



STAFF REPORT

Planning Commission

Agenda Item #: D-3

June 21, 2018

CASE:

Subdivision & Development Ordinance Revisions
Amendments to Chapters 21 and 5, by adding Division 3 to Article III of Chapter 21 and amending other portions of Chapter 21, portions of Article XIII of Chapter 5, as well as portions of Chapter 12 of the City of Victoria Code of Ordinances.

Staff Contact: Julie Fulgham, AICP, Director of Development Services

PROPOSED REVISIONS:

Design Districts. – This proposed ordinance revision includes amending Chapter 21 to adopt a new article for the purpose of creating Design Districts. This amendment is aimed to raise the quality of development within specific designated areas. The proposed article not only allows for the creation of Design Districts, but also would establish a Design District for the area around the new Placido Benavides Drive.

With the planned construction of Placido Benavides Drive, connecting Navarro and Zac Lentz Parkway/Loop 463, hundreds of acres will be more readily available for development due to this planned primary arterial roadway. The design for Placido Benavides Drive includes a boulevard design constructed out of concrete with an 8-foot hike and bike trail as well as enhanced lighting. Additionally, underground utilities are planned. The significant investment in the Placido Benavides Drive corridor is proposed to be carried throughout the area by setting higher development standards. These proposed development standards would match the high level of roadway corridor design throughout the large undeveloped areas fronting Placido Benavides Drive. This area is a blank canvas and staff believes by setting higher standards, this blank canvas could become a premier area of Victoria.

The proposed ordinance creates design districts and sets standards for underground utilities, requires all off-street storage and display to meet the pavement standards in Section 21-94 (without allowing exceptions), prohibits manufactured homes, and does not grant landscaping credits for any landscaping provided in the public right-of-way. The proposed ordinance also sets sign standards within any designated design district.

Lastly, designating design districts are an important part of the City's Right-of-Way Management Ordinance, which is part of Chapter 20 of the City of Victoria Code of Ordinances. By designating areas as design districts, the City can better regulate wireless facilities (defined by the Texas Local Government Code, Chapter 284, as micro network nodes, network nodes, node support poles and sometimes referred to as small cells), as allowed by recent state legislation that went into effect last September.

Staff recommends approving these amendments to City Code finding the creation of design districts is supported by the Strategic Action Priorities outlined in the Plan 2035, Victoria's Comprehensive Plan. Specifically, the Strategic Action Priorities are:

- Measures to promote "quality development" in Victoria; and
- Community image/appearance initiatives in conjunction with expanded tourism promotion.

Design District Proposed Ordinance Amendments

Chapter 21: Subdivision Ordinance, Article III Division 3 (new division), Supplemental Standards in Design Districts

Sec. 21-120 - Purpose

The standards are intended to raise the level of quality for development within a specific area, as set forth by the City Council. The regulations foster a built environment of aesthetic and sustainable value, enhance economic development efforts, promote the designated areas unique character and natural environment, and ensure appropriate development as envisioned by the community through the adoption of the Comprehensive Plan.

Sec. 21-121 – Design Districts Designated

The City of Victoria City Council has designated the following design districts, which are subject to the regulations within this Division.

1. Placido Benavides Design District – a district which can generally be described as tracts abutting Placido Benavides Drive Right of Way at the time the district is designated by City Council, and as those tracts may be altered or subdivided from time to time, and which is further depicted by a map adopted by City Council and kept thereafter on file in the City Secretary's office.

Sec. 21-122 – Utility Standards in a Design District

- (a) **Underground Requirement.** In a Design District designated by Section 21-121 of the City Code, all private, franchised utilities, including but not limited to electrical distribution, lateral and service lines, telephone cables, television cables and natural gas mains, shall be located underground throughout the district, with no exceptions that may be authorized in other sections of this ordinance. Such underground utilities shall be buried in dedicated utility easements or in street rights-of-way, as appropriate.
- (b) **Street lights.** Street lights within a Design District designated by Section 21.121 of the City Code must meet the standards for street lighting in Section 21.55(g) of the City Code and design district standards in the standard specifications for public works construction as developed by the department of public works of the city and approved by the city council.

Sec. 21-123 – Off Street Storage and Display in a Design District.

- (a) At the time that any building, use or structure is instituted, erected, enlarged or converted from one land use to another land use which utilizes outside space for the storage or display of goods, materials, motor vehicles, or equipment, off-street storage facilities shall be provided in accordance with these regulations. Such areas shall be

Design District Proposed Ordinance Amendments

provided in order that such goods, materials, motor vehicles, or equipment may be displayed or stored without encroaching on public right-of-way or interfering with the public use of streets, alleys, fire lanes, sidewalks, or required off-street parking areas.

- (b) All off-street storage facilities to be used for the display of goods, materials, motor vehicles, or equipment, or other motor-driven equipment, including access aisles, driveways and maneuvering areas, shall meet the surfacing and drainage requirements in Sections [21-94\(c\)](#) and [21-94\(f\)](#).
- (c) All off-street storage facilities shall be located outside of the required minimum setbacks and screened from the public view with a screening fence, except for outside merchandise for sale. No outside merchandise for sale should be located within any required setbacks and should be located on a paved surface as required by this section.
- (d) It shall be an offense for a person to display goods, materials, motor vehicles or equipment for outside sale in a location that does not comply with the off-street storage requirements of this section.

Sec. 21-125 – Landscaping within public right-of-way in a Design District.

- (a) *Landscaping required in a Design District.* In addition to the Landscaping requirements in Section 21-101, unpaved portions of the public right-of-way abutting the entire frontage of a lot wholly or partially in a Design District designated by Section 21-121 of the City Code shall be landscaped with live vegetative cover. Trees, shrubs and other vegetation which will exceed 2 feet in height shall not be installed in the public right-of-way.
- (b) *Credits.* The landscaped area provided within the public right-of-way adjacent to a lot wholly or partially in a Design District designated by Section 21-121 of the City Code shall not be credited toward the overall landscaped area requirement of [Section 21-101\(d\)](#).
- (c) *Restrictions.* Underground sprinkler systems shall not be installed within street right-of-way adjacent to a lot wholly or partially in a Design District designated by Section 21-121 of the City Code.

Chapter 5: Buildings, Construction, and Related Activities, Article XIII, Signs

Sec. 5-147. Definitions

“Monument Sign” A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick and is not supported by a pole or poles.

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Sec. 5-151. - Limitations on the location of signs.

C. Placido Benavides Design District

1. The following requirements shall apply in the Placido Benavides Design District, including all parts of the design district located within the City of Victoria and the Extra-Territorial Jurisdiction. If any of the requirements of this section conflict with any other part of this article, the requirements of this section shall control to the extent of such conflict.
 - (a) No billboard shall be located within the Placido Benavides Design District.
 - (b) Freestanding on-premises signs fronting roadways within the Placido Benavides Design District shall be no taller than 10 feet in height, shall be detached from any building, shall have a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick, and shall not be supported by a pole or poles.

Chapter 12: Manufactured Housing

Sec. 12-8. - Placement of manufactured housing outside of manufactured home parks or subdivisions.

- (a) Manufactured homes shall not be permitted to be located within the limits of the city on any space, lot or tract of land other than in a platted and approved manufactured home park or manufactured home subdivision, nor shall any private or public utilities be connected or extended, except in any one (1) or more of the following circumstances:
 - (1) The manufactured home was legally in existence at such location as of August 1, 1983.
 - (2) The person who intends to occupy such manufactured home submits a copy of a duly recorded deed showing that the intended occupant owns the lot upon which the manufactured home is to be located, and the manufactured home is located outside of a historic district as designated in Section 21-82(i)(2) of the Victoria City Code and outside of a Design District designated in Section 21-121 of the Victoria City Code. No other structure designed or to be used for human occupancy may be located on such lot.
- (b) The property owner must submit adequate proof to the Development Services Department that the aforementioned and other Code requirements have been met before a permit will be issued for the placement of the manufactured home.

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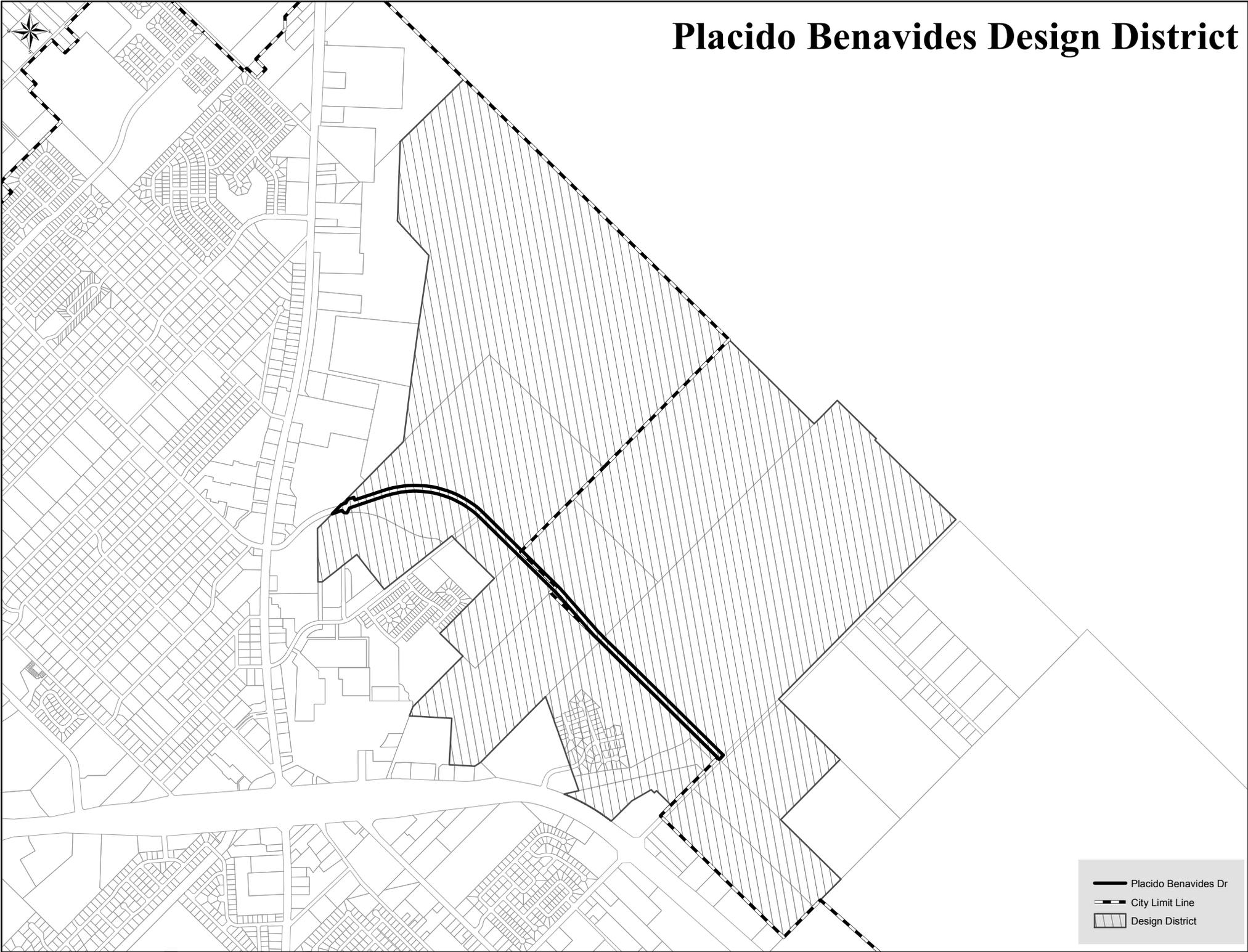
- (c) Nothing provided in this section pertaining to manufactured housing shall in any way abrogate the enforceability by private parties of deed restrictions pertaining to manufactured housing.
- (d) For manufactured homes permitted after May 1, 1999, skirting shall be installed and maintained in good repair, except where such installation would conflict with flood plain requirements of this Code.

Chapter 21: Subdivision Ordinance, Article III, Division 1

Sec. 21-82. (j)

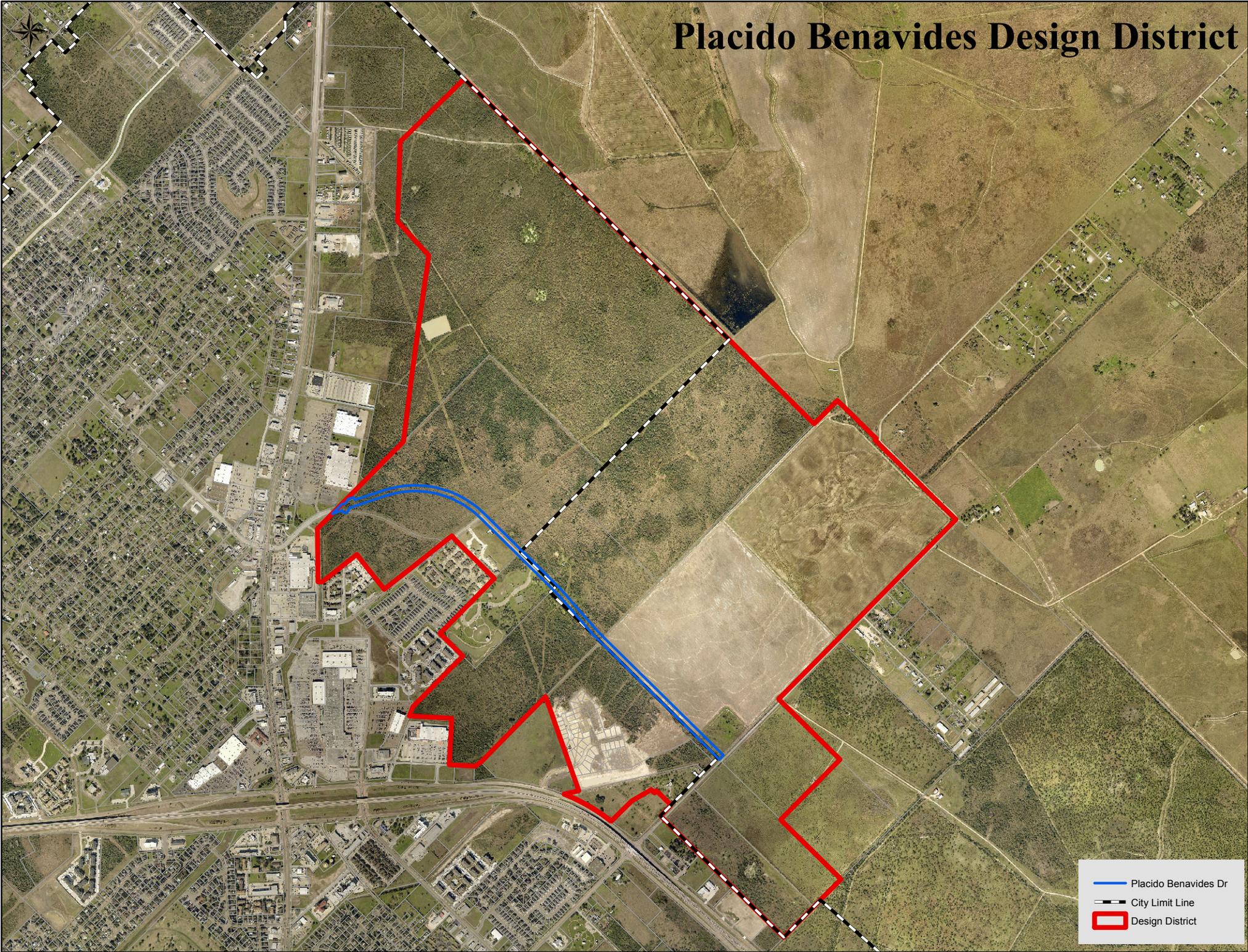
- (3) Design Districts. Neither manufactured homes nor single-family or duplex industrialized housing (as "industrialized housing" is defined in Texas Occupations Code § 1202.002) shall be permitted within Design Districts as designated in Section 21-121 of the City Code.

Placido Benavides Design District



- Placido Benavides Dr
- - - City Limit Line
- ▨ Design District

Placido Benavides Design District



- Placido Benavides Dr
- - - City Limit Line
- ▭ Design District

Placido Benavides Design District

