

The North Lamar Combined Neighborhood Planning Area



Zoning 101



June 24, 2009

Little Walnut Creek Library

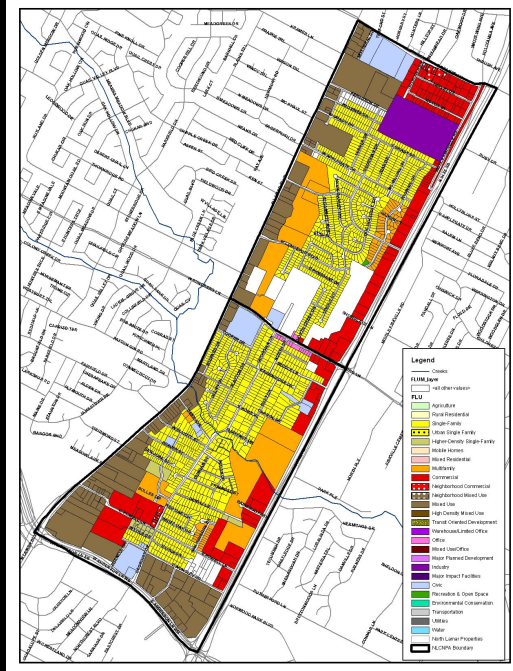
Tonight's Presentation

- **Review** Draft Future Land Use Map and Recommendations from May 18
- **Zoning 101:** *The Rezoning Process in Neighborhood Planning*
- **Group Discussion:** *Types of Businesses you no longer want to see in the NLCNPA*
- **Group Discussion:** *Front Yard Parking and Mobile Food Vending Restrictions*

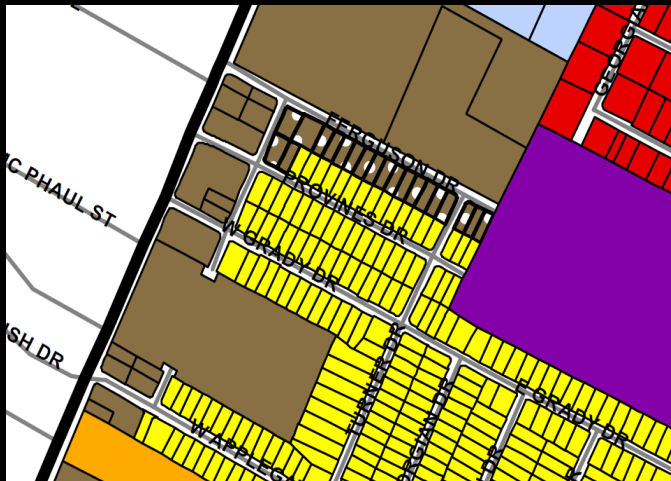
Last Workshop

May 18, 2009

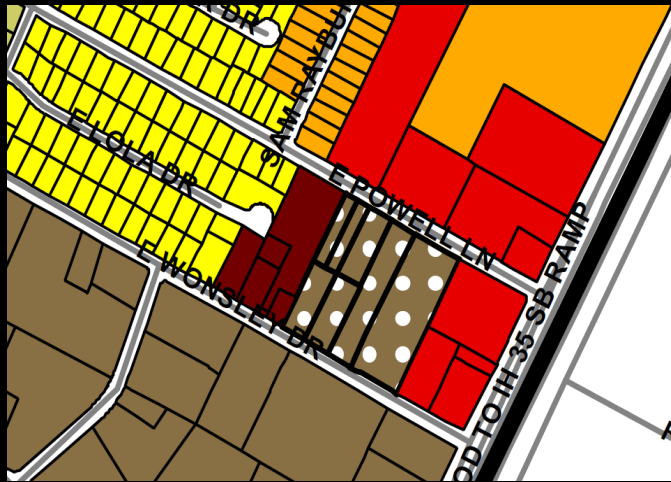
Finalized the Future Land Use Map of the NLCNPA.



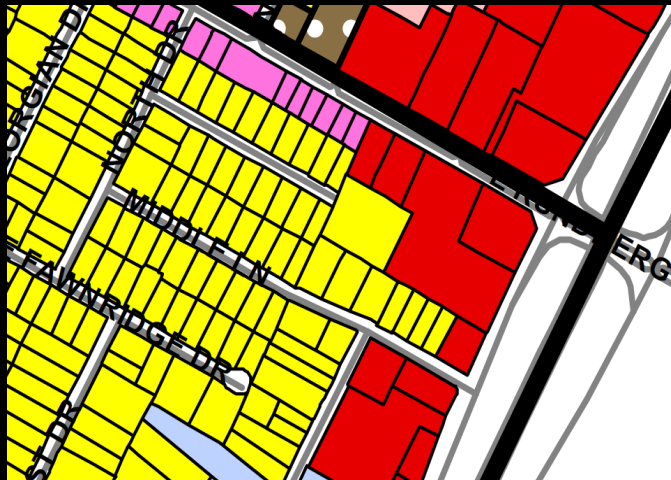
Ferguson Drive and Applegate Drive



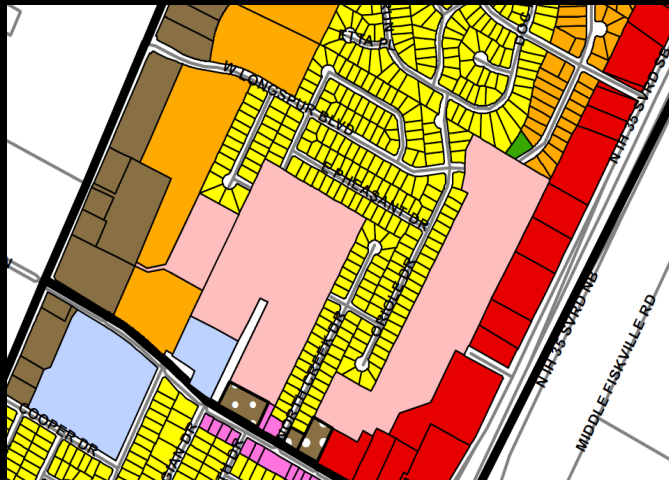
Powell Lane and E Wonsley Drive



Hackberry Lane

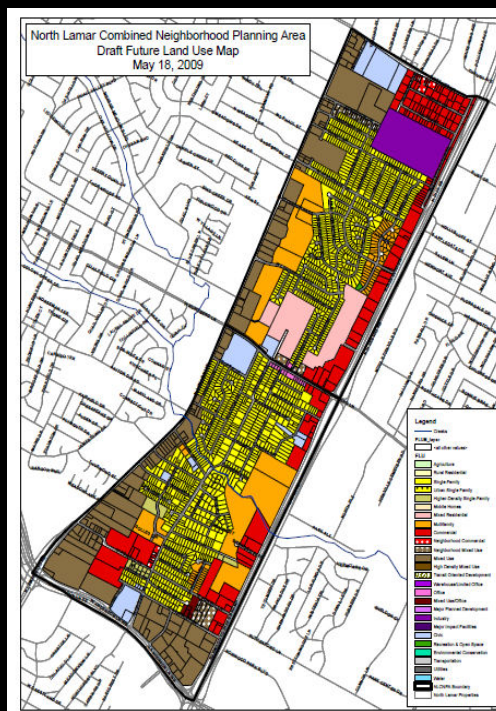


Rundberg Lane



Draft Future Land Use Map

May 18, 2009



The NP Rezoning Process

Zoning recommendations developed

Legal notification mailed to every
property owner of Planning Commission
and City Council dates

Zoning recommendations run
concurrently with future land use map
and plan recommendations

The NP Rezoning Process

Planning Commission public hearing

Planning Commission's
recommendations forwarded to Council

Zoning ordinance prepared based on the
Commission's recommendations

The NP Rezoning Process

City Council public hearing and adoption
of neighborhood plan and zoning
ordinance

Zoning ordinance (as modified by
Council) goes into effect 10 days after
their final approval

Land Use vs. Zoning

Land Use generally describes
how the land is used

Zoning are the laws
governing how it can be
used

Land Use is How the Land is Used...

Yellow ⇨ **Single-Family**

Orange ⇨ **Multi-Family**

Red ⇨ **Commercial**

Pink ⇨ **Offices**

Blue ⇨ **Civic**

Brown ⇨ **Mixed-Use**

Purple ⇨ **Industrial**

What is Zoning?

A division of land into categories/areas within which permissible uses are identified and site development standards are established

The ability to zone property is delegated to Austin by the State of Texas

What is Zoning?

It is a power of the state that is given to municipalities that allows them to regulate land use to protect the public health, safety, and welfare

Zoning can only be applied within city limits and only by cities—counties in Texas cannot zone land

Why is this power given to cities?

Describes the basic right of governments to make laws and regulations for the benefit of their communities and can cover such areas as zoning, land use, and fire and building codes

What is the Purpose of Zoning?

Ensure land uses are properly situated in relation to each other

Control development intensity

Set restrictions on building height, setbacks, layout, etc.

The Zoning Continuum



Single-Family Multi-Family Office Commercial Industrial

Within a general zoning category—*single-family, multi-family, office, commercial, industrial*—there is a range of increasing intensities

Translating Land Use Into Zoning

Commercial	➔	<i>LR, GR, CS, CS-1, CR, CH</i>
Multi-Family	➔	<i>MF-1 through MF-6</i>
Industrial	➔	<i>LI, IP, MI, R&D</i>

What Site Development Standards Does Zoning Regulate?

- Lot size
- Lot width
- Max. dwelling units per lot
- Max. building height
- Min. setbacks
- Max. building coverage
- Max. impervious cover

Zoning Terms and Tools

Zoning Base District

This is **THE** zoning district—SF-2,
GR, LI, CS, RR, DR, CS, etc...

A district can be modified by other
zoning tools

Mixed Use Combining District (MU)

Allows office, commercial and/or residential uses

No additional site development standards

Added to base zoning district

Example: CS-MU

Conditional Overlay (CO)

Added to a base district to restrict development regulations allowed by a base district—it cannot relax regulations

Can prohibit or make conditional uses allowed in a base district

Conditional Overlay (CO)

Promote compatibility between
different land uses

Ease the transition from one base
district to another

Tailor zoning along various corridors
or sites to promote future development
patterns and address site-specific
issues

Examples: CS-MU-CO or CS-CO

Neighborhood Plan Combining District (NP)

Identifies a site that is within an
adopted neighborhood planning area

Allows special “infill” options which
are only available if approved as part
of an adopted neighborhood plan

Examples: CS-MU-CO-NP or CS-NP

Some infill options must be assigned to a specific site—others can be applied neighborhood-wide

Area-Wide Options

Small Lot Amnesty
Secondary Apartments
Cottage Lots
Urban Homes
Corner Stores

Site-Specific Options

Mixed Use Buildings
Neighborhood Urban Center
Residential Infill

Review

Base Zoning District — **CS**



Mixed-Use Combining District — **CS-MU**



Conditional Overlay — **CS-MU-CO**



Neighborhood Plan Combining District — **CS-MU-CO-NP**

Down Zoning

Rezoning a property from a more permissive zoning district to a less permissive one (*Ex: CS to SF-3*)

Existing use becomes nonconforming if the new zoning designation does not permit the existing use

Nonconforming Use

A land use that does not conform to current use regulations—but did at the time the use was originally established

A use must be legally permitted by the City prior to new regulations taking effect in order to get nonconforming use status

Nonconforming Use

Nonconforming use may continue until the use is changed or abandoned

Improvements and expansions may be limited

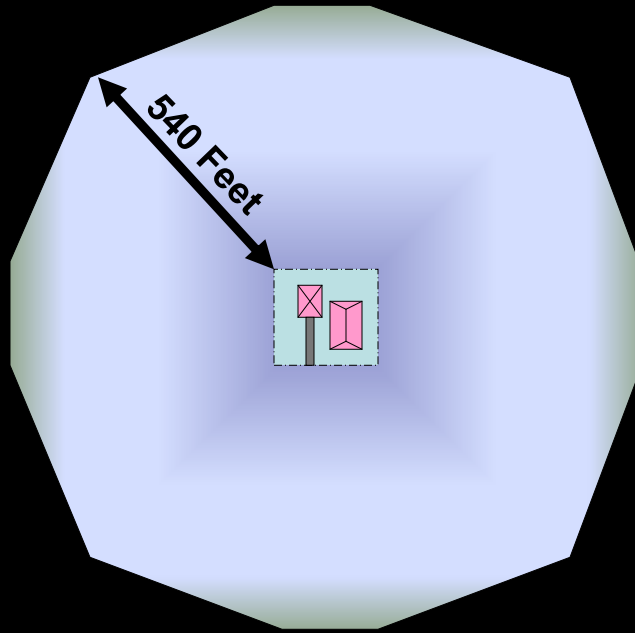
Creation of nonconforming uses through the NP rezoning process is **STRONGLY** discouraged

Compatibility Standards

Provides additional protections to single family residences from more intense residential, office, commercial and industrial uses

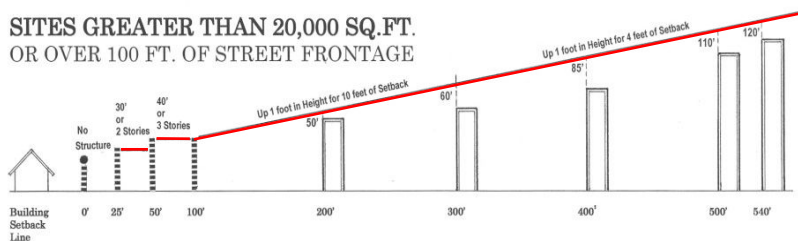
Compatibility imposes height limitations, additional setbacks, screening and other standards

Triggered when SF-6 or more intense zoning district is adjacent to or w/in 540 feet of SF-5 or less intense zoning districts or uses permitted in these districts

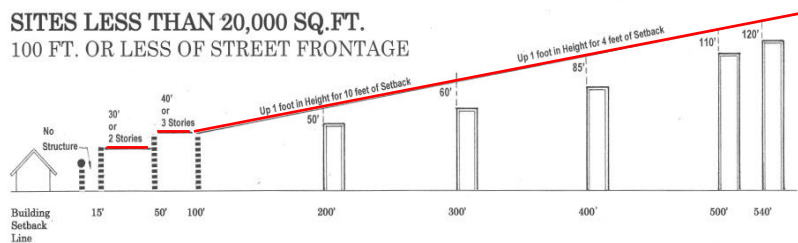


COMPATIBILITY: HEIGHT + SETBACKS

SITES GREATER THAN 20,000 SQ.FT.
OR OVER 100 FT. OF STREET FRONTAGE



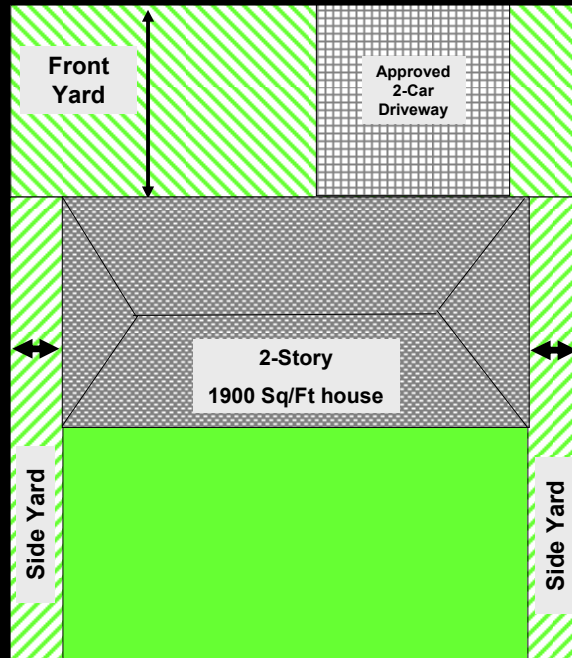
SITES LESS THAN 20,000 SQ.FT.
100 FT. OR LESS OF STREET FRONTAGE



Questions?

**Prohibiting
Parking in the
Front and Side
Yard**

Typical Suburban-Styled Residential Lot Configuration



Penalties

A warning is generally issued before a ticket

The fine for the first offense is \$40 and is reduced to \$20 if paid early

The fine for a second offense within 24 months is \$50

The fine of a third offense within 24 months is \$60

Additional citations will be issued to repeat offenders

Questions?

**Additional
Regulations for
Mobile Food
Establishments**

Current Regulations

A mobile food establishment must be licensed by the Health Department

Allowed in a commercial zoning (LR, GR, CS, CS-1, DMU, and CBD) and industrial zoning (LI) districts except for office districts NO, LO, or GO

May not be located within 50' of a mixed-use building

Current Regulations

May not operate between the hours of 3:00 AM and 6:00 AM

May not be located within 20' of a restaurant located in a building

The mobile food establishment may not have a drive-through

Lighting must be shielded so it is not directly visible from a residential use

Current Regulations

All signs must be mounted flat against the mobile food establishment

A trash receptacle must be available during business hours and the area around the mobile food establishment must be kept free of litter and debris

Permanent water and waste water lines are not allowed

Additional Regulations

THE FOLLOWING REGULATIONS ARE A PACKAGE AND CANNOT BE CHOSEN INDIVIDUALLY

A mobile food establishment must be located 50' or further from property zoned SF-1 through SF-5 or further than 50' from where townhouses, duplexes, or single-family houses are located

Additional Regulations

A mobile food establishment may operate between the hours of 6:00 AM and 10:00 PM if it is further than 50' and not more than 300' from a property zoned SF-1 through SF-5

A mobile food establishment may operate between the hours of 6:00 AM and 10:00 PM if it is further than 50' and not more than 300' from a property where townhouses, duplexes, and single-family houses are located

Additional Regulations

A mobile food establishment may operate between the hours of 6:00 AM and 3:00 AM if it is located more than 300' from property zoned SF-1 through SF-5 or further than 300' from where townhouses, duplexes, or single-family houses are located

Questions?