

Chapter 42: Summary of Amendments

April 3, 2013

- Remove the “urban area” and “suburban area” designations as defined by boundary created by Loop 610. Create a core set of rules that apply to the City and the Extra Territorial Jurisdiction (ETJ). Establish optional, city-wide performance standards for single-family residential developments and reduced building lines for commercial, retail, and multi-family developments along major thoroughfares with a planned right-of-way of 80-feet or less.
- Extend the special minimum lot size and special minimum building line requirements city-wide. Keep the existing provisions for a “block-by-block” application process. Create a second provision for establishing a “Special Minimum Lot Size Area” that would allow residents, a civic club, or a homeowners association to apply for special minimum lot size requirements for an residential area up to 400 lots with a provision to go up to 500 lots if all lots are within the same subdivision plat.
- Establish a minimum lot size of 3,500 SF in the city. The minimum lot size of the ETJ will remain 5,000 SF.
- Allow lot size averaging within the city. Lots may be less than 1,400 SF if the average lot area in the subdivision or block face is a minimum of 1,400 SF.
- Allow lot width averaging within the city. Lots may have an average lot width of 18-feet within a subdivision or block face as long as no lots are less than 15-feet in width.
- Require one additional parking space for every six dwelling units for single-family residential developments with six or more dwelling units when they are developed on a shared driveway or 28’ permanent access easement. Also included with this new requirement are amendments to the PWE Design Manual allowing for culverts on open ditch streets to provide on-street parallel parking.
- Require an existing conditions survey for each subdivision plat with single-family residential within the city to assist staff review of site development elements and identify potential problems that may arise during permitting.
- Allow an encroachment into a building line of ten feet or more that is not established by deed restrictions. Encroachments include: 1) Up to 30-inches for roof eaves, bay windows, balconies, fireplace chimneys or decorative features that are cantilevered into the setback line; and 2) Up to five feet for open stairways or wheelchair ramps.
- Improve shared driveway standards related to fire protection, driveway geometrics, maximum length, minimum width, building and garage setbacks, and building construction over the shared driveways.
- Require lots immediately adjacent to the public street and opting into a reduced building setback performance standard to have a front door and pedestrian access to the public street.
- Require the location and proposed method of screen for bulk containers (dumpsters) to be shown on the site plan submitted to the City.
- Revise standards to resolve the conflicts between Chapter 42 and the PWE Infrastructure Design Manual regarding the size of a reserve restricted to “lift station” use.
- Require partial replats of single-family residential subdivision containing separately filed deed restrictions to be sequentially numbered and referred back to the original subdivision name. For example, the first partial replat of "Sunny Land Subdivision" would be named "Sunny Land Subdivision partial replat no 1”.
- Require a construction and perpetual maintenance agreement with the abutting property owner when construction is within three feet of a property line adjacent to single-family residential. This is an amendment to Chapter 10 of the Code of Ordinances.