

City of Fredericksburg

CITY COUNCIL AND PLANNING AND ZONING COMMISSION JOINT MEETING AGENDA

THURSDAY, FEBRUARY 7, 2019 ~ 5:30 P.M.

LAW ENFORCEMENT CENTER ~ 1601 EAST MAIN STREET

Linda Langerhans, Mayor
Jerry Luckenbach, Councilmember
Tom Musselman, Councilmember

Gary Neffendorf, Councilmember
Charlie Kiehne, Councilmember
Kent Myers, City Manager

Janice Menking, Planning and Zoning Commission Chair
Jim Jarreau, Commissioner
Daryl Whitworth, Commissioner
Brenda Segner, Commissioner
Chris Kaiser, Commissioner

Polly Rickert, Commissioner
Jim Warren, Commissioner
Tim Dooley, Commissioner
Steve Thomas, Commissioner

The City of Fredericksburg City Council and Planning and Zoning Commission will meet in a joint session on Thursday, February 7, 2019 at 5:30 p.m. in the Law Enforcement Center, 1601 East Main Street, Fredericksburg, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted on February 1, 2019 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

(Please turn off all pagers and phones, except emergency on-call personnel.)

1. PLEDGE OF ALLEGIANCE

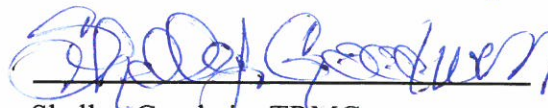
2. CALL TO ORDER

3. ACTION ITEMS – DISCUSSION ITEMS

- A.** Discussion regarding proposed revisions to the Standardized Business Ordinance.
(Agenda Packet Pages 3-34)
- B.** Discussion regarding proposed Mixed Use Zoning District and proposed C-1.5 Commercial Zoning District.
(Agenda Packet Pages 3-34)
- C.** Discussion regarding proposed Zoning Ordinance changes related to outdoor amplified sound adjacent to Residential Zoning.
(Agenda Packet Pages 3-34)
- D.** Discussion regarding proposed changes to parking regulation on West Main Street.
(Agenda Packet Pages 3-34)

4. ADJOURN

This is to certify that I, Shelley Goodwin, posted this Agenda at 1:45 p.m. on January 31, 2019 on the entrance door and bulletin board of the City of Fredericksburg City Hall, 126 W. Main St., Fredericksburg, Texas.



Shelley Goodwin, TRMC
City Secretary



CITY COUNCIL MEMO

DATE: January 31, 2019

TO: Mayor and City Council, Planning and Zoning Commission

FROM: Brian Jordan, AICP

SUBJECT: Joint Work Session to discuss the following:

An amendment to the Zoning Ordinance to create a Mixed Use Zoning District and C-1.5 Commercial District, an amendment to the Historic Shopping District Overlay and regulation of standardized businesses, an amendment to Special Parking provisions on West Main Street and restrictions on outdoor amplified sound adjacent to residential properties.

Summary:

When the last Comprehensive Plan was adopted, a Mixed Use Corridor Land Use Category was recommended. The staff and the Planning and Zoning Commission have been working on the creation of a zoning district that would correspond with this category. Two Mixed Use Districts have been drafted, with one being along major corridors and the other for infill development. In addition, a new C-1.5 commercial district has been drafted to fall between our C-1 Neighborhood Commercial District and the C-2 General Commercial District. A draft of both districts is attached. At the January 7, 2019 City Council Meeting, the Council voted to initiate a zoning amendment to consider changes to the Historic Shopping District Overlay and regulation of standardized businesses. This amendment will consider an expansion of the district and modifications to the definition of a standardized business. In 2015, the City Council amended Section 7.825 of the Zoning Ordinance pertaining to special parking provisions by extending these provisions to Acorn Street on the west side of town. The final matter for discussion will be to consider an amendment to the Zoning Ordinance relating to outdoor amplified sound adjacent to residential zoning districts.

Recommendation:

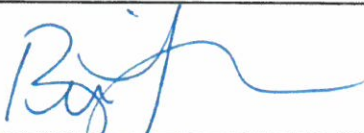
Provide direction to staff and the Planning and Zoning Commission to consider these amendments to the Zoning Ordinance.

Background / Analysis:

Included in the packet for these discussion items will be a draft of two Mixed Use Districts and the C-1.5 District, a copy of the definition of a Standardized Business, the ordinance amendment expanding the special parking provisions on W. Main Street and a listing of the properties where outdoor amplified sound would currently be permitted adjacent to single family residential zoning.

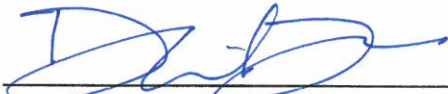
Attachments:

MU-1, MU-2, C-1.5 District and Matrix , Definition of Standardized Business, Ordinance 25-017, and List of properties where amplified sound is currently permitted adjacent to single-family residential zoning.



Department Approval

City Manager Approval



City Attorney Approval

The City of Fredericksburg

- **Sec. 3.210. – MU-1: MIXED USE – INFILL.**

[SHARE LINK TO SECTION PRINT SECTION DOWNLOAD \(DOCX\) OF SECTIONS EMAIL SECTION COMPARE VERSIONS](#)

Intent

This zone represents an effort to provide a zoning category for properties outside of the main commercial area, and are large enough and located in proximity to the core of the city to provide for a mix of uses and that is intended to be pedestrian and bicycle oriented. Features for consideration include a balanced mix of uses, connectivity of uses, compactness, compatibility with town character or traditional context, reduced parking, good pedestrian and bicycle access.

Principal Permitted Uses

Administrative and Business Office
Administrative Services
Arts and Crafts
Business Support Services
Club or Lodge
Cocktail Lounge
College or University Facilities
Community Recreation
Consumer Convenience Services
Consumer Repair Services
Convalescent Services
Cultural Services
Custom Manufacturing
Day Care Services
Financial Services
Food Sales (limit to the size)
Group Residential
General Retail Sales (limit to size)
Hotel/Motel (limit to square footage or number of rooms)
Hospital Services (Limited)
Indoor Entertainment
Indoor Sports and Recreation
Kennels
Laundry Services
Liquor Sales
Local Utility Services
Medical Offices
Mobile Food Establishments
Outdoor Sports and Recreation
Park and Recreation Services
Personal Improvement Services
Personal Services
Pet Services
Professional Offices

Religious Assembly
Restaurant - Drive-In/Fast Food
Restaurant
Restaurant – Limited
Retail Sales - Limited
Shopping Center
Single Family Residential (Detached)
Duplex Residential
Townhouse Residential
Condominium Residential
Multiple Family Residential

Buildings, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses, plus such other uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare.

Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided for in section 5.400.

Automobile Rentals
Business or Trade School
Convenience Storage
Outdoor Sports and Recreation
Drive through or Drive-in facilities associated with any use
Group Residential
Guidance Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Transportation Terminals

Property Development Regulations

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the following standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the MU-1 District shall be subject to the following site development regulations.

Feature	Regulation
Lot Size	Minimum Lot Area, 7,500 Square feet
Lot Width	Minimum Lot Width, 75 feet
Height	Maximum Building Height, 3 stories, 38 feet
Front Yard	Minimum Required Setback, 15 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 0 feet*
Rear Yard	Minimum Required Setback, 0 feet*
Maximum Impervious Coverage	80%
Maximum Building Coverage	Percent of Lot Area, 75%
Residential Density	Section 3.120
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000 and 7.100
Yard Regulations	Section 7.300
Height Regulations	Section 7.510
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900
Temporary/Accessory Building	Section 8.100

Signs	Sign Ordinance
*25 feet when adjacent to Residential property	

Special Site and Development Regulations:

1. All Entry Corridor Standards and Guidelines shall apply to development within the MU-1 District.
2. Shared access for pedestrians and vehicles shall be provided between properties and uses.
3. Pedestrian circulation will be given priority over vehicular access.
4. Drive-thru's associated with any use shall be oriented away from any adjacent residential.
5. Exterior amplified sound associated with any use shall be prohibited when adjacent to single family residential use.
6. Required parking may be reduced by up to 25% if development can show the mix of uses do not conflict with one another .
7. Residential density for townhomes, condominiums and multi-family dwellings may be increased by 25% if utilized above ground floor level and combined with other permitted uses.
8. Outdoor storage shall be prohibited.
9. Outdoor display of merchandise shall be limited to _____% of the lot area, and shall be maintained in a neat and orderly manner.
10. Height may be increased to 4 stories if more than three different use types are included and structured parking is proposed within a single development.

Miscellaneous Provisions for Consideration:

1. Encourage biking and require bike parking.
2. Require screened parking adjacent to residential uses and along major thoroughfares.
3. Require parking to be located on the side or rear of buildings along public roadways or internal drives.
4. Reduced setbacks where a certain number or uses are included within a single development.

- **Sec. 3.210. – MU-2: MIXED USE – CORRIDOR**

[SHARE LINK TO SECTION PRINT SECTION DOWNLOAD \(DOCX\) OF SECTIONS EMAIL SECTION COMPARE VERSIONS](#)

Intent

This zone represents an effort to change the typical pattern of strips of underperforming commercial development that often line highways and arterials. Rather than limiting the properties along major entry corridors to commercial uses, this category offers a variety of higher density residential and mixed use opportunities. The policy of allowing this mix of uses along major roadways supports a change in development from a pattern of older commercial structures to new projects with a variety of uses, including mixed use within an individual building project or building.

Principal Permitted Uses

NON-RESIDENTIAL USES:
Administrative and Business Office
Administrative Services
Arts and Crafts
Business Support Services
Club or Lodge
Cocktail Lounge
College or University Facilities
Community Recreation
Consumer Convenience Services
Consumer Repair Services
Convalescent Services
Cultural Services
Custom Manufacturing
Day Care Services
Financial Services
Food Sales (limit to the size)
Group Residential
General Retail Sales (limit to the size)
Hotel/Motel (limit to square footage or number of rooms)
Hospital Services (Limited)
Indoor Entertainment
Indoor Sports and Recreation
Kennels
Laundry Services
Liquor Sales
Local Utility Services
Medical Offices
Mobile Food Establishments
Outdoor Sports and Recreation
Park and Recreation Services
Personal Improvement Services
Personal Services

Pet Services
Professional Offices
Religious Assembly
Restaurant - Drive-In/Fast Food
Restaurant
Restaurant – Limited
Retail Sales - Limited
Shopping Center (limit to the size)
RESIDENTIAL USES:
Single Family Residential (Detached)
Duplex Residential
Townhouse Residential
Condominium Residential
Multiple Family Residential

Buildings, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses, plus such other uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare.

Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided for in section 5.400.

Automobile Rentals
Business or Trade School
Convenience Storage
Outdoor Sports and Recreation
Drive through or Drive-in facilities associated with any use
Group Residential
Guidance Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Transportation Terminals

Property Development Regulations

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the following standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the MU-2 District shall be subject to the following site development regulations.

Feature	Regulation
Lot Size	Minimum Lot Area, 10,000 Square feet
Lot Width	Minimum Lot Width, 100 feet
Height	Maximum Building Height, 3 stories, 38 feet
Front Yard	Minimum Required Setback, 20 feet
Street Side Yard	Minimum Required Setback, 15 feet
Interior Side Yard	Minimum Required Setback, 0 feet*
Rear Yard	Minimum Required Setback, 0 feet*
Maximum Impervious Coverage	75%
Maximum Building Coverage	Percent of Lot Area, 65%
Residential Density	Section 3.120
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000 and 7.100
Yard Regulations	Section 7.300
Height Regulations	Section 7.510
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900

Temporary/Accessory Building	Section 8.100
Signs	Sign Ordinance
*25 feet when adjacent to Residential property	

Special Site and Development Regulations:

1. All Entry Corridor Standards and Guidelines shall apply to development within the MU-2 District.
2. Shared access for pedestrians and vehicles shall be provided between properties.
3. Pedestrian circulation will be given priority over vehicular access.
4. Drive-thru's associated with any use shall be oriented away from any adjacent residential.
5. Exterior amplified sound associated with any use shall be prohibited when adjacent to single family residential use.
6. Required parking may be reduced by up to 25% if development can show the mix of uses do not conflict with one another .
7. Residential density for townhomes, condominiums and multi-family dwellings may be increased by 25% if utilized above ground floor level and combined with other permitted uses.
8. Outdoor storage shall be prohibited.
9. Outdoor display of merchandise shall be limited to ____% of the lot area, and shall be maintained in a neat and orderly manner.
10. Height may be increased to 4 stories if more than three different use types are included and structured parking is proposed within a single development.

Miscellaneous Provisions for Consideration:

1. Encourage biking and require bike parking.
2. Require screened parking adjacent to residential uses and along major thoroughfares.
3. Require parking to be located on the side or rear of buildings along public roadways or internal drives.
4. Reduced setbacks where a certain number or uses are included within a single development.

- **Sec. 3.210. – C-1.5: MEDIUM COMMERCIAL**

[SHARE LINK TO SECTION PRINT SECTION DOWNLOAD \(DOCX\) OF SECTIONS EMAIL SECTION COMPARE VERSIONS](#)

Intent

This zone represents an effort to provide a district between the Neighborhood Commercial District and the Commercial District. Uses have been selected from each of the various districts, with the intent that the proposed uses could function as a transition between highway commercial and residential neighborhoods, but could also provide a lower impact zone along other major roadways.

Principal Permitted Uses

NON-RESIDENTIAL USES:
Administrative and Business Office
Arts and Crafts
Business Support Services
Communication Services
Consumer Repair Services
Convalescent Services
Cultural Services
Day Care Services
Financial Services
Guidance Services
Hospital Services (Limited)
Local Utility Services
Medical Offices
Personal Improvement Services
Personal Services
Pet Services
Professional Offices
Private Primary Educational Facilities
Private Secondary Educational Facilities
Religious Assembly
Restaurant – Limited
Retail Sales - Limited
RESIDENTIAL USES:
Single Family Residential (Detached)
Duplex Residential
Townhouse Residential
Condominium Residential
Multiple Family Residential

Buildings, structures and lands shall be used, and buildings and structures shall hereinafter be erected, altered or enlarged only for the following uses, plus such other uses as the City Council, by resolution, may deem to be similar to those uses listed and not obnoxious or detrimental to the public health, safety and welfare.

Uses Permitted Subject to Conditional Use Permit

The following uses may be permitted subject to a Conditional Use Permit as provided for in section 5.400.

Automotive Washing
Building Maintenance Services
Business or Trade School
Club or Lodge
Cocktail Lounge
Convenience Storage
Consumer Convenience Services
Custom Manufacturing
Food Sales
Outdoor Sports and Recreation
Drive through or Drive-in facilities associated with any use
Group Residential
General Retail Sales
Kennels
Laundry Services
Liquor Sales
Mobile Food Establishments
Single-Family Residential (detached)
Duplex residential
Condominium Residential
Townhouse Residential

Property Development Regulations

Except as hereinafter provided, no building or structure or part thereof shall be erected, altered or converted for any use permitted in this district unless it is in conformity with all the standards and regulations herein specified for lot area, lot width, lot depth, dwelling unit area, lot coverage, yards and building height. The following standards shall apply except in cases where a lot does not meet the following standards herein required but was an official "lot of record" prior to the adoption of this ordinance. In such cases, the present dimension shall be maintained as a minimum standard until such time as the use is removed. The replacement shall meet the standards and regulations herein specified.

Site Development Regulations

Each site in the C-1.5 District shall be subject to the following site development regulations.

Feature	Regulation
Lot Size	Minimum Lot Area, 7,500 Square feet

Lot Width	Minimum Lot Width, 70 feet
Height	Maximum Building Height, 3 stories, 38 feet
Front Yard	Minimum Required Setback, 20 feet
Street Side Yard	Minimum Required Setback, 20 feet
Interior Side Yard	Minimum Required Setback, 5 feet*
Rear Yard	Minimum Required Setback, 10 feet*
Maximum Impervious Coverage	75%
Maximum Building Coverage	Percent of Lot Area, 60%
Residential Density	Section 3.120
Nonconforming Uses	Section 6.100
Site Development Regulations	Section 7.000 and 7.100
Yard Regulations	Section 7.300
Height Regulations	Section 7.510
Fences, Walls and Visibility	Section 7.530
Parking	Section 7.800
Landscaping and Screening Regulations	Section 7.900
Temporary/Accessory Building	Section 8.100
Signs	Sign Ordinance
*25 feet when adjacent to Residential property	

APPENDIX D: SCHEDULE OF USES (New proposed zones, C-1.5, MU-1, MU-2)

SCHEDULE OF USES	R-1	R-2	R-3	R-4	R-5	C-1	C1-5	C-2	CBD	MU-1	MU-2	M-1	M-2	M-3	OS	HO	PF	PUD
RESIDENTIAL USES:																		
Single Family Residential (Detached)	*	*	*	*	*	C	C	C	C	*	*					*		C
Duplex Residential		*	*			C	C	C	C	*	*					*		C
Manufactured Home Residential				*														C
Townhouse Residential		C	C			C	C	C	C	*	*					C		C
Condominium Residential		C	C			C	C	C	C	*	*					C		C
Multiple Family Residential		*	*			*	*	*	*	*	*					C		C
Group Residential		*	*			*	*	*	*	C	C					C		
INDUSTRIAL USES:																		
Basic Industry														C				C
Custom Manufacturing							C	*	C	*	*	*	*	*				C
General Warehousing & Distribution													C	C				C
Light Manufacturing												C	C	C				C
Limited Warehousing & Distribution												C	C	C				C
Resource Extraction														C				C
Stockyards													C	C				C
CIVIC USES:																		
Administration Services										*	*					*	*	
Aviation Facilities																	C	
Cemetery																	C	
Club or Lodge			C			C	C	*	*	*	*	*	*			*		C
College or University Facilities										*	*					C	*	
Community Recreation	C	*	*	*	C					*	*					C		
Convalescent Services		C	C			*	*	*										
Cultural Services		C	C			*	*	*	*	*	*					*	*	C
Day care Services	C	C	C	C	C	*	*	*	*	*	*					*	*	C
Detention Facilities																		
Guidance Services	C	C	C		C	C	*	*	*	C	C					C	*	
Hospital Services (General)									C								*	
Hospital Services (Limited)						C	*	*		*	*	*	*	*	*	*	*	
Local Utility Services	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Maintenance and Service Facilities								*				*	*	*			*	
Major Utility Facilities																	*	
Military Installations																	*	
Park and Recreation Services										*	*				*	*	*	
Postal Facilities																*	*	
Private Primary Educational Facilities	C	C	C	C	C	*	*	*	*	C	C					*		

SCHEDULE OF USES	R-1	R-2	R-3	R-4	R-5	C-1	C1-.5	C-2	CBD	MU-1	MU-2	M-1	M-2	M-3	OS	HO	PF	PUD
Private Secondary Educational Facilities	C	C	C	C	C	*	*	*	*	C	C					*		
Public Primary Educational Facilities																*	*	
Public Secondary Educational Facilities																*	*	
Railroad Facilities														C			C	
Religious Assembly	C	C	*	C	C	*	*	*	*	*	*	*				*	*	C
Safety Services																*	*	
Transportation Terminals								C	C	C	C	C	C	C		C	C	
AGRICULTURAL USES:																		
Horticulture								*	C			*	*	*		C		
COMMERCIAL USES:																		
Administrative and Business						*	*	*	*	*	*	*	*	*		*		C
Agriculture Sales and Services							*	*				*	*	*				
Arts and Crafts						C	*	*	*	*	*	*				*		
Automobile Rentals								*		C	C	*	*	*				
Automotive Repair Services								*				*	*	*				
Automotive Sales								*				*	*	*				C
Automotive Washing						C	C	*				*	*	*				
Building Maintenance Services						C	C	*				*	*	*				
Business Support Services						C	*	*	C	*	*	*	*	*		*		C
Business or Trade School						C	C	*	C	C	C	*	*	*		*		C
Campgrounds								C				C	C		C		C	
Cocktail Lounge							C	*	*	*	*	*				*		C
Commercial Off-Street Parking								*	C			*	*			*		C
Communication Services						C	*	*	C			*	*	*		C		C
Construction Sales and Services								*				*	*	*				
Consumer Convenience Services						C	C	*	*	*	*	*				*		C
Consumer Repair Services						C	*	*	*	*	*	*				*		C
Convenience Storage						C	C	C		C	C	*	*	*				
Convenience Store/ Self Service Gas						C	C	*				*	*	*				C
Equipment Repair Services								*				*	*	*				
Equipment Sales								*				*	*	*				
Exterminating Services								*				*	*	*				
Financial Services							*	*	*	*	*	*	*	*		*		C

SCHEDULE OF USES	R-1	R-2	R-3	R-4	R-5	C-1	C1-5	C-2	CBD	MU-1	MU-2	M-1	M-2	M-3	OS	HO	PF	PUD
Food Sales						C	C	*	C	*	*	*	*	*		*		C
Funeral Services								*	C			*	*	*		C		
General Retail Sales							C	*	*	*	*	*	*	*		*		C
Hotel - Motel								*	C	*	*	*	*	*		C		C
Indoor Entertainment								*	C	*	*	*	*	*		*		
Indoor Sports and Recreation								*	C	*	*	*	*	*		*		C
Kennels							C	*		*	*	*	*	*				
Laundry Services						C	C	*		*	*	*	*	*		*		C
Liquor Sales						C	C	*	*	*	*	*	*	*		*		C
Medical Offices						*	*	*	C	*	*	*	*	*		*	*	C
Mobile Food Establishments							C	*	*	*	*	*	*	*				
Outdoor Entertainment								*	C	*	*	*	*	*		*		C
Outdoor Sports and Recreation								*	C	*	C	*	*	*		*	C	
Pawn Shop Services								*				*	*	*				
Personal Improvement Services						C	*	*	*	*	*	*	*	*		*		C
Personal Services						*	*	*	*	*	*	*	*	*		*		C
Pet Services						C	*	*	*	*	*	*	*	*		*		C
Professional Offices						*	*	*	*	*	*	*	*	*		*		C
Research Services								*				*	*	*				C
Restaurant - Drive-In/ Fast Food								*		*	*	C	C	C		C		C
Restaurant								*	*	*	*	*	*	*		*		C
Restaurant - Limited						C	*	*	*	*	*	*	*	*				
Retail Sales- Limited						C	*	*	*	*	*	*	*	*				
Scrap and Salvage Services								*	*	*	*	*	*	C				
Service Station								*				*	*	*				C
Stables															C		C	
Vehicle Storage													C				C	
Veterinary Services								*				*	*	*				C
Shopping center										*	*	*	*	*				C
Drive-In Facilities						C	C	C	C	C	C	C	C	C		C		C

* - Permitted Uses

C - Conditional Uses

MU-1 - redevelopment areas

MU-2 greenfield development

For the purpose of this section, the following definitions shall apply:

- A. Historic Shopping District shall be all properties generally located between Elk Street and Acorn Street including the properties fronting on both sides of Acorn Street, and between San Antonio Street including the properties fronting on both sides of such street, and Austin Street including the properties fronting on both sides of such street, as they are depicted on the map of the area attached to this ordinance.
- B. Standardized Business shall mean a business which is required by contractual or other arrangement or affiliation to maintain one or more of the following items: standardized ("formula") array of services and/or merchandise, trademark, logo, signs, service mark, symbol, decor, architecture, layout, uniform, menu, or similar standardized features and which causes it to be substantially identical to more than ten other businesses regardless of ownership or location at the time the application therefor is completed. Standardized Businesses can include, but are not limited to: restaurants, retail stores, banks, sales offices, spas, hair and nail salons, art galleries, and hotel/motel/inn/bed and breakfast establishments. A statement made under oath, and subject to penalties for perjury concerning the status as a standardized business shall be submitted with the application for Conditional use permit, along with any other reasonable proof required by the person administering the City's Zoning ordinance.

AN ORDINANCE AMENDING SECTION 7.800.- OFF-STREET PARKING PROCEDURES OF THE ZONING ORDINANCE OF THE CITY OF FREDERICKSBURG, SPECIFICALLY SECTION 7.825 SPECIAL PROVISIONS APPLICABLE TO CENTRAL FREDERICKSBURG, PROVIDING FOR SEVERABILITY/PARTIAL INVALIDITY, REPEAL OF INCONSISTENT PROVISIONS AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, because the development of the properties within the central part of the City as are identified below, occurred before the enactment of the parking regulations of the City, and

WHEREAS, because the properties within such area were not planned for public parking the lack of available parking on such properties inhibits the development of the same, and

WHEREAS, the City Council, based on the recommendation of the Planning and Zoning Commission, desires to encourage development in such areas, and

WHEREAS, extending the lowered parking requirements for such areas has been determined by the City Council to encourage such development, and the City Council enacts the following revisions to its parking requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICKSBURG, TEXAS THAT THE FOLLOWING ORDINANCE BE AND IS HEREBY ENACTED AND THAT SECTION THE CODE OF ORDINANCES OF THE CITY OF FREDERICKSBURG BE AMENDED OR ADDED AS FOLLOWS:

Sec. 7.825. - Special Provisions Applicable To Central Fredericksburg.

- A. Special parking requirements shall apply within designated portions of Central Fredericksburg in order to further enhance the unique historical character and discourage inharmonious parking facilities in such historical districts or on sites occupied by historic structures and to reduce intrusion on pedestrian-oriented street frontages by parking facility access.
- B. Special Parking Requirements Area, including all of Blocks 9, 10, 28, 34, 68, 43, 48, 53, 52, 47, 42, 67, 33 and 27 of the Fredericksburg Addition further described as those blocks bordered by Austin Street, San Antonio Street, Elk Street, and Acorn Street, and including lots 127, 127R and 138 Block 4 and lots 271R and 282 Block 3 Fredericksburg Addition (lots fronting Acorn Street).
- C. Special Provisions
 - 1. For those businesses which construct their own off-street, off-premises parking, the distance to the parking lot may be extended fifty percent (50%) in addition to the provisions in Section 7.850.
 - 2. When any existing building is: (1) converted to another use; or (2) has the usable floor area within the existing building perimeter enlarged, rehabilitated or remodeled, without enlarging said building perimeter, then said building conversion or improvement shall not require additional off-street parking, other than the number of existing off-street parking spaces which are utilized by said building.

3. For new buildings or expanded building space, the following uses shall provide fifty percent (50%) of the off-street parking requirements of Table 7.863.
4. The provisions as provided herein shall not apply for sites where a historic structure is removed and a new building built.
5. The Special Parking Provisions shall not apply to properties utilized as Bed and Breakfasts, hotels, motels or other lodgings.

-----End of Code Text-----

Severability / Invalidity.

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without defeating the purpose or objective of the provisions, and to this end, the provisions of this ordinance are declared to be severable.

Repealer

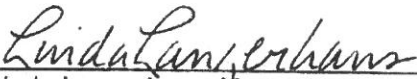
All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Penalties

Penalties provided for in the Code Ordinances of the city of Fredericksburg shall apply to violations hereof.

That this ordinance shall take effect from and after the date of its passage and publication in accordance with the law.

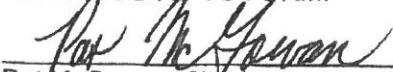
PASSED AND APPROVED this the 21ST day of September, 2015.


Linda Langerhans, Mayor
City of Fredericksburg

ATTEST:


Shelley Britton, City Secretary

APPROVED AS TO FORM:


Pat McGowan, City Attorney

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Areas where Single Family Residential zoning abuts C-2, CBD, M-1 or M-2

1. West Main from Bowie to the "Y".
2. 100 Block of West Creek and S. Crockett Street
3. S. Adams between Park Street and Live Oak Road
4. Highway 16 S., between Post Oak Road and Pyka Road, adjoining Green Meadows
5. South of Friendship Lane, east of Boos Lane
6. South of Friendship Lane east of Fairfield Inn and Suites
7. Industrial Loop and Heritage Hill Country
8. Adjoining First Baptist Church
9. E. Main Street and Beverly Drive
10. Crenwelge Drive and Oak Haven Lane
11. E. Main Street between Schubert Street and Eagle Street
12. E. Austin between N. Washington Street and N. Elk Street
13. N. Llano Street between E. Travis Street and E. College Street
14. Lower Crabapple Road and N. Llano Street



