.	1	L.S.	\$78,000.00	\$78,000.00	

GRAND TOTAL \$1,655,135.24



Local Park Grant Program Resolution Authorizing Application

{Section}.73.

A resolution of the City of Leon Valley as hereinafter referred to as “Applicant,” designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as “Department,” for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the “Program”; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the Public Works Director to act for the Applicant in dealing with the Department for the purposes of the Program, and that Melinda Moritz, Director of Public Works is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as the Forest Oaks Community Pool Facility in the City of Leon Valley for use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

Introduced, read and passed by an affirmative vote of the “Applicant” on this 5th day of August, 2025.

Signature of Local Government Official

Chris Riley, Mayor

Typed Name and Title

ATTEST:

Signature

Typed Name and Title

Consider Resolution Authorizing Application for Grant Forest Oaks Community Pool Facility

Melinda Moritz
Public Works Director
City Council Meeting
August 5, 2025

Summary

- Question
 - City Council is being asked to consider approval of a Resolution authorizing staff to apply for a grant to fund the rehabilitation of the Forest Oaks Community Pool facility
- Options
 - Approve
 - Deny
 - Other
- Declaration
 - This grant will fund ½ of the costs to rehabilitate the facility

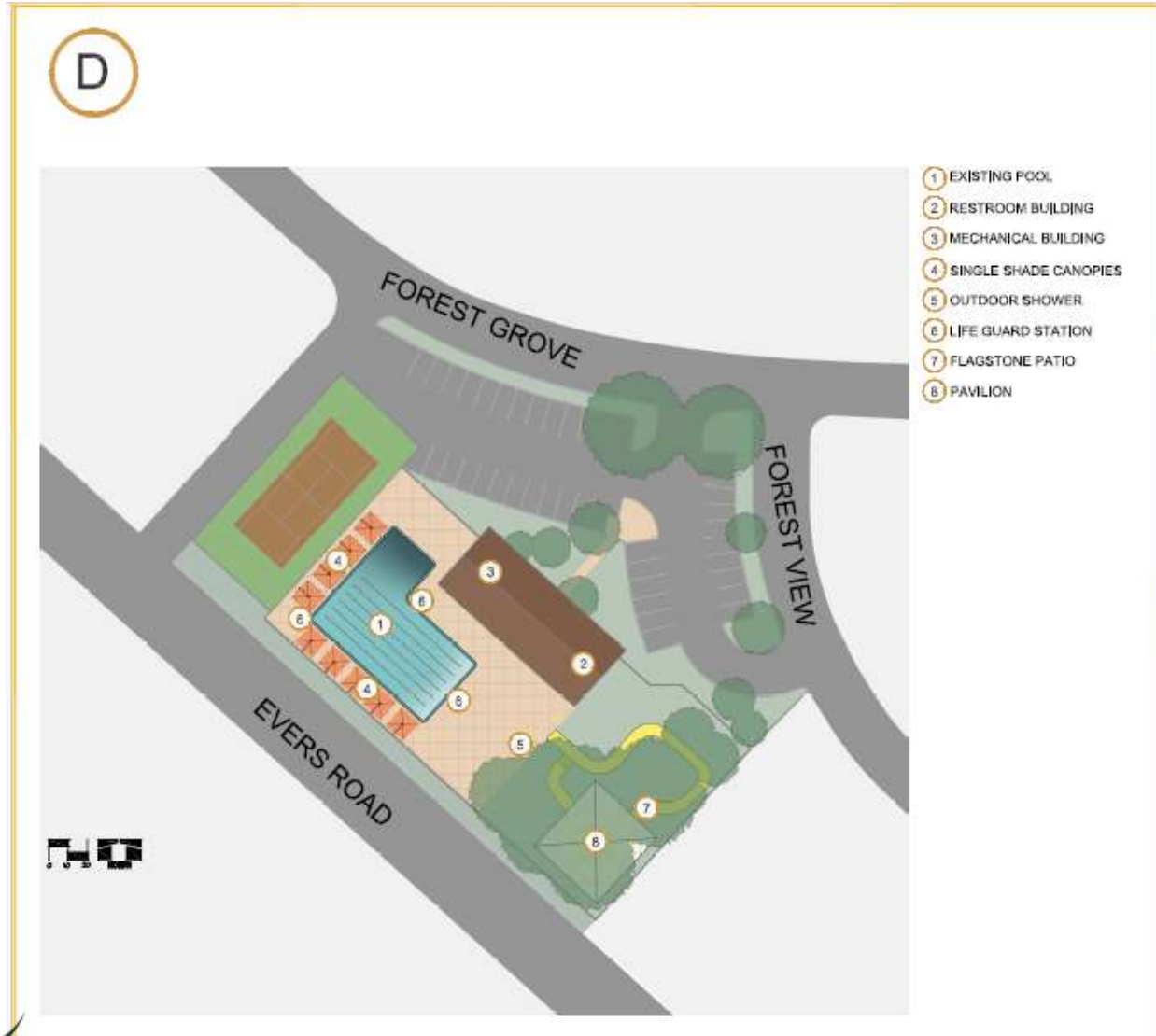
Background

- Forest Oaks Community Pool facility constructed in 1965 & operated by Forest Oaks Community Association until 2017 donation to city
- Inspection revealed that nearly all mechanical systems, including electrical, HVAC, water heater, and plumbing, were either in disrepair or obsolete
- Additional issues include need to replaster pool, replace pool plumbing/drains, perform pool bonding (some have been completed)
- Entire facility, including the building and patio areas, is not compliant with ADA standards

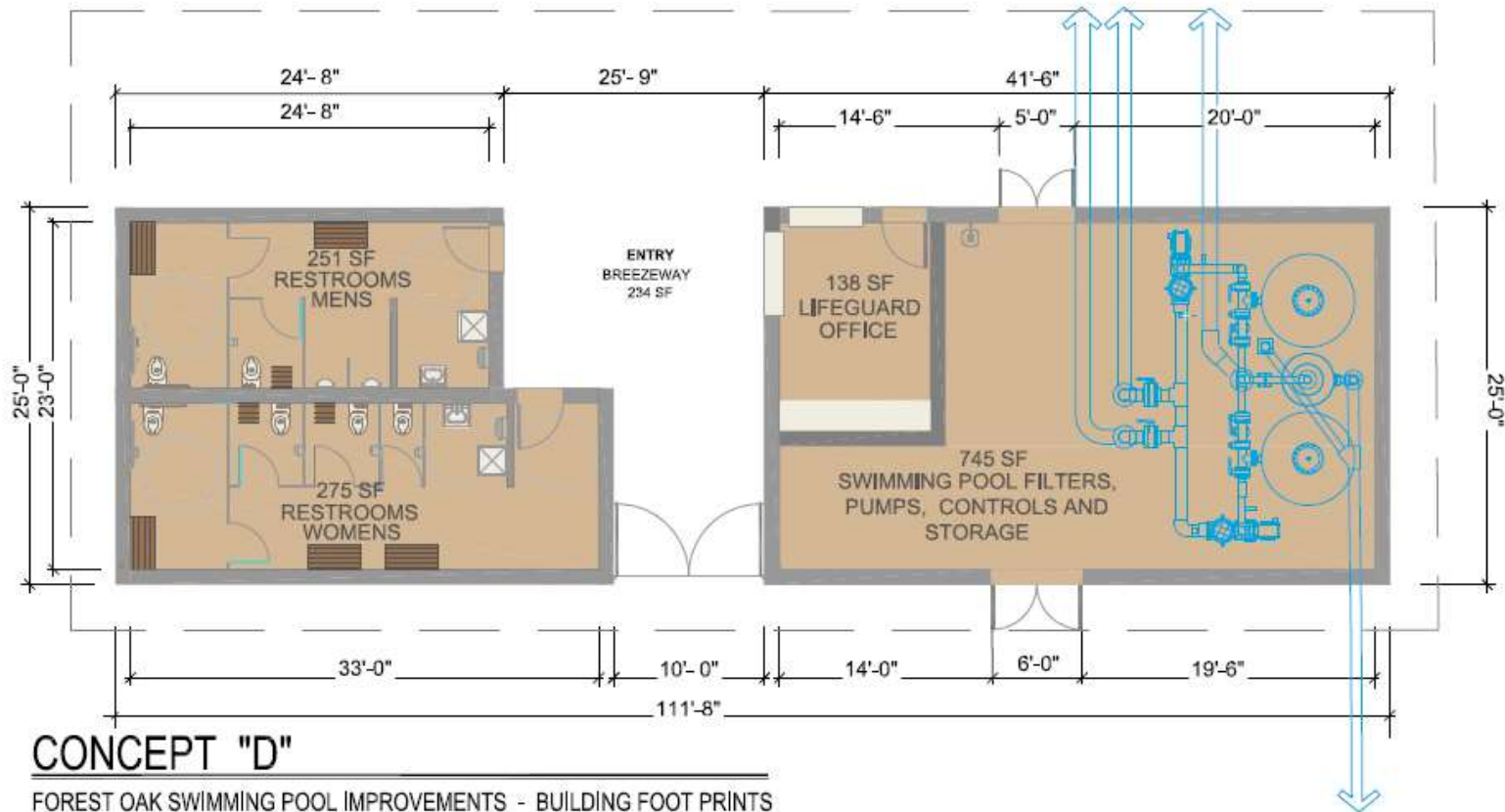
Purpose

- City Council held multiple discussions on rehabilitation & reviewed several design concepts
- Concept D was determined to be the preferred option, with an estimated cost of \$1.6 million
- No final decision was made to proceed, but funding options considered include bond issuance and/or grant funding
- Staff found a grant opportunity through the Texas Department of Parks and Wildlife, which would cover approximately 50% of the project cost
- To apply for the grant, the City must submit a formal Resolution in support of the funding

Concept D



Concept D



Fiscal Impact

FOREST OAKS POOL

Opinion of Probable Cost - Concept D

No	Item	Qty	Unit	Unit Price	Cost	Total Item Cost
MOBILIZATION, INSURANCE AND BONDS						\$234,418.30
1	Mobilization and OH&P (11%)	1	L.S.	\$156,278.86	\$156,278.86	
2	Insurance and Bonds (4%)	1	L.S.	\$56,828.68	\$56,828.68	
3	Erosion Control And SWPPP (1%)	1	L.S.	\$14,207.17	\$14,207.17	
4	Barricades, Signs, and Traffic Handling	1	L.S.	\$7,103.58	\$7,103.58	
DEMOLITION						\$37,365.45
5	Demolition and Haul off for Pool Cabana Showers and Meeting Room	1	L.S.	\$22,275.45	\$22,275.45	
6	Excavation and Haul off Pool Side Walk	8,850	S.F.	\$1.00	\$8,850.00	
7	Excavation and Haul off Pool Pump and Filter Bunker	8	C.Y.	\$500.00	\$4,000.00	
8	Site Grading	56	C.Y.	\$40.00	\$2,240.00	
POOL						\$1,197,636.50
9	New plaster finish, coping, piping, valves, inlets, skimmers, drains, surfacing, tile, pumps, filters, back wash surge tank, and controls	5,478	S.F.	\$41.00	\$224,598.00	
10	Underdrain Pipe (6" Corrugated Perforated Drain Pipe w/sock) to eliminate water accumulation under the pool shell.	260	L.F.	\$20.46	\$5,319.60	
11	24" x 12" Submersible Pump With Sump	1	L.S.	\$12,469.40	\$12,469.40	
12	Gravel subgrade filler	600	C.Y.	\$42.86	\$25,716.00	
13	Metal Fence Gates, 4 ft Wide x 6 ft Height	2	E.A.	\$800.00	\$1,600.00	
14	Metal Fence Double Gate, 8 ft Wide x 6 ft Height	1	E.A.	\$1,600.00	\$1,600.00	
15	Perimeter Wood Fence	415	L.F.	\$26.73	\$11,092.95	
16	Perimeter Metal Fence	360	L.F.	\$37.00	\$13,320.00	
17	Shower Tower	1	L.S.	\$8,377.89	\$8,377.89	
18	Chair Lift	2	E.A.	\$6,332.11	\$12,664.22	
19	Exterior lighting, poles and fixtures	3	E.A.	\$7,306.28	\$21,918.84	
20	Concrete Walks	8,890	S.F.	\$6.33	\$56,292.46	
21	Lifeguard Chairs	3	E.A.	\$954.70	\$2,864.10	
22	Drinking Fountain	1	E.A.	\$4,091.75	\$4,091.75	
23	Shade Canopies (12'x12')	9	E.A.	\$12,500.00	\$112,500.00	
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35	Hip and Vented Roof Pavilion, 20'x40' with 8' height, powder coat finish, pre-cut standing seam metal roofing, and engineering.	1	L.S.	\$78,000.00	\$78,000.00	

GRAND TOTAL \$1,655,135.24

Fiscal Impact

- Total estimated cost for rehab \$1,600,000
- Grant (50/50) \$800,000
- City share \$800,000
- Potential funding sources include the General Fund Reserve or bond financing

Recommendation

- At the discretion of the City Council
- City Council has allocated funds in the FY 26 budget to replaster the pool
- Replaster estimate \$80,000

MAYOR AND COUNCIL COMMUNICATION

DATE: August 05, 2025

TO: Mayor and Council

FROM: Saundra Passailaigue, City Secretary

THROUGH: Dr. Crystal Caldera, City Manager

SUBJECT: Presentation and Discussion on an Ordinance Amending the City of Leon Valley's Code of Ordinances, Changing the Rules for Giving Notice About Public Meetings Under the Texas Open Meetings Act in Accordance with HB1522

SPONSOR(S): (N/A)

PURPOSE & BACKGROUND

H.B. No. 1522 changes the rules for giving notice about public meetings under the Texas Open Meetings Act.

Instead of requiring 72 hours' notice, the new rule requires notice **at least three business days** before the meeting.

If the meeting includes discussion or adoption of a budget, the notice must also include:

- A physical copy of the proposed budget or a link to it online.
- A statement showing how the new budget will affect property tax bills for average-value homes, compared to the current year.

The goal is to make budget information more transparent and easier for the public to access. The law takes effect **September 1, 2025**.

FISCAL IMPACT

N/A

RECOMMENDATION

Staff recommends approval of the amending ordinance.

APPROVED: _____ DISAPPROVED: _____

APPROVED WITH THE FOLLOWING AMENDMENTS:

ATTEST:

SAUNDRA PASSAILAIGUE, TRMC
City Secretary

ORDINANCE No. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TX., AMENDING THE CITY OF LEON VALLEY'S CODE OF ORDINANCES TO CHANGE THE RULES FOR GIVING NOTICE ABOUT PUBLIC MEETINGS UNDER THE TEXAS OPEN MEETINGS ACT.

WHEREAS, H.B. No. 1522 amends Section 551.043 of the Government Code regarding the notice requirements for meetings held under the open meetings law.

WHEREAS, The bill changes the notice posting requirement from a minimum of 72-hours to at least three business days before the scheduled date of the meeting.

WHEREAS, Additionally, it introduces new requirements for meetings where a governmental body will discuss or adopt a budget. Specifically, the notice must include a physical copy of the proposed budget or a link to it on the governmental body's website, as well as a taxpayer impact statement comparing the current and upcoming fiscal year's property tax bills for median-valued homestead properties.

WHEREAS, The changes aim to enhance transparency and accessibility of budget-related information to the public.

WHEREAS, H.B. No. 1522 was signed by the Governor on June 20, 2025 and goes into effect on September 01, 2025.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:

SECTION 1. The Leon Valley Code of Ordinances shall be amended as follows:

Sec. 1.04.003 Powers of Committees

- (3) (a) The notice of a meeting of a governmental body must be posted in a place readily accessible to the general public at all times for at least ~~72 hours~~ **three business days** before the scheduled ~~time~~ **date** of the meeting.

(b) The notice of a meeting required to be posted under Subsection 3 (a) at which the governmental body will discuss or adopt a budget for the governmental body must include:

1. A physical copy of the proposed budget unless the governmental body has made the proposed budget clearly accessible on the Home page of the governmental body's Internet website; and
2. A taxpayer impact statement showing, for the median-valued homestead property, a comparison of the property tax bill in dollars pertaining to the property for the current fiscal year to an estimate of the property tax bill in dollars for the same property for the upcoming fiscal year if:
 - i. The proposed budget is adopted; and
 - ii. For a taxing unit as defined by Section 1.04, Tax Code, other than an independent school district, a balanced budget funded at the no-new-revenue tax rate as calculated under Chapter 26, Tax Code, is adopted.

Sec. 1.06.003 – Citizens Police Advisory Committee

(f) (6) A copy of the agenda must be presented to the city secretary ~~three business days prior to the 72-hour posting requirements pursuant with Texas Local Government Code, § 551.043.~~ to be posted in accordance with Chapter 1, Section 1.04.003 of the City of Leon Valley' s Code of Ordinances.

Sec. 1.06.007 - Capital Facilities Oversight Committee

(d) (6) A copy of the agenda must be presented to the city secretary ~~three business days prior to the 72 hours posting requirements pursuant with Texas Local Government Code § 551.043.~~ to be posted in accordance with Chapter 1, Section 1.04.003 of the City of Leon Valley' s Code of Ordinances.

Sec. 15.02.721 - General statutes, ordinances and rules applying to the zoning commission

(o) Meetings (2)

Special meetings for any purpose may be held at the call of the chairman of the commission or of any combination of five (4-5) [sic] commission members and alternate members of the commission. ~~At least 72 hours' 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.

SECTION 2. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

SECTION 3. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

SECTION 4. This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Leon Valley
this the 19th day of August, 2025.

APPROVED

CHRIS RILEY
MAYOR

Attest:

SAUNDRA PASSAILAIGUE, TRMC
CITY SECRETARY

Approved as to Form:

ARTURO D. ART' RODRIGUEZ
CITY ATTORNEY

PROPOSED CITY COUNCIL MEETING DATES AND DEADLINES IN ACCORDANCE WITH HB1522 - EFFECTIVE 9-1-2025
THIS IS ONLY A SAMPLE AT THIS TIME

Notice Date	Business Day 1	Business Day 2	Business Day 3	Applicable Holiday	Staff Deadline (10th calendar day before posting)	City Council Deadline (8th calendar day before the meeting - Sec. 3.10 (A) LV Code of Ordinances)	Meeting Date
Tuesday, August 26, 2025	Wednesday, August 27, 2025	Thursday, August 28, 2025	Friday, August 29, 2025	Mon. 9/1/2025 - Labor Day	Saturday, August 16, 2025	Monday, August 25, 2025	Tuesday, September 2, 2025
Wednesday, September 10, 2025	Thursday , September 11, 2025	Friday, September 12, 2025	Monday, September 15, 2025	N/A	Saturday, September 6, 2025	Monday, September 8, 2025	Tuesday, September 16, 2025
Proposed Dates for Fiscal Year 2025-2026 (Subject to Change)							
							October 07, 2025 - Cancelled
Wednesday, October 15, 2025	Thursday, October 16, 2025	Friday, October 17, 2025	Monday, October 20, 2025	N/A	Saturday, October 11, 2025	Monday, October 13, 2025	Tuesday, October 21, 2025
Tuesday, October 21, 2025	Wednesday, October 22, 2025	Thursday, October 23, 2025	Friday, October 24, 2025	N/A	Wednesday, October 15, 2025	Friday, October 17, 2025	10/25/2025 - Coffee with the Mayor & City Council
Wednesday, October 29, 2025	Thursday, October 30, 2025	Friday, October 31, 2025	Monday, November 3, 2025	N/A	Saturday, October 25, 2025	Monday, October 27, 2025	Tuesday, November 4, 2025
Wednesday, November 12, 2025	Thursday, November 13, 2025	Friday, November 14, 2025	Monday, November 17, 2025	N/A	Saturday, November 8, 2025	Monday, November 10, 2025	Tuesday, November 18, 2025
Monday, November 24, 2025	Tuesday, November 25, 2025	Wednesday, November 26, 2025	Monday, December 1, 2025	Thur. 11/27/2025 & Fri. 11/28/2025 - Thanksgiving	Saturday, November 22, 2025	Monday, November 24, 2025	Tuesday, December 2, 2025
Wednesday, December 10, 2025	Thursday, December 11, 2025	Friday, December 12, 2025	Monday, December 15, 2025	N/A	Saturday, December 6, 2025	Monday, December 8, 2025	Tuesday, December 16, 2025
Tuesday, December 22, 2025	Wednesday, December 23, 2025	Friday, January 2, 2026	Monday, January 5, 2026	Christmas/Winter/New Years Wed., 12/24/ 2025 - Thurs., 01/01/2026	Saturday, December 27, 2025	Monday, December 29, 2025	Tuesday, January 6, 2026

Amending the Code of Ordinances – Rules for Giving Notice About Public Meetings Under the Texas Open Meeting Act

Sandra Passailaigue, TRMC
City Secretary
City Council Meeting
August 05, 2025

Summary

- Question
 - **City Council is being asked to consider an Ordinance Amending the Code where it relates to Notices of Public Meetings.**
- Options
 - Recommended:
 1. No change.
 2. Approve amendments as presented.
 - Denial
 - Other
- Declaration
 - This amendment puts the City of Leon Valley in compliance with the Texas Open Meetings Act.

Purpose

- **Texas House Bill 1522 – Public Meeting Notice Requirements**
 - **Effective September 01, 2025**
 - Enhance **transparency** and keep the public informed about potential budget changes.

1. New Posting Requirement:

- Notice must be posted **at least 3 business days** before a public meeting (replacing the previous 72-hour rule).

Purpose

2. New Requirements for Budget Meetings:

- Include a **physical copy *or* online link** to the proposed budget in the meeting notice.
- Provide a **Taxpayer Impact Statement** comparing:
 - Current year's property tax bill
 - Estimated bill for the upcoming fiscal year
 - Based on a **median-valued homestead**

Fiscal Impact

None

OUTSTANDING CITY COUNCIL ITEMS

- **Discussion of updating the Strategic Plan, Mission, & Vision Statement**
 - Will be placed on the Town Hall meeting for discussion, decided at the 11/21/23 Council meeting to hold a workshop.
 - February 3, 2024, workshop scheduled. At the council chambers. The Council changed the date to 2/24/24 to coincide with another workshop.
 - The Council decided to amend the mission and vision statements. Holding another workshop for the goals and objectives and core values.
 - Core values will be discussed at 3/19/2024. Goals will return after the council retreat.
 - This item is still pending. The council did not get this item at the retreat.
 - This item was going to be added to the town hall meeting.
 - The City Manager is looking for the next goals and Objectives Meeting
 - Council decided to do this at the April 26, 2025 coffee.
 - The PowerPoint is online and accepting feedback.
 - July 15, 2025, Moved by Mayor
 - August 5, 2025 for council discussion
- **Sustainability Overlay**
 - 6/6/2023 Staff is not ready and has been postponed until September.
 - 725/2023 – Zoning Commission started to review. The item is with the Attorney.
 - New Planning and zoning Director and the City Manager met with the attorney on 1/8/2024.
 - Went to the zoning commission on June 24, 2025
 - Scheduled for first read on 7/15/25
- **Neighborhood/Citizen Survey**
 - Will be tied to the solid waste survey. The council decided to keep these two separate items.
- **Looking at an amendment to Section 15.02 Appendix C (I), D Structural Nonconformity to add a matching percentage from Economic Community Development funds.**
 - **After the sustainability review.**
- **Four-way stop at Forest Meadow and Evers.**
 - To be evaluated upon the development of the Evers property.
 - Will be discussed on 7/13/2024 council retreat
 - Waiting until after the development or until it is added by the city council.
- **Discussion on large capital projects – Possible Bond**
 - Public Works Building
 - ADA requirements
 - Crystal Hills Park
 - Pool
 - Dog Park

- Library Annex
- Will be discussed at the council retreat on 7/13/2024
- This item was briefly discussed and will be brought back to city council. September 17, 2024, council meeting.
- Add to the townhall meeting for discussion
- **Ordinance on Amending the PDD**
 - Scheduled to go to the zoning commission meeting on 4/23/2024
 - The zoning commission tabled the item. Will revisit 5/28/2024
 - Zoning commission revisited on 6/5/2024
 - The Zoning Commission will revisit in September
 - New Planning Zoning Director is working with the City Attorney.
- **Veterans Monument**
 - Waiting for two council members to add this item.
 - Price quote was \$24,000
 - Added in FY 26 capital budget

ITEMS ARE STILL IN THE PIPELINE BUT HAVE BEEN ADDRESSED

- **Red-light Cameras' first available contract end term is May 2037**
 - City Council adopted a Resolution declaring the intent to phase out redlight cameras 4/6/2021 – Resolution # 21-009R.
 - The RLC Contract would be difficult to terminate without financial obligation from the City.
 - City Council supports HB 1209 and physically delivers letters in support to Cortez, Biederman, Canales, and Menendez
 - Funds – Eligible projects – CR
 - Will be discussed at the Town Hall Meeting on January 22, 2022.
 - Discussed at the retreat, the Council has decided not to spend funds until we know what the legislature is doing.
 - Resolution supporting SB 446-2/21/2023.
 - The item was not approved during the legislation process, the Council will try again in 2025.
 - The Council decided at the retreat not to address this issue.
- **Comprehensive Master Plan**
 - Was addressed at the following Council meetings:
 - 2/2/2021
 - 3/23/2021
 - 06/1/2021
 - This item was discussed during the budget process, and ultimately, the Council has decided not to spend the funds on this project at this time.
 - This will be discussed during the town hall meeting update with the council on 4/19/2022.
 - The council would like us to use our future land use map.
 - Establish neighborhood boundaries

- The council has opted not to update the Master Plan.
- P & Z Director investigating a university conducting the plan.
- Boundaries of the neighborhood
- This has been placed in the FY 2025 budget.
 - The Council has decided to move the \$250,000 to the city's emergency fund.
- **AV equipment for the Conference Center - Budget Adjustment from ARP Funds**
 - Council meeting 2/1/22 first read.
 - Item amended to get the direction of the scope of work.
 - Will bring the item back after the BID process.
 - Discuss alternatives 5/3/2022.
 - This item could not be purchased out of ARP funds.
- **Flooding**
 - Was addressed at the following Council Meetings.
 - 08/03/2021 – Flood damage prevention Ord. # 21-034.
 - 11/2/2021 – To discuss flood mitigation strategies.
 - 12/07/2021 – Short-Term options to address flooding.
 - Budget Adjustment – For funding floodway monitoring and software upgrades.
 - Upcoming Council presentation 1/18/2022.
 - Budget Adjustment – for creek cleanup.
 - Staff is proposing \$150,000 in ARP funds. Upcoming Council meeting TBD.
 - Segment one of Huebner Creek will be presented to the Council on 4/19/2022.
 - Council decided to look at the 50' wide, protected little league, the study will be brought back to the Council before we agree to do it.
 - Budget adjustment for creek cleanup.
 - 6/7/2022
 - Budget adjustment for flood gates and notification system.
 - 6/7/2022 postponed
- Huebner Creek Channel Improvement presentation 9/20/2022.
 - Council direction to bring back budget adjustment on \$633,000.
 - First Read 10/3/2022.
 - Second Read 10/18/2022.
 - 11/21/2023 – PW Director will provide an update and receive direction – Council decided to have a field trip to look at the creek layout TBD.
 - The Council decided to conduct a field trip in the Natural Area
 - 12/6/2023, the Council walked the steaked-out creek realignment
 - 1/16/2023 – The Council will revisit the project.
 - 2/24/2023- the Council will have a workshop to discuss with the engineer.

- The council directed the engineer to look at a plan that leaves the creek alignment alone, a new tree survey, and build a retaining wall for erosion.
- 8/6/2024 – budget adjustment will be presented to the council in the amount of \$168,000
- Second Read on the Budget Adjustment is scheduled for 8/20/2024.
- After council approval, the following is the timeline:
 - Preliminary Design – 1.5 months (45 days) from NTP
 - Final Design – 3-4 months (90-120 days)
 - Environmental – TBD – 3-6 months and will be concurrent with design
 - Bidding and Construction – TBD based on funding – Not Authorized at this time
 - Approved
- Chanel bank options 11/19
 - Council decided to proceed with Rip Rap option and have staff proceed with SAWS addressing the exposed recycled water line.
- The Mayor requested that an item be added to have the engineers mark the trees that would be removed with the projects this item is on 1/17/2024 council meeting to be added for approval
 - City Council did not approve the expending of these funds and also had no objection to continuing the project
- Mayor, City Manager, Mayor Pro Tem and Engineer met with SAWS on 1/30/2025. To see what they would be willing to assist with. The City Manager asked if they would be willing to participate in an alternative that they engineered.
 - On 3/18/25, the city council was asked to choose between the original option, rip rap option, retaining wall option, or erosion. The City council voted to pause the project.
- **Silo design per request of the adjacent property owner**
 - 5/2/2023 – Moved by CM due to the number of items on the agenda.
 - 5/16/2023 – Scheduled
 - Council Requested outreach to local universities.
 - Melinda is working on quotes.
 - Council removed from FY 26 budget.
- **Stray Animal Ordinance**
 - Currently being reviewed by the City Attorney – we cannot require private industry to take in and adopt our stray animals.
 - Looking at a possible interlocal agreement.
 - Staff has met with the county for a long-term solution.
 - On discussion for the retreat- the council had no revisions to the current policy. 7/1/25

Completed

- Vaping: Making it illegal in Public Areas
 - 2/18/2024 Council meeting
 - 3/4/2024 Second read – passed unanimously
- **Review of the Water and Sewer Rates**
 - 6/20/2023 Postpone council requested this be a retreat item for 7/22/23.
 - Council will be looking at a 1% increase at a future meeting.
 - This will be discussed at the Town Hall meeting- on 11/21/2023, the Council decided on a workshop.
 - 12/5/2023 City Council reviewed the presentation from Waterworth. The next workshop is scheduled for 2/20/2023 (the date has been moved). We were waiting on the audited numbers. We just received them. We will be setting a new date for review.
 - 7/16/2024, the council will hear a new presentation
 - Some Councilmembers expressed concern that the water rate does not match SAWS. Some Councilmembers expressed concern that that by not increasing water rates the water infrastructure will not get addressed.
 - Everyone agreed on the surcharge and looking at the affordability rate
 - Staff will bring back the Surcharge on 8/6/2024.
 - New rates will be brought back to the council in September 2024.
 - Second Read on the Surcharge 8/20/2024.
 - Council passed unanimously
 - Water workshop on Saturday in October 19, 2024.
 - Look at the rates with the TX Water Board Low interest Loans
 - Look at the rates with the EPA Low interest Loan
 - Look at rates to exactly match SAWS structure
 - Will have another workshop in est. 30 days
 - 11/12/2024 next workshop
 - The Council decided to present at the town hall meeting
 - Melinda will be presenting on 3/4/2025 for an increase
 - City council decided to use SAWS tiers but adjusted the rates so that the fund would not lose money in years one and two. This will come back TBD.
 - Presentation is scheduled for 4/1/25
 - Council approved a rate increase
 - The ordinance read is scheduled for 4/15/2025 – first read 5/6/25 Second read. City Council Approved.
- **Review of the Personnel Manual**
 - Administrative changes will be coming in April.
 - Scheduled for 5/6
 - Completed and voted unanimously by council

