



**CITY OF LEON VALLEY**  
**PLANNING & ZONING COMMISSION**  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238  
Tuesday, August 22, 2023 at 6:30 PM

**AGENDA**

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**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF ZONING COMMISSION MINUTES**

1. Planning & Zoning Commission - Regular Meeting - July 25, 2023

**3. NEW BUSINESS**

1. Presentation, **Public Hearing**, and Discussion to Consider a Recommendation on an Ordinance Revising Chapter 15 Zoning, Division 6, Section 15.02.306 (R-1 Single-Family Dwelling District) to Allow Accessory Buildings in the Side Yard - M. Teague, Planning and Zoning Director
2. Workshop to Discuss Revisions to the Leon Valley Code of Ordinances, Chapter 15 Zoning to Eliminate the General, Sustainability, and Commercial/Industrial Standards and Districts - M. Teague, Planning and Zoning Director

**4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF**

In accordance with Section 551.0415 of the Government Code, topics discussed under this item are limited to expressions of thanks, congratulations or condolence; information regarding holiday schedules; recognition of a public official, public employee or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial or community event; and announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

**5. ADJOURNMENT**

**Executive Session.** The 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 make arrangements, call (210) 684-1391, Extension 216.



SAUNDRA PASSAILAIGUE, TRMC  
City Secretary  
AUGUST 17, 2023 10:00 AM





**City of Leon Valley  
PLANNING AND ZONING COMMISSION  
MEETING MINUTES  
6:30 PM – JULY 25, 2023  
Leon Valley City Council Chambers  
6400 El Verde Road, Leon Valley, TX 78238**

**1. CALL TO ORDER AND ROLL CALL**

Chair Catherine Rowse called the Planning and Zoning Commission meeting to order at 6:36 PM.

**PRESENT**

1st Vice Chair	Edward Alonzo	Place 1
Commissioner	Andrea Roofe	Place 2
Chair	Cassie Rowse	Place 5
Commissioner	Richard Blackmore	Place 7
Commissioner	Hilda Gomez	Place 3

**ABSENT**

Commissioner	Pat Martinez	Place 4	Excused
2nd Vice Chair	Erick Matta	Place 6	Excused
1st Alternate	Kimberly Bohl		Unexcused
2nd Alternate	Thomas Dillig		Excused
3rd Alternate	David Perry		Excused
Council Liaison	Benny Martinez		

**2. APPROVAL OF ZONING COMMISSION MINUTES**

- 1. Planning & Zoning Commission - Regular Meeting - June 27, 2023

Commissioner Roofe made a motion to approve the minutes, which was seconded by Commissioner Blackmore. The motion carried unanimously.

**3. NEW BUSINESS**

- 1. Presentation, Public Hearing, and Discussion to Consider a Recommendation on a Replat, with Requested Variances, on an Approximately 0.854-acre Tract of Land, Being the North 133.20 Feet of Lot 7, CB 4445L, Dirt V-Murchison-Huebner Subdivision - M. Teague, Planning and Zoning Director

Planning and Zoning Director Teague presented the case information, and a brief discussion was held between applicant Bhagavath Bodagala, Mrs. Teague, and the Commissioners regarding the reason for replatting, the verification of the lot numbers, and future plans for the land.

Chair Catherine Rowse opened the public hearing at 6:48PM.

Mr. Joseph M. Krisak spoke in opposition of the replat with concerns regarding traffic, population density, water, and duplexes being a buffer for apartments in the future.

Commissioner Roofe made a motion to accept the replat with variances, which was seconded by Commissioner Alonzo. The motion carried unanimously.

Voting Yea: Chair Rowse, 1st Vice Chair Alonzo and Commissioners Roofe, Blackmore, and Gomez

Voting Nay: None

- 2. Presentation, and Discussion to Consider a Recommendation on an Ordinance Revising Chapter 15 Zoning, Division 6, Section 15.02.306 (R-1 Single-Family Dwelling District) to Allow Accessory Buildings in the Side Yard - M. Teague, Planning and Zoning Director

Planning and Zoning Director Teague presented the case information, and a brief discussion was held between Mrs. Teague and the Commissioners regarding the proposed verbiage and whether the fire department had reviewed the amendment.

Commissioner Alonzo made a motion to table the case to the next meeting to receive feedback from the fire department, which was seconded by Commissioner Blackmore. The motion carried unanimously.

Voting Yea: Chair Rowse, 1<sup>st</sup> Vice Chair Alonzo and Commissioners Blackmore, Roofe and Gomez

Voting Nay: None

- 3. Workshop to Discuss Revisions to the Leon Valley Code of Ordinances, Chapter 15 Zoning to Eliminate the General, Sustainability, and Commercial/Industrial Standards and Districts - M. Teague, Planning and Zoning Director

Planning and Zoning Director Teague presented the information, and a brief discussion was held between the Commissioners and Mrs. Teague to approve removing intent, land use and building orientation and moving building height to each district, cross-access drives, automobile parking and bicycle parking to parking Division 9.

Chair Rowse suggested tabling the supplementary architectural regulations until the next meeting due to the number of absent Commissioners. The item was tabled by general consensus.

**4. ANNOUNCEMENTS BY COMMISSIONERS AND CITY STAFF**

Planning and Zoning Director Teague announced Commissioner Gomez had been appointed to Commissioner Seat 3 and Mr. Thomas Dillig had been appointed to the Alternate 2 seat.

Chair Rowse reminded the Commissioners to assure they had completed the Public Information Training as soon as possible.

Planning and Zoning Director Teague asked if all the present Commissioners had verified their contact information.

**5. ADJOURNMENT**

Chair Rowse announced the meeting adjourned at 8:00 pm.

*These minutes were approved by the Leon Valley Planning & Zoning Commission on the 22<sup>th</sup> of August 2023.*

APPROVED

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**CATHERINE ROWSE**  
CHAIR

ATTEST: \_\_\_\_\_

**ELIZABETH AGUILAR**  
PERMIT TECHNICIAN

## ZONING COMMISSION STAFF REPORT

**DATE:** August 22, 2023

**TO:** Zoning Commission

**FROM:** Mindy Teague, Planning and Zoning Director

**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** Presentation, Public Hearing, and Discussion to Consider an Ordinance Revising Chapter 15 Zoning, Division 6, Section 15.02.306 (R-1 Single-Family Dwelling District) to Allow Accessory Buildings in the Side Yard.

**SPONSOR(S):** N/A

### PURPOSE

The purpose of this item is to consider recommending approval of an Ordinance correcting a conflict by amending Chapter 15 Zoning, Division 6, Section 15.02.306 “R-1 Single Family-Dwelling” district to allow accessory buildings in the side yard with the setback requirement of not less than 5 feet from side property line to main structure.

Staff received a request from a property owner to construct a swimming pool within the side yard. Swimming pools are considered to be accessory buildings. After reviewing the Code, it was determined that the pool would not be allowed in a side yard.

Sec. 15.02.306 - "R-1" single-family dwelling, (d) Other states:

“(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 30 percent of the total open space in the rear yard; with the following exceptions:”

However, the Code then clearly conflicts as it goes on to state:

“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.”

The new language would revise the portion of the sentence in (1) that states “and must be located in the rear yard”. This action will remove the conflict.

The proposed language would add “and must be located in the side or rear yard”

**SEE LEON VALLEY**

Social – Revising the zoning code would allow Leon Valley property owners more design options.

Economic - Assuring quality development maintains housing property values.

Environmental – Any new structures would be required to conform to the 2021 International Energy and Building codes.

**FISCAL IMPACT**

N/A

**STRATEGIC GOALS**

Goal # 1 - Economic Development · Objective F – Promote Leon Valley

**RECOMMENDATION**

After careful review, Staff has no objection to this request.

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

# Consider Zoning Code Amendment Accessory buildings in Side Yard

Planning and Zoning Commission Meeting  
Planning & Zoning Director Mindy Teague  
August 22, 2023

# Purpose

- To consider amending the Leon Valley Code of Ordinances, Chapter 15 Zoning, Division 6, Section 15.02.306 R-1 Single-Family Dwelling District, (d) Other, (1)
- To remove a Code conflict regarding accessory buildings within a side yard



# Background

- Staff received a request from a citizen (in R-1 Single Family district), to construct a swimming pool in a side yard
- Pools are considered accessory structures for plan review & inspection, unless stated otherwise in the code
- After review of the Code, it was determined that the request would be denied, but that the Code contained a conflict in this regard

# Current Code Language

- Chapter 15 Zoning, Division 6 - Districts, Boundaries, and Use Regulations, Section, 15.02.306 “R-1” Single Family Dwelling, (d) *Other* states:
  - (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 30 percent of the total open space in the rear yard; with the following exceptions:
    - It then states:
      - 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.

# Proposed Code Amendment

- Chapter 15 Zoning, Division 6 - Districts, Boundaries, and Use Regulations, Section 15.02.306 “R-1” Single Family Dwelling, (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 nor be located in the front yard.

# S.E.E. Leon Valley

- Social – Revising the code gives all citizens more flexibility with design options on their lots
- Economic – Assuring quality development maintains housing property values
- Environmental – Any new or remodeled swimming pool areas would be required to conform to the 2021 International Energy and Building codes

# Recommendation

- Staff recommends approval of the Code amendment
- Building and Fire reviewed and approved revising the code

**ZONING COMMISSION STAFF REPORT**

**DATE:** 8-22, 2023

**TO:** Planning and Zoning Commission

**FROM:** Mindy Teague, Planning and Zoning Director

**THROUGH:** Crystal Caldera, City Manager

**SUBJECT:** To consider making a recommendation for moving some regulations from Appendix C Sustainability, Gateway, and Commercial/Industrial Overlay Standards

**SPONSOR(S):** N/A

**PURPOSE**

The purpose of this workshop is to discuss revisions to the Leon Valley Code of Ordinances, Chapter 15 zoning and to eventually eliminate the General, Sustainability, and Commercial/Industrial Overlay Standards

**SEE LEON VALLEY**

*Social Equity* – Updating regulatory codes protects the health, safety, and welfare of all citizens

*Economic Development* – Assuring quality development maintains housing and business property values

*Environmental Stewardship* – Updating the Code to the present environmental standards assures clean air and water

**FISCAL IMPACT**

N/A

**STRATEGIC GOALS**

Goal # 1 - Economic Development · Objective F – Promote Leon Valley

**RECOMMENDATION**

At the Commission’s discretion

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS:

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ATTEST:

\_\_\_\_\_  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary

# Workshop

## Amending Chapter 15 Zoning

Planning and Zoning Commission Meeting  
Planning & Zoning Director Mindy Teague  
8-22-23





# Purpose

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

# Background

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

# Supplementary architectural regulations

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, disposition and design of buildings play an important role in achieving that goal.

# State Law

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

# State Law

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

# Fiscal Impact

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

# S.E.E. Statement

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

**II. STANDARDS FOR SUSTAINABILITY OVERLAY**

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, 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

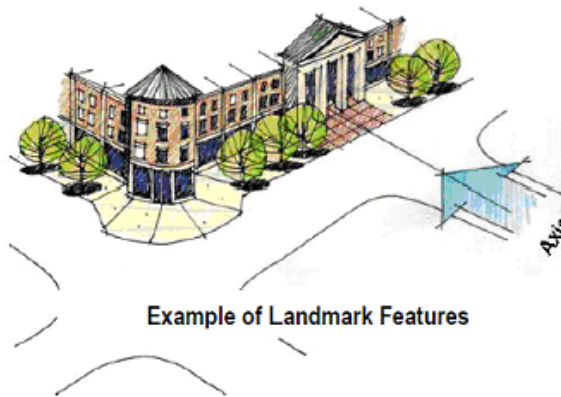




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II. STANDARDS FOR SUSTAINABILITY OVERLAY



- 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 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.



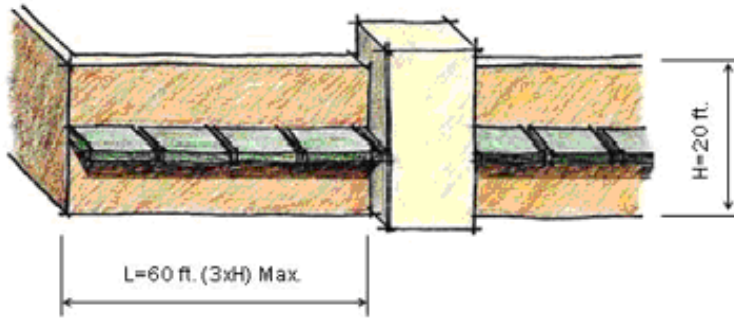
- iii. *Building articulation.* One- and two-story facades visible from a public street, drive or open space shall meet the following minimum standards for articulation. Articulation for buildings three or more stories in height shall be required for the primary entries and the building's main corners.

*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.

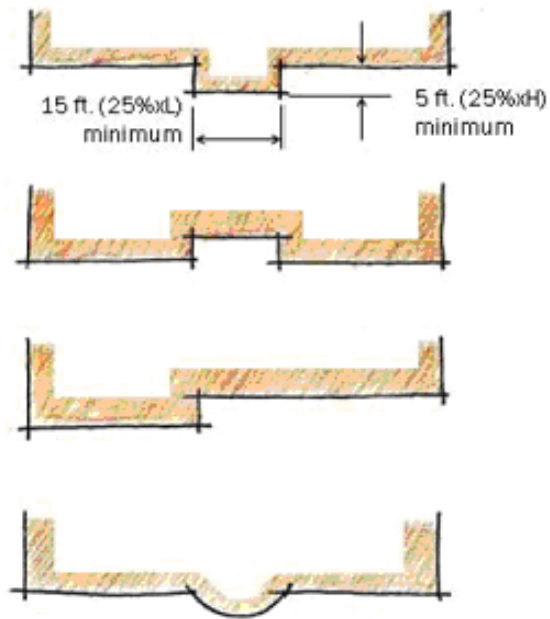
*Vertical articulation.* No horizontal wall shall extend for a distance greater than three times the height of the wall without changing height by a minimum of 25 percent of the wall's height. Pitched roofs shall count toward achieving vertical articulation, provided they are 65 degrees or less from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

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Building Articulation Examples



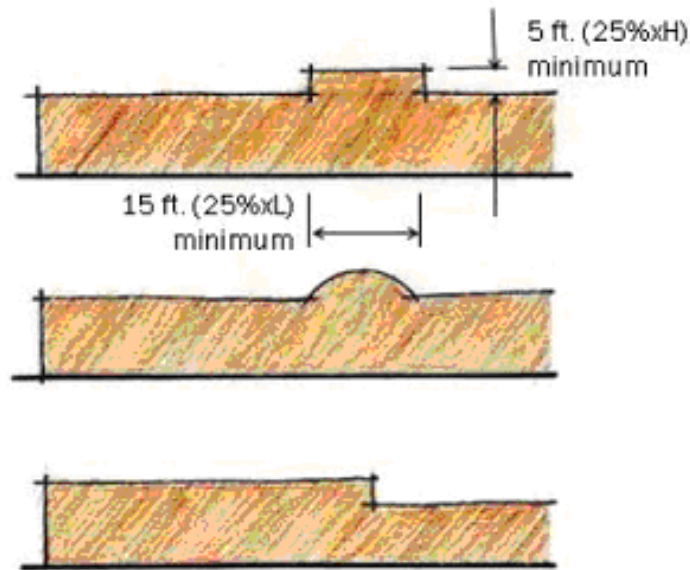
**HORIZONTAL Articulation**



Possible PLANS

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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);

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## II. STANDARDS FOR SUSTAINABILITY OVERLAY

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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.

## CHAPTER 15 - ZONING

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## II. STANDARDS FOR SUSTAINABILITY OVERLAY

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.*

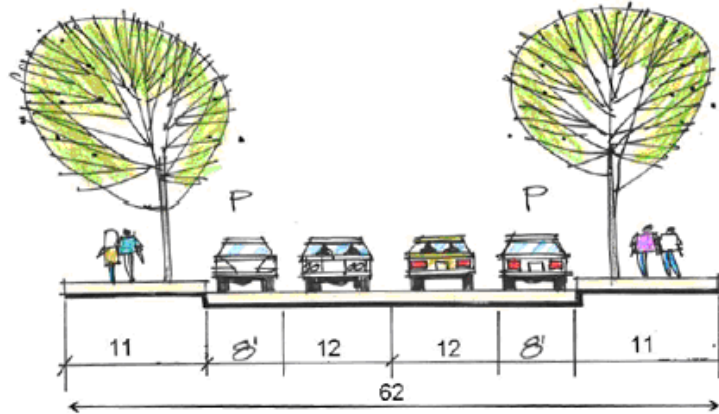
i. Ten percent of the total townhouse development shall be dedicated as usable open space. This area shall be platted as common area; open space must be usable and serve as an amenity for residents.

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.

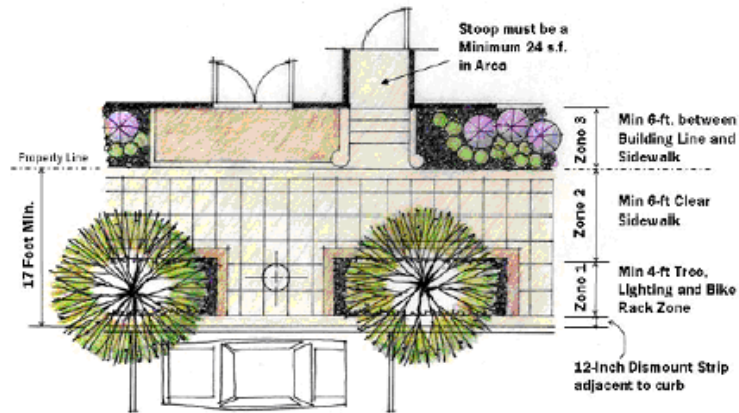
e. Streets adjacent to townhouses shall have a minimum 62-foot right-of-way or public access driveway. All townhouses shall be platted on individual lots and require public street frontage, but cannot have double street frontage.

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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**

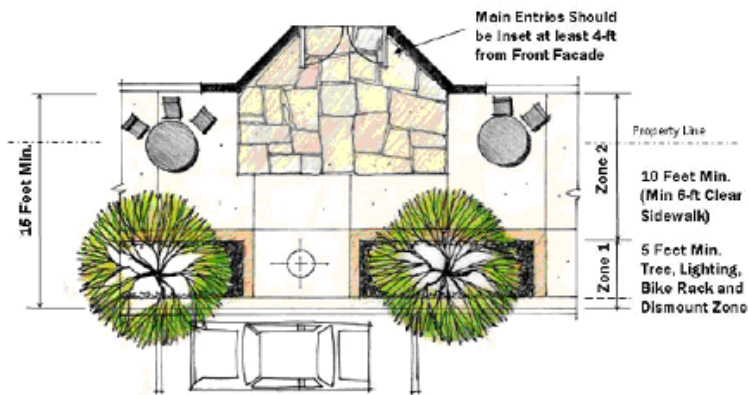
- k. A 20-foot rear building setback shall be applied from the alley right-of-way which includes a five-foot fence setback with an urban tree for each property.
- l. The minimum side yard is five feet between groups of three to six townhouses; side yard at corner shall be the same as for a front yard, 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.)
- 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;
    - 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.



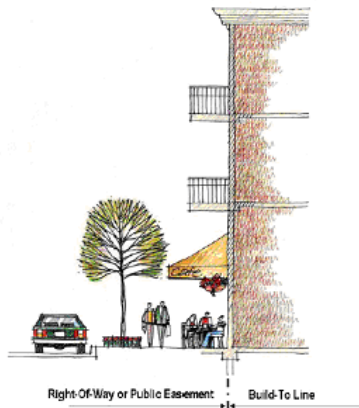


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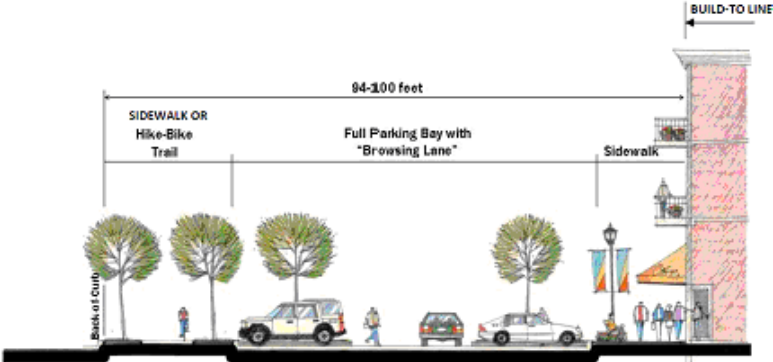


- d. *Build-to line.* At least 70 percent of the front building face shall be constructed within a minimum of 15 feet from the back of curb and a maximum of 20 feet when adjacent to a major access drive. The remainder of the building frontage may be set back further to allow such things as outdoor dining, 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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(Ordinance 10-049 adopted 11-16-10; 2008 Code, ch. 14, app. C, sec. II; Ordinance 2019-50 adopted 9-30-19)