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Article 1 Introduction

24.1.1 Title

This Chapter is referred to as the "Unified Development Code" or "UDC."

24.1.2 Purpose

(a) This Chapter implements the purposes established in Texas Local Government Code §§ 211.001, 211.004, and 212.002:

- Implements Laredo's Comprehensive Plan;
- Promotes the public health, safety, morals, or general welfare;
- Protects and preserves places and areas of historical, cultural, or architectural importance and significance; and
- Provides for efficient and effective processing of zoning permits and subdivision plats.

(b) In interpreting and applying this Chapter, this Chapter establishes the minimum requirements to promote the public safety, health, and general welfare.

24.1.3 Authority

The following chapters and sections of Vernon's Annotated Codes of the State of Texas authorize the exercise of authority in this Chapter:

- Texas Local Government Code including Chapters 41 (Municipal Boundaries), 42 (Extraterritorial Jurisdiction of Municipalities), 43 (Municipal Annexation), 54 (Enforcement of Municipal Ordinances), 211 (Municipal Zoning Authority), 212 (Municipal Regulation of Subdivisions and Property Development), 213 (Municipal Comprehensive Plans), 214 (Municipal Regulation of Housing and Other Structures), 215 (Municipal Regulation of Businesses and Occupations), 216 (Regulation of Signs by Municipalities), 217 (Municipal Regulation of Nuisances and Disorderly Conduct), 241 (Municipal and County Zoning Authority Around Airports), 242 (Authority of Municipality and County to Regulate Subdivisions In and Outside Municipality's Extraterritorial Jurisdiction), 243 (Municipal and County Authority to Regulate Sexually Oriented Business).
- Texas Government Code, including Chapters 311 (Code Construction Act) and 312 (Construction of Laws), to the extent applicable to this chapter.
- Texas Property Code § 12.002 (Subdivision Plat; Penalty).

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- Texas Water Code, including the Flood Control and Insurance Act (Secs. 16.311 through 16.324)(see also 44 C.F.R part 60 (Requirements for Flood Plain Management Regulations)).

This chapter is adopted in the exercise of the power granted municipalities by these statutes and the Charter of the City of Laredo.

24.1.4 Applicability

(a) Generally. This chapter applies to all regulations and other matters pertaining to the use and development of land, including zoning, subdivisions, platting, floodplains, and infrastructure such as streets and they relate to the purpose and intent of this chapter and enumerated below.

(b) City Exemption. All property, uses, structures, and facilities owned or operated by the City are exempt from complying with all zoning and subdivision regulations and are exempt from all platting procedures contained in this Code.

(c) Uniform Application and Enforcement. The application and enforcement of this Chapter applies uniformly to all property and citizens within the jurisdiction of this Chapter as follows:

(1) Any reference to the issuance of building permits by the City Building Official applies only to the City limits of the City of Laredo, unless the property owner has contracted through subdivision plat restrictions, or another legal instrument, to extend the City's authority to issue building permits for construction on its property.

(2) Any reference to the authority of the City Engineer to inspect the construction of necessary subdivision improvements apply both within the City limits of and to the ETJ, unless the property owner so contracted with the City through subdivision plat restrictions, or another legal instrument.

(d) Subdivision Regulations

(1) Subdivision and platting regulations in this chapter apply to all of the area within the incorporated areas of the city and its extraterritorial jurisdiction as provided in Local Government Code Ch. 212.

(2) Provisions pertaining to the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of buildings or structures within the City of Laredo apply to areas outside the corporate limits of the City of Laredo and within its extraterritorial subdivision authority, as agreed to through the process of covenant restrictions placed on subdivision plats as outlined in this Chapter.

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(e) Zoning. Article 3 of this chapter (zoning) does not apply to any use or activity exempt from zoning pursuant to Local Government Code § 211.013.

(f) Easements, Covenants, and Private Agreements. This Chapter does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties.

(g) Conflicting Regulations. If this Chapter imposes a greater restriction upon the use of buildings or premises or building height, or requires larger open spaces than are required by other ordinances, rules, regulations, easements, covenants, or agreements, this Chapter governs.

24.1.5 Consistency with Comprehensive Plan

The City finds that this chapter is consistent with its comprehensive plan,. The comprehensive plan policies provide guidance in the evaluation of future decisions relevant to city planning. Those policies do not constitute a substantive change in existing ordinances of the city or supersede nor replace the UDC or any regulatory ordinance adopted prior to the adoption of the comprehensive plan policies.

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Article 2 Zoning Districts

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Article 2 Zoning Districts

Division 1 General Provisions

24.2.1 Generally

(a) The use, erection, construction, reconstruction, relocation or alteration of any building, structure or land shall comply with the regulations of this Article for the zoning district in which the building, structure or land is located.

(b) Article 3, Sections 24.3.3 and 24.3.4 establish the rules for applying the dimensional standards in the zoning districts. These include height, lot area, density, and yard requirements. All buildings, structures, and lots in the zoning district must comply with the dimensional standards established for that district. Nothing in this Article authorizes an encroachment within any easements or plat restrictions.

24.2.2 Districts Established

The City of Laredo is geographically divided into the following base, overlay and special zoning districts (see Table 2.2-1 below). The symbol for each district is shown in Column (A) of Table 2.2-1. **Base** districts capture the City's major development categories including residential neighborhoods, mixed-use and commercial development, and employment centers. Each base district includes permitted uses and dimensional standards. **Overlay** districts establish additional standards within a base district. **Special** districts also establish additional standards within a base district, but some standards may be unique to individual developments as determined through a site plan approval process. Table 2.2-1 below

Table 2.2-1 Zoning Districts

(A)	(B)	(C)
Symbol	**District**	**Type**
AG	Agriculture	Base
RE	Residential Estate	Base
R-S	Residential Suburban	Base
R-1	Single Family Residential	Base
R-1A	Single Family Reduced Area	Base
R-1B	Single Family High Density	Base
RSM	Residential Suburban Multi-Family	Base
R-2	Multi-Family	Base
R-3	Mixed Residential	Base
R-O	Residential/Office	Base
B-1	Limited Business	Base
B-3	Community Business	Base
CBD	Central Business (CBD)	Base

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(A)	(B)	(C)
Symbol	**District**	**Type**
AE	Arts and Entertainment (AE)	Base
B-4	Highway Commercial	Base
M-1	Light Manufacturing	Base
M-2	Heavy Manufacturing	Base
MXD	Mixed Use Development	Base
AH	Airport Hazard	Overlay
AN	Airport Noise	Overlay
FH	Flood Hazard	Overlay
H	Historic	Overlay
PUD	Planned Unit Development	Overlay
OG	Oil & Gas Production	Special
FiH	Fire Hazard Zone	Special
R-1-MH	Single-Family Manufactured Housing	Special

Note: the following districts are repealed: Limited Office/Residential (B-1R), Medical Facilities (MF), and College Campus (CF).

24.2.3 Zoning Map

The zoning districts and their boundaries are adopted and established as shown on the Zoning Map of the City of Laredo, Texas. The Zoning Map includes all notations, references, data, district boundaries and other associated information, and is adopted as part of this Chapter. The Zoning Map, properly attested, is on file in the office of the City Secretary and displayed as a GIS layer on the City's website. The Zoning Map may be amended as provided in Section 24.5.13 (Rezonings) of this Chapter.

[*Note: the Zoning Map is online at Laredo's Open Data GIS Portal at https://open-laredo.opendata.arcgis.com/apps/0ef24430d2e04b89bba223c61b2c5858/explore*]

24.2.4 Zoning of Annexed Areas

See Section 24.5.13 of the UDC.

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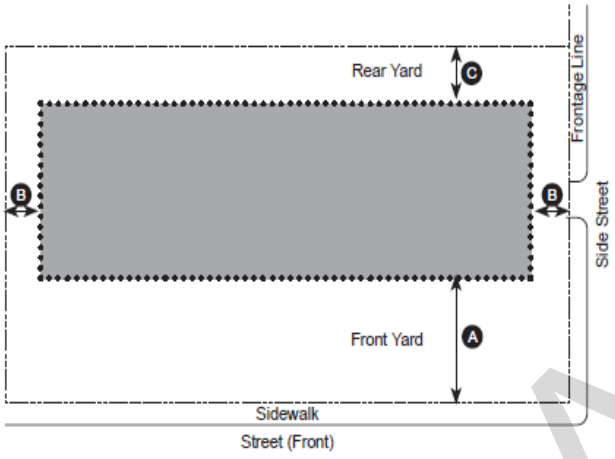
Division 2 Base Districts

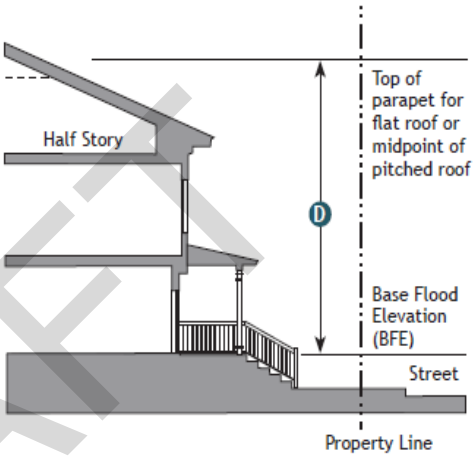
24.2.5 Agriculture (AG)

Purpose: The AG (Agricultural) district provides areas for agricultural pursuits protected from infringement of urban development.

(a) Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key

Frontage/Property Line — Setback Line

Potential Building Area

Key

Frontage Line — Setback Line

Building

a. Building Placement		
Setbacks		
Front Setback	35' min.	A
Side Yard (interior/corner)	5/10' min.	B
Rear Setback	6' min.	C

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	15,000
Density	N/A
Coverage	N/A
Height	35' max
Lot Width	100'

c. Building Form		
Height		
Main Building	2 1/2 Story max	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-2 AG Dimensional Standards

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		Base Option	Conservation Option
1	**Lot area** *(min)*	15,000 sf	n/a
2	**Density** *(max; density and open space calculated on gross site area)*	n/a	2.7 dwelling units per acre with 30% open space, or 2.5 x (110% + 1% for every 1% of open space exceeding 30%), up to 3.5 dwelling units per acre
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a	70%
4	**Height** *(max)*		
	Stories	2-½	2-½
	Feet	35 feet	35 feet
5	**Front yard** *(min)*	35 feet	20 feet
6	**Side yard** *(min-interior/corner)*	5/10 feet	5 feet total/10 feet total
7	**Rear yard** *(min)*	6 feet*	6 feet
8	**Lot Width** *(min)*	100 feet	50 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, see Section 24.4.4)*	see section 24.4.2(c)	N/A

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

(c) Agricultural Preserve Lot. For any residential subdivision other than the conservation option, at least one (1) dwelling unit shall be located on a tract of at least ten (10) acres.

(d) Density and Open Space. For the conservation option, at least 30% of the gross site area shall include amenity space. Amenity space shall include agriculture or livestock estates consistent with Section 24.4.4 (Amenity Space Standards) and shall include an easement or dedication that prevents development of that open space for purposes inconsistent with parks or open space as shown in the subdivision plat.

Examples:

Assume a development zoned AG has 50 acres and 15% of the project is devoted to infrastructure (such as streets):

- *Using the **conventional** option, the applicant can develop **123** lots (50 acres – 7.5 acres for infrastructure = 42.5 acres ÷ 15,000 sf /lot = 123).*
- *Using the **conservation** option with the minimum **30% open space**, the applicant provides 15 acres of open space, leaving 27.5 acres to develop (50 acres – 7.5 acres for infrastructure – 15 acres = 27.5 acres). Permitted density is 2.7 dwelling units per acre, or **135 dwelling units** (50 acres gross site area x 2.7).*
- *Using the **conservation** option with **50% open space**, the applicant provides 25 acres of open space, leaving 17.5 acres to develop (50 acres – 7.5 acres for infrastructure – 25 acres = 17.5*

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acres). Permitted density is 3.2 dwelling units per acre, or ***160 dwelling units*** *(50 acres gross site area x 3.2).*

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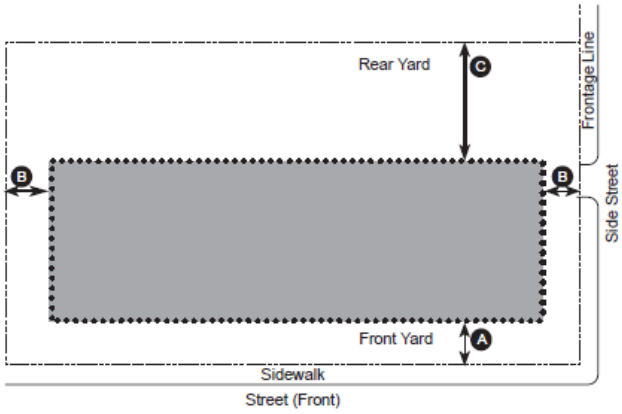
24.2.6 Residential Estate (RE)

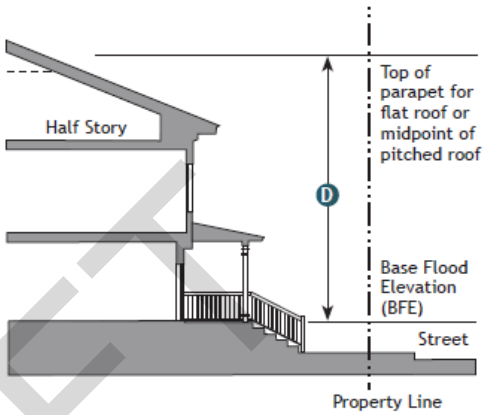
Purpose: The RE (Residential Estate) district provides urban development patterns that offer diverse housing options, foster a strong sense of community, enhance urban vibrancy, and support the efficient delivery of infrastructure while agricultural land use opportunities.

(a) Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards

Table 2.2-3 AE Dimensional Standards





Key

Frontage/Property Line — Setback Line

Potential Building Area

a. Building Placement		
Setbacks		
Front Setback	15' min.	A
Side Yard (interior/corner)	5/10' min.	B
Rear Setback	30' min.	C

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	43,560
Density	1 du/ac
Coverage	N/A
Height	35' max
Lot Width	120'

Key

Frontage Line — Setback Line

Building

c. Building Form		
Height		
Main Building	2 1/2 Story max	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

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		Base Option	Conservation Option
1	**Lot area** *(min)*	43,560 sf	n/a
2	**Density** *(max; density and open space calculated on gross site area)*	n/a	2.7 dwelling units per acre with 30% open space, or 2.5 x (110% + 1% for every 1% of open space exceeding 30%), up to 3.5 dwelling units per acre
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a	70%
4	**Height** *(max)* Stories Feet	 2-½ 35 feet	 2-½ 35 feet
5	**Front yard** *(min)*	15 feet	20 feet
6	**Side yard** *(min-interior/corner)*	5/10 feet	5 feet total/10 feet total
7	**Rear yard** *(min)*	30 feet*	20 feet
8	**Lot Width** *(min)*	120 feet	100 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, see Section 24.4.4)*	see section 24.4.2(c)	N/A

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

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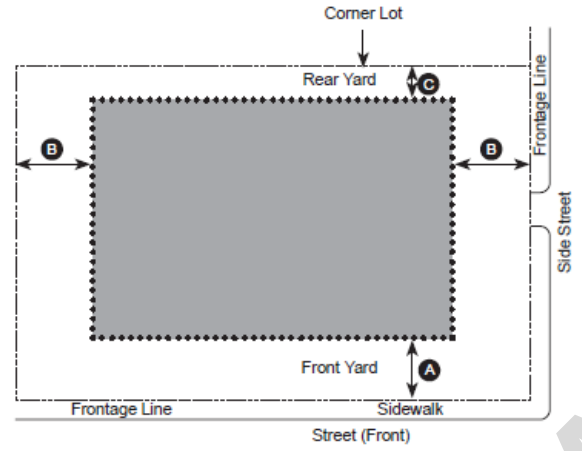
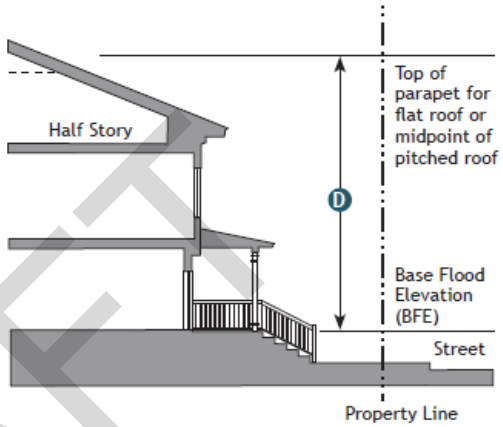
24.2.7 Residential Suburban (R-S)

Purpose: The Residential Suburban (R-S) district provides for large-lot residential development and public and semi-public uses normally considered an integral part of a residential neighborhood. This district implements the Comprehensive Plan's Low Density Residential future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key
Frontage/Property Line
Setback Line
Potential Building Area

Key
Frontage Line
Setback Line
Building

a. Building Placement		
Setbacks		
Front Setback	30' min.	A
Side Yard (interior/corner)	10/25' min.	B
Rear Setback	6' min.	C
Garage	18' min.	

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	15,000
Density	N/A
Coverage	N/A
Height	35' max
Lot Width	75'

c. Building Form		
Height		
Main Building	2 1/2 Story max	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-4 R-S Dimensional Standards

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		Base Option	Conservation Option
1	**Lot area** *(min)*	15,000 sf	n/a
2	**Density** *(maximum density and open space calculated on gross site area)*	n/a	3.6 dwelling units per acre with 60% open space, or 2.64 dwelling units per acre x (135% + 1% for every 1% of open space exceeding 60%) up to 4.1 dwelling units per acre
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a	75%
4	**Height** *(max)*		
	Stories	2-½	2-½
	Feet	35 feet	35 feet
5	**Front yard** *(min setback to:)*		
	front building plane	30 feet	10 feet
	garage	18 feet	18 feet
6	**Side yard** *(min-interior/corner)*	10/25 feet	5 feet/20 feet total
7	**Rear yard** *(min)*	6 feet*	6 feet
8	**Lot Width** *(min)*	75 feet	50 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, see Section 24.4.4)*	see section 24.4.2(c)	N/A

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

(c) Non-Residential Use Setback. The following uses in R-S shall be located at least the following distance from any other lot in any residential district:

(1) Schools, and colleges for academic instruction: 40 feet.

(2) All other uses: 20 feet.

(d) Density and Open Space. For the conservation option, at least 60% of the gross site area shall include amenity space. Amenity space shall comply with Section 24.4.4 (Amenity Space Standards), and shall include an easement or dedication that prevents development of that open space for purposes inconsistent with parks, permitted agriculture uses or open space as shown in the subdivision plat.

Examples:

Assume a development zoned R-S has 50 acres and 15% of the project is devoted to infrastructure (such as streets):

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- *Using the **conventional** option, the applicant can develop **132** lots (50 acres – 7.5 acres for infrastructure = 42.5 acres ÷ 14,000 sf /lot = 132).*
- *Using the **conservation** option with **60% open space**, the applicant provides 30 acres of open space, leaving 12.5 acres to develop (50 acres – 7.5 acres for infrastructure – 30 acres = 12.5 acres). Permitted density is 3.6 dwelling units per acre, or **180 dwelling units** (50 acres gross site area x 3.6).*

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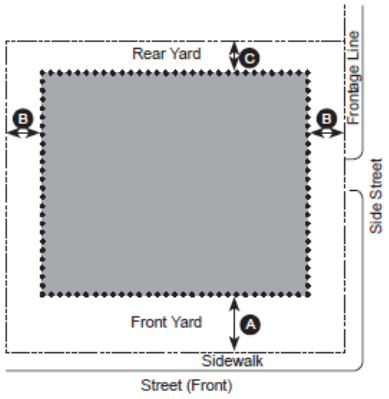
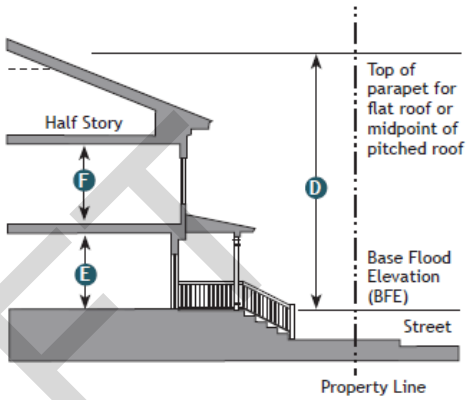
24.2.8 Single Family Residential (R-1)

Purpose: The Single Family Residential (R-1) district provides for residential and public and semi-public uses normally considered and integral part of a residential neighborhood. This district implements the Comprehensive Plan's Low Density Residential future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key
Frontage/Property Line
Setback Line
Potential Building Area

Key
Frontage Line
Setback Line
Building

a. Building Placement		
Setbacks		
Front Setback	20' min.	A
Side Yard (interior/corner)	5/10' min.	B
Rear Setback	6' min.	C
Garage	18' min.	

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	6,000
Density	N/A
Coverage	N/A
Height	35' max
Lot Width	46'

c. Building Form		
Height		
Main Building	2 1/2 Story max	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-5 R-1 Dimensional Standards

DRAFT

		Base Option	Conservation Option
1	**Lot area** *(min)*	6,000 sf	n/a
2	**Density** *(max density and open space calculated on gross site area)*		10 dwelling units per acre with 60% open space, or 7.4 dwelling units per acre x (135% + 1% for every 1% of open space exceeding 60%) up to 11.5 dwelling units per acre
4	**Coverage** *(% of lot in buildings and paved surface)*	n/a	n/a
5	**Height** *(max)*		
	Stories	2-½	2-½
	Feet	35 feet	35 feet
6	**Front yard** *(min setback to:)*		
	front building plane	20 feet	10 feet
	garage	18 feet	18 feet
7	**Side yard** *(min-interior/corner)*	5/10 feet	5 feet/10 feet total
8	**Rear yard** *(min)*	6 feet	6 feet
9	**Lot Width** *(min)*	46 feet	35 feet
10	**Amenity Space** *(min-per equivalent dwelling unit, see Section 24.4.4)*	see section 24.4.2(c)	N/A

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

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(c) Density and Open Space

(1) For the conservation option, at least 60% of the gross site area shall include amenity space. Amenity space shall comply with Section 24.4.4 (Amenity Space Standards), and shall include an easement or dedication that prevents development of that open space for purposes inconsistent with parks or open space as shown in the subdivision plat.

Examples:

Assume a development zoned R-1 has 50 acres and 15% of the project is devoted to infrastructure (such as streets):

- *Using the **conventional** option, the applicant can develop **370** lots (50 acres – 7.5 acres for infrastructure = 42.5 acres ÷ 5,000 sf /lot = 370).*

- *Using the **conservation** option with **60% open space**, the applicant provides 30 acres of open space, leaving 12.5 acres to develop (50 acres – 7.5 acres for infrastructure – 30 acres = 12.5 acres). Permitted density is 10 dwelling units per acre, or **500 dwelling units** (50 acres gross site area x 10).*

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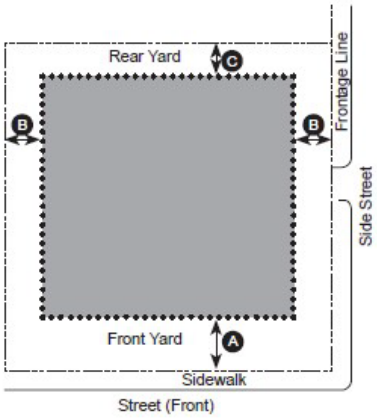
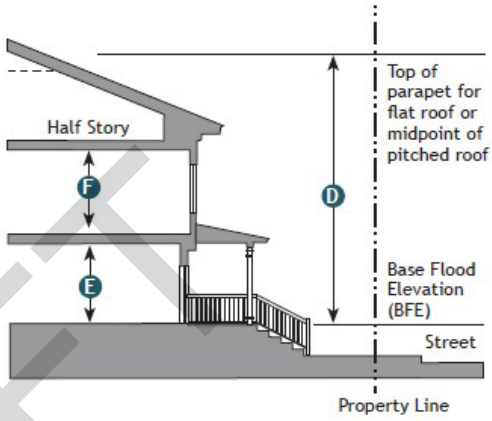
24.2.9 Single Family Reduced Area (R-1A)

Purpose: The Single Family Reduced Area (R-1A) district provides for residential uses and public uses normally considered an integral part of a residential neighborhood. This district provides for single family residential development on small lots (minimum of 4,500 square feet). This district implements the Comprehensive Plan's Medium Density Residential future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key
Frontage/Property Line
Setback Line
Potential Building Area

Key
Frontage Line
Setback Line
Building

a. Building Placement		
Setbacks		
Front Setback	10' min.	A
Side Yard (interior/corner)	5' or 0' on one side and 10' total	B
Rear Setback	6' min.	C
Garage	20' min. front facing 6' rear facing	

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	4,500
Density	N/A
Coverage	N/A
Height	35' max
Lot Width	42'

c. Building Form		
Height		
Main Building	2 Story max	D

d. Allowed Frontage Types	
■ Common Yard	■ Porch
■ Stoop	■ Other

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-6 R-1A Dimensional Standards

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1	**Lot area** *(min)*	4,500 sf
2	**Density** *(max)*	n/a
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max)*	
	Stories	2**
	Feet	35 feet
5	**Front yard** *(min setback to front building plane)*	20 feet
6	**Garage setback**	
	Front-facing garage *(min from front or side property line)*	20 feet
	Rear-facing garage *(min from rear property line)*	6 feet
7	**Side yard** *(min-interior/corner)*	5/10 Feet**
8	**Rear yard** *(min)*	6 feet*
9	**Lot Width** *(min)*	42 feet**
10	**Amenity Space** *(min-per equivalent dwelling unit for subdivisions only, see Section 24.4.4)*	see section 24.4.2(c)

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

** Standards for townhouses are established in Article 6.

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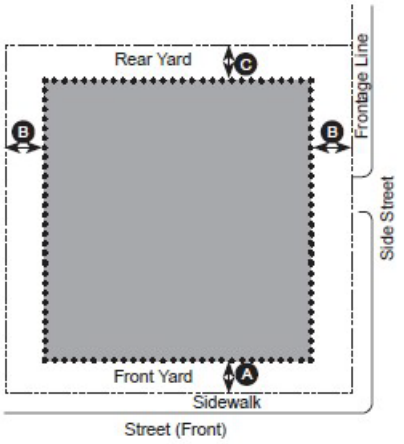
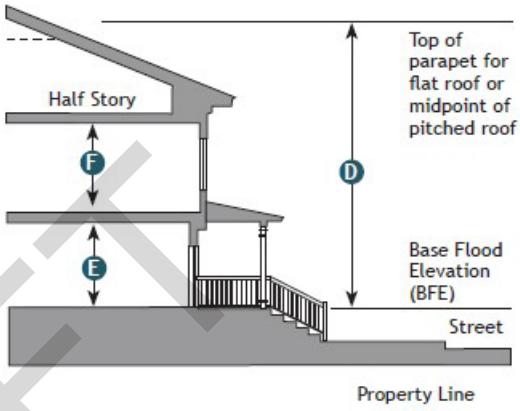
24.2.10 Single Family High Density (R-1B)

Purpose: Single Family High Density (R-1B) district provides for higher density residential uses and public and semi-public uses normally considered an integral part of a residential neighborhood. This district implements the Comprehensive Plan's High Density Residential future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key

Frontage/Property Line — Setback Line

Potential Building Area

a. Building Placement		
Setbacks		
Front Setback	20' max.	A
Side Yard (interior/corner)	5'/10'	B
Rear Setback	6' min.	C
Garage	20' min. front facing 6' rear facing	

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A
Height	35' max
Lot Width	35' min.

Key

Frontage Line — Setback Line

Building

c. Building Form		
Height		
Main Building	2 Stories	D

d. Allowed Frontage Types
■ N/A

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

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Table 2.2-7 R-1B Dimensional Standards

1	**Lot area** *(min)*	3,000 sf
2	**Density** *(max density calculated on gross site area)*	30 du/ac
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max)*	
	Stories	2**
	Feet	35 feet
5	**Front yard** *(max front setback and frontage buildout do not apply to civic uses [see Use Table])*	
	Front Setback *(min setback to front building plane)*	20 feet
6	**Garage setback**	
	Front-facing garage *(min from front or side property line)*	18 feet
	Rear-facing garage *(min from rear property line)*	6 feet
7	**Side yard** *(min-interior/corner)*	5/10 feet**
8	**Rear yard** *(min)*	6 feet**
9	**Lot Width** *(min)*	35 feet**
10	**Amenity Space** *(min-per dwelling for subdivisions only, see Section 24.4.4)*	see section 24.4.2(c)

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

** Standards for townhouses are established in Article 6.

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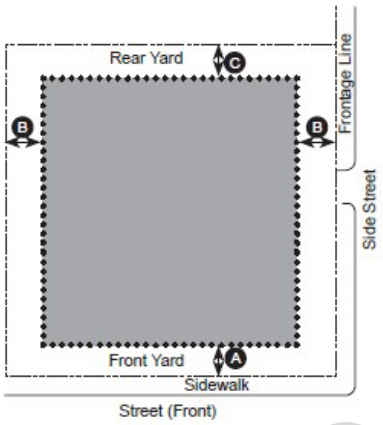
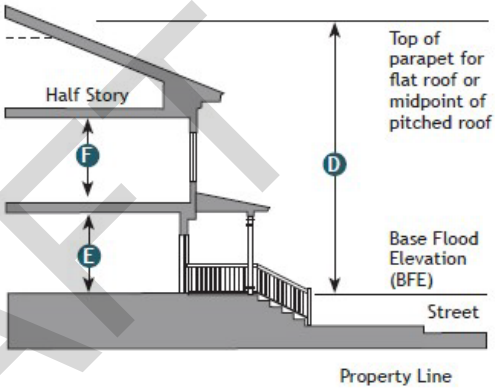
24.2.11 Residential Suburban Multi-Family (RSM)

Purpose: Residential Suburban Multi-Family (RSM) district provides for higher densities compatible with and complementary to a low-density single-family residential district, thereby preserving and promoting the intent and purpose of such single-family district, and conserving the value and character district. This district implements the Comprehensive Plan's High Density Residential future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key
Frontage/Property Line
Setback Line
Potential Building Area

Key
Frontage Line
Setback Line
Building

a. Building Placement		
Setbacks		
Front Setback	30' max.	A
Side Yard (interior/corner)	10' /30'	B
Rear Setback	6' min.	C
Garage	20' min. front facing 6' rear facing	

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A
Height	35' max
Lot Width	100' min.

c. Building Form		
Height		
Main Building	2 1/2 Stories	D

d. Allowed Frontage Types
■ N/A

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-8 RSM Dimensional Standards

DRAFT

1	**Lot area** *(min)*	n/a
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max)*	
	Stories	$2^{1/2}$
	Feet	35 feet
5	**Front yard** *(max front setback and frontage buildout do not apply to civic uses [see Use Table])*	
	Front Setback *(min setback to front building plane)*	30 feet
6	**Garage setback**	
	Front-facing garage *(min from front or side property line)*	18 feet
	Rear-facing garage *(min from rear property line)*	6 feet
7	**Side yard** *(min-interior/corner)*	10/30 feet
8	**Rear yard** *(min)*	6 feet
9	**Lot Width** *(min)*	100 feet
10	**Amenity Space** *(min-per dwelling for subdivisions only, see Section 24.4.4)*	see section 24.4.2(c)

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

** Standards for townhouses are established in Article 6.

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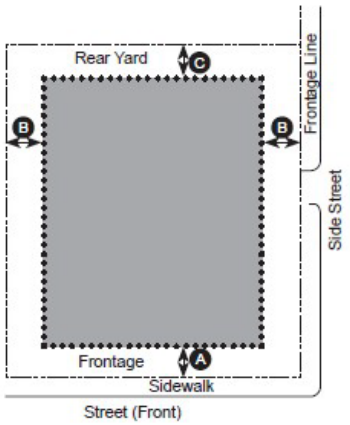
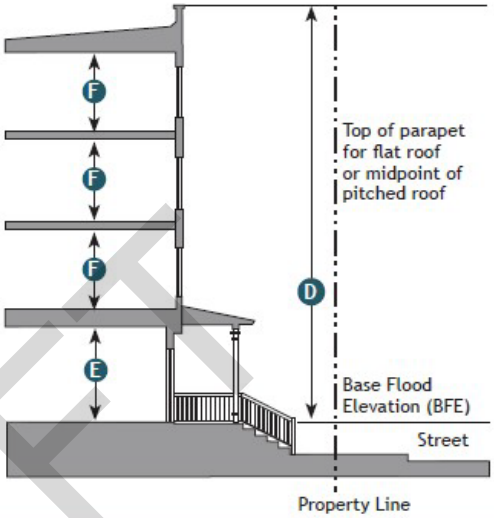
24.2.12 Multi-Family (R-2)

Purpose: Multi-Family (R-2) district provides for higher density residential uses and public and semi-public uses normally considered an integral part of a residential neighborhood. This district implements the Comprehensive Plan's High Density Residential future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key
Frontage/Property Line
Setback Line
Potential Building Area

Key
Frontage Line
Setback Line
Building

a. Building Placement		
Setbacks		
Front Setback	20'	A
Side Yard (interior/corner)	5'/10'	B
Rear Setback	6' min.	C

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	4,600 sf
Density	N/A
Coverage	N/A
Height	50' max
Lot Width	46' min.
Frontage Buildout	N/A

c. Building Form		
Height		
Main Building	4 Stories	D

d. Allowed Frontage Types	
■ Common Yard	■ Porch
■ Stoop	■ Other

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-9 R-2 Dimensional Standards

DRAFT

1	**Lot area** *(min)*	4,600 sf
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max)*	
	Stories	4
	Feet	50 feet
5	**Front yard** *(max front setback and frontage buildout do not apply to civic uses [see Use Table])*	
	Front Setback *(min setback to front building plane)*	20 feet
6	**Garage setback**	
	Front-facing garage *(min from front or side property line)*	18 feet
	Rear-facing garage *(min from rear property line)*	6 feet
7	**Side yard** *(min-interior/corner)*	5/10 feet
8	**Rear yard** *(min)*	6 feet
9	**Lot Width** *(min)*	46 feet
10	**Amenity Space** *(min-per dwelling for subdivisions only, see Section 24.4.4)*	see section 24.4.2(c)

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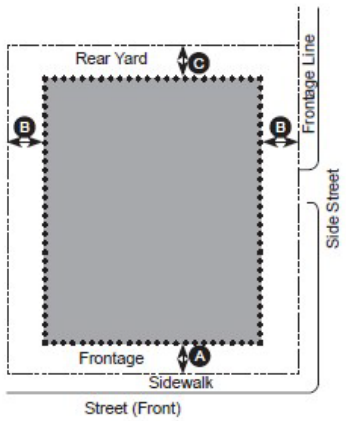
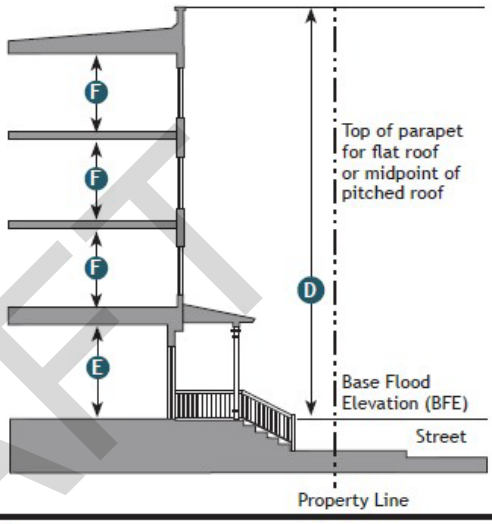
24.2.13 Mixed Residential (R-3)

Purpose: Mixed Residential (R-3) district provides for higher density residential uses, the use of mobile homes on single lots, and those public and semi-public uses normally considered an integral part of the neighborhood they serve. This district implements the Comprehensive Plan's High Density Residential future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key
Frontage/Property Line
Setback Line
Potential Building Area

Key
Frontage Line
Setback Line
Building

a. Building Placement		
Setbacks		
Front Setback	20'	A
Side Yard (interior/corner)	5'/10'	B
Rear Setback	6' min.	C

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	5,520 sf
Density	N/A
Coverage	N/A
Height	50' max
Lot Width	46' min.
Frontage Buildout	N/A

c. Building Form		
Height		
Main Building	4 Stories	D

d. Allowed Frontage Types	
■ Common Yard	■ Porch
■ Stoop	■ Other

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-10 R-3 Dimensional Standards

DRAFT

1	**Lot area** *(min)*	5,520 sf
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max)*	
	Stories	4
	Feet	50 feet
5	**Front yard** *(max front setback and frontage buildout do not apply to civic uses [see Use Table])*	
	Front Setback *(min setback to front building plane)*	20 feet
6	**Garage setback**	
	Front-facing garage *(min from front or side property line)*	18 feet
	Rear-facing garage *(min from rear property line)*	6 feet
7	**Side yard** *(min-interior/corner)*	5/10 feet
8	**Rear yard** *(min)*	6 feet
9	**Lot Width** *(min) Lot measured at the building setback line*	46 feet
10	**Amenity Space** *(min-per dwelling for subdivisions only, see Section 24.4.4)*	see section 24.4.2(c)

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

** Standards for townhouses are established in Article 6.

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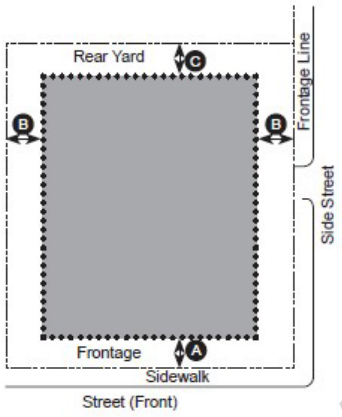
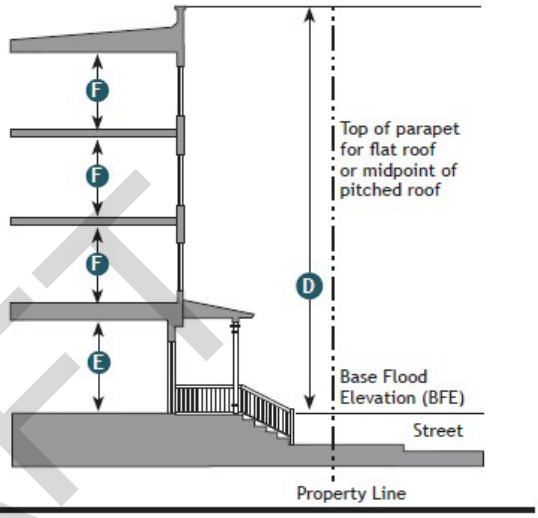
24.2.14 Residential/Office (R-O)

Purpose: The Residential Office (R-O) district allows a mix of residential and limited businesses which would restrict residential to not more than three dwellings on one site, and the businesses to office uses, and very limited commercial. This district implements the Comprehensive Plan's Neighborhood Mixed-Use future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key
Frontage/Property Line
Setback Line
Potential Building Area

Key
Frontage Line
Setback Line
Building

a. Building Placement		
Setbacks		
Front Setback	20'	A
Side Yard (interior/corner)	5'/10'	B
Rear Setback	6' min.	C

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	N/A
Density	20 du/ac
Coverage	N/A
Height	50' max
Lot Width	46' min.
Frontage Buildout	N/A

c. Building Form		
Height		
Main Building	4 Stories	D

d. Allowed Frontage Types	
■ Common Yard	■ Porch
■ Stoop	■ Other

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-11 R-O Dimensional Standards

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1	**Lot area** *(min)*	n/a
2	**Density** *(max density calculated on gross site area)*	20 du/ac
3	**Coverage** *(max % of lot in buildings and paved surface)*	n/a
4	**Height** *(max; buildings fronting or on lots adjoining an R-S or R-1A district shall not exceed 3 stories or 40 feet)*	
	Stories	4
	Feet	50 feet
5	**Front yard** *(max front setback and frontage buildout do not apply to civic uses [see Use Table])*	
	Front Setback *(min)*	20 feet
6	**Side yard** *(min-interior/corner)*	5/10 feet
7	**Rear yard** *(min-abutting R-S, R-1A districts only)*	6 feet*
8	**Lot Width** *(min)*	46 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, on lots of at least 30,000 sf, see Section 24.4.4)*	see section 24.4.2(c)

* For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

(c) Residential Uses. Dwelling units are limited to mixed use buildings, or multi-family buildings that:

(1) Are no more than 65 feet in width along the front building plane, and

(2) Have their side building plane within 10 feet of a mixed-use building or a building occupied by commercial uses, and

(3) Have a ground floor entry at the front building plane.

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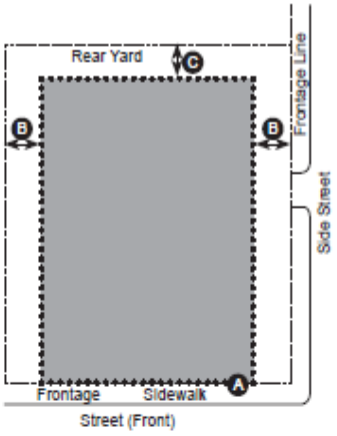
24.2.15 Limited Business (B-1)

Purpose: The Limited Business (B-1) District provides business and commercial development serving either a limited geographic area or neighborhood. This district implements the Comprehensive Plan's Neighborhood Mixed-Use Center future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

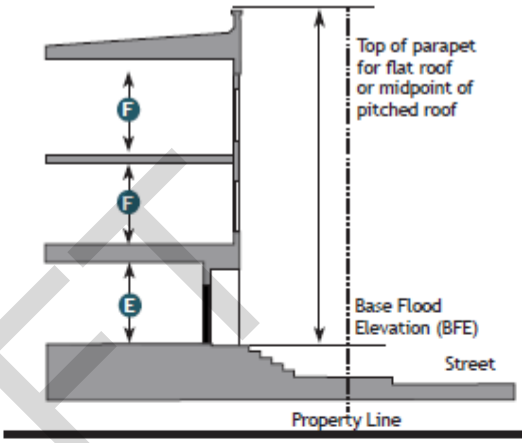
(b) Dimensional Standards



Key

Frontage/Property Line — Setback Line

Potential Building Area



Key

Frontage Line — Setback Line

Building

a. Building Placement		
Setbacks		
Front Setback	25'	A
Side Yard (interior/corner)	10'*	B
Rear Yard	6' min.	C

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	4,600 sf
Density	N/A
Coverage	N/A
Height	45' max
Lot Width	46' min.
Frontage Buildout	N/A

c. Building Form		
Height		
Main Building	3 Stories	D

d. Allowed Frontage Types	
■ Common Yard	■ Porch
■ Stoop	■ Other

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-12 B-1 Dimensional Standards

DRAFT

1	**Lot area** *(min)*	4,600 sf
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(Maximum % of lot in buildings and paved surface)*	n/a
4	**Height**	
	Stories	3
	Feet	45 feet
5	**Front yard** *(max front setback and frontage buildout do not apply to civic uses [see Use Table])*	
	Front Setback *(min)*	25 feet
	Frontage Buildout *(min – see Article 10)*	n/a
6	**Side yard** *(min-interior/corner)*	10 feet**
7	**Rear yard** *(minimum-abutting R-S, R-1A districts only)*	n/a
8	**Lot Width** *(min)*	46 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, on lots of at least 30,000 sf, see Section 24.4.)*	see section 24.4.2(c)

**(Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.)

(c) Residential Uses. Dwelling units are limited to mixed use buildings, or multi-family buildings that:

(1) Are no more than 85 feet in width along the front building plane, and

(2) Have their side building plane within 10 feet of a mixed-use building or a building occupied by commercial uses, and

(3) Have a ground floor entry at the front building plane.

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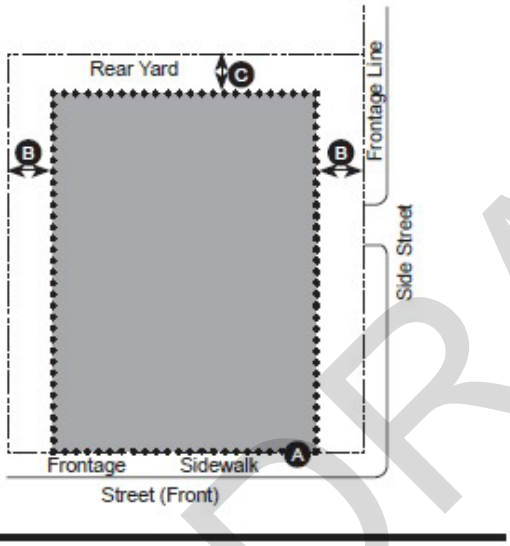
24.2.16 Community Business (B-3)

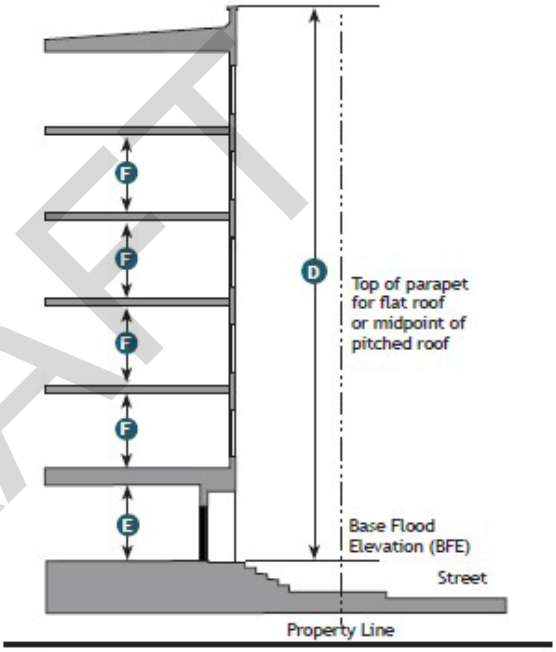
Purpose: The Community Business (B-3) District provides for business and services serving a trade area larger than a neighborhood, but smaller than the entire city and located primarily along minor or principal arterial streets, as classified in the Transportation Plan of the City of Laredo. It is intended for this zoning classification to exist primarily abutting minor or principal arterial streets while preserving established residential neighborhoods along such streets. This district implements the Comprehensive Plan's Neighborhood Mixed-Use Center future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards

Table 2.2-13 B-3 Dimensional Standards





a. Building Placement		
Setbacks		
Front Setback	25'	A
Side Yard (interior/corner)	10"*	B
Rear Yard	N/A"*	C

*Setbacks shall be twenty feet (20'-0") or the number of feet established in the adopted International Building Code, whichever is greater.
**Setbacks shall be six feet (6'-0") for residential use, ten feet (10'-0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A
Height	160 feet
Lot Width	46' min.

c. Building Form		
Height		
Main Building	13 stories	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

DRAFT

1	**Lot area** *(min)*	n/a
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(Maximum % of lot in buildings and paved surface)*	n/a
4	**Height**	
	Stories	13
	Feet	160 feet
5	**Front yard** *(max front setback and frontage buildout do not apply to civic uses [see Use Table])*	
	Front Setback *(min)*	25 feet
	Frontage Buildout *(min – see Article 10)*	n/a
6	**Side yard** *(min-interior/corner)*	10 feet**
7	**Rear yard** *(minimum-abutting R-S, R-1A districts only)*	n/a**
8	**Lot Width** *(min)*	46 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, on lots of at least 30,000 sf, see Section 24.4.)*	see section 24.4.2(c)

**(Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.)

(c) Residential Uses. Dwelling units are limited to mixed use buildings, or multi-family buildings that:

(1) Are no more than 85 feet in width along the front building plane, and

(2) Have their side building plane within 10 feet of a mixed-use building or a building occupied by commercial uses, and

(3) Have a ground floor entry at the front building plane.

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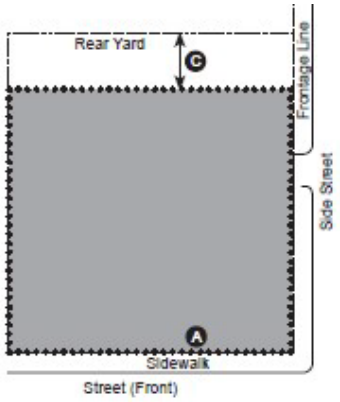
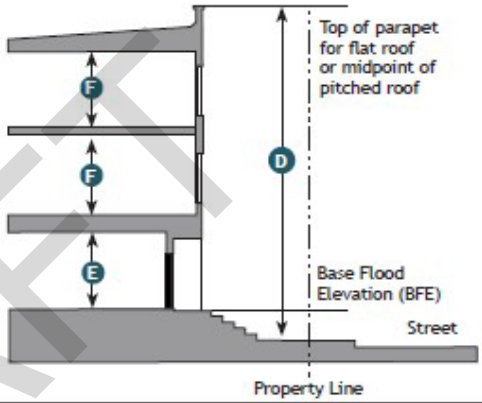
24.2.17 Central Business (CBD)

Purpose: The Central Business (CBD) district provides for development and redevelopment of Laredo's historic urban center, along with places of intense activity outside of Laredo's downtown that have identifiable centers and edges, a walkable development pattern, and larger format commercial tenants than those found in neighborhood mixed-use or mixed-use centers. These districts provide arts and entertainment venues, commercial, residential and office uses that harmoniously co-exist in a higher density, pedestrian-oriented environment. This district implements the Comprehensive Plan's Downtown and Mixed-Use Center future land use categories.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key

Frontage/Property Line
Potential Building Area
Setback Line
Frontage Buildout

Key

Frontage Line
Building
Setback Line

a. Building Placement		
Setbacks		
Front Setback	0' min. or 10' max.	A
Side Yard (interior/corner)	N/A	B
Rear Yard	N/A*	C

*Rear setbacks are as above or as established in Table 504 of the IBC.

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A
Height	N/A
Lot Width	46' min.
Frontage Buildout	N/A

c. Building Form		
Height		
Main Building	3 Story max. when adjacent to R-S or R-1A N/A otherwise	D

d. Allowed Frontage Types	
■ Common Yard	■ Porch
■ Stoop	■ Other

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-14 CBD Dimensional Standards

DRAFT

1	**Lot area** *(min)*	n/a
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max; buildings fronting or on lots adjoining an R-S or R-1A district shall not exceed 3 stories or 36 feet)*	
	Stories	n/a
	Feet	n/a
5	**Front yard**	
	Front Setback *(min)*	0 feet*
	Frontage Buildout	n/a
6	**Side yard** *(min-interior/corner)*	0 feet**
7	**Rear yard** *(min)*	n/a**
8	**Lot Width** *(min)*	46 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, on lots of at least 40,000 sf, see Section 24.4.)*	see section 24.4.2(c)

* The minimum setback is zero provided that a sidewalk of not less than eight feet (8'-0") is required for any new construction.

**Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

(c) Residential Uses. Dwelling units are limited to mixed use buildings, or multi-family buildings that:

(1) Are no more than 85 feet in width along the front building plane, and

(2) Have their side building plane within 10 feet of a mixed-use building or a building occupied by commercial uses, and

(3) Have a ground floor entry at the front building plane.

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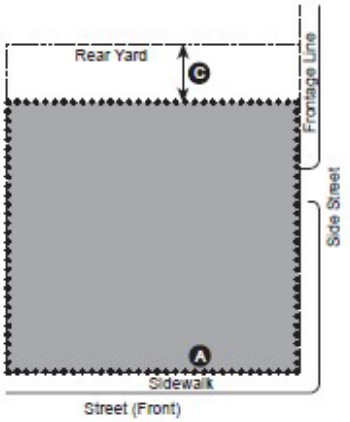
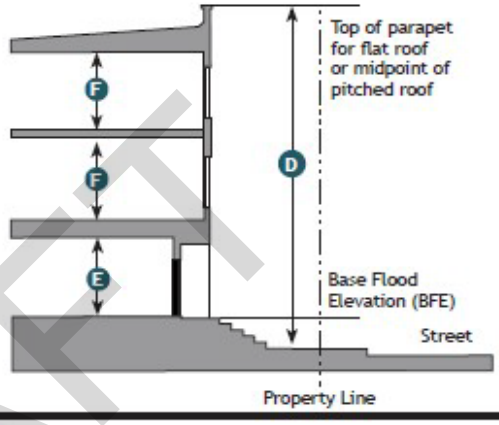
24.2.18 Arts and Entertainment (AE)

Purpose: The Arts and Entertainment (AE) district provides provide arts and entertainment venues, commercial, residential and office uses that harmoniously co-exist in a higher density, pedestrian-oriented environment. This district implements the Comprehensive Plan's Downtown and Mixed-Use Center future land use categories.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards





Key

Frontage/Property Line
Setback Line
Potential Building Area
Frontage Buildout

a. Building Placement		
Setbacks		
Front Setback	0' min. or 10' max.	A
Side Yard (interior/corner)	N/A	B
Rear Yard	N/A*	C

*Rear setbacks are as above or as established in Table 504 of the IBC.

*For lots of record, rear setbacks are as established above for residential use, 10 feet for all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A
Height	N/A
Lot Width	46' min.
Frontage Buildout	N/A

Key

Frontage Line
Setback Line
Building

c. Building Form		
Height		
Main Building	3 Story max. when adjacent to R-S or R-1A N/A otherwise	D

d. Allowed Frontage Types	
■ Common Yard	■ Porch
■ Stoop	■ Other

*See Building Design & Height, 24.3.4 for details.

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-15 AE Dimensional Standards

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1	**Lot area** *(min)*	n/a
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max; buildings fronting or on lots adjoining an R-S or R-1A district shall not exceed 3 stories or 36 feet)*	
	Stories	n/a
	Feet	n/a
5	**Front yard**	
	Front Setback *(min)*	0 feet*
6	**Side yard** *(min-interior*/corner)*	0 feet**
7	**Rear yard** *(min)*	n/a**
8	**Lot Width** *(min)*	46 feet
9	**Amenity Space** *(min-per equivalent dwelling unit, on lots of at least 40,000 sf, see Section 24.4.)*	see section 24.4.2(c)

* The minimum setback is zero provided that a sidewalk of not less than eight feet (8'-0") is required for any new construction.

**Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

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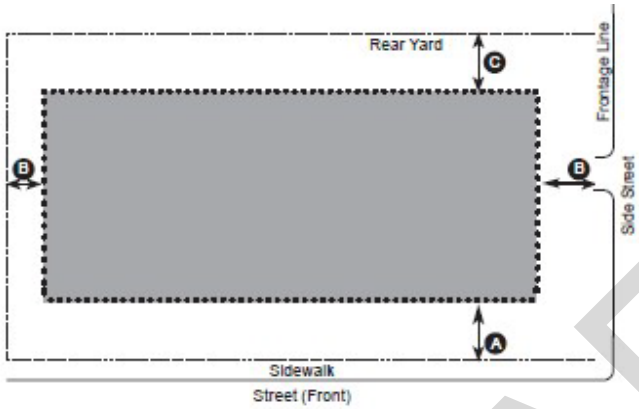
24.2.19 Highway Commercial (B-4)

Purpose: The Highway Commercial (B-4) district provides for businesses and services serving a regional area and located primarily along principal arterial streets or a freeway, and to impose site development regulations to ensure adequate access of all uses within this classification as classified in the Mobility chapter of the Comprehensive Plan and the Transportation Plan of the City of Laredo.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards



Key

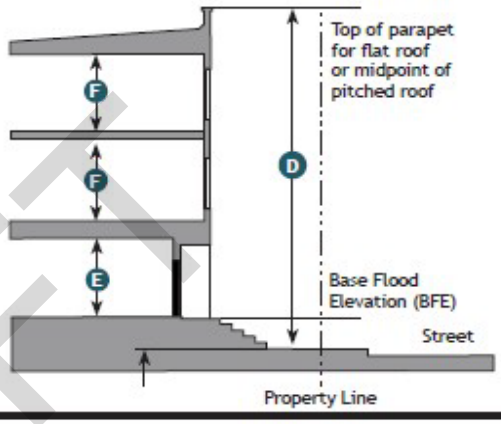
Frontage/Property Line — Setback Line

Potential Building Area

a. Building Placement		
Setbacks		
Front Setback	25'	A
Side Yard (interior/corner)	20"*	B
Rear Yard	20"*	C

*Setbacks shall be twenty feet (20'-0") or the number of feet established in the adopted International Building Code, whichever is greater.
**Setbacks shall be six feet (6'-0") for residential use, ten feet (10'-0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A
Height	N/A
Lot Width	100' min



Key

Frontage Line — Setback Line

Building

c. Building Form		
Height		
Main Building	N/A	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

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Table 2.2-16 B-4 Dimensional Standards

1	**Lot area** *(min)*	n/a
2	**Coverage** *(% of lot in buildings and paved surface)*	n/a
3	**Height**	n/a
4	**Front yard** *(min)*	25 feet
5	**Side yard** *(min-interior/corner)*	20 feet*
6	**Rear yard**	20 feet**
7	**Lot Width** *(min)*	100 feet
8	**Amenity Space** *(min-per equivalent dwelling unit, on lots of at least 30,000 sf, see section 24.4.4)*	see section 24.4.2(c)

*Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

**Setbacks shall be twenty feet (20'0") or the number of feet established in the adopted International Building Code, whichever is greater.

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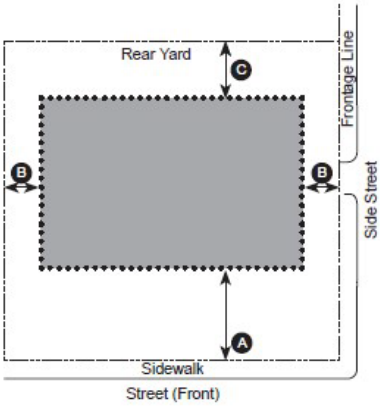
24.2.20 Light Manufacturing (M-1)

Purpose: The Light Manufacturing (M-1) district provides for manufacturing and wholesale business establishments which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke or glare. Research activities are encouraged. This district provides a transition between heavy industrial uses and other less intense and residential uses. This district implements the Comprehensive Plan's Light Industrial future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

(b) Dimensional Standards



Key

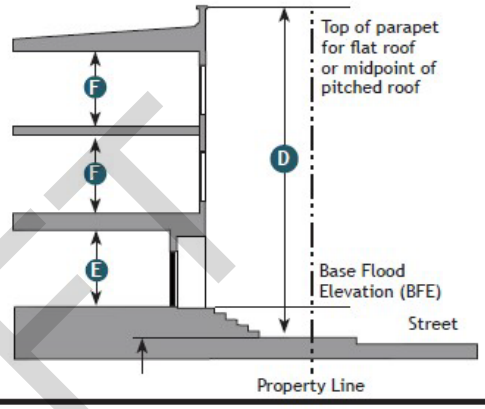
Frontage/Property Line — Setback Line

Potential Building Area

a. Building Placement		
Setbacks		
Front Setback	25' min.	A
Side Yard (interior/corner)	0/10'*	B
Rear Yard	10'*	C

*Setbacks shall be six feet (6'-0") for residential use, ten feet (10'-0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	9,000
Density	N/A
Coverage	N/A
Height	N/A
Lot Width	65' min.



Key

Frontage Line — Setback Line

Building

c. Building Form		
Height		
Main Building	N/A	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

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Table 2.2-17 M-1 Dimensional Standards

1	**Lot area** *(min)*	9,000 sf
2	**Coverage** *(% of lot in buildings and paved surface)*	n/a
3	**Height**	n/a
4	**Front yard** *(min)*	25 feet
5	**Side yard** *(min-interior/corner)*	0/10 feet*
6	**Rear yard**	0 feet*
7	**Lot Width** *(min)*	65 feet

*Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

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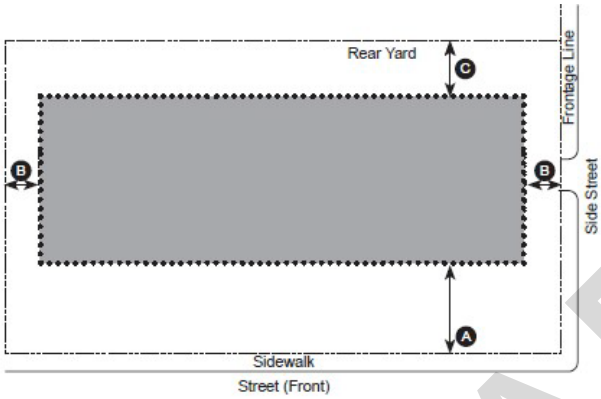
24.2.21 Heavy Manufacturing (M-2)

Purpose: The Heavy Manufacturing (M-2) district provide areas for manufacturing, processing, assembling, storing, testing and industrial uses which are extensive in character, and require large sites, open storage and service areas, extensive services and facilities, ready access to regional transportation; and which may be incompatible with less intensive uses by reason of traffic, noise, vibration, dust, glare, or emissions. This district implements the Comprehensive Plan's Heavy Industrial future land use category.

(a) Permitted Uses. Refer to Use Table (Section 24.2.22).

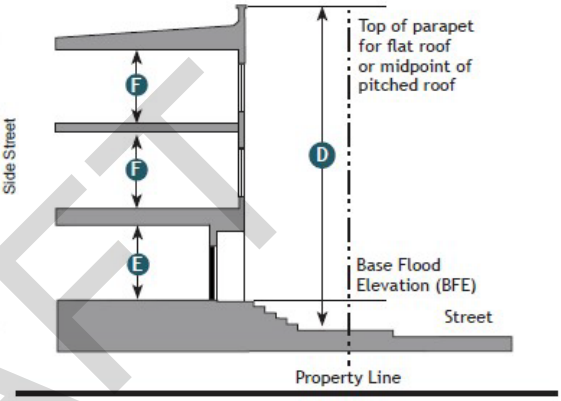
(b) Dimensional Standards



Key

Frontage/Property Line — Setback Line

Potential Building Area



Key

Frontage Line — Setback Line

Building

a. Building Placement		
Setbacks		
Front Setback	25' min.	A
Side Yard (interior/corner)	10'*	B
Rear Yard	0'*	C

*Setbacks shall be six feet (6'-0") for residential use, ten feet (10'-0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A
Height	N/A
Lot Width	100' min.

c. Building Form		
Height		
Main Building	N/A	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

DRAFT

Table 2.2-18 M-2 Dimensional Standards

1	**Lot area** *(min)*	n/a
2	**Coverage** *(% of lot in buildings and paved surface)*	n/a
3	**Height**	n/a
4	**Front yard** *(min)*	25 feet
5	**Side yard** *(min-interior/corner)*	10 feet*
6	**Rear yard**	0 feet*
7	**Lot Width** *(min)*	100 feet

*Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

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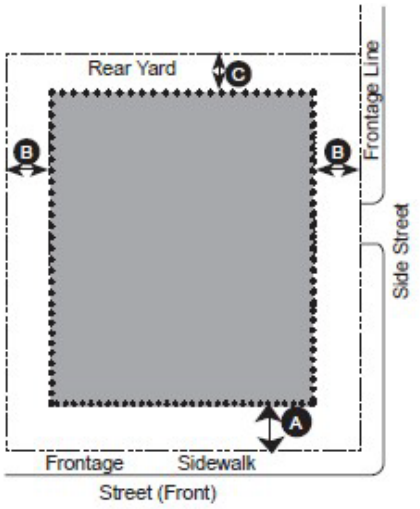
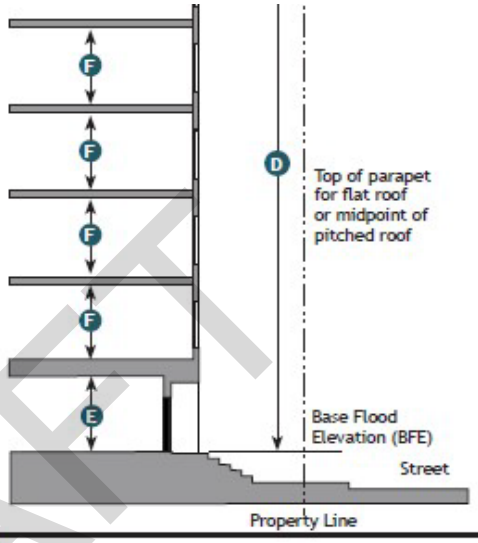
24.2.22 Mixed Use Development (MXD)

Purpose: The Mixed Use Development (MXD) district provides for development and redevelopment of existing industrial development to continue in areas where redevelopment is expected to alter land use patterns in the future. No additional MXD Mixed Use Development Districts shall be created nor existing districts be expanded. This district implements the Comprehensive Plan's Downtown and Mixed-Use Center future land use categories.





Key

Frontage/Property Line — Setback Line

Potential Building Area

a. Building Placement		
Setbacks		
Front Setback	25'	A
Side Yard (interior/corner)	10"*	B
Rear Yard	N/A"*	C

*Setbacks shall be twenty feet (20'-0") or the number of feet established in the adopted International Building Code, whichever is greater.
**Setbacks shall be six feet (6'-0") for residential use, ten feet (10'-0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

b. Lot Standards	
Lot Area	N/A
Density	N/A
Coverage	N/A

Key

Frontage Line — Setback Line

Building

c. Building Form		
Height		
Main Building	N/A	D

d. Allowed Frontage Types
■ N/A

e. Allowed Use Types		
Ground Floor	All Permitted Uses Allowed	E
All Floors Otherwise	All Permitted Uses Allowed	F

Table 2.2-19 MXD Dimensional Standards

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1	**Lot area** *(min)*	n/a
2	**Density** *(max density calculated on gross site area)*	n/a
3	**Coverage** *(% of lot in buildings and paved surface)*	n/a
4	**Height** *(max; buildings fronting or on lots adjoining an R-S or R-1A district shall not exceed 3 stories or 36 feet)*	
	Stories	n/a
	Feet	n/a
5	**Front yard**	
	Front Setback *(min)*	25 feet
6	**Side yard** *(min-interior/corner)*	10 feet**
7	**Rear yard** *(min)*	n/a**
8	**Lot Width** *(min)*	n/a
9	**Amenity Space** *(min-per equivalent dwelling unit, on lots of at least 40,000 sf, see Section 24.4.)*	see section 24.4.2(c)

**Setbacks shall be six feet (6'0") for residential use, ten feet (10'0") all other uses, or the number of feet established in the adopted International Building Code, whichever is greater.

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24.2.23 Use Table

Purpose: This section identifies the uses permitted in each zoning district, and how those uses are permitted (i.e., by right or as a conditional use). Each use is defined in Article 9 (Definitions & Rules of Interpretation).

(a) Generally. The Use Table (see Table 2.2-19) establishes uses permitted within each zoning district, and how they are permitted. The uses permitted in each of the zoning districts established in this Article are defined as follows:

P	**Allowed By Right**	Uses in the Use Table identified by "P" in any column are permitted by right in that particular district subject to the conditions specified in Article 6 or elsewhere in this Chapter.
C	**Conditional Uses**	Uses in the Use Table identified by "C" in any column are permitted only if a conditional use permit is approved authorizing the use (see Article 5, Procedures). Conditional uses are also subject to any conditions and limitations specified in Article 6 or imposed as a condition of conditional use permit approval. See Article 11 for application information.
A	**Accessory**	Uses in the Use Table identified with an "**A**" are permitted only as an accessory use to another use that is permitted as a by right or conditional use in the applicable district.
	Not Permitted	Uses in the Use Table identified by a blank cell are not permitted in that particular district.
	Uses not listed	If a requested use is not specifically listed in the Use Table, the Planning Director shall determine whether the use is permitted by right or as a conditional use. This determination shall be based upon the similarity in nature and character to one or more uses that are listed in the Use Table. In making this determination, the Director may refer to the following factors as guidance: • Whether the use has similar visual, traffic, environmental and similar impacts as an expressly listed use. The Director may refer to empirical studies or generally accepted planning or engineering sources in making this determination. The burden is on the applicant to establish that the use is similar to the expressly listed use, or • Whether the use is within the same industry classification as another permitted use. In making this determination, the Planning Director may refer to the most recent edition of the *North American Industry Classification Manual* (Executive Office of the President, Office of Management and Budget, 2017)("NAICS"). If the use is not defined in the NAICS, the Planning Director may refer to the American Planning Association, *Land-Based Classification Standards LBCS Tables* (April 1, 2001). ⇨ *This decision is appealable to the Board of Adjustment (see Article 5).*

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Table 2.2-19 Use Table

Use Category	AG	RE	R-1	R-1A	R-1B	R-2	R-3	R-1-MH	RSM	R-S	R-O	AE	B-1	CBD	B-3	B-4	M-1	M-2	MXD
Residential																			
Residences (see Article 6 for manufactured homes)																			
Accessory Dwelling Unit	P		P	P	P				P	P									
Dwelling, Single-Family Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
Dwelling, Two-Family (Duplex)	P					P	P				P	P	P	P	P				
Dwelling, Multi-Family						P	P		P		P	P	P	P	P				
Live/Work Dwelling	P				P	P	P				P	P	P	P	P				
Townhouse			C *	P		P	P		P		P	P	P	P	P				
Zero Lot Line House			C *	P	P	P			P	P	P	P	P	P	P	P			

Use Category	AG	RE	R-1	R-1A	R-1B	R-2	R-3	R-1-MH	RSM	R-S	R-O	AE	B-1	CBD	B-3	B-4	M-1	M-2	MXD
Food Service													P	P		P			
Food Truck[1]												P	P	P	P	P	P	P	P
Food Truck Court													P	P	P	P	P	P	
Restaurant											P	P	P	P	P	P	P	P	P
Sidewalk cafe												P		A					A
Smoking Establishment																C	C	C	
Snack or Beverage Bar	P											P	P	P	P	P	P	P	P
Mixed Use:																			
Mixed-Use Building											P	P	P	P	P	P			P
Office, Business & Professional:																			
Office											P	P	P	P	P	P	P	P	P
Personal / Business services:																			
Bail Bond Services												C	C	P	P	P	P	P	
Buildings or Home Services																P			
Business Support Services											P		P	P		P	P		
Crematorium																P	P	P	
Day Labor Service																	P	P	
Funeral & Interment Services															P	P	P	P	P
General Personal Services	C										P		P	P	P	P	P	P	
Maintenance and Repair Services													P	P	P	P	P	P	
Retail:																			
Agriculture sales	P															P	P	P	P
Building Materials Sales and Storage															P	P	P	P	P
Convenience Store												P	P	P	P	P	P	P	P
Convenience Store (with Gasoline Sales)													P	P	P	P	P	P	P
Drug and Tobacco Paraphernalia Shop (Head Shop) / Tobacco Shop															C	C	C	C	
Flea Market																P	P	P	P
Machinery and Equipment Sales, Rental, and Leasing																P	P	P	P
Mobile Vendor																P	P	P	P
General Retail												P	P	P	P	P	P	P	P
Automotive:																			
Aircraft Repair																	C	P	P
Auto Repair, Heavy																P	P	P	C
Auto Repair, Minor															P	P	P	P	P
Automobile or Vehicle Sales																P	P	P	P
Heavy Equipment Sales and Service																P	P	P	
Car Wash														P	P	P	P	P	P
Gasoline or Diesel Fuel Sales												P	P	P	P	P	P	P	
Nationalization/"Nacionalizacion" of Vehicles Enterprise															C	C	C	C	

[1] Mobile Vendor moved to retail.

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Use Category	AG	RE	R-1	R-1A	R-1B	R-2	R-3	R-1-MH	RSM	R-S	R-O	AE	B-1	CBD	B-3	B-4	M-1	M-2	MXD
Truck Stop																P	P	P	
Public/Civic/Institutional																			
Assembly:																			
Event Facility														P	P	P	P	P	
Cemetery/Mausoleum	P																		
Civic Club			P	P		P	P				P	P	P	P	P	P	P	P	P
Exhibition, Convention, or Conference Facility														P		P	P	P	
Religious Land Use	P	P	P	P		P	P		P	P	P	P	P	P	P	P	P	P	P
Government / Non-Profit:																			
Civic Building	C											P	P	P	P	P	P	P	~~P~~
Correctional Facilities														C			C	C	
International Bridge Facility																	P	P	
Public Safety Facility	P	P	P	P					P	P	P	P	P	P	P	P	P	P	P
Rehabilitation Facility and Services	C															P	P		C
Social Assistance, Welfare, and Charitable Services											P		P	P	P	P	P	P	
Postal Services	C					P	P				P	P	P	P	P	P	P	P	P
Vehicle / Equipment Maintenance Facility														C		P	P	P	P
Education:																			
Business College / Technical or Trade School	C														P	P	P	P	P
College / University											C	C	C	C	P	P	P	P	
Personal Instructional Services and Display													P	P	P	P	P	P	
School (Public or Private)	C		P	P		P	P				P		P	P	P	P			
Medical:																			
Hospital																P	P		P
Clinic (Dental or Medical)											P	P	P	P		P	P		P
Arts, Entertainment, & Recreation:																			
Amusement Redemption Machine Establishment														P		P	P	P	P
Civic Space		P		P		P	P				P	P	P	P	P	P	P	P	P
Cultural Facility		P									P	P	P	P		P	P	P	P
Day Camp	C												P	P	P	P	P	P	P
Entertainment Facility												P	P	P	P	P	P	P	
Health/Fitness Club	C										P	P	P	P	P	P	P	P	P
Indoor Amusement												P		P	P	P	P	P	P
Outdoor Amusement	C												P	P	P	P	P	P	P
Sexually Oriented Business																	P	P	
Shooting Range, Indoor																P	P		
Shooting Range, Outdoor																C	C		
Studio											P		P	P	P	P	P	P	P
Industrial / Production																			

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Use Category	AG	RE	R-1	R-1A	R-1B	R-2	R-3	R-1-MH	RSM	R-S	R-O	AE	B-1	CBD	B-3	B-4	M-1	M-2	MXD
Manufacturing & Employment:																			
Contractor															P	P	P	P	
Extraction																	C	P	
Manufacturing, Artisan																P			
Manufacturing, Light													C			C	P	P	
Manufacturing, Heavy																		P	
Industrial Launderer																	P	P	
Warehousing, Storage & Distribution:																			
Mini-Warehouse																P	P	P	
Oil and Gas Storage																		P	
Outdoor storage	P															C	P	P	
Railroad Freight Depot																	P	P	
Self-Service Storage Facility																P	P	P	C
Vehicle Towing and Storage Facility																	P	P	
Wholesale distribution and sales, warehousing, and storage	C															C	P	P	
Wholesale distribution and sales, warehousing, and storage (Vehicular)																	C	P	
Infrastructure																			
Transportation / Parking:																			
Airport	C																C	C	C
Ground Passenger Transportation														P		P	P	P	
Heliport and Miscellaneous Air Transportation	C													C			C	C	C
Parking Facility											C		C	C		C			
Parking Garage													C	C					C
Parking Lot													C	C		P	P	P	C
Railroad Facilities																	P	P	
Railroad Right-of-Way	P													P		P	P	P	
Passenger Terminal											P		P	P		P	P	P	
Transit shelter	P	P	P	P	P				P		P		P	P		P	P	P	
Truck Lot																	P	P	
Utilities:																			
Utility (Major)	P																P	P	C
Utility (Minor)	P	C	C	C	C			C	C	C	P		P	P		P	P	P	P
Communications facilities:																			
Antenna	P	P	P	P	P	P		P	P	P	P		P	P	P	P	P	P	
Communication Tower	C					C	C				C		C			C	P	P	C
Telecommunications Facility	C													C		C	P	P	C
Weather / Environmental Monitoring Station	P	P	P	P	P				P	P	P		P	P		P	P	P	P
Waste-related:																			
Hazardous Waste Disposal																		C	
Hazardous Waste Transfer																		C	
Recycling Plant																P	P	P	

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Use Category	AG	RE	R-1	R-1A	R-1B	R-2	R-3	R-1-MH	RSM	R-S	R-O	AE	B-1	CBD	B-3	B-4	M-1	M-2	MXD
Transfer Station																	P	P	
Junkyard																	C	p	C
Solid Waste Facility																	C	P	C
Agriculture																			
Agricultural Sales	P													P		P	P	P	
Aquaponic System	P													P		P	P	P	
Crop Production	P													P		P	P	P	
Farming and Ranching	P															P	P	P	
Animal Production	P																P	P	
Livestock Sales	P															P	P	P	P
Plant Nursery	P															P	P	P	P
Horticulture	P	P						P								P	P	P	
Support Housing			P	P	P	P	P							P	P	P			P
Urban Farm	P	P												P		P	P	P	
Market Garden	P	P												P		P	P	P	
Indoor Crop Production	P	P												P			P	P	P
Community Garden	P	P	P					P		P				P		P	P	P	
Green House/Nursery	P	P						P		P				P		P	P	P	
Rooftop and Vertical Farming	P	A	A	A					A	P		P		P					P
Hydroponic	P	P	P							P				P		P	P	P	P
Urban Orchards	P	P	C							C		P		P			P	P	P
Accessory																			
Accessory Building or Structure	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A
Accessory use (generally)	A	A	A	A	A	A	A		A		A	A	A	A	A	A	A	A	A
Home Occupation A	P	P	P	A	A			A			A		A	A	A				
Home Occupation B	A					P	P						A	A	A				
Model Home	A	A	A	A				A	A	A									
Outside Storage	A																A	A	
Parking garage, private	A	A	A	A	A			A	A	A	A		A	A		A	A	A	
Recycling drop-off center											A		A	A		A	A	A	
Temporary																			
Special Events (Temporary)	P	P	P	P	P				P	P	P	P	P	P		P	P	P	P
Construction Office			A			A	A			A	A	A	A	A	A	A	A	A	A
Construction Yard										A	A		A	A		A	A	A	

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Division 3 Overlay Districts

24.2.24 Airport Noise (AN)

Purpose. *The purpose of the Airport Noise Overlay (AN) District is to:*

- *protect the public health, safety, and welfare by regulating development and land use within noise sensitive areas and airport hazard areas;*
- *ensure the compatibility of development between the Laredo International Airport and surrounding land uses; and*
- *protect the airport from incompatible encroachment.*

Note: this section is authorized by Texas Local Government Code, Chapter 241.

(a) Applicability

(1) This section applies to areas designated on the Zoning Map as the Airport Noise Overlay (AN) district.

(2) The requirements of this section are in addition to the requirements of the underlying zoning district.

(3) Uses and structures within the AN District are subject to the requirements of subsection (c) (Airport Land Use Compatibility Chart) and subsection (d)(Noise Attenuation Performance). Those construction standards are in addition to those established by adopted building codes.

(4) Uses and structures not specifically permitted are prohibited.

(5) Nothing in this section affects any legal non-conforming use existing at the time this section is adopted, nor the right of the council to approve any temporary use or structure by ordinance or resolution.

(b) Subdistricts Established. The AN District is subdivided into three subdistricts that represent the average level of airport noise impact. The noise contours of the subdistricts are those identified in the FAR 150 Airport Noise Study, endorsed by the Planning & Zoning Commission and the City Council, as amended by the future action of the Federal Aviation Administration. The geographic location of these subdistricts is adopted and indicated by contours on the zoning map of the City of Laredo. Subdistricts are established as follows:

Table 2.2-21 AN Subdistricts

Subdistrict	Area
C	65 Ldn to 70 Ldn noise exposure area
B	70 Ldn to 75 Ldn noise exposure area
A	The area with noise exposure greater than 75 Ldn

(c) Airport Land Use Compatibility Chart

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Table 2.2-12 Airport Land Use Compatibility

Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Adult Day Care			30	25
Aircraft Repair		x	x	x
Aircraft Sales/Sales Only		a*	b*	x
Alcohol Sales/Off-Premise Consumption		30	25	x
Alcoholic Beverage Manufacturing		a*	b*	x
Alcoholic Beverage Storage and Distribution		a*	b*	x
Alcoholic Care Home			20	25
Alcoholic Rehabilitation Facility			20	25
All-Terrain Vehicle Dealer/Sales Only		a*	b*	x
Amusement Services (Indoors)		30	25	x
Amusement Services (Outdoors)		a*	b*	x
Antique Shop		30	25	x
Apparel Manufacturing		a*	b*	x
Apparel, Piece Goods, and Notions		a*	b*	x
Appliance Repair		a*	b*	x
Art Dealer		30	25	x
Art Gallery		30	25	x
Artist Studio		30	25	x
Asphaltic Material Manufacturing		x	x	x
Auction (Indoors)		30	25	x
Auto Auction		x	x	x
Auto Body Repair		a*	b*	x
Auto Dealer (Primarily New/Used)		a*	b*	x
Auto Dealer (Primarily Used)		a*	b*	x
Auto Glass Repair/Tenting		a*	b*	x
Auto Impound Yard (Public/Private)		a*	b*	x
Auto Interior Shop		a*	b*	x
Auto Muffler Shop		a*	b*	x
Auto Paint Shop		a*	b*	x
Auto Repair (General)		a*	b*	x
Auto Repair (minor repairs}		a*	b*	x
Auto Repair as Associated use to Retail Sales		a*	b*	x
Auto Salvage		x	x	x
Auto Supply Store (new parts)		a*	b*	x

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Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Auto Tire Repair		a*	b*	x
Auto Wrecker Service		x	x	x
Auto Wrecker Service (Gas station)		x	x	x
Automatic Teller Machines (ATM's)		30	25	x
Automobile Driving School		a*	b*	x
Automobile Sales - Wholesale		x	x	x
Bait and/or Tackle Shop		a*	b*	x
Bakery (Retail)		30	25	x
Bakery-Wholesale		a*	b*	x
Bank		30	25	x
Barber Shop (Non-College)		30	25	x
Batching Plant (Permanent)		a*	b*	x
Batching Plant (Temporary)		x	x	x
Beauty Shop (Non-College)		30	25	x
Bed & Breakfast Hotel		30	25	x
Bike Sales and/or Repair		a*	b*	x
Billiard Parlor (Three or more tables)		30	25	x
Bingo Parlor		30	25	x
Boat Dealer/Sales Only		a*	b*	x
Boat Launching Ramp			x	x
Boat Rental, Repair and/or Service	Institutional Concession Only		x	x
Boat Repair and/or Storage		a*	b*	x
Bookstores		30	25	x
Bottling Works		a*	b*	x
Bowling Center		a*	b*	x
Building Material Sales		a*	b*	x
Bulk Grain and/or Feed Storage		x	x	x
Bulk Storage		x	x	x
Bulk Storage Petroleum and/or Petroleum		x	x	x
Bus Charter Service		a*	b*	x
Cabinet Shop (Manufacturing)		a*	b*	x
Car Wash (Self-Service)		x	x	x
Cemetery and/or Mausoleum		x	x	x
Check Cashing Agencies		30	25	x
Chemical & Allied Products Manufacturing	Non-hazardous	a*	b*	x
Child Day Care (7 or more)			30	25
Church/Sanctuary			30	25

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Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Civic Club		30	25	x
Collection Container		x	x	x
College and/or University			30	25
College Dormitory (On Campus)			30	25
Commercial Car Wash (Detail Shop)		x	x	x
Commercial Parking Lot (Cars)		x	x	x
Commercial Parking Lot (Trucks/Heavy Equip.)		x	x	x
Communication Equipment Repair		a*	b*	x
Community Center		a*	b*	x
Condominiums			30	25
Confectionery Store		a*	b*	x
Confectionery Store (Retail)		30	25	x
Consignment Shop		a*	b*	x
Contractor's Office/Sales,		a*	b*	x
Contractor's On-Site Construction Office	Temporary	x	x	x
Convenience Store		30	25	x
Credit Agency		30	25	x
Credit Unions		30	25	x
Dance/Dream/Music Schools		a*	b*	x
Day Camp			x	x
Dental Offices		30	25	x
Department Store		30	25	x
Dinner Theatre		30	25	x
Drapery Shop		30	25	x
Drug Care Home			30	25
Drug Rehabilitation Facility			30	25
Drug Store		30	25	x
Drug, Drug Proprietaries		a*	b*	x
Electrical Generating Plant		x	x	x
Electrical Substation		x	x	x
Electronic Assembly		a*	b*	x
Emergency Ambulance Service		35	30	25
Emergency Care Clinic		30	25	x
Engine Repair/Motor Manufacturing		a*	b*	x
Exhibition Hall		30	25	x
Exterminator Service		30	25	x
Exterminator Service (Storage)		x	x	x
Fairground			x	x
Farm (Food) Products – Wholesale		a*	b*	x

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Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Farms, General (Livestock/Ranch		x	x	x
Financial Services (Advice/Invest)		30	25	x
Fire Station		30	25	x
Firewood Sales - Wholesale		a*	b*	x
Fishing and Sightseeing Facilities	Institutional Concession Only		x	x
Fishing Pier	Institutional Concession Only		x	x
Florist		30	25	x
Food Canning Operation		a*	b*	x
Four Family (Quadraplex)			30	25
Fraternity/Sorority House			30	25
Fruit and/or Vegetable Store		30	25	x
Fuel Dispensing, Private		a*	b*	x
Funeral Home		30	25	x
Furniture Sales /Indoor)		a*	b*	x
Furniture Sales (Outdoor)		a*	b*	x
Garden Shop (Inside Storage)		a*	b*	x
Gasoline Service Station		a*	b*	x
Golf Course (Public/Private)		30	25	x
Government Building		30	25	x
Gravestone/Tombstone Sales		30	25	x
Greenhouse		x	x	x
Groceries/Related Products		a*	b*	x
Half-Way House (Criminal)		30	25	x
Handicraft Shop		30	25	x
Hardware Store		a*	b*	x
Hay, Grain, and/or Feed Sales		x	x	x
Hazardous Chemical Manufacture		a*	b*	x
Health Club Physical Fitness)		30	25	x
Heavy Machinery Sales (Wholesales)		a*	b*	x
Heavy Machinery Sales/Display (Inside)		a*	b*	x
Heavy Machinery Sales/Display (Outdoor)		a*	b*	x
Horse Racing Facility/Training		30	25	x
Hospice			30	25
Hospital			30	25
Hotel/Motel		30	25	x
Inoperable Vehicle Holding Yard		x	x	x
Insurance Agency Offices		30	25	x
Iron and/or Steel Foundry		x	x	x
Jail		30	25	x

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Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Karate School (Martial Arts)		a*	b*	x
Kiosk (Providing A Service)		30	25	x
Laundry/Dry Cleaning (Drop Off/Pick Up)		30	25	x
Laundry/Dry Cleaning (Greater than 3000 s.f.)		30	25	x
Laundry/Dry Cleaning (less than 3000 s.f.)		30	25	x
Laundry/Dry Cleaning (Self-Service)		30	25	x
Lawnmower Sales and/or Repair		a*	b*	x
Leather Tanning and/or Finishing		x	x	x
Library			30	25
Light Manufacturing		a*	b*	x
Limousine Service		a*	b*	x
Livestock - Wholesale		x	x	x
Livestock Sales		x	x	x
Locksmith		a*	b*	x
Lumber Sales - Wholesales		a*	b*	x
Machine Shop		a*	b*	x
Mailing Service (Private)		30	25	x
Major Appliances Sales (Indoor)		30	25	x
Major Appliances Sales (Outdoor)		a*	b*	x
Manufactured Home Park		30	30	25
Marina			x	x
Meat Packing/Slaughterhouse		a*	b*	x
Meat Products, Manufacturing		a*	b*	x
Medical and Dental Clinics (public and private)			30	25
Medical Offices		30	25	x
Membership Sports		30	25	x
Metal Forging and/or Heavy Stamping		x	x	x
Metal Smelting		x	x	x
Mineral Extraction		x	x	x
Mini- Warehouse		x	x	x
Mobile Home Dealer/Sales Only		a*	b*	x
Mobile Home Manufacturing		a*	b*	x
Monastery/Convent			30	25
Motion Picture Theater (Indoor)		30	25	x
Motion Picture Theater (Outdoor)		30	25	x
Motorcycle Dealer		a*	b*	x
Motorcycle Repair (General)		x	x	x
Multi-Family			30	25
Museum /Other than wax		30	25	x
Museum/Wax Museum		30	25	x
Needlework Shop		30	25	x
Nursing/Convalescent Home			30	25
Office (Brokerage Service)		30	25	x

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Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Offices (Counseling)		30	25	x
Offices (Health Services)		30	25	x
Offices (Legal Services)		30	25	x
Offices (Miscellaneous)		30	25	x
Offices / Parole - Probation		30	25	x
Oil and/or Gas Extraction		x	x	x
Open Boat and/or R.V. Dry Storage	Institutional Concession Only	x	x	x
Orchard		x	x	x
Orphanage			30	25
Passenger Terminal		m*	a*	x
Pet Shop		30	25	x
Petroleum Refining		x	x	x
Petroleum Sales (Wholesales)		x	x	x
Philanthropic Organization		30	25	x
Phone Exchange/Switching Station		30	25	x
Photo Studio		30	25	x
Photocopying/Duplicating		30	25	x
Plant Nursery		x	x	x
Plant Nursery (Outside Storage)		a*	b*	x
Plastic Product manufacturing		x	x	x
Plating Establishments		a*	b*	x
Police Station		30	25	x
Portable Building leasing/storage		a*	b*	x
Portable Chemical Toilet leasing/storage		a*	b*	x
Post Office (Governmental)		30	25	x
Poultry Slaughtering/Processing		a*	b*	x
Printer		a*	b*	x
Printer (Newspaper, etc.)		a*	b*	x
Private Club (Alcohol Served)		30	25	x
Psychiatric Care Home			30	25
Psychiatric Hospital			30	25
Quick Lube/Oil Change		x	x	x
R.V. Dry Storage Facilities		x	x	x
Race Track Operation		30	25	x
Radio Station		30	25	x
Railroad Freight Depot		x	x	x
Railroad Right-of-Way		x	x	x
Re-Manufacturing and/or Repair		a*	b*	x
Real Estate Offices		30	25	x
Recreational Club (Members Only)		30	25	x
Recreational Vehicle Dealer/Sales Only		a*	b*	x
Recreational Vehicle Parking Lot		m*	a*	x
Rectory/Parsonage			30	25

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Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Refuse Disposal System		x	x	x
Registered Family Home			30	25
Research Lab (Hazardous)		a*	b*	x
Restaurant		30	25	x
Restaurant (Drive-In)		30	25	x
Restaurant (Drive-Thru)		30	25	x
Restaurant (Kiosk)		30	25	x
Restaurant (Serving Alcohol)		30	25	x
Restrooms with Shower Facilities		a*	b*	x
Retail Sales of Fishing Bait		a*	b*	x
Retail Store (Miscellaneous)		30	25	x
Retirement Home/Home for the Aged			30	25
Rooming/Boarding House			30	25
Salvage and/or Reclamation (Indoors)		x	x	x
Salvage and/or Reclamation (Outdoors)		x	x	x
Sand/Gravel Sales, Storage & Extraction		x	x	x
Sanitary Landfill		x	x	x
Sanitary Sewage Pump-out Facilities		x	x	x
Savings and Loans		30	25	x
School, K thru 12 (Private)			30	25
School, K thru 12 (Public)			30	25
School, Vocational			30	25
Scrap/Waste Recycle Collection		x	x	x
Sewage Pumping Station		x	x	x
Shoe Repair		30	25	x
Sign Manufacturing		a*	b*	x
Single Family Detached			30	25
Single Family Manufactured Home			30	25
Snack Bars and Vending Machines		x	x	x
Special Events (Temporary)		30	25	x
Stables (Commercial)		x	30	25
Stables (Private, Principle Use)		x	30	25
Stadium			x	x
State Vehicle inspection		m*	a*	x
Stone/Clay/Glass Manufacturing		x	x	x
Swimming Pool (Public)			x	x
Tailor Shop		30	25	x
Taxi Stand		m*	a*	x
Television		30	25	x
Theater (Non-Motion Picture)		30	25	x
Three Family (Triplex)			30	25
Tire Sales (Indoors)		a*	b*	x
Tool Rental (Outdoor Storage)		x	x	x

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Permitted Use	x
Noise Reduction measures of 30 decibels shall be incorporated in office, public areas	a*
Noise Reduction measures of 25 decibels shall be incorporated In office, public areas	b*
Noise Reduction measures of 35 decibels shall be incorporated In office, public areas	m*
Incorporate noise reduction measures pursuant to subsection (f)	25, 30, 35

Uses	Notes	Subdistrict		
		A	B	C
Townhouse Condominiums			30	25
Transfer Station (Refuse/Pick-up)		x	x	x
Travel Agency		30	25	x
Travel Trailer/RV Park		35	30	25
Truck Sales-Wholesale		a*	b*	x
Truck Stop (Including Gas Sales)		m*	a*	x
Truck/Heavy Equip. Driving School		m*	a*	x
Truck/Heavy Equipment/Recreational Veh. Repair		a*	b*	x
Truck/Trailer Rental		a*	b*	x
Trucking Company		a*	b*	x
Two Family (Duplex)			30	25
Upholstery Shop (Non-Auto)		a*	b*	x
Used Auto Supply Part Store (no on-site salvage)		a*	b*	x
Used Merchandise; Flea Market		30	25	x
Used Merchandise; Furniture, Pawn Shop		30	25	x
Utility Shop and Storage		30	25	x
Variety Store		30	25	x
Vehicle Maintenance (Private)		m*	a*	x
Vehicle Wash (Private)		m*	a*	x
Veterinarian (Indoor Animal Confinement)*		x	x	x
Veterinarian (Outdoor Animal Confinement)		x	x	x
Warehouse/Storage (Inside)		x	x	x
Warehouse/Storage (Outside)		x	x	x
Wastewater Treatment Plant		x	x	x
Water Supply Facility (Public)		x	x	x
Water Treatment Plant		x	x	x
Welding Shop		a*	b*	x
Woodworking Shop (Manufacture)		a*	b*	x
Zoo			x	x

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(d) Additional Requirements

(1) Aviation easements are required over all property located within the AN District as a condition of the approval of any residential subdivision, residential rezoning application, or conditional use permit. Aviation easements shall be in the form approved by the city attorney, and shall be recorded in the deed or map records of Webb County.

(2) All proposed subdivisions of land, and applications for rezoning or conditional use permits located within the AN District shall include the boundaries of the district and subdistricts established in this section, all existing and proposed buildings and structures, and the uses or proposed uses associated with those buildings and structures.

(3) All subdivision plats located within the AN District shall contain a note which reads as follows: "This property (or a part thereof) is located within an area subject to potentially excessive airport noise levels. All uses and construction shall conform to the noise mitigation standards included in subsection (d) - Noise Attenuation Performance Standards for Structures Located within the Airport Noise Overlay District of the City of Laredo, incorporated herein and made a part hereof for all purposes."

(e) Appeals

Appeals or requests for variances in noise attenuation construction requirements established herein shall be to the Building Standards Board whose decision shall be final. All other appeals or requests for variances shall be approved by both the Airport Advisory Board and the Board of Adjustment.

(f) Noise Attenuation Performance Standards for Structures Located Within the Airport Noise Overlay District

(1) **Scope**. The performance standards in this chapter are intended to provide for the insulation of the interior of buildings to an Ldn 45 or less from outside noise levels over Ldn 65. The standards apply to construction of new noise-sensitive uses approved within districts and subdistricts where noise levels are expected to exceed 65 Ldn, and for reconstruction, remodeling, or additions to existing buildings of the types mentioned above when the value of the improvement exceeds 50 percent of the value of the existing structures. Where noise-sensitive activities are carried on in only a portion of new or reconstructed commercial buildings, only those areas judged noise-sensitive need to be protected. This section controls in the event of a conflict with other provisions of this code.

(2) **Structures Requiring Protection.** Structures to be protected include but are not limited to existing residential structures and the portion of non-residential structures in which noise - sensitive activities are conducted (e.g.., research facilities, hotel sleeping rooms, meeting rooms, and similar activities).

(3) **Requirements for Noise Levels Over 65 Ldn.** All structures regulated under this chapter in noise-level area Ldn 65 shall meet the following criteria:

a. General

1. Veneer, masonry blocks, or stucco exterior walls shall be constructed airtight. All joints shall be grouted or caulked airtight.

2. At the penetration of exterior walls by pipes, ducts, or conduits, the space between the wall and pipes, ducts, or conduits shall be caulked or filled with mortar.

3. Window and/or through-the-wall HVAC type units shall not be used.

4. Operational, vented fireplaces shall not be used.

5. All sleeping spaces shall be provided with a sound- absorbing ceiling and carpeted floor.

6. Through-the-wall/door mailboxes shall not be used.

b. Minimum Noise Reduction of 25 db

1. Exterior Walls

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a. Masonry walls having a surface weight of at least 40 pounds per square foot do not require a furred interior wall. In areas over 70 Ldn, masonry walls having a surface weight of at least 75 pounds per square foot do not require a furred interior wall. At least one surface of concrete block wall shall be plastered or painted with heavy "bridging" paint.

b. Stud walls shall be at least four inches in nominal depth and shall be finished on the outside with siding on sheathing, stucco, or brick veneer.

1. Interior surface of the exterior stud walls shall be of gypsum board or plaster at least 1/2- inch thick, installed on the studs. The gypsum board or plaster may be fastened rigidly to the studs if the exterior is brick veneer or stucco. If the exterior is siding-on-sheathing, the interior gypsum board or plaster must be fastened resiliently to the studs.
2. Continuous composition board, plywood, or gypsum board sheathing shall cover the exterior side of the wall studs behind wood or metal siding. The sheathing and facing shall weigh at least four pounds per square foot.
3. All edges of the sheathing shall be sealed with resilient caulking.
4. Insulation material with a minimum thermal resistance factor (R) of 11 which is at least two inches thick shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool.

2. Window

a. Glass of double-glazed windows shall be used and at least 3/16ths inch thick.

b. Double-glazed windows shall employ fixed sash or efficiently weather-stripped operable sash. The sash shall be rigid and weather-stripped with material that is compressed airtight when the window is closed.

c. Glass of fixed-sash windows shall be sealed in an airtight manner with a non-hardening sealant, or a soft elastomeric gasket or glazing tape.

d. The perimeter of the window frame shall be sealed airtight to the exterior wall construction with a resilient sealant.

e. The total area of glass of both windows and exterior doors in sleeping spaces shall not exceed 20 percent of the floor area.

c. Doors

1. All exterior side-hinged doors shall be solid-core wood or insulated or hollow metal at least 1.75 inches thick and shall be fully weather-stripped.

2. The glass of double-glazed sliding doors shall be at least 3/16 of an inch thick and separated by a minimum 1/2-inch airspace with a laboratory sound transmission rating of STC-28 or greater. The frame shall be provided with an efficiently airtight weather- stripping material.

3. The perimeter of door frames shall be sealed airtight to the exterior wall construction.

4. Glass in doors shall be set and sealed in an airtight non-hardening sealant, or a soft elastomeric gasket or glazing tape.

d. Roof

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1. With an attic or rafter space at least six inches deep, and with a ceiling below, the roof shall consist of 1/2-inch composition board, plywood, or gypsum board sheathing topped by roofing as required.
2. If the underside of the roof is exposed, or if the attic or rafter space is less than six inches, the roof construction shall have a surface weight of at least six pounds per square foot, except that, in areas over 70 Ldn, the roof construction shall have a surface weight of at least nine pounds per square foot. Rafters, joists, or other framing may not be included in the surface weight calculation.
3. Window or dome skylights shall be double glazed and separately by minimum 1/2-inch airspace. In areas over 70 Ldn, skylights are not permitted.

e. Ceilings

1. Gypsum board of plaster ceilings at least 1/2-inch thick shall be provided below attic space or roof rafters or roof construction less than 8 pounds per square foot (psf). Ceilings shall be substantially airtight, with minimum number of penetrations.
2. Glass fiber or mineral wood insulation at least six inches thick with a thermal resistance (R) factor of not less than nineteen shall be provided above the ceiling between joists. Insulation in the attic space shall have no paper or foil covering on the face exposed to the attic.

f. Floors. The floor of the lowest occupied rooms shall be slab on grade, below grade, or over a fully enclosed basement. All door and window openings in the fully enclosed basement shall be tightly fitted. All sleeping rooms shall be provided with carpeting or an acoustical ceiling.

g. Ventilation

1. A mechanical ventilation system shall be installed that will provide the minimum air circulation and fresh air-supply requirements for various uses in occupied rooms, without need to open any windows, doors, or other openings to the exterior. Window and wall ventilating units shall not be used.
2. Gravity vent openings in the attic shall not exceed code minimum in number and size. The openings shall be fitted with transfer ducts at least three feet in length, containing approved internal sound-absorbing duct lining. Each duct shall have a line 90-degree bend in the duct such that there is not direct line of sight from the exterior through the duct into the attic.
3. If a fan is used for forced ventilation, the attic inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20-gauge steel, which shall be lined with one-inch thick approved duct liner, and shall be at least five feet long with one 90-degree bend. In areas over 70 Ldn, the duct lining shall be at least 10 feet long.
4. All vent ducts connecting the interior space to the outdoors, excepting domestic range and dryer exhaust ducts, shall contain at last a 10-foot length of approved internal sound-absorbing duct lining. Each duct shall be provided with a line 90-degree bend in the duct such that there is no direct line of sight through the duct.

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5. Duct lining shall be a coated glass fiber duct liner at least one-inch thick, approved and suitable for the intended use.
6. Domestic range and dryer exhaust ducts connecting the interior space to the outdoors shall contain a baffle plate across the exterior termination that allows proper ventilation. The dimensions of the baffle plate should extend at least one diameter beyond the line of sight into the vent duct. The baffle plate shall be of the same material and thickness as the vent duct material and shall have the same free area as the vent duct.
7. Building heating units with flues or combustion air vents shall be located in a closet or room closed off from the occupied space by doors.
8. Doors between occupied space and mechanical equipment areas shall be solid-core wood or 20-gauge steel hollow metal at least 1.75 inches thick and shall be fully weather-stripped.

(4) Minimum Noise Reduction of 30db

a. Exterior Walls

1. Masonry walls having a surface weight of at least 40 pounds per square foot do not require a furred interior wall. In areas over 70 Ldn, masonry walls having a surface weight of at least 75 pounds per square foot do not require a furred interior wall. At least one surface of concrete block wall shall be plastered or painted with heavy "bridging" paint.
2. Stud walls shall be at least four inches in nominal depth and shall be finished on the outside with siding on sheathing, stucco, or brick veneer.
   a. Interior surface of the exterior stud walls shall be of gypsum board or plaster at least 5/8- inch thick, installed on the studs. The gypsum board or plaster may be fastened rigidly to the studs if the exterior is brick veneer or stucco. If the exterior is siding-on-sheathing, the interior gypsum board or plaster must be fastened resiliently to the studs.
   b. Continuous composition board, plywood, or gypsum board sheathing of not less than 1/2 inch in thickness shall cover the exterior side of the wall studs behind wood or metal siding. The sheathing and facing shall weigh at least four pounds per square foot.
   c. All edges of the sheathing shall be sealed with resilient caulking.
   d. Insulation material with a minimum thermal resistance factor (R) of 11 which is at least two inches thick shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool.

b. Window

1. Double-glazed windows shall be used and shall be not less than 3/16ths inch in thickness. Panes of glass shall be separated by an air-space of not less than three inches, and shall be of unequal thickness.
2. Double-glazed windows shall employ fixed sash or efficiently weather-stripped operable sash. The sash shall be rigid and weather-stripped with material that is compressed airtight when the window is closed.

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3. Glass of fixed-sash windows shall be sealed in an airtight manner with a non-hardening sealant, or a soft elastomeric gasket or glazing tape.
4. The perimeter of the window frame shall be sealed airtight to the exterior wall construction with a resilient sealant.
5. The total area of glass of both windows and exterior doors in sleeping spaces shall not exceed 20 percent of the floor area.

c. Doors

1. All exterior side-hinged doors shall be solid-core wood or insulated or hollow metal at least 1.75 inches thick and shall be fully weather-stripped.
2. The glass of double-glazed sliding doors shall be at least 3/16 of an inch thick and separated by a minimum 4 inch airspace with a laboratory sound transmission rating of STC-28 or greater. The frame shall be provided with an efficiently airtight weather- stripping material. Single frame sliding glass doors are prohibited.
3. The perimeter of door frames shall be sealed airtight to the exterior wall construction.
4. Glass in doors shall be set and sealed in an airtight non-hardening sealant, or a soft elastomeric gasket or glazing tape.

d. Roof

1. With an attic or rafter space at least six inches deep, and with a ceiling below, the roof shall consist of 3/4-inch continuous plywood sheathing topped by roofing as required. Exposed roof decks shall not be less than two inches of wood or concrete.
2. If the underside of the roof is exposed, or if the attic or rafter space is less than six inches, the roof construction shall have a surface weight of not less than twelve pounds per square foot. Rafters, joists, or other framing may not be included in the surface weight calculation.
3. Window or dome skylights shall be double glazed and separately by minimum 1/2-inch airspace. In areas over 70 Ldn, skylights are not permitted.

e. Ceilings

1. Gypsum board of plaster ceilings at least 1/2-inch thick shall be provided below attic space or roof rafters or roof construction of less than two inches in thickness and weighing less than twelve pounds per square foot (psf).
2. The ceiling shall be not less than twelve inches below the roof sheathing and substantially airtight, with a minimum number of penetrations.
3. Glass fiber or mineral wood insulation at least six inches thick with a thermal resistance (R) factor of not less than nineteen shall be provided above the ceiling between joists. Insulation in the attic space shall have no paper or foil covering on the face exposed to the attic.

f. Floors. The floor of the lowest occupied rooms shall be slab on grade, below grade, or over a fully enclosed basement. All door and window openings in the fully enclosed basement shall be tightly fitted. All sleeping rooms shall be provided with carpeting or an acoustical ceiling.

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g. Ventilation

1. A mechanical ventilation system shall be installed that will provide the minimum air circulation and fresh air-supply requirements for various uses in occupied rooms, without need to open any windows, doors, or other openings to the exterior. Window and wall ventilating units shall not be used.
2. Gravity vent openings in the attic shall not exceed code minimum in number and size. The openings shall be fitted with transfer ducts at least five feet in length, containing approved internal sound-absorbing duct lining. Each duct shall have a line 90-degree bend in the duct such that there is not direct line of sight from the exterior through the duct into the attic.
3. If a fan is used for forced ventilation, the attic inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 20-gauge steel, which shall be lined with one-inch thick approved duct liner, and shall be at least five feet long with one 90-degree bend. In areas over 70 Ldn, the duct lining shall be at least 10 feet long.
4. All vent ducts connecting the interior space to the outdoors, excepting domestic range and dryer exhaust ducts, shall contain at last a 10-foot length of approved internal sound-absorbing duct lining. Each duct shall be provided with a line 90-degree bend in the duct such that there is no direct line of sight through the duct.
5. Duct lining shall be a coated glass fiber duct liner at least one-inch thick, approved and suitable for the intended use.
6. Domestic range and dryer exhaust ducts connecting the interior space to the outdoors shall contain a baffle plate across the exterior termination that allows proper ventilation. The dimensions of the baffle plate should extend at least one diameter beyond the line of sight into the vent duct. The baffle plate shall be of the same material and thickness as the vent duct material and shall have the same free area as the vent duct.
7. Building heating units with flues or combustion air vents shall be located in a closet or room closed off from the occupied space by doors.
8. Doors between occupied space and mechanical equipment areas shall be solid-core wood or 20-gauge steel hollow metal at least 1.75 inches thick and shall be fully weather-stripped.

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24.2.25 Flood Hazard (FH)

Purpose: this section promotes the public health, safety and general welfare and minimizes public and private losses due to flood conditions in specific areas by provisions designed to:

- *Protect human life and health;*
- *Minimize expenditure of public money for costly flood control projects;*
- *Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;*
- *Minimize prolonged business interruptions;*
- *Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;*
- *Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and*
- *Insure that potential buyers are notified that property is in a flood area.*

(a) Methods Of Reducing Flood Losses. To accomplish its purposes, this section uses the following methods:

(1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;

(2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

(4) Control filling, grading, dredging and other development which may increase flood damage;

(5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

(b) General Provisions

(1) **Lands to which this ordinance applies**. The ordinance shall apply to all areas of special flood hazard with the jurisdiction of The City of Laredo.

(2) **Basis for Establishing the Areas of Special Flood Hazard**. The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Webb County Texas and Incorporated Areas," dated April 2, 2008 (which included Community Number 480651 and index panel numbers: 48479C0975C, 1000C, 1015C, 1020C, 1030C, 1040C, 1045C, 1185C, 1195C, 1205C, 1210C, 1215C, 1220C, 1360C, 1380C, 1385C, 1390C, 1405C, 1535C, 1555C), with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated April 2, 2008, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

(3) **Establishment of Development Permit**. A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance and is hereby established for all construction and other development to be undertaken in areas of special flood hazard in this community. It shall be unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate

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map enumerated in subsection (b)(2) above, without a valid floodplain development permit.

(4) **Compliance**. No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

(5) **Abrogation and Greater Restrictions**. This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(6) **Interpretation**. In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

(7) **Warning and Disclaimer or Liability**. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

(c) Administration

(1) **Designation of the Floodplain Administrator**. The Planning Director is appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

(2) **Duties & Responsibilities of the Floodplain Administrator**. Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

a. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

b. Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.

c. Review, approve or deny all applications for development permits required by adoption of this ordinance.

d. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

e. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a

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mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

f. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Texas Water Development Board (TWDB), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

g. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

h. When base flood elevation data has not been provided in accordance with subsection (b) of this section, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of subsection (d) of this section.

i. When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

j. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

(3) Permit Procedure

a. Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;

2. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

3. A certificate from a registered professional engineer or architect that the non-residential floodproofed structure shall meet the floodproofing criteria of, subsection (a) of this section;

4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

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5. Maintain a record of all such information in accordance with subsection (c)(2)h of this section;
6. An elevation certificate shall be required before pouring of foundation for any new or substantially improved structure.
7. All applications for a floodplain development permit shall be accompanied by an application fee of $200.00.
8. Floodplain verification letter requests shall incur a fee of$ 25.00.

b. Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage;
2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
3. The danger that materials may be swept onto other lands to the injury of others;
4. The compatibility of the proposed use with existing and anticipated development;
5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
7. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

c. A description of the extent to which any watercourse will be altered or relocated as a result of proposed development. Computations by a licensed professional engineer must be submitted that demonstrate that the altered or relocated segment will provide equal or greater conveyance than the original stream segment. If buildable lots are proposed adjacent to the altered watercourse and fall within the existing floodplain, then the applicant must submit any maps, computations or other material required by the Federal Emergency Management Agency (FEMA) to revise the documents enumerated in subsection (a) of this section, when notified by the Local Administrator, and must pay any fees or other costs assessed by FEMA for this purpose.

(4) Variance Procedures

a. The Board of Adjustment shall hear and render judgment on requests for variances from the requirements of this ordinance.

b. The Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

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c. Any person or persons aggrieved by the decision of the Board may appeal such decision in the courts of competent jurisdiction.

d. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

e. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

f. Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in C (2) of this Section have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance increases.

g. Upon consideration of the factors noted above and the intent of this ordinance, the Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Section.

h. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

i. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

j. Prerequisites for granting variances:

1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

2. Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

3. Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

k. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in subsection (c)(4)a through -i above are met, and (ii) the structure or other development is protected by methods

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that minimize flood damages during the base flood and create no additional threats to public safety.

(d) Provisions for Flood Hazard Reduction

(1) General Standards. In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

a. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

b. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

c. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

d. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed (example: flood proofing) and/or located (example: elevated above the BFE) so as to prevent water from entering or accumulating within the components during conditions of flooding;

e. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

f. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

g. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(2) Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) subsection (b)(2) above, (ii) subsection (c)(2)h, or (iii) Section (d)(3)c, the following provisions are required:

a. Residential Construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), together with attendant utilities (for example, junction boxes, breaker boxes, electrical outlets, switches, plugs, HVAC systems, a/c ductwork, hot water heaters or any non-structural system which when inundated with water would make the structure uninhabitable), elevated 18 inches (or more) above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in subsection (c)(3)a.1, is satisfied.

b. Nonresidential Construction. New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement), together with attendant utilities (for example, junction boxes, breaker boxes, electrical outlets, switches, plugs, HVAC systems, a/c ductwork, hot water heaters or any non-structural system which when inundated with water would make the structure uninhabitable), elevated 18 inches (or more)

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above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained by the Floodplain Administrator.

c. Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

1. A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottom of all openings shall be no higher than 1 foot above grade.
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

d. Manufactured Homes

1. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
2. Require that manufactured homes that are placed or substantially improved within Zones A1- 30, AH, and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated 18 inches (or more) above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
3. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH

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and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:

a. the lowest floor of the manufactured home is 18 inches (or more) above the base flood elevation, or

b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

e. Recreational Vehicles. Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of subsection (c)(3)a, and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(3) Standards for Subdivision Proposals

a. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent the purpose statement (bullets 2 and 3) and subsection (a) of this ordinance.

b. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of subsection (b)(3); subsection (c)(3); and the provisions of subsection (d) of this section.

c. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to subsection (b)(2) or subsection (c)(2)h of this ordinance.

d. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

e. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(4) Standards for Areas of Shallow Flooding (AO/AH Zones). Located within the areas of special flood hazard established in subsection (b)(2) are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

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a. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated 18 inches (or more) above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 3 feet if no depth number is specified).

b. All new construction and substantial improvements of non-residential structures;

1. have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 3 feet if no depth number is specified), or

2. together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AN Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

c. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of D herein, as proposed in subsection (c)(3) are satisfied.

d. Require within Zones AH or AN adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

(5) **Floodways**. Located within areas of special flood hazard established in subsection (b)(2), are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

a. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that

b. the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

c. If subsection (d)(5)a above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of subsection (d).

d. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by Section 65.12.

(e) Severability. If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

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(f) Penalties for Noncompliance. No structure or land shall be constructed, located, extended, converted, or altered without full compliance with the terms of this court order and other applicable regulations. Violation of the provisions of this court order by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $ 500 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent The City of Laredo from taking such other lawful action as is necessary to prevent or remedy any violation.

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24.2.26 Historic (H)

***Purpose**: The historic overlay district establishes regulations that safeguard the historic, archaeological, architectural, and cultural resources of the city, promoting preservation, restoration, and rehabilitation of those resources or ensuring the compatibility of new construction within designated historic districts. The requirements of this district are in addition to the requirements of the underlying zoning district.*

(a) Creating Historic Districts

(1) **Authority**. Texas Local Government Code, Chapter 211, authorizes historic preservation. The City Council of the City of Laredo is authorized to create, define, amend, or eliminate historic districts subject to this Chapter.

(2) **Designation**. Historic districts bear the word "historic" in the zoning designation as a supplemental zoning designation. Property in a historic district continues to bear its use designations by letter and number as provided in this Article (e.g. H-B-1, H-B-4, etc.). Before making a historic district designation, the City Council shall receive a recommendation from the Historic District/Landmark Board and the Planning and Zoning Commission, which shall recommend for or against the historic district designation according to the procedures presently used to consider other zoning designations or changes.

[Note: Three (3) historic districts are currently designated: San Agustin de Laredo, Old Mercado, and St. Peter's.]

(3) **Requirements for Creation.** Areas designated as a historic district shall:

a. be a "registered" historic district; or

b. have documentation establishing its contribution to the historic and cultural heritage of the City, or

c. have documentation establishing its archaeological or architectural significance; and

d. have documentation describing the need for an historic district to be created to assist in preserving the City's history and cultural heritage and its relationship to the City's Comprehensive Plan; and

(4) **Public Hearing**. The City shall conduct a public hearing to receive testimony for and against the creation of an historic district.

(b) Designating Locally Significant Historic Landmarks

(1) **Authority**. The Historic District/Landmark Board may designate individual sites and structures as locally significant historic landmarks subject to this section.

(2) **Requirements for Designation**. Structures and sites considered for designation as locally significant historic landmarks shall:

a. be a Recorded Texas Historic Landmark or listed individually on the National Register of Historic Places; or

b. have documentation establishing its contribution to the historic and cultural heritage of the city, or

c. have documentation establishing its archaeological or architectural significance; and

d. retain sufficient structural and architectural integrity to permit rehabilitation, restoration and or preservation as determined by the Building Official; and

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(3) **Public Hearing**. The City shall conduct a public hearing shall be held to receive testimony for and against the designation of any structure or site.

(4) **Findings**. The Board shall find the following, which shall be entered in the meeting minutes:

a. The site or structure meets the requirements for local designation established in this section, and that a public hearing(s) was held in conformance with this chapter; and

b. The designation as a locally significant historic landmark is necessary to assist in the preservation of the City's historic and cultural heritage; and

c. The designation conforms to the purposes and intent of the City's Comprehensive Plan.

(5) **Appeal**. The designation of any structure or site as a locally significant historic landmark may be appealed to City Council within six months of that designation, subject to any procedures the Council establishes. Following a public hearing, the Council shall make a final determination concerning the designation.

(6) **Procedural Requirements**

a. An application for designation as a locally significant historic landmark as provided in Article 11.

b. Upon receipt of an application, the Building Official or his designee shall inspect the property, and shall prepare a report concerning the structural and architectural integrity of any structure nominated. This report is to be presented to the Board at the public hearing and noted in the official minutes.

c. The Board shall consider the application at its next regular meeting, and may request any additional information required.

(c) Provisions and Procedural Requirements for Review of Plans by Historic District/Landmark Board. See Chapter 5, section 24.5.16 (Permits in Historic Overlay).

(d) Parking Reductions. See section 24.3.7 (Parking and Loading).

(e) Violations and Penalties. Any person(s), firm or corporation violating any provision of this ordinance is guilty of a misdemeanor, and is deemed guilty of a separate offense for each day or portion thereof during which any violation hereof is committed, continued or permitted, and upon conviction any a violation is punishable by a fine of up to one thousand dollars ($1,000) for each day that the violation exists.

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24.2.27 Planned Unit Development (PUD)

Purpose: the Planned Unit Development Overlay District (PUD) enables the development of property and projects which because of design considerations, topographical features, environmental and/or other land use considerations may justify mixed uses, special dimensional standards, substitution of standards, or waiver of standards within a specified area. Planned Unit Development Zoning is established prior to or concurrently with any subdivision of land.

(a) Applicability

(1) A Planned Unit Development Overlay District (PUD) can be initiated in any zoning district, see minimum size requirements in Table 2.20-1.

Table 2.2-23 Minimum Area Required for PUD Rezoning

Future Land Use Map designation	Area (*min*)
Agricultural / Rural; Low Density Residential	20 acres
Medium Density Residential; High Density Residential	15 acres
Neighborhood Mixed-Use; Mixed-Use Center; Downtown Mixed-Use	10 acres
Light or Heavy Industrial	20 acres

(2) A Planned Unit Development Overlay District (PUD) designation requires a rezoning to the PUD overlay district initiated by the applicable property owner. After the PUD designation is approved, all uses, buildings and structures shall comply with:

a. the conditions of the PUD rezoning, unless the district is designed in accordance with Traditional Neighborhood Design (TND) Manual, See Appendix A. No additional conditions shall be placed upon an application in complete compliance with the TND Manual;

b. all requirements of the applicable base district, except for dimensional standards that are modified; and

c. any provisions of this Chapter not addressed by the PUD conditions.

(3) A PUD designation may modify provisions of this Chapter and impose additional standards but shall not reduce the quality of development.

(4) A PUD rezoning shall be consistent with the Comprehensive Plan.

(5) A PUD may be approved in phases.

(b) Minimum Size Requirements. There are no minimum size, area, or lot number restrictions in a PUD overlay district. However, the intent is for multi-lot developments of significant size that have a positive impact on the neighborhood or surrounding developments.

(c) Special Alterations Permitted

(1) Development and performance standards for the PUD overlay district shall be established as a condition of rezoning approval.

(2) The PUD overlay district may regulate the following:

a. Required colors for facades;

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b. Density;
c. Minimum lot, height and setback dimensions;
d. Fencing and screening types;
e. Building height;
f. Amenity space;
g. Off-street and on-street parking and loading;
h. Signs;
i. Screening, landscaping or buffering;
j. Building design;
k. Site design;
l. Tree preservation;
m. Street and sidewalk configuration, with approval from the Traffic Director;
n. Project phasing;
o. Compatibility standards; and
p. Any additional standards relating to the use or development of property needed to implement the comprehensive plan or to mitigate the development's impacts.

(3) These alterations may be more or less restrictive than the standard development requirements contained elsewhere in the UDC.

(4) The Building Official or the Board of Adjustment shall not waive or modify any of the restrictions in subsections (1) or (2) above.

(d) Public Facilities

(1) All streets, water, sewer, stormwater, parks, and civic spaces shall be adequate to accommodate the impacts of the proposed development. For transportation facilities, this includes traffic circulation and emergency access to the proposed development.

(2) The applicant shall provide a traffic study prepared by a competent professional identifying the traffic impact of the proposed development within the boundaries of the development, and on any public street connecting with a proposed private street. The Planning & Zoning Commission may require the mitigation of any adverse impacts or traffic by offsite improvements, including improved connectivity, additional vehicle or multi-modal capacity, providing for turning movements, signalization of intersections, construction of medians and other traffic control devices.

(3) Construction standards for private streets shall meet or exceed those required by the city for public streets.

(4) The City may, but is not required to provide garbage collection and disposal services.

(e) Procedures

(1) Site Plan

a. The owner/developer shall submit a site plan to the Planning and Zoning Commission for review concurrent with application for rezoning. The site plan requires the same notice to surrounding property owners as a rezoning.

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b. The site plan shall be prepared by an architect, landscape architect, engineer or planning consultant, and shall include the information required by Article 11 at a level of detail to permit final approval by the Commission.

c. Substantive changes to any approved site plan relating to street layout, sidewalk construction and buffering shall be approved by the Planning & Zoning Commission and the City Council.

(2) ***Rezoning.*** The site plan approval process may proceed concurrently with a rezoning to a PUD overlay district. However, plat approval with design alterations which do not conform with the UDC must wait until after the approval of the PUD district and site plan to be scheduled for consideration at a Planning & Zoning Commission meeting.

(3) ***Building Permits Not Conforming to Site Plan***

a. Building permit applications which do not conform to the approved site plan in a PUD overlay district require approval by the Planning & Zoning Commission.

b. The Planning & Zoning Commission may authorize the Building Official to approve minor changes administratively. That authorization requires an approved motion during a public hearing at a Planning & Zoning Commission meeting.

(f) Property Owners Association Required. Any project proposing the use of any common or shared property, including but not limited to private streets, common areas, common utilities, and party walls (shared), shall establish a non-profit association of homeowners or property-owners pursuant to the requirements of the Texas Local Government Code and Section 501(c)(4) of the Internal Revenue Code. The association shall be organized for the purpose of assigning ownership of common property and providing a plan for the maintenance of all common and shared property associated with the project.

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Division 4 Special Districts

24.2.28 Fire Hazard Zone (FiH)

(a) Purpose. The purpose of the Fire Hazard Specific Use Overlay Zone is to establish standards for construction and building which will protect the public from unnecessary hazard of fire, and which will contribute to the prevention and suppression of fires within that district.

(b) District Established. The Fire Hazard Specific Use Overlay Zone is hereby established as follows:

(1) An area north of the Rio Grande River, west of interstate highway 35, south of Moctezuma Street and east of Santa Rita Avenue; and

(2) An area extending from the intersection of Santa Rita and Hidalgo, west two blocks to Santa Isabel, then south along Santa Isabel to the Rio Grande River, then westerly along the Rio Grande river to the intersection of Eagle Pass Avenue and the Rio Grande River, then northward along Eagle Pass Avenue to Grant Street, then westward along Grant Street to Evans, then northward to the south boundary line of Ft. MacIntosh to Callaghan Street, then eastwards two blocks to the intersection of Pinder, then south to Coke Street, then east to Eagle Pass Avenue, then north to Callaghan Street, then east to Santa Rita, then south to the point of beginning.

(c) Application and effect.

(1) Uses and structures within the Fire Hazard Specific Use Zoning Overlay District shall be subject to the requirements of Section 24.68.4 Fire Hazard Land Use Requirements; which requirements shall be in addition to those established in the underlying zoning districts and those standards of construction established by adopted building codes.

(2) Uses and structures not specifically permitted are prohibited.

(3) Nothing herein shall affect any legal non-conforming use existing at the time that this section is adopted, nor the right of the council to approve any temporary use or structure by ordinance or resolution.

(4) Hazardous occupancy and the storage of hazardous material shall be prohibited. The determination of a hazardous occupancy or material shall be made by the Fire Chief.

(d) Construction Standards

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Table 2.2-24 Construction Standards for Fire Hazard Specific Use Overlay Zone

Use	Occupancy Type	Permissible Construction	Sprinklers required (Y or N)	Exterior Wall Rating	Interior Fire Separation	Roofing[1] Materials
Single Family Residential	R(3)	I-VI[2,5]	N	Table 600	n/a	A & B
Duplex	R(3)	I-VI[2,5]	N	Table 600	1 hr.	A & B
Triplex	R(3)	I-VI[2,5]	N	Table 600	1 hr.	A & B
Accessory to single family or duplex structures		I-VI	N	Table 600	n/a	A & B
Multifamily Dwelling	R(2)	I-VI[2,5]	N[3,5]	Table 600	1 hr.	A & B
Boarding/rooming houses	R(1)	I-VI[2,5]	N[4,5]	Table 600	1 hr.	A & B
Hotels/motels	R(1)	I-VI[2,5]	N[4,5]	Table 600	1 hr.	A & B
Hospitals. hospices	I	I-VI[2,5]	Y[5]	2 hrs.	2 hrs.	A & B
Schools, public or private	E	I-VI[2,5]	N[5]	2 hrs.	2 hrs.	A & B
Non-residential office/retail structure < 5,000 square feet	Business/ Mercantile	I-VI[2,5]	N[5,6]	Table 600	1 hr.	A & B
Non-residential office/retail use structure > 5,000 square feet	Business/ Mercantile	I-VI[2,5]	N[5]	Table 600	1 hr.	A & B
Warehouse/Storage	Storage	I-V	Y[5]	2 hrs.	2 hrs.	A & B
Ropa Usada	Business/ Storage	I-V	Y	2 hrs.	2 hrs.	A & B
Theater with stage	Group A-1 Large	I-VI[2,5]	Y[5]	2 hrs.	2 hrs.	A & B
Civic, social, religious, recreation	Group A-2 Small	I-VI[2,5]	N[5,7]	Table 600	2 hrs.	A & B

1	A- Standard Building Code Table 706.2
1	B - Standard Building Code Table 706.3
2	Standard Building Code Table 600 - reference notes
3	Standard Building Code Table 901.7.6
4	Standard Building Code Table 901.7.5
5	Standard Building Code Table 400
6	Standard Building Code Table 901.7.1
7	Standard Building Code Table 901.7.2

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(e) Appeals. Appeals or requests for variances to the standards established herein shall be to the Building Standards Board, whose decision shall be final.

24.2.29 Oil & Gas Production Zone (OG)

The supplemental use regulations for oil and gas extraction and production apply to the Oil & Gas Production Zone (OG). See Article 6 (Supplemental Use Regulations) for the standards that apply to this district.

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Article 3 Zoning Standards

24.3.1 General Provisions

Purpose: this Article establishes development standards that apply to zoning applications, as indicated in each section. These standards:

- *Implement the Comprehensive Plan;*
- *Implement the purposes established for the zoning regulations;*
- *Ensure that new development, redevelopment, and land uses mitigate their development impacts;*
- *Provide uniform methods for the application of the dimensional, site design, amenity space, landscaping, and infrastructure standards established in this Article.*

(a) Applicability. This Article applies to:

(1) all zoning districts, and

(2) unless otherwise provided, any application for:

a. site plan approval where this Article was not previously applied to a subdivision plat approved for the subject property, or

b. building permit or certificate of occupancy where this Article was not previously applied to a subdivision plat or site plan approved for the subject property.

(b) Modification

(1) The City Council may modify any provision of this Article as a condition of rezoning to any "PD" (Planned Development) district or by the Planning and Zoning Commission as a site plan modification. If PD district is in complete compliance with TND Manual, no additional conditions will be placed on it from City Council or the Planning and Zoning Commission.

(2) The Planning Commission or Planning Director may modify any other provision of this Article where specifically authorized.

a. A modification is permitted only if:

1. It is consistent with Viva Laredo, and

2. It is consistent with the public interest, and

3. The applicant has agreed to conditions that will accomplish the purpose of the regulation to at least the same extent as the modified regulation.

4. It will not place an unnecessary burden on the City or surrounding neighborhoods.

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24.3.2 Access Management

Purpose: This section contains the minimum standards for access management policies, median spacing, driveway spacing, traffic control changes and other traffic operation considerations that affect traffic control changes, which affect traffic operations and safety in City of Laredo. This section does not address specific locations but provides general guiding principles that the City of Laredo can then apply to effectively manage access at specific locations. To have an effective Access Management Policy a balance between land development and traffic must be maintained. As the volume of the roadway increases the access along the corridor must decrease as illustrated below in Figure 3.2-1. See section 24.4.6 (Streets), the City Comprehensive Plan and the Future Thoroughfare Plan for street classifications in the City of Laredo.

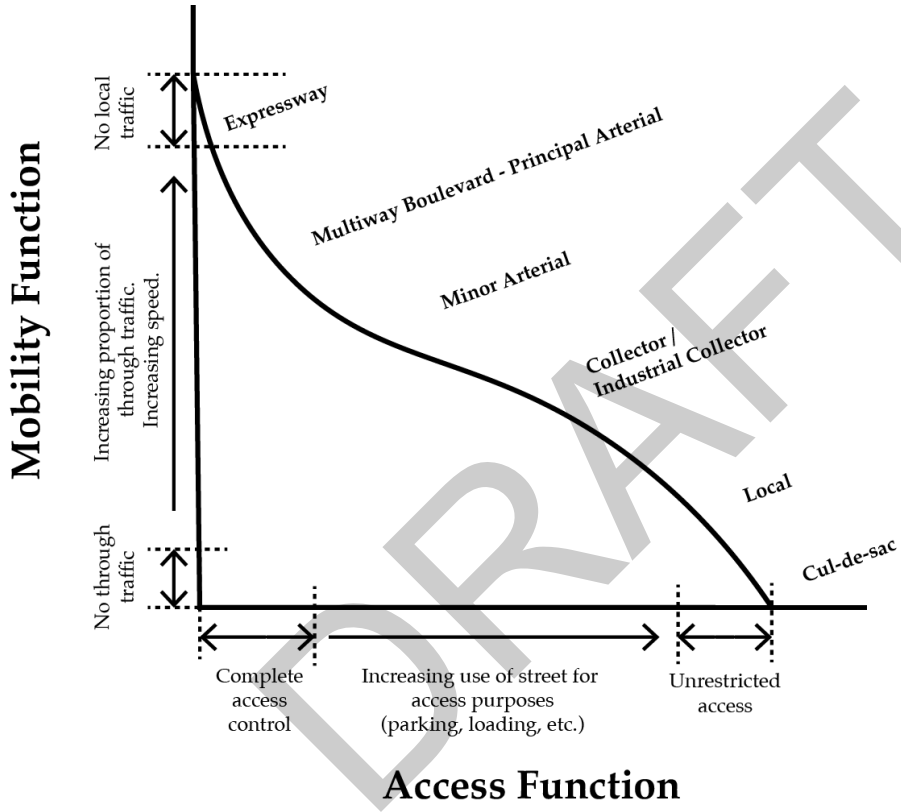

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Figure 3.2-1 Relationship between Mobility and Access

(a) Applicability. This section applies to all points of vehicular access to public streets. Where this section differs from the TxDOT Access Management Policy, the more stringent policy applies on roads managed by TxDOT.

(b) Access Points

(1) *Single-Family Development***.** Residential lots having direct access on a collector or thoroughfare may be platted only if:

a. *Lots **Exceeding** One (1) Acre.* All lots are greater than one (1) acre in size, have a minimum lot frontage of 100 feet, and provide for permanent vehicular turnaround on the lot to prevent backing onto the roadway. A plat note shall not waive this requirement.

b. *Lots **Less Than** One (1) Acre.* Access points that permit vehicular access to lots less than one (1) acre in size from a thoroughfare or collector are allowed if a marginal access street or easement is constructed that:

1. Provides access to 2 or more lots;

2. Is spaced at least 200 feet from a proposed marginal access street or easement, or an existing driveway or street;

3. Is designed to allow a motorist to enter the public street without executing a backing maneuver;

4. Is designated on the subdivision plat; and

5. Is constructed or bonded before the plat is recorded.

(2) *Commercial, Industrial and Medium or High-Density Residential Developments*

a. Lots proposed for commercial, mixed-use, industrial and multi-family residential developments in the ETJ or in the MX, C, I-1 or I-2 zoning districts may have vehicular access from a thoroughfare or collector. The maximum number of access points permitted is based on the criteria and driveway spacing requirements in Table 3.2-1 below:

Table 3.2-1 Access Points

Frontage Length (*unrestricted*)	**Number of Access Points**
< 200′	1 access point
≥ 200′	1 access point for every 200′ of unrestricted frontage

b. Commercial development in the ETJ or in MX, C, I-1 or I-2 zoning districts with less than 400 feet fronting an arterial street shall provide for shared access with adjacent lots fronting the thoroughfare. Shared access shall include platted common access easements across the lot or recorded deed covenants providing common access across that lot with adjacent lot(s).

c. Webb County Road and Bridge will authorize driveway permits for properties within the ETJ, unless spacing is established by a plat.

(3) *Location*. To preserve the functionality of the adjacent roadway, the location and spacing of access points will be determined by classification. Table 3.2-2 shows the proper spacing by functional classification. A minimum of one hundred twenty-five feet (125 feet) is required for Opposite Left Access Points. The spacing between access points shall be measured from the edge of one access point to the closest edge of the next access point along the adjacent roadway and shown on Figure 3.2-2.

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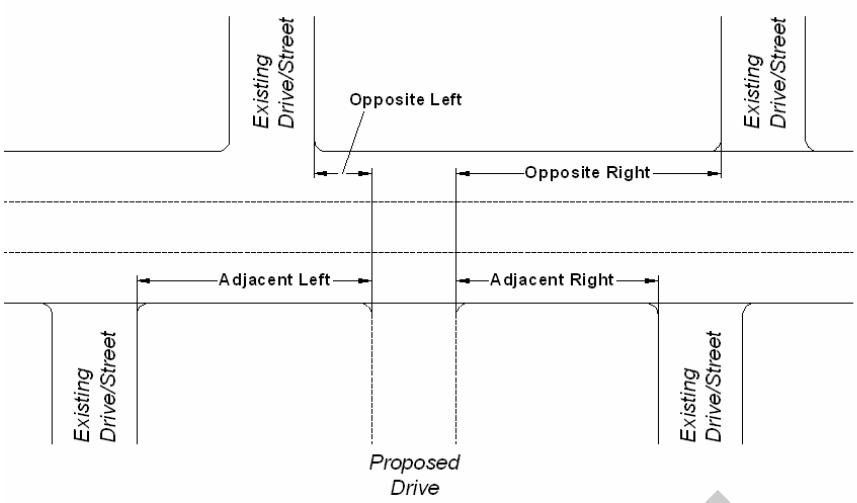

Figure 3.2-2 Measurement of Access Points
(source: City of McAllen Traffic Operations, Access Management Manual)

Table 3.2-2 Minimum Access Point Spacing

Functional Classification	**Adjacent Access Point spacing** (*feet*)	**Opposite Right Access Point Spacing** (*feet*)
Collector – Industrial Collector	200	175
Minor Arterial	250	225
Multiway Boulevard - Principal Arterial	360	300
Expressway	425	400

(4) *Corner Clearance*. As defined above, connecting streets are considered access points. A safe distance (i.e., corner clearance) shall be maintained from connecting streets to avoid interfering with the intersection operation. Driveways should not be within the area of deceleration and acceleration lanes, crosswalk, or a partial median opening. Table 3.2-3 shows the proper corner clearance distance by functional classification.

Table 3.2-3 Corner Clearance

Functional Classification	**Corner clearance** (*feet*)
Collector – Industrial Collector	200
Minor Arterial	250
Multiway Boulevard - Principal Arterial	360
Expressway	425

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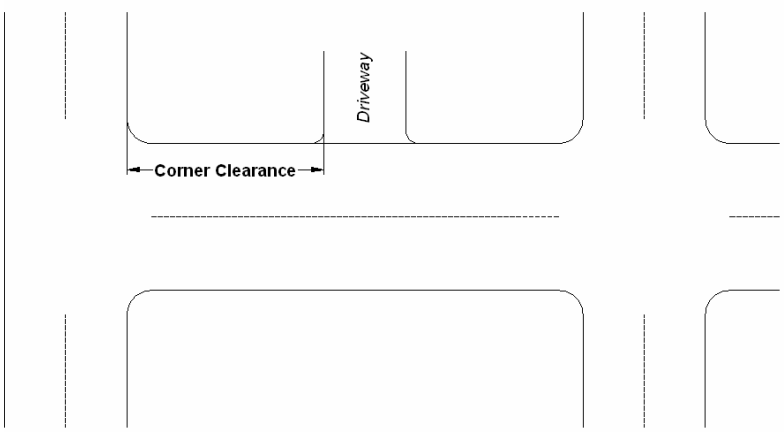

Figure 3.2-3 Corner Clearance
(source: City of McAllen Traffic Operations, Access Management Manual)

(5) *Non-Standard Access.* A lot included on an approved plat that does not otherwise limit access and was approved by the City and filed for record as of the effective date of this section, and which does not have sufficient frontage to meet the driveway approach spacing requirements in this section, is allowed one (1) driveway approach.

(c) Auxiliary Lanes. Table 3.2-4 shows the thresholds for auxiliary lanes was adopted from the TxDOT *Access Management Manual*. These thresholds represent examples of where left turn and right turn lanes should be considered. Refer to the TxDOT *Roadway Design Manual*, Chapter 3, for proper acceleration and deceleration lengths.

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Table 3.2-4 Auxiliary Lane Thresholds

Median Type	Left Turn to or from Property		Right Turn to or from Property[5]	
	Acceleration	Deceleration	Acceleration	Deceleration
Non-Traversable (Raised Median)	(2)	All	Right turn egress> 200vph[4]	• > 45mph where right turn volume is > 50vph[3] • ≤ 45 where right turn volume is > 60vph[3]
Traversable (Undivided Road)	(2)	(1)	Same as above	Same as above

(1) Refer to Table 3-11, *TxDOT Roadway Design Manual*, for alternative left-turn-bay operational considerations.

(2) A left-turn acceleration lane may be required if it would provide a benefit to the safety and operation of the roadway. A left-turn acceleration lane is generally not required where the posted speed is 40 mph or less, or where the acceleration lane would interfere with the left-turn ingress movements to any other access condition.

(3) Additional right-turn consideration:

- Conditions for providing an exclusive right-turn lane the right-turn traffic volume projections are less than indicated in this table:
  - High crash experience
  - Heavier than normal peak flow movements on the main roadway
  - Large volume of truck traffic
  - Highways where sight distance is limited
- Conditions for NOT requiring a right-turn lane where right-turn volumes are more than indicated in this table:
  - Dense or built-out corridor where space is limited
  - Where queues of stopped vehicles would block the access to the right turn lane
  - Where sufficient length of property width is not available for the appropriate design

(4) The acceleration lane should not interfere with any downstream access connection.

- The distance from the end of the acceleration lane taper to the next unsignalized downstream access connection should be equal to or greater than the distance found in Table 3.2-2.
- Additionally, if the next access connection is signalized, the distance from the end of the acceleration lane taper to the back of the 90th percentile queue should be greater than or equal to the distance found in Table 1.

(5) Continuous right-turn lanes can provide mobility benefits both for through movements and for the turning vehicles. Access connections within a continuous right turn lane should meet the spacing requirements found in Table 3.2-2. However, when combined with crossing left movements, a continuous right-turn lane can introduce additional operation conflicts.

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(d) Driveway Widths

(1) *Residential*. Single-family residential driveways shall be constructed with a minimum width of 12 feet and maximum width of 25 feet at the right-of-way.

(2) *Commercial*. Commercial, non-single family residential and multi-family driveways that connect to an arterial street, highway, or freeway shall be a minimum of 25 feet wide to a maximum of 45 feet wide at the right-of-way.

(3) *Utility Facilities.* Driveways for utility facilities shall be constructed using single-family residential driveway standards with specific approval from the city engineer.[1]

(e) On-Sight Storage. Throat length and storage shall comply with this subsection. For purposes of this subsection, "storage" means stacking of vehicles usually in a queue.

(1) *Throat Lengths*. All commercial developments shall provide 30 feet minimum of throat length. Any development plan with an internal roadway network, a minimum storage of 80 feet measure from right-of-way line is required before any crossing or left turning conflicts are allowed, as shown on Figure 3.2-4. The minimum driveway throat length requirement may increase on a project-by-project basis based on a TIA on the internal roadway network.

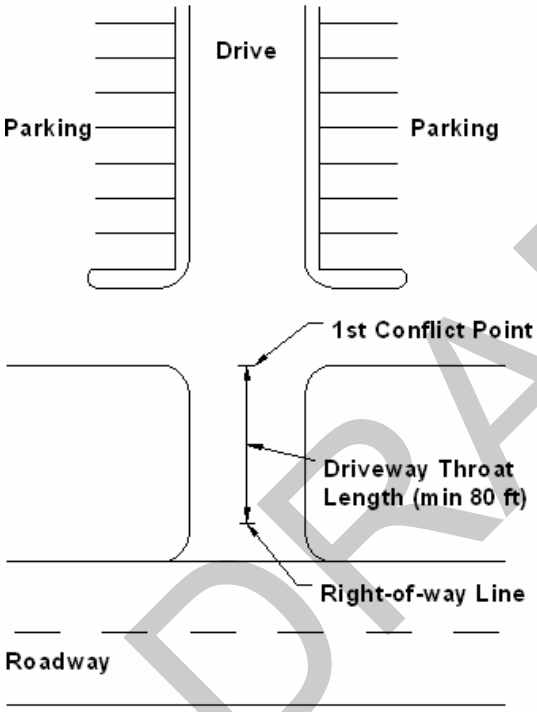

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Figure 3.2-4 Driveway Throat Length
(source: City of McAllen Traffic Operations, Access Management Manual)

(2) *Residential*. Residential access along collectors or higher shall provide adequate space on the property for vehicles to turn around without the need to back onto the roadway.

(3) *Non-Residential*. Non-residential and mixed use access shall ensure that backing, loading, unloading, and other maneuvers are accommodated on-site and not using the public right- of-way and the access shall provide adequate storage to prevent entering or exiting vehicles from obstructing the flow of traffic on roadways. The City Engineer may provide verification by means of turning movement templates. A

driveway median may be required to preserve the length of storage, or to prevent cross access to an out- parcel within the storage area of a driveway.

(4) *Special Traffic Generators*. Adequate storage shall be provided within the internal circulation system for properties that include either a drop-off loop or drive-through facility so that vehicles do not queue onto streets, do not interfere with parking or internal circulation and do not block driveways. Dimensions are measured from the right of way. Minimum lengths are enumerated in Table 3.2-5.

Table 3.2-5 Special Traffic Generator Minimum Throat Lengths

Generator		Throat Length
Financial Institution (e.g. bank)	Single-lane	queue of six vehicles
	Multi-lane	queue of five vehicles per lane
Car Wash	Single-lane drive-through full service	queue of five vehicles
	Automatic or self serve multi bay	queues for two vehicles
Restaurant	Fast food with drive-through window	queue of eight vehicles measured from menu board and three vehicle lengths from menu board to pick-up window**
Convenience Store (with Gasoline Sales) or Gasoline or Diesel Fuel Sales	Pumps parallel to edge of pavement	minimum setback 35 feet from pump islands to parallel right-of-way
	Pumps not parallel to edge of pavement	minimum storage of 50 feet from pump islands to right-of-way
Control Access	Gated subdivision/service attendant	minimum of 40 feet from right-of-way to call box; from call box to gate 50 feet

* Note: 1 vehicle = 20 feet
** or a combination approved by City Engineer equaling at least 11 vehicles

(5) *Schools*. Schools require adequate storage for drop-off and pick areas, which should be provided entirely on the school campus site to ensure safety for the students and to minimize the impact on the surrounding traffic network. The required treatments are shown in Table 3.2-6.

Table 3.2-6 School Storage Length

School Type	Student Population	Loop Drive Stacking Length
Elementary	200 – 600 600 – 1,200	650 – 1,000 Linear Feet 1,000 – 1,500 Linear Feet
Middle	200 – 600 600 – 1,200	700 – 1,000 Linear Feet 1,000 – 1,500 Linear Feet
High	400 – 800 800 – 2,500	800 – 1,200 Linear Feet 1,200 – 1,500 Linear Feet
Note: For high school populations greater than 2,500 students, two separate student pick-up drop-off loops should be considered.		

(f) Location of Access Points. The City (or TXDOT or county authority, if appropriate), will determine the specific location of access points when a site plan is reviewed prior to issuance of a building permit.

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(1) The location is based on the following criteria:

a. The location shall minimize conflicts with vehicle turning movements;

b. The location shall be as far as practicable from intersections; and

c. The location shall be at least 50 feet from another driveway location.

(2) If this standard is not possible, based upon the frontage of the property, the location shall be directed as far as practicable from other driveway locations.

(3) Driveways along a thoroughfare within 400 feet of a major intersection, such as the intersection of arterial streets or the intersection of a collector and an arterial street, may be restricted to right turn movements.

(g) Medians

(1) *Medians*. Medians should be installed on all new multilane arterials and on existing multilane arterials with an average daily traffic (ADT) volume of 24,000 vehicles per day or greater.

(2) *Median Openings*

a. There are two types of median openings, directional and full opening. Directional median opening generally allows only left or right turns into a driveway, but left turns or through movements are not permitted out of the driveway. A full median opening allows all traffic movements.

b. To preserve the functionality of the median and the adjacent roadway a minimum distance is required between openings. Table 3.2-7 shows the minimum distance to maintain by functional classification of the adjacent roadway.

c. Full medians opening shall align with cross streets or with driveways.

d. Left-turn bays shall be provided at all median openings for safe left turn movements.

Table 3.2-7 Median Opening Requirements

Functional Classification	Median Opening (*feet*)	
	Full	**Directional**
Principal Arterial	2640	1320
High Speed Arterial	2640	1320
*Signalized intersections shall not be spaced less than 2640 feet apart.		

(h) Projecting Streets

(1) Streets and traffic lanes shall be properly aligned across an intersection. Proposed streets shall be aligned with existing streets. Where an area is built in phases, an obvious effort to preserve future alignment shall be made. Local roads should not have access to principal arterials or high-speed arterials.

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(2) Offset intersections are not permitted on any arterial if the offset distance (or clearance between streets) is less than 300 feet. The minimal allowable offset is 250 feet on collector streets and 125 feet on local streets.

(3) Table 3.2-8 lists the intersection spacing requirements by functional classification. Each column describes the criteria in relation to identical intersections.

Table 3.2-8 Intersection Spacing

Functional Classification	**Intersection Spacing** *(feet)*
Minor Arterial	470
Principal Arterial	870
Expressway	1320
*Signalized intersections shall not be spaced less than 2640 ft apart.	

(i) Shared Access.[2] Shared access is required if the frontage of a property is insufficient for proper spacing of an access point. The property owner shall:

(1) Record a common ingress/egress access easement with the plat allowing ingress/egress to properties that share access as determined by City Engineer or designee pursuant to this policy.

(2) If property is being platted through which ingress/egress is necessary for another property to have access to the public right-of-way, the property owner shall record a common ingress/egress access easement allowing the other property shared access.

(3) Use of the shared access easement by other property owners shall be made contingent on the other owner's agreement to the shared maintenance responsibilities on a pro-rata basis, proportional to respective square footage of all properties having access to the easement.

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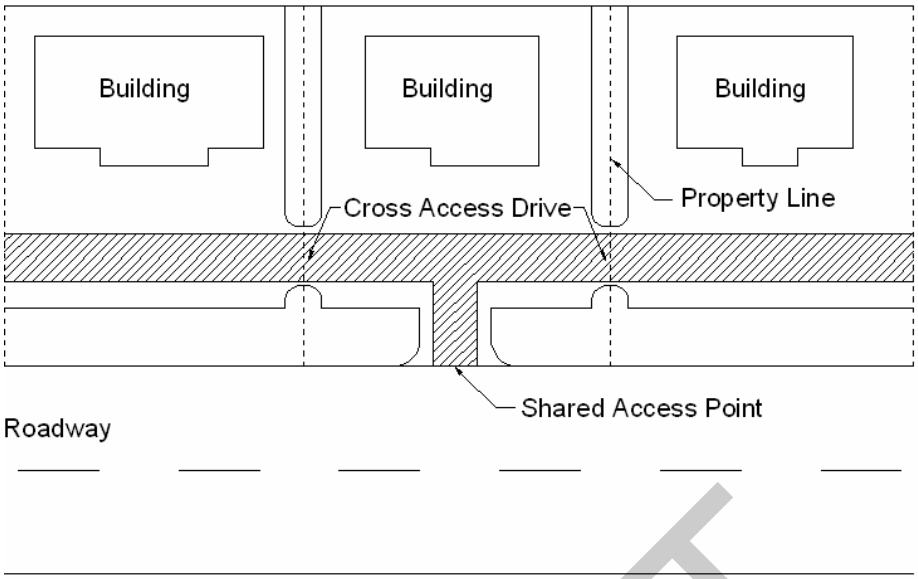

Figure 3.2-5 Shared Access

(j) Truck Access.

(1) Truck access is not permitted on local residential streets, except as permitted below when within 300 feet of a City designated truck route.[3]

(2) All access for truck traffic shall:

a. Include direct frontage onto a City designated truck route; or,

b. Private drive easement to a designated truck route; or

c. The lot or private drive easement is located within 300 feet of a designated truck route. (This distance is measured excluding public rights-of- way.)

(3) Trucks owned or leased shall not use local residential streets,

(4) All driveways not located on a truck route, but within the allowed distance from a truck route, shall be constructed to direct traffic to the truck route and away from residential streets. If more than one block of land for development is involved, all truck traffic shall use one route of access to the truck route.

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24.3.3 Blocks, Lots and Yards

(a) Dwelling Units per Lot. In the AG, RL-1, and RL-2 districts, only one principal dwelling unit is allowed per lot. This does not apply to accessory dwelling units as provided in Article 6.

(b) Lots

(1) *Access.* For subdivision plats, each lot shall include adequate access to an existing public street by:

- **a.** frontage along that street, or
- **b.** connection to a new street, or
- **c.** a continuous permanent easement connected to an existing street.

(2) *Lot Area and Width*

- **a.** Minimum lot area and width applies to all conversions and new construction.
- **b.** Lot width is measured at the front setback line.
- **c.** At least of the following lot width is required:
  - **1.** The minimum width required by the zoning district regulations, or
  - **2.** The minimum width required by another provision of this Chapter that supersedes the zoning district regulations (for example, 24 feet for townhomes in Article 6), or
  - **3.** as provided by an approved site plan through the PD rezoning process.

(3) *Placement.* For subdivision plats:

- **a.** Side lot lines shall be substantially at right angles or radial to street lines.
- **b.** Adjacent lots shall not be placed at right angles to each other if possible.

(4) *Double and Reverse Frontage Lots.*

- **a.** A proposed subdivision plat shall not include double or reverse frontage lots, except where required separate residential development from arterial or collector streets or to overcome specific disadvantages of topography and orientation.
- **b.** Double or reverse frontage lots shall include a planting screen easement at least 10 feet wide, or a fence at the property line along the line of lots abutting arterial, collector or higher order streets.
- **c.** The plat shall not allow a right of access across the planting screen or fence. To separate residential development from major street rights-of-way, a subdivision application shall include a 1-foot easement prohibiting access (as provided in subsection b above).
- **d.** Where a planting screen or fence does not allow access for the adjacent residences, the right-of-way normally maintained by the adjoining property owner becomes the responsibility of the city to maintain if within city limits.

(c) Setbacks and Yards

(1) *Applicability.* This subsection (c) applies to Article 2 (Zoning Districts) and any other provision of this Chapter that refers to or requires a setback or yard. Regardless of

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the setbacks, the requirements for easements. minimum parking requirements and site traffic visibility must be followed.

(2) *Definition.* Setbacks and yards are defined as follows:

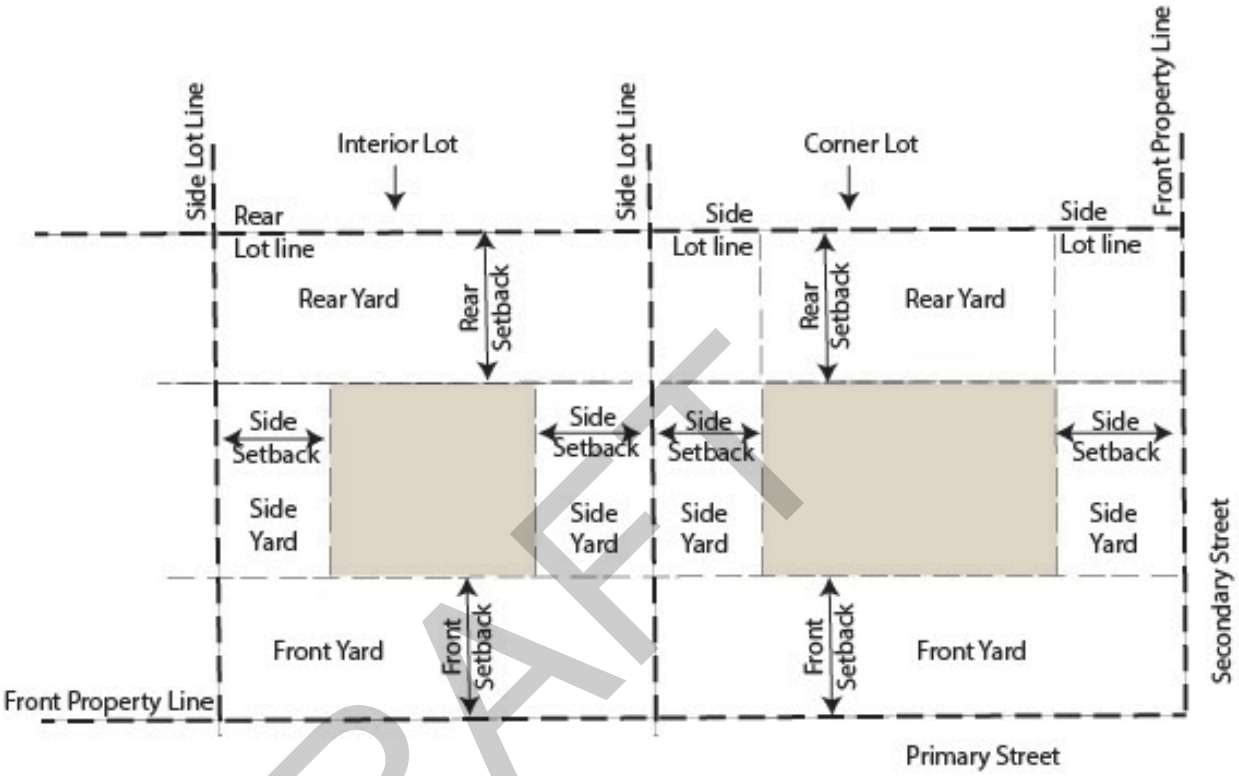

Figure 3.3-1 Setbacks and Yards

Table 3.3-1 Setbacks and Yards

Front Setback	A line extending the full width of the building site across its front, with required depth measured at right angles to the front street line of the building site. The front yard is the area lying between the front street line and the front setback.
Rear Setback	A line extending the full width of the building site across its rear, with required depth measured at right angles to the rear lot line of the building site. The rear yard is the area lying between the rear lot line and the rear setback.
Side Setback	A line extending the full width of the building site across its side, with required depth measured at right angles to the adjacent side lot lines of the building site. The side yard is the area lying between the side lot line and the side setback. In any district where side yards are not required by the district regulations, a side yard shall have the minimum width required by the currently adopted building code, as applicable.

(3) *Corner Lots*

a. A corner lot has a front yard on the lot line abutting a primary street, a side yard abutting an interior lot, and a side yard abutting the secondary street. For

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purposes of this section, the primary street is the higher order street, and the secondary street is other street.

b. For residential subdivision plats, corner lots shall have extra width to permit appropriate building setback from and orientation to both streets.

(4) *Modification*. The Planning Commission may modify the front and rear setbacks through the subdivision approval process, based on the criteria identified in Section 24.3.1(b) above.

(5) *Contextual Front Yard Adjustment.* When existing buildings are closer to the front property line than the minimum requirements, the required front setback for a new building or building extension is the average depth of the existing structures along that block front, but no closer to the property line than fifty (50) percent of the minimum front setback required by the applicable zoning district.

(6) *Side Yards for Cumulative Side Setbacks.* Where a total or cumulative side setback is indicated, the side setback on one lot line may drop to zero (0) feet if the sum of both setbacks meet the total required setback.

(7) *Rear Yards for Commercial or Industrial Buildings.* Where the rear yard of a commercial or industrial building abuts a public street or alley, a rear yard setback of at least 10 feet is required.

(8) *Setback Based on Building Height***.** If the height of a proposed structure on a lot abutting a more restricted district is greater than that allowed in the more restricted district, the minimum side and/or rear yard requirements for the structure in the less restricted district is increased by 1 foot for every two 2 in height that the proposed structure exceeds the height requirement in the more restricted district up, to a maximum of fifty (50).

(9) *Downtown / Regional Mixed-Use Center (MX-3).* In the MX-3 district, no front building setback is required. However, that a minimum 8 foot wide unobstructed sidewalk is required for all new construction. Side or rear building setbacks are not required, except as required by Table 503 of the International Building Code.

(10) *Setbacks Conflicting with Easements*.

a. Easements shall supersede setback requirements. No structure shall be placed within an easement if the setback encroaches in the easement.

b. Setbacks conflicting with easements are illustrated in Figure 3.3-2 to show what is allowed and is not allowed.

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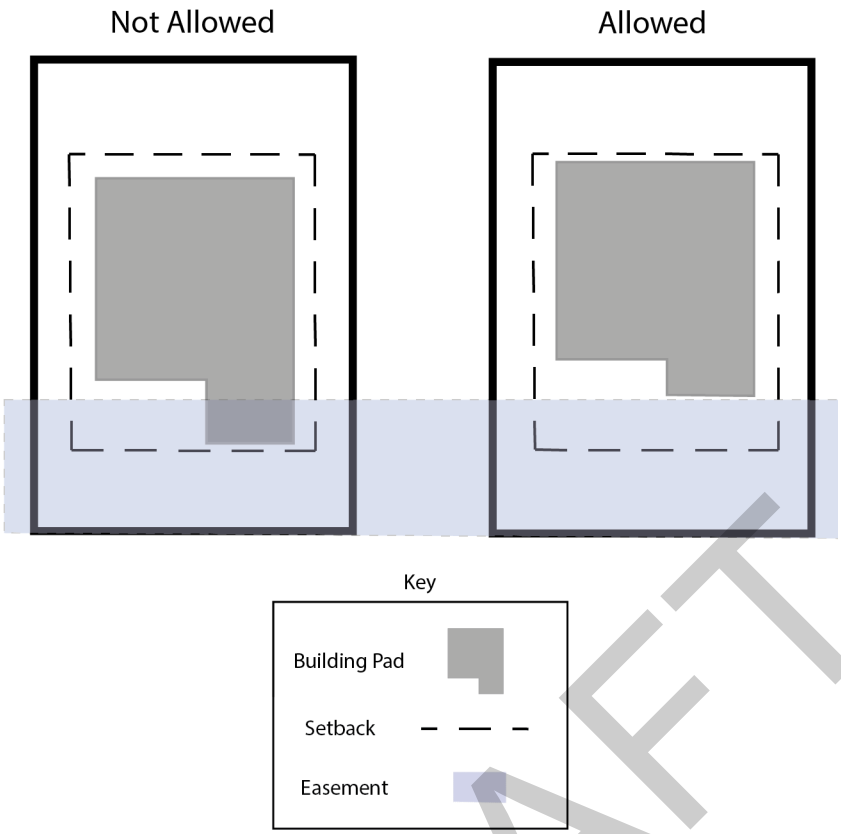

Figure 3.3-2 Setback and Easement Conflicts

(d) Setback Encroachments

(1) Except as provided below, yards shall be unoccupied and unobstructed from 3 feet above the general ground level of the lot upward. This applies to any overhang or projection from a building or structure except as provided in subsection (2) below.

(2) The features designated and as conditioned below may encroach into a required yard subject to height, intersection visibility, easements, and building code separation requirements:

Table 3.3-2 Encroachments (not permitted in easements)

Feature	**Yards** *where encroachment is permitted*	**Encroachment** *(max – i.e., may encroach up to this distance inside the yard)*	**Setback from property line** *(min – i.e. must stay at least this distance from the property line)*
Accessory building	Side	--	2½ feet
Arbors (maximum footprint of 80 sf and maximum height of 12')	Any yard	No restriction	--
Architectural projections of sills, belt courses, cornices, buttresses, eaves, spouts/gutters, brackets, pilasters, grill work, trellises and similar architectural features (unenclosed*)	Any yard	2 feet	2½ feet from side lot line
Basketball goal	Any yard	No restriction	--
Bird houses, dog houses	Any yard	No restriction	--
Balcony (upper floor), wing walls, stoops, landings, and patios (unenclosed*)	Front, Rear	--	50% of minimum setback
	Side	--	2½ feet

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Feature	**Yards** *where encroachment is permitted*	**Encroachment** *(max – i.e., may encroach up to this distance inside the yard)*	**Setback from property line** *(min – i.e. must stay at least this distance from the property line)*
Palapa, Canopies, Freestanding	Front, Rear	10 feet into yard	6 feet
Canopy, awning or other window shading (unenclosed*)	Side	--	2½ feet
Carport (unenclosed*)	Front, Rear	--	--
	Side	--	2½ feet
Carport (unenclosed*), residential use only	Front (measured vertically)	No restriction except as provided in next column	Subject to easements. site visibility. minimum parking requirements and utilities
Chimney	Front, Side	--	50% of minimum setback
	Side	--	5 feet
Clothes line (up to 2 poles)	Rear/Side	No restriction	--
Decks, covered	Rear	30 inches into yard	--
Decks, uncovered	Rear/Side	5 feet into yard	--
Driveways	Any Yard	No restriction	--
Equipment, ancillary (Residential or Commercial / Mixed Use districts)	Interior Side/Rear	No restriction	--
Equipment, ancillary (non-residential districts)	Interior Side/Rear	No restriction	--
Fences, walls, poles, posts and other customary yard accessories, ornaments and furniture	Any yard	No restriction	--
Open fire escapes / enclosed outside stairways / handicap ramps required by the building code	Any	3½ feet	--
	Rear:	5 feet into rear yard	--
Flag Pole	Any yard	No restriction	--
Garage, attached or detached and loaded from an alley	Rear	No restriction	6 feet
Gates	Any yard	No restriction	--
Pool equipment, generators, HVAC units	Side/Rear	No restriction	Per currently adopted IBC codes
Landscaping, lawns, berms, trees, shrubs	Any yard	No restriction	--
Light Poles	Any yard	No restriction	--
Mailboxes	Any yard	No restriction	--
Playground equipment, trampolines	Any yard	No restriction	--
Open pools, screened or enclosed pools, spas, and uncovered decks or patios, up to 20 feet from a dwelling unit on an abutting lot	Rear/Side	No restriction	--
Other solid projections not listed in this table	Side	--	5 feet
Parking areas, subject to zoning district regulations and this Article	Any	No restriction	--
Porch (enclosed)	Side	--	5 feet
Porch (unenclosed*)	Front, Rear	--	50% of minimum setback
Projecting overhangs on the ground floor not listed above	Any	No restriction	Per currently adopted ICC codes
Projecting windows such as bays, bows, oriels, or dormers	Any yard	5 feet	Per currently adopted ICC codes
Ramps for citizens with impairments	Any	No restriction	--
Retaining Walls	Any	No restriction	--
Sidewalks	Any	No restriction	--
Stairway or fire escape (outside, unenclosed*)	Side	--	5 feet
	Rear	5 feet	--
Stormwater detention or retention facilities or ditches, unless the Director finds that underground stormwater management facilities are not currently available	Rear (MX), Any yard (all other districts)	No restriction	--
Terraces (unenclosed*)	Front, Rear	--	50% of minimum setback

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Feature	Yards *where encroachment is permitted*	Encroachment *(max – i.e., may encroach up to this distance inside the yard)*	Setback from property line *(min – i.e. must stay at least this distance from the property line)*
Vending Machines (including ice machines, video rental machines), ATMs	Side/Rear	No restriction (prohibited in a required buffer)	--

Notes:
* Where indicated with an asterisk (*), "unenclosed" means that all sides are open with walls no higher than three (3) feet

(e) Lot Grading

(1) Lots shall be gradeds in accordance with section 24.4.5(d)(2)(Stormwater Management- Typical FHA lot grading).All lots graded within developments will be sloped to a minimum grade of one-half of one percent (0.5%) from the property lines to the rear of the lot.

(2) The applicant may submit an alternate drainage plan to the City of Laredo Engineering Department. The Engineering Department shall approve the alternative drainage plan if it finds that:

a. it is not practical to drain lots to the street (rear to front), and

b. the alternate drainage plan provides an equivalent level of protection for stormwater management and erosion control as the standard provided in subsection (1) above.

(3) If drainage from adjacent property crosses the development, drainage from adjacent property will be physically diverted to adequate drainage facilities or handled with the run-off from the development itself.

(4) A lot grading plan shall be made part of the final plans and is considered an improvement for the development. Construction of the items provided in the lot grading plan is a condition precedent to the final acceptance of the development by the City Engineer.

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24.3.4 Building Design & Height

(a) Building Design

(1) *Principal Entrances*. If a maximum front setback applies, the principal entrance of every principal building must be located along the primary façade and directly face a street or civic space. Public space may include a central garden or courtyard when that public space opens directly onto the primary Street. Additional building entrances are permitted.

(2) *Frontage Buildout*. Frontage buildout is the percentage of the property width that is occupied by the building facade within the front yard.

(3) *Wide Façades*. Building façades longer than 50 feet shall be varied with at least one change of architectural expression. These changes in expression may include a vertical element running from the ground plane to the roof, a change in fenestration, color, or texture, or a break in building façade plane or roof line.

(b) Frontage Types

(1) *Applicability*

a. The frontage is the area of a property that faces a street or other public space and an assembly of components within that area. Frontage components include:

1. The building facade; and

2. Structures that project from the facade such as porches, terraces, stoops, awnings, canopies, and bay windows.

3. Where required, any front yard landscape elements between the building facade and the public street or space.

b. This subsection applies to any application for a rezoning, conditional use permit, building permit or certificate of occupancy where building design is regulated by Article 2 and the applicable zoning district.

c. The application for approval shall designate the frontage type for all proposed buildings.

d. Each building shall comply with the standards for the required frontage type when new construction or substantial improvement is proposed, when the frontage type is changed, or when the primary frontage of the property is re-designated to another street on a corner lot.

e. New additions to existing buildings are not required to designate frontage types.

(2) *Frontage Types Required*. The frontage elements shown in Table 3.4-1 and defined in subsections (3) through (9) are required for the following use categories in the R-1A, R1-B, RSM, R-2 and R-3 districts:

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Table 3.4-1 Frontage Types

Frontage Type	A *Multi-family*	B *Mixed-Use*	C *Commercial*
***Gallery**	--	■	■
***Common Yard**	■	--	--
***Forecourt**	■	■	■
***Stoop**	■	❍	❍
***Shopfront**	--	■	■
***Porch**	❍	■	--
Tower	❍	❍	■

Notes:

■ One of these elements is required.
❍ Element is allowed but not required.
-- Element is prohibited.

The use categories in Table 3.4-1 refer to the following uses, where permitted in the applicable R-1A, R1-B, RSM, R-2 and R-3 districts (see Use Chart, § 24.2.17):

A **Multi-Family:** Any use under the Residential category other than Single-Family Detached Dwelling, Manufactured Home, Manufactured Housing Park or Zero Lot Line House.

B **Mixed-Use**: Any Mixed-Use Building or Live-Work Dwelling (which may also use a Multi-Family frontage type).

C **Commercial**: Any use under the Commercial / Mixed-Use category (except Mixed-Use or Automotive).

This section does not require frontage types for any use in the Public/Civic/Institutional, Industrial / Production, Infrastructure, Agriculture, Accessory, or Miscellaneous categories.

Description and standards for frontages appear below:

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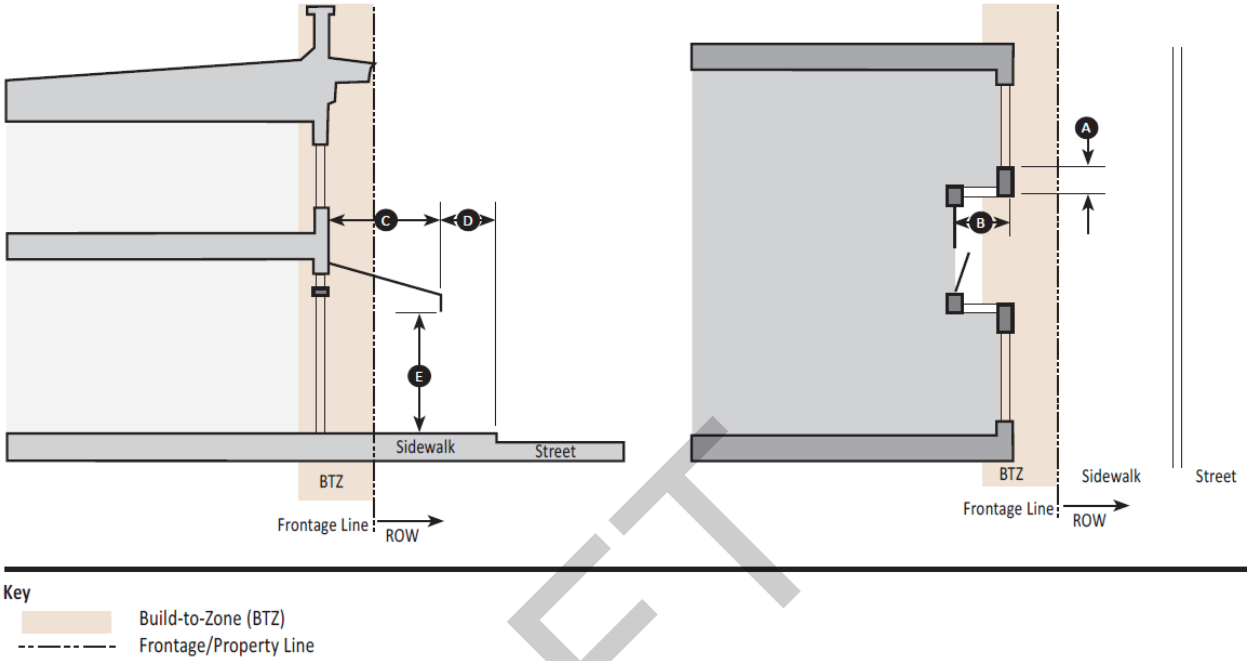
(3) *Shopfronts*



Description: The front façade of the building is within the front yard and covered by an awning, canopy, marquee, second floor balcony, arcade / colonnade, or inset into the main body of the building.

Size		
A	Distance between glazing or min. 4" break in the wall plane	2' (*max*)
B	Door recess (a recessed entry may be designed in a variety of configurations (recessed door, sawtooth pattern, etc.) and may be located on the front facade or the corner of a building.	5' (*max*)
Canopy or Awning		
C	Depth	4' (*min*)
	Width, Cumulative	70% of façade width (*min*)
D	Setback from curb	2' (*min*)
E	Height, Clear	8' (*min*)
Entryways and Habitable Space		
	Interval between doors or entrances for public access	50' (*max*)
	Depth of habitable space shall be provided behind each shopfront on the primary façade	15' (*min*)

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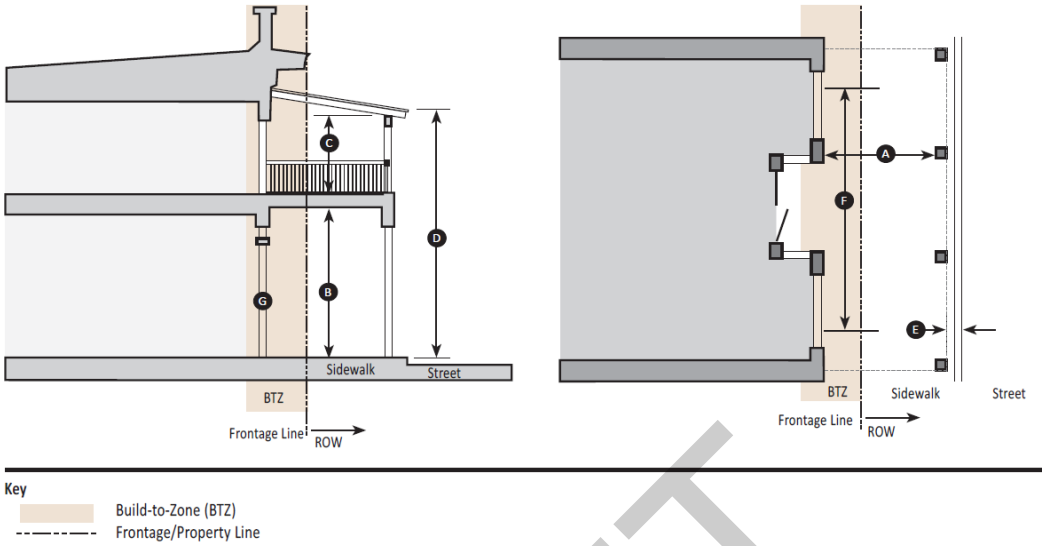
(4) *Gallery*



Description: The front façade of the building is in the front yard (build-to-zone or BTZ in the figure above) and the gallery element overlaps the sidewalk, eliminating the need for an awning or canopy. This frontage type is intended for buildings with ground-floor commercial or retail uses and may be one or two stories in height.

Size		
A	Depth, Clear	8′ min.
B	Ground Floor Height, Clear	9′ min.
C	Upper Floor Height, Clear	9′ min.
D	Height	2 stories max.
E	Setback from Curb	2′ min.
F	Width	75% of façade width min.
Miscellaneous		
G	Galleries must also follow all the rules of the shopfront frontage type.	
	Arcades must have a consistent depth along a frontage.	
	Arcades with more than 2 floors of habitable space above the colonnade must not encroach onto a public right-of-way, and must be located so that they abut the right-of-way.	

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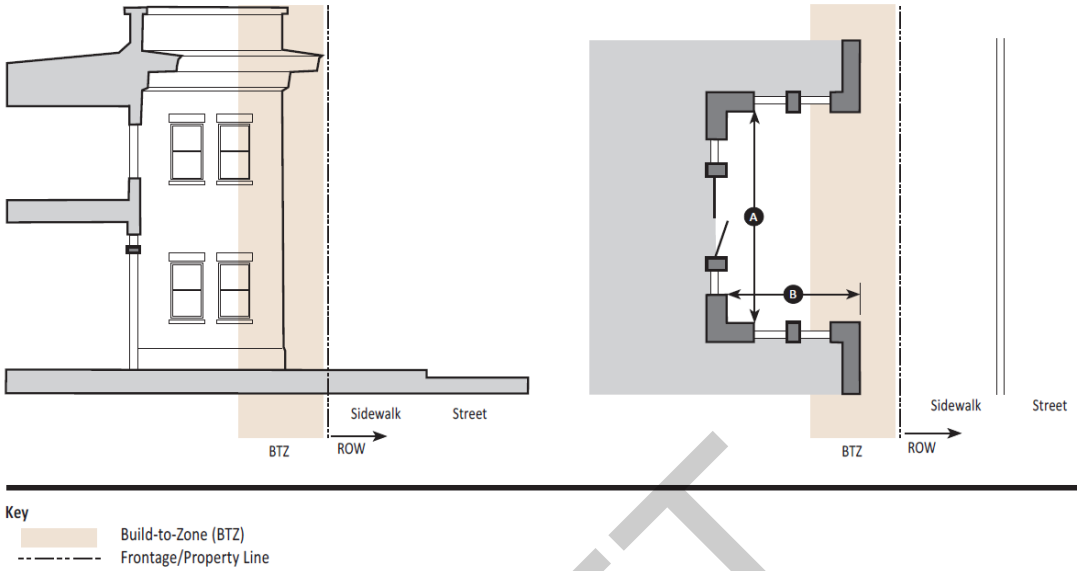
(5) *Forecourt*



Description: The primary portion of the building's main Facade is in the front yard (at the Build-to-Zone or BTZ in the image) while a small percentage is set back, creating a court space. This space can be used as an apartment or office entry court, garden space, or for restaurant outdoor dining.

Size		
A	Width, Clear	12' (*min*)
B	Depth, Clear	12' (*min*)
Miscellaneous		
	Forecourts are especially useful along larger, more auto-dominant streets in order to provide well-shaped, intimately sized public outdoor spaces. The proportions and orientation of courtyard spaces must be carefully considered for solar orientation and user comfort.	

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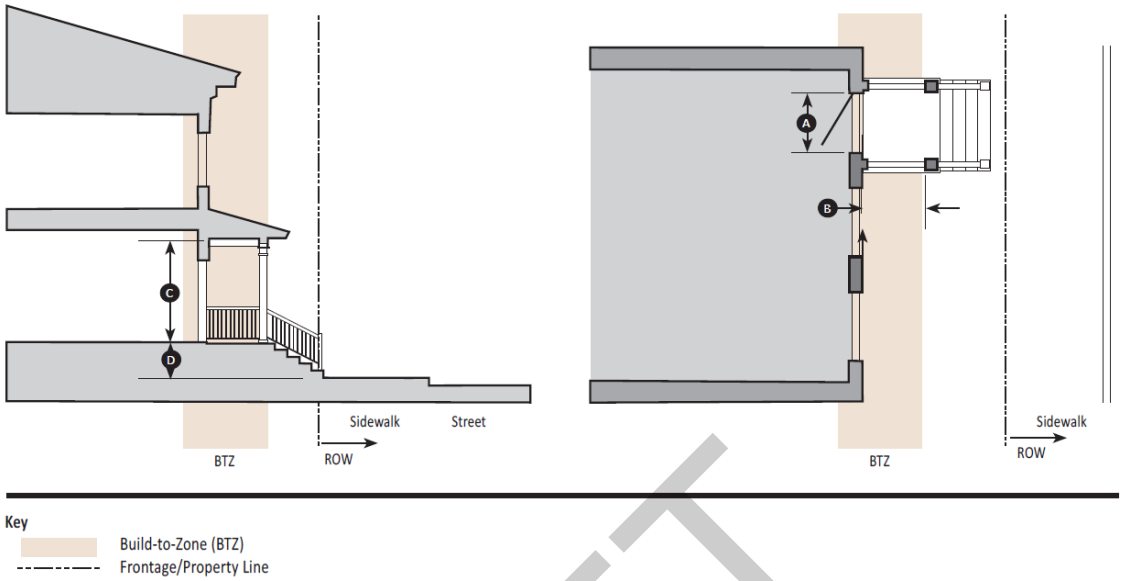
(6) *Stoop*



Description: The main façade of the building is in the front yard (at the Build-to-Zone or BTZ in the image) and the elevated stoop projects forward. The stoop is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. Stairs from the stoop may descend forward or to the side. Stoops may extend beyond the front yard and into the Right-of-Way if a 6′ minimum clear zone is maintained for pedestrians on the sidewalk.

Size		
A	Width, Clear	5′ (*min*) 8′ (*max*)
B	Depth, Clear	5′ (*min*) 8′ (*max*)
C	Height, Clear	8′ (*min*)
D	Finish Level Above Sidewalk	24″ (*min*)
Miscellaneous		
	A stoop is appropriate for residential uses with small setbacks.	
	Stairs may be perpendicular or parallel to the building facade.	
	Gates are not allowed.	
	All doors must face the street.	

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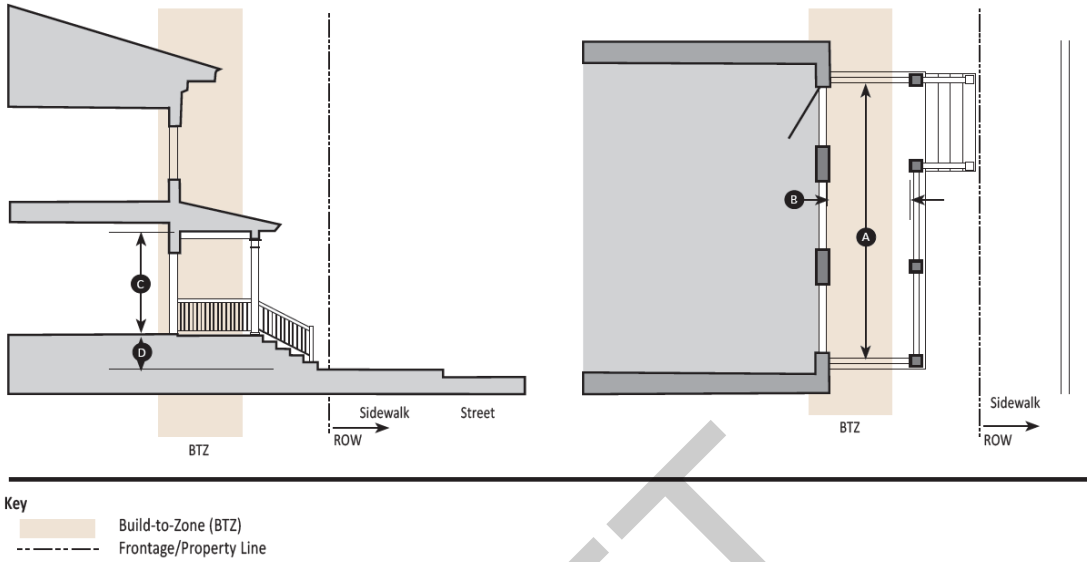
(7) *Porch*



Description: The main Façade of the building is in the front yard (at the Build-to-Zone or BTZ in the image) and the elevated porch projects forward. The porch is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. A porch is large enough to function as an outdoor living space. Stairs from the porch may descend forward or to the side. Porches may extend into the min front setback, but only the stairs from the porch may extend into the Right-of-Way if 6′ minimum clear zone for pedestrians is maintained on the sidewalk.

Size		
A	Width, Clear	10′ (*min*)
B	Depth, Clear	8′ (*min*)
C	Height, Clear	8′ (*min*)
E	Finish Level Above Sidewalk	24″ (*min*)

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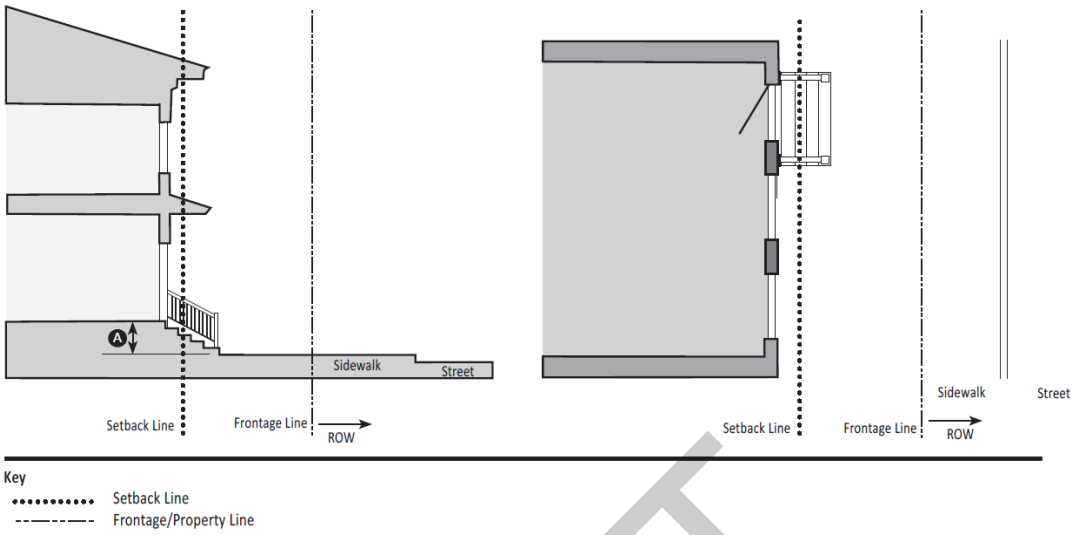
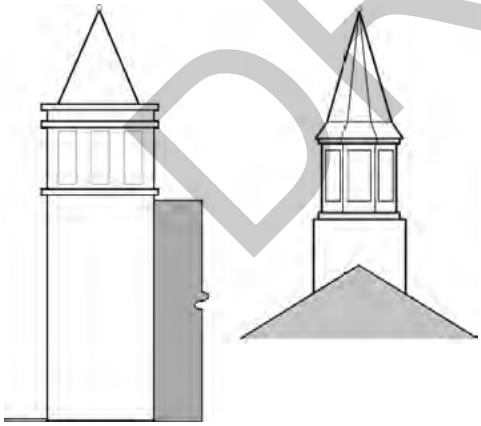
(8) *Common Yard*



Description: The front façade is set back from the front lot line with a planted front yard. The front yard is unfenced and visually continuous with adjacent yards, supporting a common landscape.

Size		
A	Finish Level Above Sidewalk	24" (*min*)

(9) *Tower*



Description: These features are designed to extend above the roofline, and are generally intended to be visual landmarks.

Height / Size
If a terminated vista is indicated on an approved site plan, towers are required and extend up the following distance above the designated height limit:

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• Towers with a footprint smaller than 30 feet x 30 feet	30′ (*max*)
• Towers with a footprint smaller than 20 feet x 20 feet	40′ (*max*)
In all other locations:	
• Footprint	30 feet x 30 feet (*max*)
• Height encroachment above maximum height	20′ (*max*)

(c) Height Measurement. Height is measure as follows:

(1) *Buildings-Measured in Feet*. For buildings, and where height is measured in feet, height is the distance from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roof and the mean height between eaves and ridge for gable hip and gambrel roofs.

(2) *Buildings-Measured in Stories*. For buildings, and where height is measured in stories:

a. A "story" is as defined in the adopted building code. [*Note: the 2012 International Building Code defines a "story" as: "[t]hat portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above…. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters."]*

b. Habitable attics (space within the roof structure), basements and underground parking are not considered stories.

c. A single floor level exceeding 14 feet, or 25 feet for ground floor commercial, counts as 2 stories. Mezzanines extending beyond 33% of the floor area count as an additional story.

(3) *Towers and Structures*. For towers or other structures, height is the distance from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

(d) Height Exceptions. The height regulations prescribed in this Chapter do not apply to television and radio towers, church spires, belfries, monuments, water tanks, chimneys, or smokestacks and flag poles.

24.3.5 Fencing and Screening

(a) Fencing (Generally)

(1) *Materials*. Plywood, sheet metal, and corrugated steel fencing is prohibited.

(2) *Construction*. All fences shall test plumb and square at the time of installation.

(3) *Maintenance*. All fences shall be maintained by the property owner free of accumulations of trash, advertising, and graffiti.

(4) *Chain Link*. Chain link fencing is prohibited in the RL-1, RL-2, RM, and RH districts.

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(b) Fence Height

(1) Fences exceeding 4 feet in height shall not be located within the front yard along any collector, arterial or thoroughfare.

(2) Fences located along side and rear lots lines adjoining public streets shall not be located within the visibility triangle on any corner lot, and shall be set back from the curb line at least 8 feet to provide for pedestrian circulation.

(3) Fences exceeding 7 feet in height or masonry walls exceeding 30 inches in height require issuance of a building permit.

(4) Fences exceeding 8 feet shall require issuance of a building permit that is stamped and sealed by a professional Engineer.

(c) Screening Required

(1) *Non-Residential Uses Abutting Residential Property.* The following apply to any non-residential uses along any side or rear property line that abuts any residential property or zoning district, or which abuts a school, civic space, or religious land use:

a. An opaque fence or wall at least nine (9) feet in height is required.

b. A buffer of at least 10 feet in width along the property line is required. The buffer shall be planted with at least 4.4 equivalent planting units (EPUs) at regular intervals for each 100 lineal feet along the property line (see plant list in section 24.3.7 [Landscaping & Tree Preservation], Table 3.7-4 Plant List for EPU planting ratios). *Example: a large tree is 1 EPU and a large shrub is 0.4 EPU. If 2 large trees and 6 large shrubs are planted, this is 4.4 EPU (2 x 1 = 2; 6 x 0.4 = 2.4; 2 + 2.4 = 4.4).*

c. The following activities are prohibited in any yard abutting the districts or uses listed above:

1. Parking of trucks.

2. Exterior lighting on detached structures that are directed toward the property line, or on poles exceeding 12 feet in height.

3. Outdoor storage of:

a. Bulk materials (including solid matter such as powder, grain, stone, or sand) or materials used as components of a manufacturing process,

b. recyclable or reusable scrap and waste materials,

c. dismantled vehicles, machines or equipment, and

d. vehicles, machines or equipment parts.

(2) *Non-Residential Uses Abutting Mixed-Use or Non-Residential Property.* No screening fence is required for non-residential property adjoining vacant land in an R-O, B-1, B-3, CBD, AE, B-4, M-1 or M-2 district.

(3) *Outdoor Operations and Storage.* All outdoor operations and storage shall be screened from adjacent, more restrictive zoning districts with an opaque fence of at least nine (9) feet in height. *(As amended 2/26/90, Ord. #90-0-36 and 2/22/93 Ord. #93-0-229)*

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(d) Screening Fences. All screening fences required under this section shall be constructed of brick, stone, masonry, cement, stucco, cinder block or pressure treated weather resistant lumber, and shall be structurally reinforced to resist wind damage. They shall be constructed in such a manner as to provide visual screening.

24.3.6 Incentives

Purpose: This subsection establishes incentives to encourage higher levels of design to implement the Comprehensive Plan, the purposes of the zoning districts, and to offset increases in development costs and risks associated with implementing designated design elements or fulfilling public policy.

(a) Applicability

(1) This section applies to any site plan or preliminary plat approval where the application includes the features provided in Table 3.6-2 below and requests the incentives provided in Table 3.6-3 below.

(2) This section awards points that are associated with tradeoffs such as increased density or development potential, parking reductions, and other forms of regulatory relief. Applicants cannot reuse points awarded for one regulatory incentive for another regulatory incentive, see section 24.3.6 (j).

(b) Point Calculation. Points are calculated as part of a site plan review application. If a subdivision is requested, points are calculated as part of the preliminary plat application. The planning director shall prepare forms for determining point scores pursuant to this section.

(c) Housing

(1) *Middle Housing*

a. Applicability. For purposes of this section, "middle housing" includes any of the following residential uses that meet the design standards below:

1. Accessory dwelling units
2. Dwelling, Single-Family Detached on lots of less than 40 feet in width
3. Dwelling, Two-Family (Duplex)
4. Dwelling, Multi-Family
5. Live/Work Dwelling
6. Townhouse
7. Zero Lot Line House

b. *Design Standard*s. Middle housing shall:

1. For uses other than accessory dwelling units, include no more than the following heights within the following proximity to an existing block developed with single-family detached dwellings:

Distance	Height (max)

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	Stories	Feet
1 block	2-½ stories	35′
2-3 blocks	3	42′
4+ blocks	See zoning district regulations	

2. Include an entryway that faces the street.

3. Comply with the following front yard requirements:

Front Setback *(min setback to front building plane)*	5 feet
Front Setback *(max-principal building only, not applicable to garage)*	20 feet
Frontage Buildout *(min – see Article 10)*	70%

4. Locate garages to the rear of the principal building.

5. Include no more than 25% of the front yard in driveways or parking areas.

(2) *Affordable Housing*. To be eligible for affordable housing points, dwelling units designated as affordable housing shall meet the following affordability requirements, which shall run with the land.

a. For purposes of this section, "affordable housing" means dwelling units reserved for families whose incomes do not exceed 80 per cent (80%) of median income for the Laredo Metropolitan Statistical Area calculated in accordance with 42 U.S.C. § 1437a by the Laredo Housing Authority.

b. A dwelling unit is affordable for purchase or rental if the household is required to spend no more than 30 percent of its gross monthly income on utilities and mortgage or rental payments for the unit as determined by the Laredo Housing Authority, based on the current Annual Median Family Income for the Laredo Metropolitan Statistical Area.

c. Affordable housing must be available for occupancy by a family at the purchase or rental income limits for the household category established above for at least 30 years.

d. The dwelling units designated for affordable housing must be reserved for rent or sale through a deed restriction or an enforceable contract with a public housing authority or community development corporation.

(d) Site Standards

(1) *"A" and "B" Street Types*. "A" and "B" streets govern design regulations. The preliminary plat, site plan or zoning map shall designate street categories as provided below. The City may also designate "A" and "B" streets on the Official Zoning Map. The applicant will design the street type subject to staff approval. These designations are used to determine building setbacks, frontages, and related standards.

a. *"A" Streets.* An "A" Street is a street with frontage that is restricted to building types and uses that promote multimodal transportation and pedestrian activity,

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and which benefit from pedestrian and/or transit access. Only compact/urban street categories are eligible for designation as "A" Streets (see section 24.4.6(c)). All buildings along an "A" Street shall:

1. Meet the maximum front setback and minimum frontage buildout requirements of the applicable zoning district. If the zoning district does not establish a maximum front setback and minimum frontage buildout, buildings along an "A" Street shall have a maximum front setback of 20 feet and minimum frontage buildout of 75%; and
2. Include at least one public entryway on the ground floor for every 50 feet facing and oriented to the front lot line.

b. *"B" Streets*. A "B" Street permits utilitarian buildings, site design and uses such as front-loaded surface parking, heavy or large format retail and service uses, drive-through uses, and single-story buildings. This accommodates economic activities that support the other uses in the mixed-use district, but are not generally consistent with the compact, mixed-use and pedestrian or transit orientation. A "B" Street designation may be considered an interim designation as part of a phased place type plan.

c. *Split Street Types*. The place type plan or official zoning map may split the frontage on either side of a street as an "A" Street and a "B" Street, if the split frontage adjoins at least two (2) blocks of streets with continuously facing "A" Street frontage.

(2) *Transportation Connectivity*. See Table 3.6-2 and section 25.3.10.

(3) *Amenity Space*. See Table 3.6-2 and section 24.4.2 (Amenity Space) and 24.4.5 (for LID or LI design). Amenity space that qualifies due to its proximity to an existing City park, open space or trail system counts toward required amenity space if the proposed development achieves at least 10 points from another incentive category.

(4) *Street Trees*. See Table 3.6-2 and section 24.4.5. Street trees shall be planted between the back of curb and a sidewalk to qualify for this bonus.

(e) Placement Standards

(1) Transitions. See Table 3.6-2 and section 24.4.2 (Amenity Space) and 24.4.5 (for LID or LI design). Amenity space used in lieu of a landscaped buffer or fence is counted toward and reduces required landscaping and buffer space.

(2) Parking. See Table 3.6-2, subsection (d)(1)(for "A" Streets), and section 24.3.8 (parking and loading).

(f) Massing Standards. See applicable zoning district for maximum front setback. If the zoning district does not establish a maximum front setback and minimum frontage buildout, the maximum front setback is 20 feet.

(g) Activation Standards

(1) *Articulation*. The building includes frontage types defined in section 24.3.4, and with a maximum horizontal distance between a vertical plane break as provided below. For buildings that exceed 150 feet in width along the frontage, the figures below are

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averages. The vertical plane break shall extend at least 12 inches from or into the facade.

a. R-1A: 100 feet.

b. R-1B, RSM, R-2, R-3: 75 feet.

c. R-O: 75 feet.

d. B-1, B-2: 60 feet.

e. CBD, AE: 50 feet.

(2) *Pedestrian Access*. See Table 3.6-2.

(h) Uses. See section 24.2.16 (Use Table) and Article 10 for definitions of uses. The references to uses for mixed use combinations or active uses in Table 3.6-2 include the following:

Table 3.6-1 Use Categories

Uses *(from section 24.2.16 (Use Table))*	**Mixed Use Combinations in Table 3.6-2** ■ = *combination includes uses from that category in section 24.2.16 (Use Table)*				**Active Uses**
	Residential + Commercial	**Residential + Office**	**Office + Commercial \ Retail**	**Residential + Commercial, Office or Retail**	
Residences = Dwelling, Multi-Family, Live/Work Dwelling, Townhouse	■	■		■	
Commercial = Financial Institution, Bar, Food Market, Food Preparation, Food Service, Restaurant, Sidewalk Café, Snack or Beverage Bar, Business Support Services, General Personal Services, Maintenance and Repair Services	■			■	
Commercial = Bar, Food Market, Food Service, Restaurant, Sidewalk Café, Snack or Beverage Bar, General Personal Services			■	■	■
Office = Office, Business & Professional		■	■	■	
Retail = Convenience Store, General Retail	■		■	■	■

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(i) Energy Efficiency. See Table 3.6-2. For Leadership in Energy and Environmental Design (LEED) Gold, the applicant shall provide proof of registration accepted by USGBC and completed LEED checklist for with the building permit application. Construction drawings

and LEED templates required for building permit. For Passive House Standard, project must be certified by the Passive House Institute (PHI) or PHI U.S.

(j) Incentive points earned.

(1) Incentive points represent the number of points awarded for each qualifying community benefit, see Table 3.6-2. These points can be exchanged for specific development incentives, such as increased density, reduced parking requirements, or other forms of regulatory relief.

(k) Incentive points used for development.

(1) The incentives points earned can be exchanged for specific development incentives listed in table 3.6-3.

(2) Applicants cannot reuse points awarded for one regulatory incentive for another regulatory incentive *(example: an applicant has 20 points and uses 10 incentive points to reduce parking; those 10 points are debited toward the total incentive points available, and the applicant now has another 10 points to use for another regulatory incentive).*

(3) Regulatory incentives shall be noted and applied to the project's site plan (*example: an applicant has 20 points and uses 10 incentive points to reduce parking; the proposed development can elect to reduce the number of parking spaces on the site plan (up to 10 spaces)).*

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Table 3.6-2 Incentive Points

Type	Benefit	Zoning Districts and Points Earned for Each Benefit								
		AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD,AE	B-4	M-1,M-2
	Density/Intensity									
Middle Housing	Include at least two middle housing types (see subsection (c)).	1	1	2	2	2	2	2		
Affordable Housing	The development includes housing pursuant to subsection (points per unit reserved as affordable housing)	2	2	2	2	2	2	2		
	Site Standards									
"A" Street Frontage	Every 200 linear feet of "A" Streets				2	2	2	2	2	2
Transportation Connectivity	Every 0.1 increase in the connectivity ratio (section 25.3.10(d))	2	2	2	2	2	2	2	1	1
Amenity Space	Every 10,000 sf of amenity space	2	2	2	1	1	1	1	1	1
Amenity Space	Every 5,000 square feet of qualifying amenity space protected by a conservation easement	2	2	2	2	1	1	1	1	1
Amenity Space	Every 1,000 sf of (g) Low-Impact Development (LID) or Light Imprint (LI) design (LID/ NCDP per section 24.4.5(g))	2	2	2	2	2	2	2	2	2
Amenity Space	Every 10 dwelling units within two (2) blocks or 1,400 linear feet of an existing City park, open space or trail system	1	2	2	2	2	2	2		
Amenity Space	Every 20 dwelling units within four (4) blocks or 2,500 linear feet of an existing City park, open space or trail system	1	2	2	2	2	2	2		
Amenity Space	Amenity space includes outdoor table and chairs, landscaping with trees, pedestrian scaled lighting (minimum 3 footcandles), or outdoor public art (every 500 sf for any of these elements)				1	2	2	2	2	2
Street Trees	Every 8 large trees and 12 medium trees (see section 24.4.5)	2	2	2	2	2	2	2	2	2
	Placement Standards									
Transitions	Every 100 sf of amenity space used in lieu of a landscaped buffer or fence	1	1	1	2	2	2	2	2	2
Parking	Every 10 parking spaces located to the rear of the principal building along "A" Streets			2	2	2	2	2	2	1
	Massing Standards									
Frontage buildout	Every 50 linear feet of frontage between the street line and maximum front setback			1	2	2	2	2	2	1
	Activation Standards									
Articulation	Every 75 linear feet of building frontage that complies with the articulation standards			1	1	2	2	2	2	1
Pedestrian Access	Every public building entrance within the maximum front setback at ground level that opens to a sidewalk or civic space				1	1	1	1	1	1
	Uses									
Mixed Use	Building includes 2 uses (see subsection (h))					1	2	2	1	1
Mixed Use	Building includes 3 uses (see subsection (h))					2	3	3	2	1
Mixed Use	Each building that includes residential above first floor retail					1	2	2		
Active Uses	Street level retail uses (buildings that meet maximum front setback only)					1	2	2	1	
Healthy foods	Each food market (e.g., grocery store), if there is no other food market located within 2,500 linear feet of the site					2	2	2	2	1
Healthy foods	Each 5,000 sf of community garden space	2	2	2	2	2	1	1	1	
	Energy Efficiency									
Energy Efficiency	Achievement of LEED Gold or the Passive House Standard.	2	2	2	2	2	2	2	2	2
Energy Efficiency	Achievement of LEED Silver	1	1	1	1	1	1	1	1	1

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Table 3.6-3 Regulatory Incentives

		Zoning Districts and Points Required for Each Incentive								
Type	**Incentive**	**AG**	**R-S**	**R-1A**	**R-1B**	**R-O**	**B-1,B-3**	**CBD, AE**	**B-4**	**M-1, M-2**
	District Standards									
Lot Area	1,000 sf reduction in minimum lot area	10	10							
Density	Increase in density by 5 dwelling units per acre				10	10	5			
Front Setback	2' increase in maximum setback			5	5	5	5	10		
Coverage	5% increase in maximum coverage	10	10		10	5	5		10	10
Frontage Buildout	5% reduction in frontage buildout				10	10	10	10		
Lot Width	5' decrease in lot width	10	10	5	5	5	5	5	10	10
Height	One (1) story or 12 feet in building height *(up to the following total stories: RM-3 stories, RH/MX-1 - 6 stories, MX-2 - 8 stories; stories exceeding 14' from floor to ceiling are counted as 2 stories)*			10	10	10	5			
	Stie and Placement Standards									
Access Point	1 additional access point				20	20	20	20	20	20
Landscaping	Reduction of 2 trees in surface parking lots	5	5	5	5	2	2	2	10	10
Parking	5% increase in surface parking lot coverage			10	10	10	20	20	20	20
Parking	Reduction in 10 required parking spaces	5	5	5	5	5	5		5	5
Blocks	50' increase in maximum block perimeter	10	10	20	20	20	20	20	20	10
Transportation Connectivity	0.1 decrease in connectivity ratio	20	20	20						
Amenity Space	500 sf reduction in required amenity space	10	10	10	5	5	5	5	20	

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24.3.7 Landscaping & Tree Preservation

(a) Applicability

(1) *Development that Requires Landscaping.* This section applies to:

a. new subdivisions (subsection 24.3.7(b) only), and

b. building permits for the construction or expansion of non-residential structures of at least 1,000 square feet or 25% of an existing structure, whichever is more.

(2) *Exemptions*. This section does not apply to:

a. the reconstruction, modification or addition to property used for single family residential purposes, and

b. subdivisions approved before October 19, 1998 where the street tree or money-in-lieu of requirement is met,

c. construction or expansions of structures that do not meet the thresholds in subsection (1) above.

(b) New Subdivisions

(1) *Street Trees Required.* The owner or subdivider of property in new subdivisions shall plant, or require the planting of the total number of street trees (T) required under the following calculations, whichever is greatest:

Table 3.7-1 Street Trees for New Subdivisions

Formula	Applies to -	
T = (L x 2)/30	Street dedication plat and/or where the property to be platted lies adjacent to both sides of a public street.	L = the length of the public street measured in linear feet at the centerline of the street
T = L/30	The plat lies adjacent to only one side of a public street.	
T = Y x 2	The property is proposed to be platted into single-family residential lots. Y = the number of single family residential lots included in the proposed plat.	

(2) *Plat Notes.* Where the subdivider proposes to plant trees required by this subsection in conjunction with construction or development of the property, this requirement shall be noted on the plat. The note does not relieve the subdivider of the responsibility to plant trees along any collector or arterial where a new single-family residential subdivision abuts a collector or arterial street along the rear property line of any single-family residential lot.

(3) *Planting Locations*. Trees required under this section shall be planted within the public rights-of-way, within landscaped area restricted for street trees, on private property within the 10 feet parallel and adjacent to a local street right-of-way, or on private non-residential property within 25 feet parallel and adjacent to a major thoroughfare.

(4) *Median Planting*

a. Trees or shrubs planted within a median shall comply with the following:

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Table 3.7-2 Median Planting Locations

Street Category	Location
Major arterial	> 75′ from the nose of the median
Minor arterial	> 50′ from the nose of the median
Any median	> 50′ from any mid-block opening in the median
	> 5' from the back of the final approved design line for the curb

b. Trees in medians shall be spaced at intervals of at least 30 feet and no more than an average of 60 feet.

(5) *Visibility Maintained*

a. Within the visibility triangle no shrub, tree, plant or structure shall exceed a height greater than 24 inches measured from the centerline of the adjacent roadway.

b. Trees shall be kept trimmed so that all branches or growth are at least 10 feet above the adjacent roadway measured from the centerline of that roadway.

(c) Street Tree Planting in Existing Subdivisions

(1) Required planting on existing platted lots is as follows:

Table 3.7-3 Planting on Existing Platted Lots

Use of Lot	Number of Trees	Location
Single-family residential	2	Public right-of-way, within a landscape or other reserve restricted for the purpose, or on private property 10' parallel and adjacent to a local street right-of-way.
Non-residential or multi-family residential	1 per 30' of public street right-of-way	10' parallel and adjacent to a local street right-of-way, or within 25' parallel and adjacent to a major thoroughfare

(2) Trees shall be planted within the public rights-of-way, within landscape or other reserves restricted for the purpose, or on private property within locations specified above.

(d) Surface Parking Lots

(1) *Number of Trees Required*

a. New surface parking lots with more than 15 parking spaces require 1 eligible tree for every 10 parking spaces or fraction thereof. The trees shall be located within and/or on the perimeter of the parking lot.

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b. Existing parking lots that are expanded to comply with 24.3.8 (Parking and Loading) and that contain more 15 parking spaces after the expansion shall provide 1 eligible tree for each 10 additional spaces or fraction thereof. The trees shall be located within and/or on the perimeter of the parking lot.

c. A permeable area with a radius of at least 3 feet measured from the trunk of each eligible tree shall be maintained, and each eligible tree shall be protected from automobiles by curbs or tire stops located at least 3 feet from the tree trunk.

(2) *Perimeter Landscaping*

a. Parking surface areas adjacent to the public street right-of-way shall have shrubs planted at regular intervals along the perimeter of all parking surfaces adjacent to the right-of-way, exclusive of driveway entrances, pedestrian walkways and cutback areas.

b. The shrubs shall be maintained at a height of at least 18 and no more than 36 inches. The minimum number of shrubs provided the total number of required street trees multiplied by four. Seventy-five percent (75%) or more of the required shrubs shall be planted along the perimeter of the parking surface.

(e) Tree Preservation Credit

(1) Applicants are awarded a credit toward the tree requirement at the rate of two (2) street trees for each existing healthy tree actually preserved.

(2) The owner or subdivider shall provide reasonable measures to ensure the continued survival of existing trees for which credit is claimed.

(3) Any eligible tree for which credit is claimed shall have a minimum caliper of 6 inches.

(4) The owner or subdivider of the property may request credit for the planting of up to 50% of the trees required under this code.

(5) If the preserved tree dies, the tree must be replaced with a minimum 3-inch caliper tree.

(f) Removal, Replanting, and Replacement of Protected Trees

(1) *Protected Trees.* All trees on public land within the city limits of Laredo with a caliper of 8 inches are considered protected trees.

(2) *Removal of Protected Trees.* No person or corporation shall remove or cause the removal of any protected tree without first securing approval from the Tree Board as provided in subsection (3) below.

(3) *Tree Board Approval*

a. When site plan approval is required by Building Services Department for any improvements on public land, the actual or schematic location of existing protected trees shall be shown on those site plans for review by the Tree Board. The Tree Board shall submit their order regarding the proposed plan within 14 days of the date the plans were received by the Board.

b. The Tree Board shall review site plans for all improvement projects from any city, state, and federal government agency. The Tree Board's approval of these

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public projects constitute approval for the removal of any protected tree indicated on the project plans.

(4) *Standards for Removal of Protected Trees.*

a. The Tree Board shall approve removal of a protected tree located on public property if:

1. The tree is diseased, severely damaged, dead on the site, or constitutes a hazard.

2. The tree's location prevents reasonable access to the property or precludes reasonable and lawful use of the property.

b. The Tree Board may approve the removal of a protected tree in connection with construction, maintenance, or repair of public facilities in or upon a public street, alley, right-of-way, greenbelt , or other public land under one or more of the following conditions:

1. The location of the tree prevents the opening of reasonable and necessary vehicular traffic lanes.

2. The location of the tree prevents the construction of utility lines or drainage facilities which may not be feasibly rerouted.

(5) *Replacement Trees*

a. The Tree Board may require replacement trees where deemed necessary to mitigate the loss of protected trees. This subsection does not apply to trees that have grown into overhead electric utility wires.

b. Where replacement trees are required:

1. The minimum diameter of replacement trees shall be at least 3 caliper inches, unless otherwise approved by the Tree Board.

2. When it is found impractical to relocate or replace the removed trees on the same property, replacement may be made upon any public owned property, property of non-profit organizations, public parks, or right-of-ways, subject to the approval of the Tree Board.

3. Tree species used for replacement shall conform to subsection (j) and Table 3.7-4 of this Section.

(6) Any person aggrieved by the decision of the Tree Board may appeal the decision to the City Council by filing a written appeal, specifying the reasons thereof, within 30 days of the time the order is issued.

(g) Special Requirements

(1) Any tree on privately owned property that is found to be a nuisance shall receive a notice to abate such nuisance as described in Chapter 21 of the Code of Ordinances, City of Laredo.

(2) All utility franchise holders shall present scheduled tree pruning plans to the Tree Board prior to the start of pruning work.

(3) Unless specifically authorized by the Tree Board, no person shall:

a. remove, intentionally damage, or mutilate protected trees;

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b. allow any gaseous liquid or solid substances which are harmful to protected trees to come in contact with protected trees; or

c. set fire or permit any fire to burn that will injure any portion of any protected tree.

(4) All applicants for permits to work on public trees must comply with State and Local liability insurance requirements, workmen's compensation and safety codes.

(h) Alternate Planting Proposals

Purpose: It is the intent of the City to provide an opportunity for the development of exceptional or unique landscape designs which cannot meet the express terms of this Section. Special consideration is given to exceptional landscape designs that preserve and incorporate existing vegetation in excess of the minimum requirement and/or in innovative ways.

(1) Applicants for approval of an alternate tree/shrub plan may demonstrate that the intent of this article is more effectively met in whole or in part through an alternate tree/shrub plan.

(2) An alternate landscape plan shall be reviewed by the Tree Board and, if approved, substituted in whole or in part for a landscape plan meeting the express terms of this section.

(i) Money-In-Lieu of Trees. Up to fifty percent (50%) of the total planting requirements may be met by depositing, with the Parks and Recreation Department, a sum of money equal to the cost of the required trees and their planting. This money shall be placed in a special fund designated for the purposes of planting of eligible trees in city parks or public rights-of-way. The cost per tree shall be determined by the Tree Board on an annual basis. The remaining fifty percent (50%) of the trees shall be planted as required by this ordinance.

(j) Selection and Plant List

(1) All trees and shrubs planted in accordance with this Article shall be a native or naturalized species as recommended in the Plant List (Table 3.7-4) below, and shall be planted and maintained in accordance with the standards established in subsection (k) below.

(2) The Plant List not all-inclusive and may be updated as needed by the Tree Board without formal amendment to this section.

(3) Some provisions of this chapter (for example, section 24.3.5 [Fencing and Screening]) refer to equivalent planting units (EPUs). EPUs are calculated based on the ratios assigned in the Plant List (Table 3.7-4) below.

(4) *Overhead Electric Utilities*. Only short trees or dwarf trees (see Table 3.7-4 Plant List) are permitted within overhead electric utility easements. Large trees are not permitted in these locations. Electric utility providers may trim trees in these locations to the extent needed to provide clearance from overhead utility wires.

(k) General Planting and Maintenance Standards

(1) *Planting*

a. All trees shall be planted in holes two (2) to five (5) times wider than the rootball diameter. The depth of the hole shall not exceed that necessary to set the plant at

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the same depth it was in the nursery. All shrubs shall be planted in holes at least 6 inches wider on each side than their root spread, whether container grown or balled and burlapped. This enables the plant to extend the small roots in the first few weeks in the ground.

b. Place the tree or shrub in the hole. If the tree is container grown, pull the container away from the rootball. Do not pull the tree by its trunk. Pulling the tree out of the container by its trunk will damage the small roots within the ball. Place the tree or shrub in the center of the hole and adjust it so that it is straight and at the proper level.

c. For balled and burlapped plants, pull the top and sides of the burlap away from the ball after the hole has been partially backfilled but before watering. Do not attempt to pull the burlap out from under the ball under any condition. All wire and surplus binding from the top and sides of the ball should be removed.

d. Backfill with the original soil and firm the soil until approximately two-thirds (2/3) full. Before completing, fill the hole with water and allow the soil to settle around the roots. After the water has been absorbed, add topsoil to bring up to grade and form a watering basin around the tree.

e. An earth basin, approximately 4 inches in height, shall be formed around the tree or shrub pit to help retain water and protect the trunk from mower damage. Individual plant pits shall be completely encircled by the basin, except on steep slopes where the basin is formed on the downhill side to serve as a dam.

f. Trees taller than 4 feet may need to be staked. Rubber hose shall be used to protect the tree from the staking wire.

g. The trees and shrubs must be watered immediately after planting and as needed during the first 2 growing seasons. A thorough soaking is preferred over light, frequent soakings.

h. The entire area formed within the earth basin shall be filled with 3 to 4 inches of mulch to help conserve moisture and reduce competition from weeds.

i. All trees and shrubs shall be planted in individual holes with the exception of hedges. Hedges may be planted in a continuous trench as long as adequate room is allowed for root development.

(2) *Staking, Guying and Wrapping*

a. Support all evergreen and deciduous trees over 4 feet tall by an acceptable method to keep the tree trunk in an upright position immediately after planting. Bracing prevents the tree from being damaged by strong winds which loosens the soil around the base of the tree and injures the rooting system.

b. Trees shall be staked or guyed for a minimum of one growing season. All bracing and tree supports should be eliminated as soon as the tree becomes self-supporting.

c. If the tree has sparse foliage and is exposed to full sun, the trunk shall be wrapped with an appropriate material to prevent sun scalding. Special tree wrap

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paper is available; however, strips of burlap and aluminum foil will also protect the tree.

(3) *Irrigation Requirements*

a. The installation of a supplemental irrigation system is required to give the trees and shrubs an adequate amount of water without waste. All required landscaping shall be irrigated by either an underground sprinkling system, drip irrigation system or a hose attachment within 100 feet of the landscaped area.

b. The irrigation systems shall be designed and calibrated to thoroughly soak the root area of the plant area with the frequency necessary to establish newly planted trees and shrubs and to sustain their healthy growth.

c. The system used shall be designed to minimize the amount of spray that will fall on sidewalks, neighboring properties and adjacent buildings in order to achieve water conservation.

d. The property owner shall be responsible for irrigation as well as regular maintenance of the trees and shrubs.

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Table 3.7-4 Plant List

Common name	Scientific name	Characteristics
Recommended Trees		
Short Trees (6 to 25 feet tall) (0.5 EPU)		
Huisache+	Acacia smallii	Deciduous; Delicate leaves
Jerusalem Thorn+	Parkinsonia aculeata	Deciduous; yellow flowers; Fast growing and hardy
Mexican Buckeye+	Ingnadia speciosa	Deciduous; Rose colored flowers; Fall leaf color
Wright's Acadia+	Acacia wrightii	Deciduous; Rounded crown; Flowers in spring
Small Trees (20 to 35 feet tall) (0.7 EPU)		
Desert Willow*	Chilopsis linearis	Flowers in summer
Eldarica Pine+	Pinus eldarica	Best for alkaline soils; Christmas tree shaped
Honey Mesquite*	Prosopis glandulosa	Lacy spreading form
Mexican Plum*	Prunus mexicana	Spring flowers
Texas Ebony*	Pithecellobium flexicaule	Airy foliage and flowers
Wild Olive*	Corida boissieri	White flowers and bold foliage
Large Trees (above 35 feet tall) (1 EPU) (not allowed within overhead electric utility easements)		
Bald Cypress*	Taxodium distichum	Deciduous conifer; Fall color
Chinquapin Oak*	Quercus muhlenbergi	Round-topped tree; Bold foliage
Honey Locust	Gleditsia triacanthos	Thornless varieties available
Live Oak*	Quercus virginiana	Evergreen shade tree
Shumard Oak*	Quercus shumardii	Fall color
Texas Red Oak*	Quercus texana	Fall color
RECOMMENDED SHRUBS		
Dwarf Shrubs (1 to 3 feet tall) (0.05 EPU)		
Autumn Sage+	Salvia greggii	Evergreen; Full to part sun; Flowers
Dwarf Pittosporum	Pittosporum tobira w.	Small, round evergreen
Mealy Blue Sage+	Salvia farinacea	Evergreen; Blue flowers
Mountain Sage+	Salvia farinacea	Evergreen; Sun; Flowers spring thru fall seasons
Rosemary	Rosmarinus offcinalis	Fragrant blue-green foliage; Blue flowers; Herb
Small Shrubs (3 to 5 feet tall) (0.1 EPU)		
China Rose	Rosa chinensis	Hardy; Long-blooming; Pest resistant
Dwarf Palmetto*	Sabal minor	Trunkless, bushy palm
Sotol+	Dasylirion texanum	Evergreen; Flowers; Cactus-like narrow leaves
Tea Rose	Rosa odorata	Pest resistant; Flowers; Hardy
Medium Shrubs (6 to 9 feet tall) (0.25 EPU)		
Agarita*	Mahonia trifoliata	Yellow spring flowers; Red edible berries; Evergreen
Catclaw Acacia+	Acacia greggii	Deciduous; Delicate leaves
Central Texas Sage*+	Leucophyllum sp.	Evergreen foliage; Summer flowers

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Common name	Scientific name	Characteristics
Green Pittosporum	Pittosporum tobira	Large evergreen shrub
Italian Jasmine	Jasmine humile	Sprawling evergreen; summer flowers
Pomegranate	punica granatum	Orange flowers; Edible fruit
Roemer Acacia+	Acacia roemeriana	Deciduous; Delicate leaves
Variegated Pittospurum	Pittosporum tobira variegata	Green/white variegated evergreen
Large Shrubs (10 to 25 feet tall) (0.4 EPU)		
California Fan Palm	Washingtonia filifera	Tree-like palm; slow growth
Cherry Laurel*	Prunus caroliana	Tree-like evergreen
Oleander	Nerium oleander	Summer flowers; Evergreen
Possumhaw*	Ilex decidua	Deciduous holly; Red berries
Texas Mountain Laurel*	Sophora secundiflora	Tree-like evergreen; Spring flowers
Texas Palmetto*	Sabal texana	Tall palm
Texas Persimmon*	Diospyros texana	Tree-like; Fruit edible by animals
White-Thorn Acacia+	Acacia constricta	Deciduous; Delicate leaves; Filtered shade
Windmill Palm	Tachycarpus fortunei	Tree-like

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24.3.8 Lighting

Purpose: this section protects public health and general welfare by:

- *improving sleep by reducing light and acoustical pollution,*
- *establishes Dark Sky principles,*
- *locates residential areas at a safe distance from major sound and light polluters or limits hours and levels of illumination to allow for a period of darker skies between midnight and sunrise, and*
- *discourage commercial uses that have intrusive levels of lighting from locating adjacent to residential land uses.*

(a) Applicability

(1) *Outdoor Lighting*. This section applies to outdoor lighting. For purposes of this section, "outdoor lighting" means temporary or permanent lighting that is installed, located or used to cause light rays to shine outdoors, and

a. Nonresidential fixtures that are installed indoors that cause light to shine outside, and

b. Residential fixtures installed indoors generating more than 6,200 lumens (approximately equal to a 300 watt incandescent bulb) that cause light to shine outside.

(2) *Construction*. This section applies to outdoor lighting installed on or affixed to any construction project for which a building permit is required.

(3) *Exemption* . This section does not apply to:

a. Lighting equipment required by law to be installed on motor vehicles; or

b. Lighting required for the safe take-off and landing of aircrafts.

c. Outdoor light fixtures with a maximum output of 180 lumens per fixture, regardless of the number of bulbs, may be left unshielded if the fixture has a diffuser installed, and the source of the light is not visible from any other property. The output from these fixtures shall not exceed ten percent of the total outdoor light output allowed.

d. Outdoor light fixtures with a maximum output of 360 lumens per fixture, regardless of the number of bulbs, which are shielded with a medium to dark tone lens if that lens reduces the lumen output approximately in half, and the source of the light is not visible from any other property. The output from these fixtures shall not exceed ten percent of the total outdoor light output allowed.

e. Outdoor lighting for which light is produced directly by the combustion of fossil fuels.

f. Lighting required by law to be installed on motor vehicles.

g. Lighting needed during activities of law enforcement, fire and other emergency services.

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h. Lighting employed during emergency repairs of roads and utilities may be unshielded provided the lights are positioned so they do not shine in the eyes of passing drivers.

i. Lighting required for the safe operation of aircraft.

j. Temporary lighting required to save life or property from imminent peril if the lights are positioned so they do not shine in the eyes of passing drivers.

k. Festoon type low-output lamps limited to small individual bulbs on a string. The bulbs must have a rating of no more than 3,000 Kelvin and may not be visible from any residential property within 50 feet of the installed lights. Festoon type low-output lamps are not required to be shielded.

l. Low-intensity mini-lights or rope-type lights in amber, gold, yellow, cream, red, orange, or warm white wrapped on a tree, post, or similar object if the layers are at least six inches apart. Low-intensity mini-lights or rope lights as described in this subsection are not required to be shielded.

m. Temporary lighting for theatrical, television, performance areas, events, or construction areas if the lights are positioned so they do not shine in the eyes of passing drivers and the source of the illumination is shielded from any other property. This temporary lighting must not allow any light to be projected or reflect above the structures or trees on the property.

n. Lighting required by federal or state laws or regulations.

(b) Generally. All outdoor lighting shall comply with this section, applicable electrical codes, energy codes, and building codes.

(c) Prohibitions

(1) *Uplighting*. Outdoor uplighting is prohibited, unless the fixture is shielded by a roof overhang or similar structural shield and a licensed architect or engineer has stamped a prepared lighting plan that ensures that the light fixtures(s) will not cause light to extend beyond the structural shield, and except as specifically permitted in this section.

(2) The installation of any mercury vapor fixture or lamp for use as outdoor lighting is prohibited.

(3) Luminaries rated at more than 3,000 Kelvin (K) are prohibited with the exception of luminaries installed prior to the enactment of this section rated no more than 4,000K, which are shielded on every side so that the source of light is not visible from any other property and the combination of all such fixtures within any ten-foot by ten-foot area does not produce more than 4,100 lumens for a pole mounted fixture or 2,050 lumens for a wall mounted fixture. Luminaries with higher Kelvin ratings are permitted if the Scotopic-to-Photopic (S/P) ratio is no greater than 1.2 as shown in Figure 3.8-1.

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Figure 3.8-1 Scotopic-to-Photopic (S/P) ratio

(4) The installation of any barn-light style fixture for use as outdoor lighting is prohibited unless the fixture includes a full opaque reflector instead of the standard translucent lens. An example of barn-light style with and without the required opaque reflector is shown in Figure 3.8-2.

Figure 3.8-2 Acceptable Shielding of Barn-Style Light Fixtures

(5) The operation of searchlights is prohibited, except for public safety operations conducted by a government agency.

(d) B-U-G Rated Fixtures. Light fixtures rated by the B-U-G classification system:

(1) Shall be rated and installed with the maximum backlight component limited to the values in Table 3.8-1 based on location of the light fixture where the property line is considered to be five feet beyond the actual property line;

(2) Shall be rated and installed with the uplight components of zero (U0), except for uplighting covered in this section;

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(3) Shall be rated and installed with the glare component no more than G0 unless four sided external shielding is provided so that the luminous elements of the fixture are not visible from any other property; and

(4) Shall be shielded in accordance with this section.

Table 3.8-1 B-U-G Fixture Rating

Mounting Height	Rating
Fixture is greater than 2 mounting heights from property line	B3
Fixture is 1 to less than 2 mounting heights from property line	B2
Fixture is -.5 to 1 mounting heights from property line	B1
Fixture is less than 0.5 mounting height to property line	BO

(e) Shielding and Total Outdoor Light Output

(1) *Generally.* All outdoor lighting, except streetlights or lights exempted from this section, shall be shielded so that the luminous elements of the fixture are not visible from any other property. Mounting height or proximity to property lines may cause the luminous elements of a light fixture to require additional shielding (see Figure 3.8-3 and Figure 3.8-4).

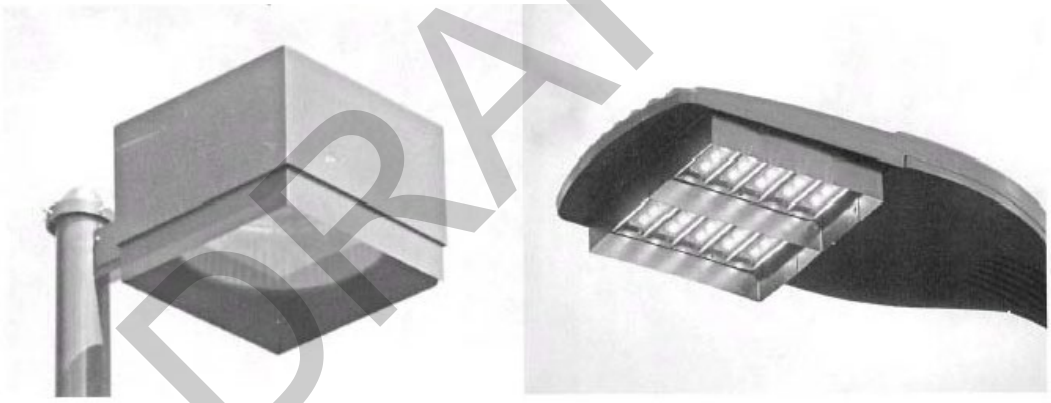

Figure 3.8-3 Downward Facing Fixtures

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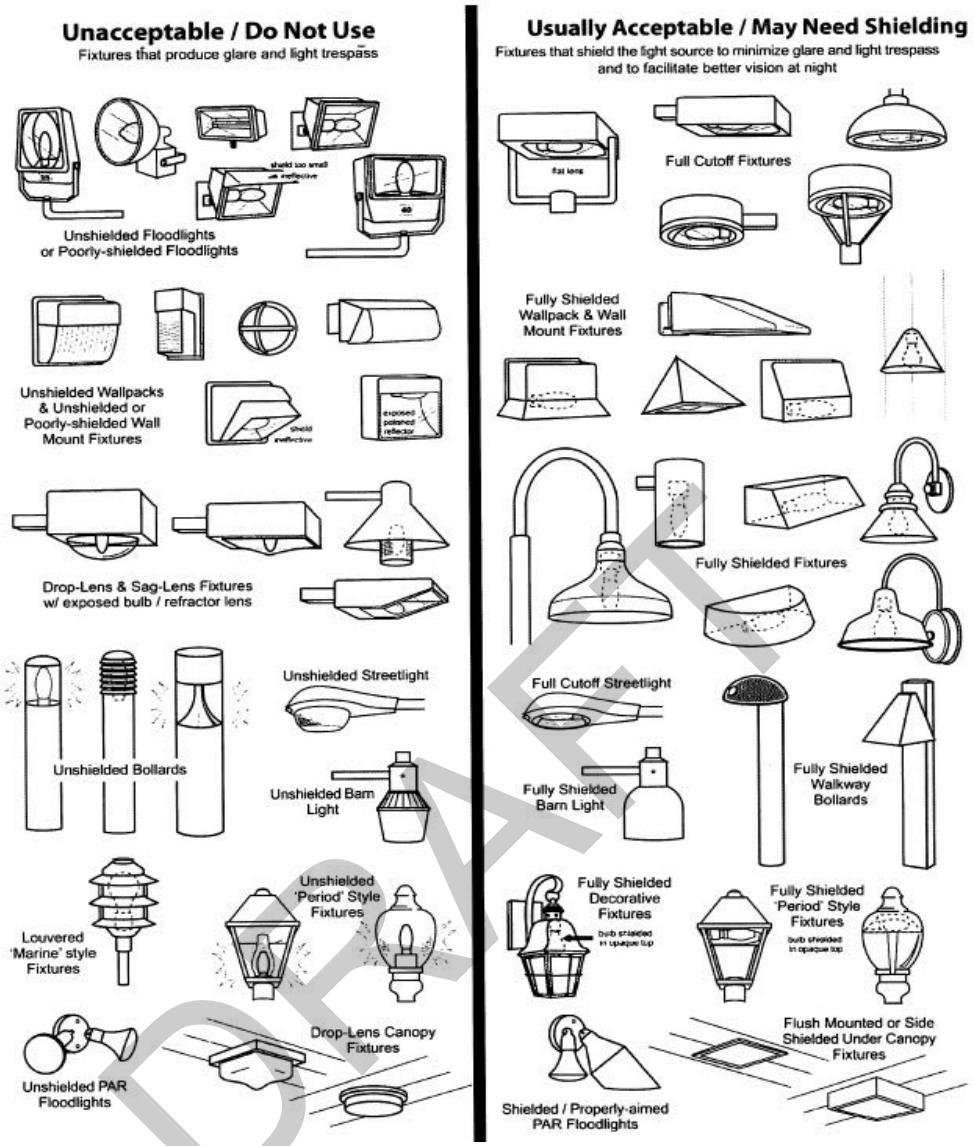

Figure 3.8-4 Unacceptable Fixtures and Fixtures Requiring Shielding

Figure 3.8-4: The lights on the left are nonconforming. Those on the right can be used in most cases. However, the mounting height and proximity to the property line may cause them to need additional shielding to prevent the luminous elements from being visible from any other property.

(2) *Light Direction.* Outdoor lighting fixtures shall direct light so that it does not escape above a horizontal plane running through the lowest point of the luminous elements. (See Figure 3.8-5 and Figure 3.8-6).

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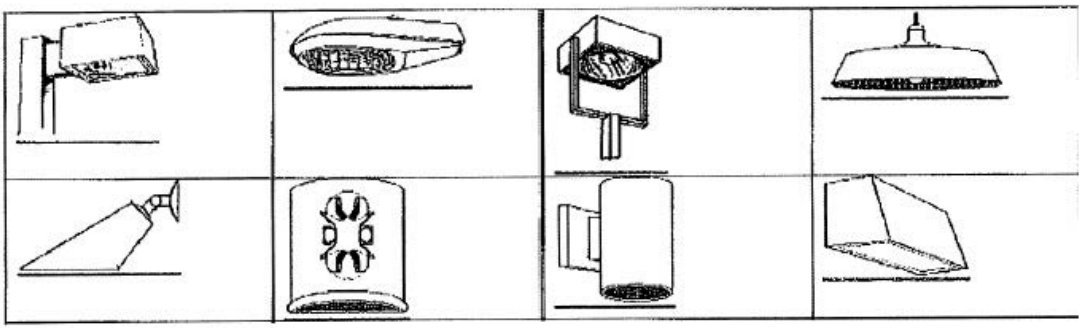

Figure 3.8-5 Lighting Direction – Suggested Elements

Figure 3.8-5: This figure shows examples of fixtures that may conform to the provision to not allow light to escape above a horizontal plane running through the lowest point of the luminous elements if they are closed on top and mounted such that the bottom opening is horizontal. Note that the mounting height and proximity to the property line, or internal optics may cause them to need additional shielding to prevent the luminous elements from being visible from any other property.

A practical way to determine if a light fixture will conform to the provision to not allow light to escape above a horizontal plane running through the lowest point of the luminous elements: the lamp or tube, any reflective surface or lens cover (clear or prismatic) must not be visible when viewed from above or the side.

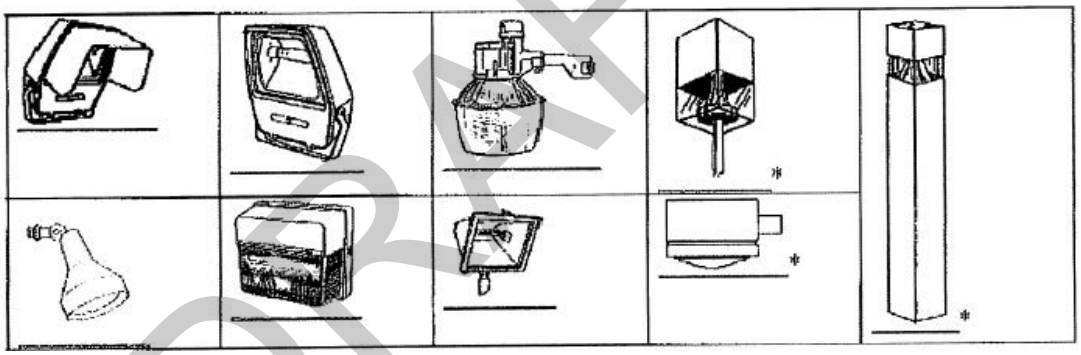

Figure 3.8-6 Lighting Direction – Prohibited Elements

Figure 3.8-6: This figure illustrates examples of fixtures that do not conform to the provision to not allow light to escape above a horizontal plane running through the lowest point of the luminous elements.

**Note: Even though the lamps in these fixtures are shielded from direct view when viewed from the side or above, reflective surfaces within the fixtures and/or lens covers are directly visible from the side.*

(3) *Lumen Cap*. Total outdoor light output (excluding streetlights used for illumination of public rights-of-way and outdoor recreation facilities) shall not exceed the following lumens per acre in any contiguous illuminated area:

a. Mixed-Use and Non-Residential Zoning Districts: 100,000 lumens per acre.

b. AG and Residential Zoning Districts: 25,000 lumens per acre.

(4) *Full Cutoff Fixtures*. Some provisions of this section require full cutoff fixtures. The qualifications for full cutoff fixtures are provided in (see Figure 3.8-7 below.

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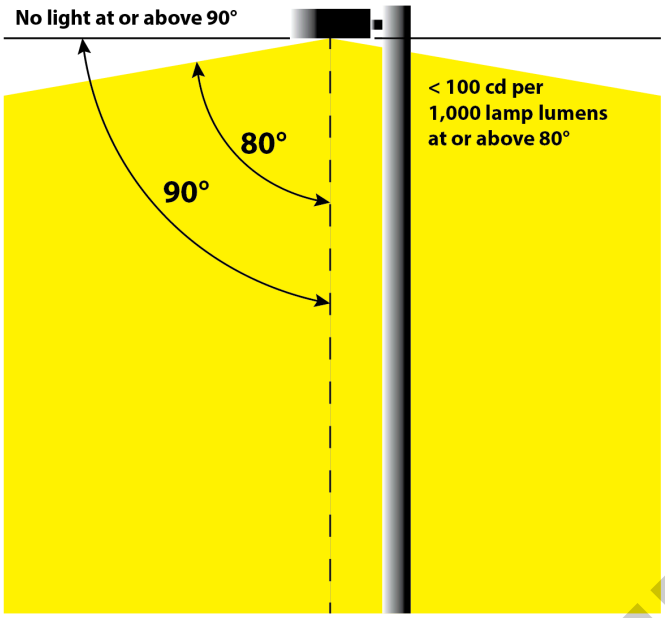

Figure 3.8-7 Full Cutoff Fixtures

Figure 3.8-7: Full cutoff fixtures do not allow any light to be emitted above the fixture. The fixture limits the light output in the first ten degrees below the horizontal, to less than 10% of the total light output.

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(f) Lighting Curfews.

(1) Nonresidential outdoor lighting intended to be left on more than 30 minutes after closing, or the completion of activities, must be reduced to 25% or less of the total outdoor light output allowed. Any method that results in a total outdoor light output of no more than 25% of the total outdoor light output is allowed.

(2) Street lighting, other than at the intersection of roadways, shall utilize half night photocells or timers to turn off the lights halfway between dusk and dawn. Passive reflective roadway markings are required.

(g) Streetlights. Streetlights, if not rated by the B-U-G classification system, shall meet the qualifications for full cutoff fixtures (see Figure 3.8-7). Mounting height or topography may cause the luminous elements of a streetlight to require additional shielding to reduce glare.

(h) Outdoor Recreation Facilities

(1) *Lumen Cap Exemption*

a. Outdoor recreational facilities are not subject to the lumens per net acre limit.

b. Outdoor lighting for sports facilities shall be designed to create minimum off-site spill, glare, and sky glow while honoring the guidelines for class IV play, as defined by the Illuminating Engineering Society of North America (IESNA) publication IES RP-06 or guidelines of a recognized sports organization such as the Texas University Interscholastic League (UIL), Little League, or the United States Soccer League. To be considered a recognized sports organization, the Planning Director must approve the organization's guidelines.

c. Class IV levels of illumination, as defined by IESNA, are required during practices if the competition lighting is established at a higher illumination level than class IV.

(2) *Shielding*. Fixtures used for nonaerial sports, such as track and field, shall be fully shielded. Fixtures used for aerial sports, such as baseball and softball shall be shielded to the full extent possible while also allowing the minimum of vertical illuminance needed by the players to track the ball as stated in writing by a sports lighting engineer recognized by peers as being an expert in that field. The sports lighting vendor must meet the guidelines for the specific sport and have the lowest available off-site spill, glare, and sky glow values.

(3) *Certification* . Lighting systems for outdoor recreational facilities shall be designed and certified by an engineer registered in the state as conforming to all applicable restrictions of this code before construction commences. Further, after installation is complete, an engineer registered in the state shall certify that the lighting system installation is consistent with the certified design.

(4) *Curfew* . No sports facility shall be illuminated between 10:30 p.m. and sunrise, except to conclude a scheduled recreational or sporting event in progress that began prior to 9:30 p.m.

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24.3.9 Parking and Loading

Purpose: This section provides the standard specifications required for the design and layout of off-street parking facilities in the City of Laredo. These specifications provide for the minimum adequate level of internal vehicular movement and maneuvering, ingress and egress, and patron security and convenience.

(a) Applicability

(1) *Generally*. This section applies to all private surface or structured parking facilities in the City, except as provided below.

(2) *Exemptions*. The following are exempt from this section:

a. Facilities owned or operated by the City of Laredo.

b. Any use or development in the CBD or AE district. However, any off-street parking constructed shall comply with this Section.

(3) *Change or Enlargement of Use (Commercial Parking Lots)*

a. This subsection applies if a building or structure Commercial / Mixed-Use (excluding a mixed-use building) or Lodging / Short-Term Rental (excluding short-term rentals) categories in the Use Chart:

1. is constructed, or

2. changes its use to another use in the categories listed above, or

3. expands its use by an increase in floor area, number of employees, number of dwelling units, seating capacity, or

4. otherwise creates a need for an increase in the number of existing parking spaces.

b. Any use subject to this subsection shall provide additional parking spaces as needed to accommodate the new use, expansion, or additional parking demand.

(4) *Construction and Layout*. See the *Layout and Design Standards for Parking Lots* (City of Laredo Engineering Department, June 1990) ("Parking Layout and Design Standards") and Ordinance No. 90-0-107 (adopted July 16, 1990), which documents are incorporated by this reference and made a part of this Chapter.

(5) *Central Business (CBD)*. Although encouraged to consider off-street parking for their customers and residents in their planning, off-street parking is not required within the CBD District. However, any off-street parking that is provided shall be constructed in accordance with this section.

(6) *H (Historic) Districts*. The Building Official upon written application and good cause shown may waive up to fifty (50%) percent of the off-street parking requirements for properties in a historic district or a locally significant historic landmark.

(b) General Requirements

(1) *Parking Spaces for Persons with Disabilities*. Parking for persons with disabilities shall comply with the applicable requirements of the 2010 ADA Standards for Accessible Design (United States Department of Justice, September 15, 2010), as amended and the Texas Accessibility Standards (TAS) adopted pursuant to Texas Government Code, Chapter 469 (*note: see TAS Online at* https://www.tdlr.texas.gov/ab/abtas.htm).

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This applies to both new construction and the alteration of existing parking facilities as provided in 28 CFR Part 36, Subpart D (§§ 36.401 – 36.406), as amended.

(2) *Drainage*. All parking and loading areas shall provide for proper drainage of surface water to prevent ponding and the drainage of such water onto adjacent properties or walkways.

(3) *Maintenance*. The owner of property used for parking and/or loading shall maintain the area in good condition without holes and free of all dust, trash, and other debris.

(4) *Lighting*. Commercial parking lots used during non-daylight hours shall be illuminated so that the parking space and aisle markings are visible from the inside of a parked automobile. Any lights used to illuminate a commercial parking lot shall be arranged to deflect the light away from adjoining residential property.

(c) Building Permit. A building permit is required for the construction of a commercial parking lot unless the parking lot is authorized by a building permit for another building or structure. [*See Article 12 for Construction Plan and Parking Plan submittal requirements*.]

(d) Number of Parking Spaces. The number of required parking spaces is calculated based on existing or proposed principal and accessory uses on site as provided below.

(1) *Surface Parking Lot Coverage.* Surface parking lots shall not occupy more than the following area:

Table 3.9-1 Maximum Surface Parking Ara

Zoning District	Maximum Percent (*of lot, parcel or development*)	Maximum Contiguous Area
AG, R-S, R-1, M-1, M-2	n/a	n/a
R-1A	30%	15,000 sf
R-1B, RSM, R-2, R-3	40%	20,000 sf
R-O, B-1,B-3	50%	8,000 sf
CBD, AE	40%	n/a
B-4	70%	40,000 sf

(2) *Valet Parking Reduction*. Up to 50% of the minimum required parking spaces are reduced if the principal and accessory uses provide valet parking during times of operation, and the combined number of spaces on-site and in the valet facility equals at least half of the spaces otherwise required.

(3) *Occupancy Load Calculation.* Where the number of parking spaces required is based on occupancy loads, those loads are calculated according to the adopted building code. [*Note: this is currently Section 1004 of the International Building Code 2018*].

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Table 3.7-1 Parking Ratios

Use Category	Parking Minimum
Residential	
Residences	
Accessory Dwelling Unit	1/dwelling unit
Dwelling, Single-Family Detached	1/dwelling unit
Dwelling, Two-Family (Duplex)	1/dwelling unit
Dwelling, Multi-Family	1/dwelling unit
Live/Work Dwelling	1/dwelling unit
Manufactured Home	1/dwelling unit
Manufactured Housing Park	1/dwelling unit
Townhouse	1/dwelling unit
Zero Lot Line House	1/dwelling unit
Group Living	
Rooming/Boarding House	1 + 1/3 bedrooms
Community Housing	1 + 1/3 bedrooms
Life Care or Continuing Care Services	1 + 1/3 bedrooms
Retirement Home	1 + 1/3 bedrooms
Residential Care Facilities	1 + 1/3 bedrooms
Lodging / Short-Term Rental	
Bed and Breakfast	1 + 0.75/bedroom
Hotel / Motel	0.75/guestroom
Recreational Vehicle Park	1/4 recreational vehicle or camping spaces
Commercial / Mixed Use	
Animal Services	
Animal Hospital (Indoor)	3/1000 sf
Animal Hospital (Outdoor)	3/1000 sf
General Animal Services	3/1000 sf
Day Care	
Adult Day Care	2/1000 sf
Child Day Care	2/1000 sf
Financial Services	
Automated Teller Machine (ATM)	N/A
Financial Institution	2/1000 sf
Pawnshop	2/1000 sf
Payday Lender	2/1000 sf
Food & Beverage Sales / Service	

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Use Category	Parking Minimum
Alcohol Sales	2/1000 sf
Bar	9/1000 sf
Food Market	2/1000 sf
Food Preparation	3/1000 sf
Food Service	2/1000 sf
Food Truck	4/1000 sf
Food Truck Court	4/1000 sf
Restaurant	4/1000 sf
Smoking Establishment	3/1000 sf
Snack or Beverage Bar	N/A
Mixed Use	
Mixed-Use Building	1/1000 sf
Office, Business & Professional	
Office	2/1000 sf
Personal / Business Services	
Bail Bond Services	2/1000 sf
Buildings or Home Services	2/1000 sf
Business Support Services	2/1000 sf
Crematorium	2/1000 sf
Day Labor Service	1/1000 sf
Funeral & Interment Services	2/1000 sf
General Personal Services	2/1000 sf
Maintenance and Repair Services	2/1000 sf
Retail Sales	
Agriculture sales and service	1/1000 sf
Building Materials Sales and Storage	2/1000 sf
Convenience Store	4/1000 sf
Convenience Store (with Gasoline Sales)	4/1000 sf
Drug and Tobacco Paraphernalia Shop (Head Shop)	2/1000 sf
Flea Market	1/2000 sf land area
Machinery and Equipment Sales, Rental, and Leasing	2/1000 sf
Mobile Vendor	N/A
General Retail	2/1000 sf
Automotive	
Aircraft Repair	N/A
Auto and Truck Repair	2/1000 sf
Auto Repair, Minor	2/1000 sf
Automobile or Vehicle Sales	2/1000 sf

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Use Category	Parking Minimum
Heavy Equipment Sales and Service	2/1000 sf
Car Wash	1 per stall
Gasoline or Diesel Fuel Sales	1/2 fuel pumps
Nationalization/"Nacionalizacion" of Vehicles Enterprise	N/A
Truck Stop	3/1000 sf
Public/Civic/Institutional	
Assembly	
Cemetery/Mausoleum	N/A
Civic Club	2/1000 sf
Exhibition, Convention, or Conference Facility	2/1000 sf
Religious Land Use	9/1000 sf
Government / Non-Profit	
Civic Building	2/1000
Correctional Facilities	2/1000 sf
International Bridge Facility	N/A
Public Safety Facility	2/1000 sf
Rehabilitation Facility and Services	2/1000 sf
Social Assistance, Welfare, and Charitable Services	2/1000 sf
Postal Services	4/1000 sf
Vehicle / Equipment Maintenance Facility	2/1000 sf
Education	
Business College / Technical or Trade School	3/1000 sf
College / University	3/1000 sf
Personal Instructional Services and Display	3/1000 sf
School (Public or Private)	3/1000 sf
Medical	
Hospital	2/1000 sf
Clinic (Dental or Medical)	4/1000 sf
Arts, Entertainment, & Recreation	
Adult Entertainment	4/1000 sf
Amusement Redemption Machine Establishment	5/1000 sf
Civic Space	0.25/1000 sf
Cultural Facility	2/1000 sf
Day Camp	2.5/1000 sf
Entertainment Facility	9/1000 sf
Health/Fitness Club	4/1000
Indoor Amusement	2/1000 sf

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Use Category	Parking Minimum
Outdoor Amusement	8/acre
Shooting Range	2/1000 sf
Studio	4/1000 sf
Industrial / Production	
Manufacturing & Employment	
Contractor	1/1000 sf
Extraction	0.5/1000 sf
Manufacturing, Artisan	0.5/1000 sf
Manufacturing, Light	1/1000 sf
Manufacturing, Heavy	1/1000 sf
Industrial Launderer	1/1000 sf
Warehousing, Storage & Distribution	
Oil and Gas Storage	N/A
Outdoor storage	N/A
Railroad Freight Depot	N/A
Self-Service Storage Facility	0.25/1000 sf
Vehicle Towing and Storage Facility	0.5/1000 sf
Wholesale distribution and sales, warehousing, and storage	0.5/1000 sf
Wholesale distribution and sales, warehousing, and storage (Vehicular)	0.5/1000 sf
Infrastructure	
Transportation / Parking	
Airport	N/A
Ground Passenger Transportation	N/A
Heliport and Miscellaneous Air Transportation	N/A
Parking Facility	N/A
Parking Garage	N/A
Parking Lot	N/A
Railroad Facilities	N/A
Railroad Right-of-Way	N/A
Passenger Terminal	N/A
Transit shelter	N/A
Truck Lot	N/A
Utilities	
Utility (Major)	1/1000 sf
Utility (Minor)	1/1000 sf
Communications Facilities	

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Use Category	Parking Minimum
Antenna	N/A
Communication Tower	N/A
Telecommunications Facility	N/A
Weather / Environmental Monitoring Station	N/A
Waste-related	
Hazardous Waste Disposal	N/A
Hazardous Waste Transfer	N/A
Recycling Plant	0.25/1000 sf
Transfer Station	N/A
Junkyard	0.25/1000 sf
Solid Waste Facility	N/A
Agriculture	
Agricultural Sales	N/A
Farming and Ranching	N/A
Livestock Sales	N/A
Plant Nursery	2/1000 sf
Accessory	
Accessory Building or Structure	N/A
Accessory use (generally)	N/A
Construction Yard	N/A
Home Occupation A	N/A
Home Occupation B	N/A
Model Home	N/A
Outside Storage	N/A
Parking garage, private	N/A
Recycling drop-off center	N/A
Miscellaneous	
Special Events (Temporary)	N/A

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(e) Location of Parking Spaces. The following regulations govern the location of off- street parking spaces and areas:

(1) This subsection describes the permitted location of required parking. Where parking spaces are allowed within a defined distance off-site, measurement is from the property line of the primary use to the driveway of the off-site parking lot using the shortest path between the demarcation points that can be lawfully traveled by foot (including pedestrian corridors, and street crossings at designated crosswalks or on local streets).

(2) Parking spaces for all single-family detached dwellings shall be located on the same lot as the use which they are intended to serve.

(3) Parking spaces for commercial, industrial, or institutional uses shall be located no more than 1,000 feet from the principal use.

(4) In the "H" (Historic) district:

a. Legal and adjacent on-street parking spaces are counted toward required off-street parking. To be considered adjacent, the on-street parking must be located on right-of-way which fronts the site being considered. To be considered legal, the on-street parking must be on a street which allows long-term public parking during business hours (whether metered or un-metered).

b. The Building Official shall determine the off-street parking space credit at the time of building permit approval.

(5) Where an increase in the number of parking spaces is required by a change in use or enlargement, or where those spaces are provided collectively or used jointly by two or more activities or establishments, the required space may be located up to 1,320 feet (1/4 mile) from the principal use.

(6) All required parking must be permanent, and not provided in a temporary manner. The user must reserve the off-premises parking as provided in subsection (f)(3) below.

(7) Parking areas shall not be located in way that destroys required landscaping, such as trees, shrubs, or lawns. The Building Official may reduce the parking space requirements by up to 25% and waive maneuvering space requirements as needed to accommodate this requirement.

(f) Shared Parking

(1) *Applicability.* The off-street parking facilities required by two or more uses may be combined and used jointly.

(2) *Location*. The joint spaces shall be located –

a. On the same building site, or

b. Within 1,320 feet of the building or area that includes each use.

(3) *Reservation of Spaces*. The user of off-premise spaces must demonstrate that they are reserved for the use in a lease agreement or other written, enforceable contract or agreement. The instrument reserving the spaces shall remain in effect during the life of the use that reserves the spaces.

(4) *Number of Spaces*

a. The off-street parking facilities shall be adequate to provide the sum total of the facilities required for all of the uses.

b. Two or more owners or operators of buildings or uses requiring off-street parking or loading facilities may collectively use those facilities if the total minimum number of parking or loading spaces conform with this section when computed separately for each use or building type.

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c. An off-street parking area required for any building or use may be used as part of an off-street parking area required for another building or use where peak use periods do not overlap, as provided below. The required parking spaces are reduced as follows:

1. Determine the minimum parking requirements in accordance with Table 3.9-2 for each land use as if it were a separate use (refer to Section 24.2.16, Table 2.16 1 (Use Table) and Article 10 of the UDC for use categories and definitions of specific uses),

2. Multiply each amount by the corresponding percentages for each of the five time periods set forth in Columns (B) through (F) of Table 3.9-2 below,

3. Calculate the total for each time period, and

4. Select the Column with the highest total. This is the required number of spaces.

Table 3.9-2 Shared Parking Ratios

	Weekday		Weekend		
(A) Land Use	**(B) Daytime (9 a.m. - 4 p.m.)**	**(C) Evening (6 p.m. - midnight)**	**(D) Daytime (9 a.m. - 4 p.m.)**	**(E) Evening (6 p.m. - midnight)**	**(F) Nighttime (midnight 6 a.m.)**
Office Business & Professional or Industrial / Production	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Lodging/Short-Term Rental	75%	100%	75%	100%	75%
Restaurant	50%	100%	100%	100%	10%
Arts, Entertainment & Recreational	40%	100%	80%	100%	10%

d. If an office and retail use share parking and the office space comprises at least 35% of the space and at least 2,000 square feet, the parking required for the retail use is reduced to the lesser of –

1. 80% percent of the parking spaces otherwise required, or

2. 1 parking space per 500 square feet.

e. If a residential use shares parking with a retail use, the parking required for the residential use is reduced by 30 percent or the minimum parking required for the retail and service use, whichever is less.

f. If an office and residential use share off-street parking, the parking requirement for the residential use is reduced to the lesser of –

1. 50 percent of the parking normally required for the residential use, or

2. 1 space per 1,000 square feet.

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g. No parking spaces are required for any residential uses located in the upper floors of a mixed-use building if the ground floor is occupied by retail or office uses.

(g) Parking Space Dimensional Requirements

(1) *Single-Family Dwellings*. The dimensional standards for parking spaces required for single-family detached and two-family (duplex) dwellings and manufactured homes, are 8 feet wide and 16 feet long. Stacking of spaces directly behind another and/or using concrete runners 2' wide for each tire track, is permitted. All spaces for single family dwellings and duplexes shall be paved with concrete or brick.

(2) *All Other Uses.* Parking space dimensional requirements for all other uses shall comply with the *Parking Layout and Design Standards*.

(3) When off-street parking facilities are located adjacent to a public alley, one-half (½) of the alley width is counted toward maneuvering space requirements.

(h) Loading Space Requirements

(1) One off-street loading space shall be provided and maintained on the same lot for every separate occupancy requiring pick-up and delivery of goods and having a modified gross floor area of over 5,000 square feet.

(2) A loading space shall have minimum dimensions of at least 10 feet with the apron and total offset provided below, and a clearance of at least 15 feet.

(3) One loading space shall be provided for each additional 20,000 square feet. For businesses not required to have a loading space, any loading space constructed shall comply with minimum dimensions listed above.

(i) Design and Construction Requirements for Parking and Loading

(1) *Applicability.* This subsection applies to all parking spaces, except for single-family detached and two-family dwellings.

(2) *Generally*. Driveway approaches, paving, and lighting of parking lots shall comply with the *Parking Layout and Design Standards*, except as provided below.

(3) *Delineation*

a. The parking lanes and spaces shall be clearly marked by traffic paint, buttons or other materials meeting specifications and standards set forth by the Texas Department of Transportation minimum standards and *Parking Layout and Design Standards*.

b. *Signs and Markings.* Parking areas having more than one aisle or driveway shall have directional signs or marking in each aisle or driveway.

(4) *Wheel Blocks*. Whenever a parking lot extends to a property line, wheel blocks or other suitable devices shall be installed to prevent any part of a parked vehicle from extending beyond the property line.

(5) *Access and Maneuvering Space Requirements*. All parking areas shall be designed so that any vehicle leaving the parking area travels in a forward motion. Access driveways for parking areas or loading spaces shall be located so that any vehicle entering or leaving the area is clearly visible for a reasonable distance to any

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pedestrian or motorist approaching the access or driveway from a public or private street.

(j) Driveways

(1) *Applicability*. This subsection applies to the R-O, B-1, B-3, B-4, M-1 and M-2 districts.

(2) *Generally*. Access driveways shall comply with the *Parking Layout and Design Standards*, except as provided below.

(3) *Marking*. The entrances and exits to the parking area shall be clearly marked.

(4) *Width*. Entranceways or exits shall maintain the following minimum standards:

Table 3.9-3 Driveway Widths for Parking Areas

Type of Driveway Approach	Width	
	Min	Max
Residential Zoning Districts		
One-way traffic	12 feet	18 feet
Two-way traffic	14 feet	22 feet
MX and C Districts		
One-way traffic	14 feet	16 feet
Two-way traffic	22 feet	30 feet
I-1 and I-2 Districts		
One-way traffic	14 feet	24 feet
Two-way traffic	14 feet	30 feet
Public Parking Lots		
One-way traffic	12 feet	22 feet
Two-way traffic	22 feet	30 feet

Note: this standard supersedes the driveway approach standards of the Parking Layout and Design Standards.

(5) *Distance from Intersection*. The nearest edge of any driveway shall be at least 50 feet from the property corner nearest the intersection.

(k) Dead Storage Parking Lots. Where the sole purpose of a commercial parking lot is dead storage, and the parking lot does abuts a residential district or development, paving shall be provided as follows:

(1) There shall be a concrete apron at the entrance of the parking lot.

(2) Landing pads shall be provided. The landing pads shall be paved with:

a. Concrete,

b. Asphalt,

c. Turf,

d. Pervious pavement,

e. Grasscrete or grass pavers, or

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f. Other surface approved by the Building Official that provides a durable, dustless and continuous (from point of access to edge of public street) all weather surface that is appropriately structured and bordered for permanence.

(3) All unpaved dead storage parking areas shall be covered in caliche and treated with oil or an oil base compound at least once a year.

(4) A solid opaque wall of at least 10 feet in height shall be erected around the parking lot.

(l) Modification of Parking Requirements

(1) *Applicability.* The Planning and Zoning Commission may authorize a reduction of all of these parking requirements.

(2) *Exception*. For a change in use in a "B-4" district that requires additional parking, the additional parking and maneuvering space requirements shall not be waived or reduced, where access is to major streets listed on the current, functional classification map of the City.

(3) *Criteria*. The modification:

a. must demonstrate that following the parking requirements would create an undue hardship

b. shall not infringe on vehicular or pedestrian traffic safety,

c. include conditions that protect adjoining residential areas, and

d. be consistent with all other provisions of this Chapter and the City's Comprehensive Plan.

24.3.10 Riparian Buffers

Purpose: this section establishes minimal acceptable requirements for the design of buffers to protect the streams, wetlands and floodplains of Laredo, Texas; to protect the water courses, reservoirs, lakes, and other significant water resources within Laredo, Texas; to protect Laredo's riparian and aquatic ecosystems; and to provide for the environmentally sound use of Laredo's land.

(a) Applicability

(1) *Geographic Scope*. This section applies to the City of Laredo.

(2) *Activities Covered.* This section applies to:

a. development subject to this Chapter, and

b. surface mining operations, except that the design standards do not apply to active surface mining operations that are operating in compliance with an approved U. S. Department of the Interior surface mining permit.

(3) *Exemptions*. This section does not apply to:

a. development that does not contain a stream system, or

b. activities that were initiated prior to the effective date of this ordinance and:

1. has a valid, unexpired permit in accordance with development regulations; or

2. has a current, executed public works agreement; or

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3. has a valid, unexpired building permit; or
4. has a complete, unexpired plat application; or
5. has a current, approved master plan on file with the City of Laredo Planning Department; or
6. is platted property.

(b) Preservation and Buffering Requirements

(1) All third order and higher stream systems including the Rio Grande shall be preserved and buffered in accordance with this section.

(2) First and Second order stream systems which include any of the following criteria shall be preserved and buffered in accordance with this section unless the requirements of subsection (f)(conservation plans) are satisfied.

a. An environmentally sensitive area.

b. Wetlands and protected waters according to the Wetland Map.

c. Existing trees with a caliper equal to or greater than 8 inches (excluding salt cedar) within the stream channel or potential stream buffer.

(c) Protected Waters

(1) *Generally*. As used in this section, "protected waters" means:

a. All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

b. All interstate waters, including interstate wetlands;

c. All impoundments of waters otherwise identified as protected waters under this section;

d. All tributaries (as defined in subsection (3)c of this section) of waters identified in subsections (1)a through c above;

e. All waters adjacent to a water identified in subsections (1)a through d above, including wetlands, ponds, lakes, oxbows, impoundments, and similar waters;

f. All waters located within the 100-year floodplain of a water identified in subsections (1)a through c above and all waters located within 4,000 feet of the ordinary high water mark of a water identified in subsections (1)a through d above where they are determined on a case-specific basis to have a significant nexus to a water identified in subsections (1)a through d above. For waters determined to have a significant nexus, the entire water is a protected water if a portion is located within the 100-year floodplain of a water identified in subsections (1)a through c above or within 4,000 feet of the ordinary high water mark. Waters identified in this subsection shall not be combined with waters identified in subsection (1)e above when performing a significant nexus analysis. If waters identified in this paragraph are also an adjacent water under subsection (1)e, they are an adjacent water and no case-specific significant nexus analysis is required.

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(2) *Exclusions from Protected Waters*. The following are not "protected waters" even where they otherwise meet the terms of subsection (1) above.

a. Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the federal Clean Water Act. This exclusion applies only to manmade bodies of water which neither were originally created in protected waters (such as disposal area in wetlands) nor resulted from the impoundment of protected waters.

b. Prior converted cropland, as determined by the Planning Director.

c. The following ditches:

1. Ditches with ephemeral flow that are not a relocated tributary or excavated in a tributary.

2. Ditches with intermittent flow that are not a relocated tributary, excavated in a tributary, or drain wetlands.

3. Ditches that do not flow, either directly or through another water, into a water identified in subsections (1)a through c of this definition.

d. The following features:

1. Artificially irrigated areas that would revert to dry land should application of water to that area cease;

2. Artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, settling basins, fields flooded for rice growing, log cleaning ponds, or cooling ponds;

3. Artificial reflecting pools or swimming pools created in dry land;

4. Small ornamental waters created in dry land;

5. Water-filled depressions created in dry land incidental to mining or construction activity, including pits excavated for obtaining fill, sand, or gravel that fill with water;

6. Erosional features, including gullies, rills, and other ephemeral features that do not meet the definition of tributary, non-wetland swales, and lawfully constructed grassed waterways; and

7. Puddles.

e. Groundwater, including groundwater drained through subsurface drainage systems.

f. Stormwater control features constructed to convey, treat, or store stormwater that are created in dry land.

g. Wastewater recycling structures constructed in dry land; detention and retention basins built for wastewater recycling; groundwater recharge basins; percolation ponds built for wastewater recycling; and water distributary structures built for wastewater recycling.

(3) *Definitions*. In this subsection, the following terms apply:

a. *Adjacent*. The term adjacent means bordering, contiguous, or neighboring a water identified in subsections (1)a through d of this definition, including waters

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separated by constructed dikes or barriers, natural river berms, and the like. For purposes of adjacency, an open water such as a pond or lake includes any wetlands within or abutting its ordinary high-water mark. Adjacency is not limited to waters located laterally to a water identified in subsections (1)a through d of this subsection. Adjacent waters also include all waters that connect segments of a water identified in subsections (1)a through d or are located at the head of a water identified in subsections (1)a through d of this subsection and are bordering, contiguous, or neighboring such water. Waters used for established normal farming, ranching, and silviculture activities (see 33 U.S.C. 1344(f)) are not adjacent.

b. *Neighboring*. The term neighboring means:

1. All waters located within 100 feet of the ordinary high-water mark of a water identified in subsections (1)a through d of this subsection. The entire water is neighboring if a portion is located within 100 feet of the ordinary high-water mark;

2. All waters located within the 100- year floodplain of a water identified in subsections (1)a through d of this subsection and not more than 1,500 feet from the ordinary high-water mark of such water. The entire water is neighboring if a portion is located within 1,500 feet of the ordinary high-water mark and within the 100-year floodplain;

c. *Tributary and tributaries*. The terms tributary and tributaries each mean a water that contributes flow, either directly or through another water (including an impoundment identified in subsection (1)c of this subsection), to a water identified in subsections (1)a and b of this subsection that is characterized by the presence of the physical indicators of a bed and banks and an ordinary high-water mark. These physical indicators demonstrate there is volume, frequency, and duration of flow sufficient to create a bed and banks and an ordinary high-water mark, and thus to qualify as a tributary. A tributary can be a natural, man-altered, or man-made water and includes waters such as rivers, streams, canals, and ditches not excluded under subsection (2) of this subsection. A water that otherwise qualifies as a tributary under this subsection does not lose its status as a tributary if, for any length, there are one or more constructed breaks (such as bridges, culverts, pipes, or dams), or one or more natural breaks (such as wetlands along the run of a stream, debris piles, boulder fields, or a stream that flows underground) so long as a bed and banks and an ordinary high-water mark can be identified upstream of the break. A water that otherwise qualifies as a tributary under this subsection does not lose its status as a tributary if it contributes flow through a protect water that does not meet the definition of tributary or through a non-jurisdictional water to a water identified in subsections (1)a and b of this subsection.

d. *Wetlands*. The term wetlands means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and

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that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

e. *Significant nexus*. The term significant nexus means that a water, including wetlands, either alone or in combination with other similarly situated waters in the region, significantly affects the chemical, physical, or biological integrity of a water identified in subsections (1)a and b of this subsection. The term ''in the region'' means the watershed that drains to the nearest water identified in subsections (1)a and b of this subsection. For an effect to be significant, it must be more than speculative or insubstantial. Waters are similarly situated when they function alike and are sufficiently close to function together in affecting downstream waters. For purposes of determining whether or not a water has a significant nexus, the water's effect on downstream subsections (1)a and b waters shall be assessed by evaluating the aquatic functions identified in subsections 1 through 9 of this below. A water has a significant nexus when any single function or combination of functions performed by the water, alone or together with similarly situated waters in the region, contributes significantly to the chemical, physical, or biological integrity of the nearest water identified in subsections (1)a and b of this subsection. Functions relevant to the significant nexus evaluation are the following:

1. Sediment trapping,
2. Nutrient recycling,
3. Pollutant trapping, transformation, filtering, and transport,
4. Retention and attenuation of flood waters,
5. Runoff storage,
6. Contribution of flow,
7. Export of organic matter,
8. Export of food resources, and
9. Provision of life cycle dependent aquatic habitat (such as foraging, feeding, nesting, breeding, spawning, or use as a nursery area) for species located in a water identified in subsections (1)a and b of this subsection.

f. *Ordinary high water mark*. The term ordinary high water mark means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

(d) Design Standards for Stream Buffers. The width for vegetative buffers depends on the order of the stream developed.

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Table 3.10-1 Stream Buffers

Stream Order	Buffer Width	
	(min)	*(max)*
	(measured from either side of the centerline)	
First and second order streams	55 feet	105 feet
Third order stream or above	55 feet + 25 feet for each level of increase in stream order. *(Example: a fourth order stream has an 80-foot buffer, a fifth order stream has a 105-foot buffer, etc.)*	105 feet
Rio Grande	Lesser of the 100-year flood plain or 300 feet from the centerline of the watercourse	n/a

(1) The applicant shall install permanent boundary signs approved by the ESD Director after construction is completed.

(2) All development shall comply with the City's Floodplain Management Ordinance (2002-O-164) and Storm Water Management Ordinance (99-O-186)

(3) The buffer width on each side of the stream may vary (in both width and length) if the total square footage of the buffer remains the same for the stream order. However, the buffer shall not fall below 25 feet on any side.

(4) The first 30 feet of buffer immediately adjacent to the centerline of streams and first 125 feet adjacent to the Rio Grande centerline containing undisturbed native vegetation, is restricted to permitted road, utility crossings, storm water management facilities and recreational facilities approved by the city. The remainder of the buffer, also containing native vegetation, is restricted to utility right of ways, designated biking/hiking paths, storm water management facilities, and recreational facilities by the City.

(e) Design Standards for Existing Ponds and Buffers

(1) Existing ponds may be used as storm water management facilities, in accordance with Section 24.4.5, if a conservation plan is submitted (see Article 12). An existing pond used as a storm water management facility shall have a buffer width of at least 20 feet in addition to the Maintenance Access Easement requirements (see Section 24.4.5(c)(5) (Stormwater Management - Retention / Detention Facilities)).

(2) The area of the 20-foot buffer may include the embankment as long as the total square footage is maintained.

(f) Tree Mitigation. Where disturbance of protected first or second order stream systems are proposed and trees are removed:

(1) All 4-inch caliper or greater trees removed must be replaced by an equal caliper sized tree of the same species except salt cedar; or smaller trees of the same tree species that equal the caliper of the removed tree (i.e.: 4 one inch trees to replace a 4-inch caliper tree).

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(2) The replacement tree(s) must be located within the stream system or buffer on the property where the removed tree was located.

(3) Twenty-five percent of the original tree species must be replaced with the same species. The remaining 75% of original tree species may be replaced with favorable species determined and listed by the Tree Board.

(g) Buffer Management and Maintenance

(1) *Management*. Protected stream systems and vegetative buffers shall be managed to enhance and maximize the unique value of these resources. Management includes specific limitations on alteration of the natural conditions of these resources. The following practices and activities are restricted within the vegetative buffer:

a. Clearing of any existing vegetation;

b. Soil disturbance by grading, stripping, or other practices;

c. Filling or dumping;

d. Use, storage, or application of herbicides.

(2) *Activities in Buffer*. The following structures, practices, and activities are permitted in the vegetative buffer, with specific design or maintenance features:

a. *Roads, Bridges, Sidewalks, and Utilities*.

1. These facilities may be constructed if:

a. they are required by the City;

b. access to the property would be hindered or compromised because of the property's location; or

c. if conditions specific to the land require it.

2. In any of these instances the ESD Director may administratively grant approval or deny the request for the construction of the structure/s. The applicant may appeal a denial of the request to the Planning and Zoning Commission whose decision is final.

3. The right-of-way shall be the minimum width needed to allow for maintenance access and installation.

4. The angle of the crossing shall be as near to perpendicular as allowed by the ESD Director. The applicant may appeal a denial of the proposed angle crossing to the Planning and Zoning Commission whose decision is final.

5. The applicant shall minimize the number of road crossings within each subdivision. No more than one road crossing is allowed for every 1,200 feet of buffer.

b. *Storm Water Management*

1. Stormwater management facilities may be constructed if they are required by the City, the facilities are necessary for flood control or significantly improves water quality or habitat in the stream. In any of these instances the ESD Director may administratively grant approval or deny the request for the construction of the structure/s. The applicant may appeal a denial of the request to the Planning and Zoning Commission whose decision is final.

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2. The applicant shall observe "best management practices" (i.e., BMPs) when constructing storm water management facilities. The area cleared is limited to the area required for construction and adequate maintenance access as outlined in the most recent edition of City of Laredo Storm Water Management Ordinance.
3. Material dredged or otherwise removed (during construction or maintenance) from a storm water management facility shall be stored outside the buffer.

c. Stream restoration projects approved by the ESD Director are permitted within the vegetative buffer.

d. Water quality monitoring and stream gauging are permitted within the vegetative buffer as approved by the ESD Director.

e. Individual trees within the buffer that are in danger of falling, causing damage to dwellings or other structures, or causing blockage of the stream, may be removed. Other tree cutting techniques approved by the ESD Director may be undertaken within the vegetative buffer under the advice and guidance of the Tree Board if necessary to preserve the riparian forest from extensive pest infestation and disease infestation.

f. Selective clearing for health and safety purposes is allowed as determined by the Fire Chief and/or the Health Department Director.

(3) The Final Plat and all right-of-way plans shall clearly show the extent of any vegetative buffer on the subject property.

(4) All protected vegetative buffer areas and stream systems shall run with the land and continue in perpetuity. Protected vegetative buffer areas and stream systems may be dedicated to the public by separate instrument (which must be submitted to the City Engineer for approval and recorded in the land records) unless the protected vegetative buffer area and stream system is dedicated to the public on the face of an approved plat. If the owner of the property desires to keep the stream system and buffer private, there shall be a covenant (which must be submitted to the City Engineer for approval and recorded in the land records) restricting the use of the stream system and buffer to uses set forth herein, and the owner must ensure that the stream system and buffer shall be maintained by the owner, his heirs, successors and assigns as long as the stream system and buffer remain private.

(5) The ESD shall inspect the buffer annually and immediately following severe storms for evidence of sediment deposition, erosion, or concentrated flow channels. Corrective actions shall be taken to ensure the integrity and functions of the vegetative buffer.

(6) The City of Laredo will maintain all vegetative buffer and stream systems that are created pursuant to section 24.4.1(b)(2)(Standard Technical Specification Manual - Optional Specifications) and dedicated to the public.

a. A licensed surveyor shall provide a tree survey.

(h) Incentives

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(1) *Conservation Plan Waiver*. If buffer widths on first and second order streams are strictly adhered to, the conservation plan requirement shall be waived.

(2) *Park Development*. Credit shall be given as determined by the Planning Director for the development of Linear Parks around natural drainage and wooded areas that provide potential recreational uses. Criteria for flood plain areas (based upon a hundred-year flood plain) that is dedicated as parkland, will be given credit as determined by the Parks and Recreation Director by meeting the following requirements:

- **a.** Floodplain and natural drainage area are credited toward total parkland dedication requirements to the extent provided by section 24.4.4.
- **b.** The dedicated parkland shall comply with all applicable criteria of section 24.4.4.
- **c.** The Director of the Parks and Recreation Department shall determine whether land offered for dedication complies with the standards for dedication as provided in the Parks Master Plan.

(3) *Storm water discharges into large creeks.* For development adjacent to the main stem of Sombrerito Creek, below Middle Pasture Lake, and Chacon Creek below Lake Casa Blanca, storm water discharge does not require detention facilities if there is compliance with the floodplain management ordinance and storm water management ordinance.

(4) *On-site detention within the plat boundaries of residential subdivision*

- **a.** For detention ponds in residential developments voluntarily created to enhance the protection of 1st & 2nd order streams, the required private maintenance shall extend to the warranty period as provided by other ordinances.
- **b.** When a first or second order stream within development is voluntarily protected, a R.O.W. section may be similarly modified as provided below

(5) *Commercial subdivisions distributed detention*

- **a.** Distributed detention on commercial subdivisions where streams are to be voluntarily protected is allowed, deferring the construction of required storm water detention facilities to the building permit (construction) phase, if the deferral is approved at final platting and covered by a note on the face of the plat.
- **b.** If a development includes a protected stream system, the required detention volume may be distributed over the site if the plat is annotated with a note indicating the "Q" (volumetric discharge) of each lot.
- **c.** The required private maintenance period for off-line detention facilities shall extend to the warranty period. Warranties shall remain in effect as provided by other ordnances.
- **d.** For developments where all lots are at least one acre in area, minimum storage requirements for detention as well as maximum discharge rate requirements shall be included on the plat for each lot, specifying the requirement for each lot to individually meet the requirements of the Storm Water Management

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Ordinance included in the City of Laredo Land Development Code during the building permit process. A note approved by the City of Laredo Planning Department indicating the requirement shall be included on the face of the plat. Calculations for the lot storage volumes and discharge rates shall be approved by the City Engineer in conjunction with their review of the improvement plans for the development during the platting process.

(6) *Park credit transferability*

a. Voluntary protection of first and second order streams entitle the owner to a park credit for the stream system protected and its surrounding buffer on an equivalent square footage basis. If the following criteria is met:

1. Flood plain and natural drainage area shall generally not exceed 25% of the site;

2. At least 50% of the buffer shall have slopes in the range of 2% and not to exceed 5%, be well drained and suitable for active use;

3. Additional park requirements, if any, shall be incorporated (be adjacent) to any buffer.

4. The buffer and the park space shall be reviewed by the Parks and Recreation Director to ensure that the buffer and park space requirement comply with the City Standards for Dedication as a park and buffer.

5. If the buffer and park meet the requirements of this subsection, the Parks and Recreation Director shall make a recommendation to the City Council regarding the acceptance of said buffer and park.

b. Mandatory protected third order streams and higher qualify for a park credit for the surrounding buffer on an equivalent square footage basis. If the following criteria is met:

1. Flood plain and natural drainage area shall generally not exceed 25% of the site;

2. At least 50% of the buffer shall have slopes in the range of 2% and not to exceed 5%, well drained and suitable for active use;

3. Additional park requirement, if any, shall be incorporated (be adjacent to) any buffer.

4. The buffer and the park space shall be reviewed by the Parks and Recreation Director to ensure that the buffer and park space requirement comply with the City standards for dedication as a park and buffer.

5. If the buffer and park meet the requirements set forth herein the Parks and Recreation Director shall make a recommendation to the City Council regarding the acceptance of the buffer and park.

c. Park credits obtained pursuant to this provision are transferable but may only be used within the Council District in which they were originally acquired.

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d. If there is first or second order stream systems located on a tract of 10 acres or smaller and the owner or said tract voluntarily preserves the stream system, the owner is entitled to a park credit.

e. Any decision by the Parks and Recreation Director which does not favor the acceptance of park and buffer may be appealed to the Planning and Zoning Commission for a recommendation regarding the acceptance of the park and buffer to the City Council.

(i) Waivers / Variances

(1) The ESD Director may grant a variance for the following:

a. Those projects or activities for which it can be demonstrated that strict compliance with the ordinance would result in a practical difficulty.

b. Those projects or activities serving a public need where no feasible alternative is available

(2) The City of Laredo may, as deemed appropriate by the ESD Director, give credit towards the average buffer width on the platted property for the restoration of riparian habitat and/or installation of a wetlands area within the property boundaries if the installations are ecologically integrated with the riparian system. The square footage of the restored area or wetlands area shall be credited toward the square footage required for the buffer zone.

(3) The applicant shall submit a written request for a variance to the ESD Director. The application shall include specific reasons justifying the variance and any other information necessary to evaluate the proposed variance request. The ESD Director may require an analysis demonstrating undue hardship would result from a strict application of the ordinance.

(4) In granting a request for a variance, the ESD Director may require site design, landscape planting, fencing, and signs.

(j) Appeals Procedures. See Article 5.

(k) Conflict with Other Regulations. Where the standards and management requirements of this buffer ordinance are in conflict with other laws, regulations, and policies regarding streams, steep slopes, erodible soils, wetlands, floodplains, timber harvesting, land disturbance activities, or other environmental protective measures, the more restrictive standard applies.

24.3.11 Site Design

(a) Applicability. This section applies to any application for a site plan or subdivision plat approval. For purposes of this section, a "street" includes public streets created by a subdivision plat, or private drives that conform to public street standards.

(b) Blocks

(1) *Maximum Block Perimeter*. Blocks shall not exceed the length around their perimeter established in Table 3.11-1 below. This standard applies to blocks formed by public streets in subdivisions, or by private streets or drives in multi-use or mixed-use developments as provided in subsection (2) below.

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Table 3.11-1 Maximum Block Perimeter

	Express way	Multiway Boulevard	Principal Arterial	Minor Arterial	Collec tor	Industrial Collector	Main Street	Yield Street
Agriculture (AG)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Residential Suburban (R-S)	n/a	2,000	2,000	2,000	2,000	n/a	4,800	4,800
Single Family Residential (R-1)	n/a	2,000	2,000	2,000	2,000	n/a	4,800	4,800
Single Family Reduced Area (R-1A)	n/a	2,000	2,000	2,000	2,000	n/a	2,400	2,400
Single Family High Density (R-1B)	n/a	1,800	1,800	1,800	1,800	n/a	1,800	1,800
Residential/Office (R-O)	n/a	1,800	1,800	1,800	1,800	n/a	1,200	1,800
Limited Business (B-1) Community Business (B-3)	n/a	1,800	1,800	1,800	1,800	n/a	1,200	1,800
Central Business (CBD) Arts and Entertainment (AE)	n/a	1,800	1,800	1,800	1,800	n/a	1,200	1,800
Highway Commercial (B-4)	n/a	2,000	2,000	2,000	2,000	n/a	1,200	1,800
Light Manufacturing (M-1)	n/a	4,000	4,000	4,000	4,000	n/a	1,200	4,000
Heavy Manufacturing (M-2)	n/a	4,000	4,000	4,000	4,000	n/a	1,200	4,000
Planned Unit Development (PUD)	n/a	2,000	2,000	2,000	2,000	n/a	1,200	1,800
ETJ (Subdivision Plat)	n/a	2,000	2,000	2,000	2,000	n/a	1,200	1,800

(2) *Block Measurement*. For purposes of this subsection, blocks are measured from curb to curb, regardless of whether the street is public or private.

(3) *Walkways*. Walkways within a pedestrian access easement or tract are required at the end of cul-de-sacs or closed end streets and at the approximate midpoint of any block exceeding six hundred feet (600') in length. The required access easements or tracts must be at least 15 feet wide and contain a paved path at least 8' wide. The walkways shall be included as part of a maintenance agreement (see section 24.4.3). Street lighting is required as provided in section 24.4.6 (Streets).

(c) Lots

(1) If a proposed residential subdivision abuts a collector, arterial, boulevard or expressway street, lots that are smaller than the average lot size in the subdivision and lots reserved for attached dwelling units may abut those streets.

(2) Lots that abut riparian buffers or passive open space shall exceed the average lot size in a subdivision plat by at least 20%.

(d) Street Network and Connectivity

Purpose: This subsection ensures that street layouts respond to local conditions such as topography, watercourses, greenways and the existing street systems of neighboring developments. Local street patterns may discourage through traffic but should also include interconnecting streets with

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alternative routes throughout the neighborhood to diffuse automobile traffic and shorten walking distances. A well-connected street network spreads traffic efficiently, and provides greater opportunities for access and circulation of motor vehicle, pedestrian, and bicycle modes of travel.

(1) *Network.* Buildings and sites exceeding the thresholds identified in Table 3.11-2 below shall include a street and block network.

(2) *External Connectivity*

a. Where adjoining areas are not subdivided, the arrangement of streets in a subdivision shall provide for the extension of streets into the unsubdivided areas.

b. The site design shall arrange parcels to allow the opening of future streets and logical further subdivision.

c. Proposed streets shall extend to the boundary lines of the tract to be subdivided or developed, unless prevented by topography or other physical conditions, or unless the Planning Director determines that the extension is not necessary or desirable to coordinate the subdivision or development layout with the existing layout or the most advantageous future development of adjacent tracts.

d. At least one (1) street shall extend to the boundary line of the tract for each 600 linear feet of the boundary line with adjoining tracts. This section does not require designated local streets to extend into riparian buffers, tree save areas, or other natural features or existing development that does not accommodate the connection. This subsection does not apply to the M-1 or M-2 zoning districts.

(3) *Internal Connectivity*

a. The following terms are defined for purposes of this subsection only:

1. A "**Street Link**" is that portion of a street that lies between 2 nodes.

2. A "**Node**" is the intersection of two (2) or more streets, a cul-de-sac head or a dead-end. The following are not considered Nodes:

a. An **eyebrow**. An eyebrow is a semicircular shaped portion of a street that is configured so that a circle with a radius of thirty (30) feet can fit within the confines of the paved portion of the surface.

b. External intersections. The intersection of a local street within the proposed subdivision with an external public street that connects to the proposed subdivision is not considered a node in computing the connectivity ratio.

3. **A "Pedestrian Connection**" is a pedestrian accessway or portion of a development's trail system that connects a dead-end street, cul-de-sac, or T-intersection to another public street or to a commercial or office development that is built, approved, or designated as part of the proposed development. Pedestrian accessways or trails that connect only to parks, greenways or recreational areas are not counted as a pedestrian connection for purposes of calculating the connectivity ratio.

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b. Streets within any proposed subdivision or site plan with a network of private drives shall provide a connectivity ratio as provided in Table 3.11-2 below. The **connectivity ratio** is computed by dividing the number of street links and pedestrian connections by the number of nodes within the development.

c. The Planning and Zoning Commission may modify the connectivity ratio by counting a feature as a street link or pedestrian connection or reducing the required ratio if:

1. Existing topography or natural features make the required number of connections impractical, and

2. The applicant provides alternative solutions that substantially accomplish the purposes of this section.

(e) Orientation.

(1) *Buildings*

a. Principal buildings on a site shall orient to a street, civic space, or open space. A principal building shall not orient to a parking lot except to the extent permitted by Table 3.11-2 below. For purposes of this subsection:

b. Principal buildings shall orient to the fronts of other buildings, or the sides where necessary. Buildings shall not orient to the backs of other buildings.

(2) *Parking*. To create an interesting street frontage and to deemphasize front-loaded parking, the number and percent of parking spaces located between the principal building and a public or private street (other than an alley) shall not exceed the number specified in Table 3.11-2 below.

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Table 3.11-2 Connectivity and Parking Orientation

Zoning District	Connectivity Ratio (*see subsection (3)b above*)	Threshold for Street Network*	Front-Loaded Parking Space Limit	
			Number *(max)*	**Percent** *(max)*
Agriculture (AG), Residential Low (RL-1), Residential Low (RL-2)	1.2 (Base Option) n/a to Cluster or Conservation Option	n/a	n/a	n/a
Residential Medium (RM)	1.2	1 acre or 35 DU	n/a	15%
Residential High (RH)	1.3	1 acre or 35 DU	10	15%
Mixed Use (MX-1)	n/a	1 acre or 30,000 sf	15	10%
Mixed Use (MX-2)	n/a	1 acre or 30,000 sf	10	5%
Downtown (MX-3)	n/a	1 acre or 30,000 sf	0	0%
Commercial (C)	n/a	3 acres or 60,000 sf	60	20%
Industrial Light (I-1), Industrial Heavy (I-2)	n/a	n/a	n/a	n/a
Planned Development District (PD)	n/a	3 acres or 60,000 sf	60	15%
ETJ (Subdivision Plat)	n/a	1 acre or 30,000 sf	30	15%

* All subdivision plats must include a street network.

24.3.12 Traffic Impact Analysis Standards

Purpose: A traffic impact analysis (TIA) identifies the relationship between land use and transportation systems. The TIA ensures adequate review and consideration of the potential impacts of proposed development on the surrounding thoroughfare and local street system.

(a) Applicability

(1) *Generally*. A traffic impact analysis (TIA) is required for applications for rezoning and site plan review.[5]

(2) *Waiver of Requirement*. If the proposed development or rezoning generates less than 1,000 average daily trips, the city's traffic engineer may waive the requirement.[6]

(b) Adopted Level of Service ("LOS"). A level of service "C" is the design objective for the city. A TIA must attempt to identify sufficient transportation improvements to achieve or maintain a level of service "C" or better.

(c) Study Area. The minimum transportation impact study area shall include the entire neighborhood plus any neighborhood that abuts or is adjacent to the proposed development.

(d) Contents.

(1) *Completion by Registered Professional Engineer*. The traffic impact analysis shall be completed by a registered professional engineer with a background in traffic engineering.

(2) *Report Requirements*. Specific report requirements may vary depending on the site location and characteristics, geographic area, and size and type of development. However, each TIA must clearly state all assumptions and methodologies, and at a minimum include the following:

a. Transportation System.

1. Vicinity map that relates the site location to the thoroughfare and local street system.

2. Thoroughfare designation according to the city thoroughfare plan.

3. Number of roadway lanes, lane widths, and right-of-way widths.

4. Traffic signal locations.

b. Land Uses

1. Existing and proposed (if applicable) land use characteristics for the subject site.

2. Number of acres (gross and net) classified by zoning and density.

3. Approximate gross square footage of existing and proposed structures.

(e) Background Traffic

(1) *Existing Conditions*

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a. Current traffic counts (both average daily traffic and morning and afternoon peak hours) on thoroughfares and collectors around the site shall be collected for the TIA and the counts shall be not more than one year old. The city's most current annual traffic counts may be used for the TIA if available.

b. Turning movements at critical intersections should be collected for the intersection's analysis.

c. For proposed new developments, if the site will be built in the future year, projected growing traffic volume, calculated by using a growth factor, between the current year and a tentative built year should be added to the current traffic counts. The growth factor will be determined by the city based on historical data from the city's annual counts.

(2) *Projected Build-Out Assumptions*

a. Projected traffic volume for build-out scenarios will be provided by the city by using the results from Laredo travel demand model (TDM) model completed by the Webb County-City of Laredo Regional Mobility Authority for the Webb County-City of Laredo Regional Mobility Authority.[7]

b. Projected traffic volume for the streets, which were not included in the TDM model, should be calculated by using a growth factor. The growth factor will be provided by the city based on historical data from the city's annual counts.

(f) Site Traffic and Trip Generation

(1) Assume full development and occupancy.

(2) Show in tabular form the land use components, the trip generation rates (daily and peak hour), and total trips generated by land use types.

(3) Use the latest *Trip Generation Manual* published by Institute of Transportation Engineers.

(4) No passerby trip reductions allowed.[8]

(g) Capacity Analysis

(1) Separate maps illustrating traffic volumes for different scenarios:

a. Nonsite traffic projections for design year (ADT and AM/PM peak hour turning movements);

b. Development traffic (ADT and AM/PM peak hour turning movements); and

c. Nonsite traffic plus development traffic for design year (ADT and AM/PM peak hour turning movements).

(2) Capacity analysis of roadway links shall be performed for the ultimate design. Identify level of service with and without development site traffic. If the roadway links exhibit a LOS D, E, or F, then intersection analyses will need to be performed for those facilities.

(h) Mitigation of Impacts

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(1) Identification of actions or alternatives required to maintain an acceptable level of service on the street system. If the street system already functions below the adopted LOS, the TIA shall identify actions or alternatives to maintain the existing LOS resulting from the proposed development.[9] Candidate actions include:[10]

a. Roadway link and intersection improvements.

b. New or modified traffic signals.

c. Access locations and driveway design.

d. Transportation system management programs.

e. Neighborhood traffic deviators/controls.

(2) Site plans or preliminary engineering plans for all thoroughfares, local streets, and intersection improvements must at a minimum conform to the requirements of this Chapter.

(i) Revised Traffic Figures. If the proposal is significantly revised before it is finally approved, then revised traffic figures must be generated to comply with the final approval.

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24.3.13 Tree Protection

(a) Applicability. This section applies only to commercial development. For purposes of this section, "commercial development" means a platted property that is Zoned R-O, B-1, B-3, B-4, M-1, or M-2, where commercial uses is the principal use

(b) Prohibited Activities

(1) It is unlawful for any person to remove any protected tree without first securing a tree removal permit as specified in subsection (d)(2).

(2) It is unlawful for any person to damage a protected tree, such as through tree topping, over pruning or chemical poisoning.

(3) It is unlawful for a person to continue work or removal of trees after the Building Services Representative has issued a stop work order.

(4) It is unlawful for a person to engage in any hazardous activities as described in subsection VI (c), which causes damage to the crown or trunk or disturbs the critical root zone of a protected tree without the written approval of the Tree Board.

(c) Sizes and Types of Protected Trees

(1) *Size & Type of Tree*. A specific tree listed Table 3.13-1 below and having the common name and minimum diameter specified on Table 3.13-1, is a protected tree:

(2) *Protection Required.* Protected Trees will be protected on all platted commercial lots.

(3) *Protected Tree List.* Except as approved by the Tree Board, the sizes and types of protected trees will be as follows:

Table 3.13-1 Protected Trees

Common Names	Scientific Name	Size	Caliper
Deciduous (S - 15-25 ft; M - 25-40 ft; L - over 40 ft)			
Bald Cypress	Taxodium distichum	L	>12"
Bur Oak	Quercus macrocarpa	L	>12"
Cedar Elm, Olmo	Ulmus crassifolia	M-L	>12"
Chinkapin Oak	Quercus muehlenbergii	L	>12"
Common Crape Myrtle	Lagerstroemia indica	S	> 6"
Desert Willow, Mimbre	Chilopsis lineraris	S	> 6"
Honey Locust	Gleditsia triacanthos	L	> 6"
Honey Mesquite *	Prosopis glandulosa	M	> 8"
Jacaranda	Jacaranda mimosifolia	L	> 6"
Japanese Persimmon	Diospyros kaki	S	> 6"
Jerusalem-Thorn, Retama, Lluvia de Oro, Crown of Thorns *	Parkinsonia aculeata	S	> 6"
La Coma, Caimito	Sideroxylon celastrina	S	> 6"
Lace Bark Elm	Ulmus parvifolia	L	>12"
Lacey Oak	Quercus glaucoides	S-M	>12"
Mexican Sycamore	Platanus mexicana	L	>12"

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Common Names	Scientific Name	Size	Caliper
Montezuma Bald Cypress, Sabino, Ahuehuete	Taxodium mucronatum	L	>12"
Pecan	Carya illinoesis	L	>12"
Soapberry, Western Soapberry, Jaboncillo *	Sapindus drummondii	M-L	> 6"
Texas Paloverde, Paloverde	Parkinsonia texana	S	> 6"
Texas Persimmon, Chapote, Mexican Persimmon *	Diospyrus texana	S	> 6"
Texas Pistache	Pistacia texanaTc>S	Wildlife food	> 6"
Texas Red Oak	Quercus buckleyi, Quercus texana	S-M	>12"
Evergreen (S - 15-25 ft; M - 26-40 ft; L - over 40 ft)			
Afghan Pine	Pinus eldarica	L	>12"
Aleppo Pine	Pinus halapensis	L	>12"
Anacahuite, Anacahuita, Mexican Olive Tree*	Cordia boissieri	S	> 6"
Arizona Cypress	Cupressus arizonica	M-L	>8"
Cork Oak	Quercus suber	L	>12"
Deodar Cedar	Cedros deodora	L	> 6"
Escarpment Live Oak	Quercus fusiformis, Quercus virginiana var. fusiformis	M	>12"
Huisache	Acacia minuata, A. farnesiana, A. smallii	M	>8"
Italian Cypress	Cupressus sempervirens	L	>8"
Italian Stone Pine	Pinus pinea	L	>12"
Japanese Black Pine	Pinus thunbergii	S	>12"
Japanese Loquat	Eriobotrya japonica	M	> 6"
Live Oak	Quercus virginiana	L	>12"
Mexican White Oak, Monterrey Oak	Quercus polymorpha	L	>12"
Pinyon Pine, Mexican Pinyon	Pinus cembroides	L	>12"
Sandpaper Tree, Anaqua *	Ehretia anacua	M-L	>8"
Texas Ebony, Ebano *	Pithecellobium ebano, P. flexicaule	M	>8"
Texas Mountain Laurel, Mescalbean *	Sophora secundiflora	S	>8"
Palm Trees (S- up to 10 ft; L - over 10 ft)			
California Washingtonia, California Fan Palm, Petticoat Palm	Washingtonia filifera	L	>12"
Date Palm		L	>12"

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Common Names	Scientific Name	Size	Caliper
Mexican Fan Palm (Washingtonia robusta)	Mexican Fan Palm (Washingtonia robusta)	L	>12"
Palmetto Palm	Sabal Palmetto	L	>12"
Texas Palmetto, Texas Sabal, Palma de Macharos, Texas Palmetto, Sabal Palm *	Sabal texana, Sabal mexicana	L	>12"

(d) Tree Removal Process

(1) *Dead Trees*. A dead tree is not considered a protected tree and is not subject to the tree removal permit requirements set forth in this section. The process for removal of a dead tree that was considered a protected tree at the time it was alive, is as follows:

For removal of a dead tree that was designated as a protected tree:

a. A commercial property owner shall request that the Parks Division inspect the tree.

b. The Parks Division shall inspect the tree within 15 working days of the request and make a determination if the tree is dead or alive.

c. Upon a determination that the tree is dead, the Parks Division shall approve or deny the removal request.

d. Upon a determination by the Parks Division that the tree is alive, the Commercial Property Owner shall comply with the requirements of the protected tree removal permit process set forth in this subsection.

(2) *Protected Tree Removal Permit Process*

a. *Protected Tree Removal Permit*. A protected tree shall not be removed without a permit. By way of clarification, this type of permit is required only when the commercial lot owner wants to remove trees that are found on the protected tree list. Applications for protected tree removal permits are reviewed by the Tree Board.

b. *Tree Removal Permit Application*. The application for a protected tree removal permit shall be made by the owner of the platted commercial property on which the protected tree is located, and shall be accompanied by documentation showing:

1. The approximate location of the tree;

2. The diameter of the tree;

3. The approximate dripline of the tree;

4. The species and/or common name of the tree;

5. The approximate size of the lot, tract or parcel on which the tree is located;

6. Reason for the proposed removal;

7. A tree replacement plan, as provided for in subsection (e).

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c. *Application Review.* Upon receipt of the application, the Parks Division shall inspect the subject tree and approve or deny the application in accordance with the provisions of this section.

(3) *Tree Protection Removal and Replacement*

a. Except as specifically provided in subsection (f), replacement trees are required if any protected tree is removed. See subsection (e) for tree replacement requirements.

b. A tree replacement plan shall accompany any tree removal permit application. The tree replacement plan will be reviewed in conjunction with the protected tree removal permit application and will be approved or denied by the Tree Board.

(e) Tree Replacement

(1) *Requirements and Regulations*

a. Except as expressly provided in this section, when protected trees are removed, tree replacement is required.

b. Replacement trees of the same caliper as the protected trees to be removed shall be planted as required in the tree replacement schedule. Each replacement tree shall have the same caliper as the tree to be replaced, or with more than one tree which have a total sum of caliper diameters that add up to the size caliper of the tree to be replaced. When more than one tree will replace a protected tree, each replacement tree shall have a minimum of one inch caliper size.

c. Each replacement tree shall have an irrigation system or watering schedule.

d. Each replacement tree shall be planted on the same platted commercial lot from which the tree was removed. If there is not a suitable location for the replacement tree(s) on the same platted commercial site, as determined and approved by the Tree Board, or if the Tree Board determines that replacement trees are unable to survive on the site, the owner of the site may pay a fee in lieu payment into the tree fund, in accordance with the tree replacement schedule, which shall be used to fund tree plantings or tree replacement on public property.

e. Replacement trees shall be planted on platted commercial lots prior to issuance of a certificate of occupancy. A certificate of occupancy shall not be issued if the replacement tree(s) is/are not correctly and fully planted.

f. Except as provided in this section, any replacement tree that dies prior to the expiration of two years after a certificate of occupancy is issued shall be replaced by the developer or owner.

(2) *Tree Replacement Fee*

a. Payment shall be $150.00 per caliper inch of each protected tree replacement. The payment is calculated as currently established or as adopted by resolution of the city council from time to time.

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b. The tree replacement fee shall be tendered in the form of a cashier's check or other form of payment acceptable by the city, payable to the city.

(f) Tree Removal Without Replacement. A protected tree may be removed without replacement, provided approval is granted by the Tree board, and one of the following conditions exists:

(1) The protected tree is damaged by natural causes or is diseased beyond the point of recovery;

(2) The protected tree should be removed as a safety measure because it is in danger of falling; or

(3) The protected tree threatens to damage property.

(g) Tree Protection Measures

(1) *Critical root zone*. During construction, temporary tree protection devices shall be installed at least to the limit of the critical root zone or dripline, whichever is greater, for any protected tree to be preserved when the respective critical root zone is within the limits of construction.

(2) *Disturbance of critical root zone*. If any of the hazardous activities described in subsections (3)b and d, below occurs within six feet of the trunk of a protected tree, that tree is considered removed and shall be replaced as required in this section.

(3) *Hazardous activities*. Activities hazardous to the health of any protected tree being preserved are prohibited, including but not limited to the following and as generally described in the tree technical manual:

a. *Physical damage*. Any physical damage, including tree topping that may lead to the death of the tree.

b. *Impervious paving*. Paving with asphalt, concrete or other impervious materials, within the limits of the critical root zone, may reasonably be expected to kill a tree.

c. *Tree attachments*. Attaching to a tree any signs, wires, or other items, other than those of a protective nature.

d. *Excavation and trenching*. Excavation and trenching within the limits of the critical root zone, except as otherwise approved by the City Engineer, as appropriate.

(h) Tree Fund. The tree fund shall consist of fees generated as a result of tree replacement requirements as well as general donations for public tree plantings.

(1) *Establishment of Fund*. A tree fund is hereby established.

(2) *Funds to be Deposited*. Tree replacement fees for the installation of replacement trees, as provided for in subsection (e), shall be deposited in the tree fund.

(3) *Use of Funds*. Expenditures from the tree fund shall be used solely for the purpose of purchasing and installing trees and associated irrigation on public rights-of-way, public park land, or any other city-owned property.

(i) Administration. The role of the Tree Board is to:

(1) Provide technical advice to the Platted Commercial Property Owners regarding trees;

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(2) Provide technical advice regarding protected trees and tree replacement plans to the Platted Commercial Property Owners;

(3) Approve or disapprove of the protected tree removal permit; and

(4) **Review and recommend updates to this section.**

(j) Violations and Non-compliance

(1) *Generally.* This section will be administered and enforced by the city Tree Board. The Building Services Director is authorized to:

a. make any inspections and take any actions required to enforce this section;

b. enforce the provisions of this section;

c. enter any premises to inspect the trees provided for in the tree surveys and tree replacement plans; the protection of trees on the site; the trees being installed; the trees being removed or to perform his/her official duties;

d. ensure compliance with this section where a tree replacement plan is submitted and approved; and

e. issue a stop work order to a person to cease performing any work done without a requisite permit or otherwise in violation of this article

(2) *Penalty*

a. A penalty is established where any person who violates any provision of this section shall be deemed guilty of a misdemeanor and shall upon conviction be fined a minimum amount of at least five hundred dollars ($500.00) per violation and a maximum amount of up to two thousand dollars ($2000.00) per violation. Each protected tree that is unlawfully removed or damaged is a separate offense. Also, for the enforcement purpose of this ordinance, each day of violation and each violation of a particular subsection of this section is a separate offense. A culpable mental state is not required to prove an offense under this section.

b. Criminal prosecution does not preclude civil action by the city to recover for the damage or loss of the tree, and the city attorney is authorized, without further authorization from the city council, to institute and prosecute a lawsuit against any person who unlawfully removes or damages a protected tree, to recover the reasonable value of the tree.

c. Upon the written certification by the City Building Services Director of the violation of any subsection of this section, the City Attorney is authorized to petition any court of competent jurisdiction for an injunction to enjoin the continuance of that violation. This remedy is cumulative of and to all other enforcement powers granted to the City by the terms of its Charter or any ordinance, or by the laws of the State.

d. No provision of this section is intended, nor shall any part or portion of this section be construed, to conflict with any state or federal regulations or laws.

e. If any provision of this section or its application to any person or circumstance is held invalid, the remainder of this section and its application to other persons

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and circumstances is valid, and the City Council declares that this Ordinance would have been enacted without the invalid provision.

f. If compliance is not achieved to the City's satisfaction, the City may, at its discretion, report the noncompliance to the corresponding federal or state agency for further action.

(3) *Non-Compliance Flag and Stop Work Orders*

a. If the Building Services Director determines that activities are being carried out in violation of this ordinance, a notification of non-compliance shall be issued.

b. In addition to the notification, if the violation continues beyond five (5) days, a "Non-compliance Flag" will be posted at the site.

c. If the violation continues after the five (5) days after the "Non-compliance Flag" is posted, the Building Services Director may stop all work until corrective measures have been completed. The site shall be posted with a "stop work" notice.

d. No other permits may be issued by the City until corrections have been made to the satisfaction of the Building Services Director.

e. It is a separate and independent violation of this section to either to move or interfere with "Non- compliance Flag" and/or stop work order.

(4) *Notification of Violation*. Any person found to be in violation of the provisions of this section is required to correct the problem upon written notification from the Building Services Director. The written notification may require that certain conditions be adhered to in the correction of the problem. These may include, but are not limited to, the following:

a. If the installation of replacement trees are found to be of substandard quality, incorrectly or defectively installed or found not to be installed in accordance with the tree replacement plan, the Building Services Director, as appropriate, shall notify the owner in writing of all the changes that need to be made for the work to conform with the tree replacement plan and the provisions of this section.

b. If the Building Services Director, as appropriate, finds that the protected trees on the site were damaged due to construction during the site plan process, the Building Services Director, as appropriate, shall notify the owner in writing identifying the damaged trees and the owner shall replace the damaged trees.

(5) *Final Inspection*

a. Upon the completion of all the installation of trees, the owner shall notify the Building Services Director, as appropriate, that the work is ready for final inspection.

b. If faulty work or substandard plant material is found, the owner shall be notified of the necessary changes to be done. If the work is found to be correctly installed and in accordance with the tree replacement plan, the Building Services Director, as appropriate, shall provide written notification to the appropriate city official that the owner has met the requirements of this article.

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(6) *Citizen Participation*. Citizen reports of violations: All citizens are encouraged to report to the Building Services Director's office or 311, any violation of this section which they become aware.

(k) Exceptions

(1) During the period of an emergency, such as a tornado, storm, flood or other natural disaster, the requirements of this section may be waived as deemed necessary by the emergency management coordinator or other designee of the city manager. In addition to rights granted by easement, utility service providers, lawfully within the right-of-way, may remove trees that are determined by the utility provider to be a danger to public safety and welfare by interfering with utility service.

(2) The city may plant, prune, remove and maintain any protected tree located on a right-of-way, easement, public parkland or any other city-owned property as necessary to ensure public safety. The city may remove or cause or order to be removed any or all of a protected tree which is in an unsafe condition, or which by reason of its nature or location unreasonably interferes with the construction, maintenance or replacement of wastewater lines, water lines, drainage facilities, streets or other public improvements.

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Article 4 Subdivision Standards

24.4.1 General Provisions

(a) Standards

(1) This article establishes standards for any subdivision plat subject to the City's jurisdiction.

(2) Subdivision plats shall comply with Sections 24.3.2 (Access Management), 24.3.3 (Blocks, Lots and Yards), 24.3.6 (Landscaping & Tree Preservation), 24.3.8 (Riparian Buffers), and 24.3.9 (Site Design) of Article 3.

(b) Standard Technical Specification Manual

Purpose: the Standard Technical Specification Manual provides standardized procedures and materials for the orderly construction and installation of public improvements.

(1) Applicability. The Standard Technical Specification Manual (the "Manual") applies to all public improvements. Divisions A, B, C, and D of the Manual applies to any public improvement to be awarded or constructed by the City of Laredo. Divisions A, C, and Sections B-1, 2, 3, and 5 do not apply to public improvements associated with the private platting of properties.

(2) Optional Specifications

a. Where circumstances warrant, or at the request of the engineer of record, a separate set of specifications for development or public improvements may be submitted to the City Engineer for approval.

b. The City Engineer shall not approve specifications less restrictive than those provided in the Manual.

c. If the Manual does not address a facet of a proposed development or public improvement, a separate set of specifications shall be submitted by the engineer of record for approval by the City Engineer.

(c) Tax Payment. Before a plat is finally approved, the applicant must provide the Planning Commission a statement from each governmental taxing unit showing that taxes on the property are not in arrears and a statement from the City of Laredo that any special assessment previously levied, if any, is not in arrears.

(d) Lots. The lot size, width depth, shape and orientation, and the minimum building setback lines shall conform to the dimensional standards of the applicable zoning district (see Article 2).

(e) Monuments

(1) *Generally*

a. Monuments shall be placed properly and referenced at all block corners, subdivision boundary corners and angle points, points of curves in streets, and intermediate points, as required by the City Engineer.

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b. The description and location of all block corners and permanent survey monuments shall be shown on the plat. The corners and monuments shall meet the standards in this subsection.

(2) *Lot Corners*. Lot corners need not be marked with monuments. However, lot corner marking shall be done as required by the private engineer and/or owner.

(3) *Block Corners*. All block corners shall be marked with concrete monuments and properly referenced. Block angle points and intermediate points shall be marked with concrete monuments as required by the City Engineer.

(4) *Concrete Monuments*

a. Monuments shall have a ½-inch diameter by 12 inches long iron rod centered and imbedded in a 6-inch diameter by 24 inches long concrete cylinder. This iron rod shall be flush with the top of the concrete cylinder and the cylinder buried firmly in place at least 12 inches below existing ground surface.

b. Where concrete monuments will be covered by concrete sidewalks or obliterated during construction, the private engineer shall coordinate with the City Engineer for approval of alternative methods of subdivision monumentation.

(5) *Alternative Monumentation*. Alternative methods of subdivision monumentation include spike, tin and washer, (2) 1/2" diameter brass rings, and lead and tag. Monumentation may be placed on an offset from the required location. However, the private engineer must obtain prior approval from the City Engineer.

(6) *Accuracy of Survey*. Closures of all boundary survey work and survey work within the subdivision shall be within an error of one in seven thousand five hundred (1/7,500).

(f) Laboratory Testing

(1) *Generally*. All materials to be used in new land development construction is subject to testing. The preponderance of testing to be performed in new developments is directly related to public improvement construction, and a series of laboratory tests normally associated with public improvement construction is required in new developments.

(2) *Testing Laboratory*

a. An independent testing laboratory shall be perform these tests by using qualified personnel.

b. The developer may select the testing laboratory up to 5 working days from the date of final plat approval by the Planning and Zoning Commission. The selection shall be submitted to the City Engineer in writing from a list of testing laboratories approved by the City. If no qualified laboratory is selected within the specified time period, the City shall select the testing laboratory from the approved list on a rotational basis.

c. The laboratory firm, once selected, shall not be changed. If unforeseen circumstances arise, and an alternative laboratory is required, the City Engineer

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shall select the replacement laboratory from the list of approved laboratories on a rotational basis.

d. The testing laboratory shall bill directly to the developer.

(3) *Testing Ratios*

a. It is assumed that the preponderance of testing required in the development is related directly to street construction. For this reason, the following ratio of testing is established:

Table 4.1-1 Ratio of Testing

Subgrade	Minimum 1 per 150 feet of street
Under curb and gutter	Minimum 1 per 150 feet of curb
Caliche Base	Minimum1 per 150 feet of street
Lime stabilized base	Minimum 1 per 150 feet of street
Sand base	Minimum 1 per 150 feet of street
Backfill density control	Minimum of ten (10)
Proctor (Moisture/Density Relationship):	
Subgrade (new)	1 per development, unless material changes
Lime stabilized base	1 per development, unless material changes
Caliche	1 per 5,000 cubic yards material or less
Atterberg Limits and Gradation:	
Caliche	1 per 5,000 cubic yards material
Sand base	1 per 2,500 cubic yards material
Hot-Mix Control:	
Surface course design	1 per development
Base course design	1 per development
Extractions	2 per day run/minimum 1 per 500 ton
Densities (in place)	1 per 1,000 feet of street
Concrete:	
Curb/gutter	1 set (3) per 500 feet
Sidewalk	1 set (3) per 4,000 square feet
Inlets	1 set (3) per 6 inlets

b. The above schedule is a minimum schedule for testing. Failures are not included. In the event of failures, additional tests will be taken. If excessive rain occurs on a previously tested section, the City may order re-testing as necessary.

(4) *Testing Procedures*

a. The contractor shall notify the City of Laredo Engineer at least 24 hours prior that he is ready for testing.

b. The City's representative shall inspect the work and concur with the Contractor before testing is authorized.

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c. The City Engineer or its representative shall notify the testing laboratory when tests are to be taken. If neither the City Engineer nor its representative is available for inspection of the work within 4 hours, the contractor may order the laboratory testing. However, if there are failures, re- testing shall occur at the contractor's expense.

d. Except as otherwise provided above, the contractor shall not contact the laboratory for the purpose of requesting routine tests.

e. All testing in accordance with these requirements will be performed in accordance with the American Society of Testing Materials (ASTM) latest revision.

f. All development test reports shall be certified by a Registered Professional Engineer (Texas Registration)

g. The provide shall provide the following to the City:

1. at least 2 copies of testing reports, and

2. a set of plans and specifications for the testing laboratory and a tabulation showing the estimate of quantities of material in the development.

(5) *Materials*. The materials incorporated in new development construction are not limited to those tests outlined in this subsection. If there are unusual conditions or factors which give the City reason to question the quality of the materials in any portion of the development, the City may order any tests needed at the developer's expense. However, the City will consult with the project engineer on reasons for the additional tests before engaging a testing laboratory to conduct the test.

(g) Infill Plats. The following exceptions apply to a replat in the Eastern or Western Division of the City of Laredo of less than 20,000 square feet:

(1) The applicant is not required to install sidewalks, landscaping, or street lights,

(2) If a street is opened for traffic and contains a substantial base of caliche or gravel:

a. In lieu of immediate street paving, the present record owner or owners of abutting properties shall file a covenant to participate and pay any corresponding share of paving costs of any future street paving assessment program involving that street along the abutting properties.

b. The applicant shall file the covenant at the County of Webb Deed Record Office.

c. The covenant shall run with the land and bind the present record owners, their heirs, devises, successors and assigns.

d. The assessments constitute a lien on the property until fully discharged. (As amended on 7/2/85, Ordinance # 85-0-98)

24.4.2 Amenity Space Standards

Purpose: This provides recreational areas in the form of parks, open and civic spaces and neighborhood parks as a function of subdivision and site development in the City of Laredo. This section is enacted in accordance with the home rule powers of the City of Laredo, granted under the Texas Constitution, and states including Texas Local Government Code Chapter 212. The City Council finds that parks, open and

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civic spaces are necessary and in the public welfare, and that the only adequate procedure to provide them is to integrate that requirement into the procedure for planning and developing property or subdivisions in the City, consisting of new construction when development creates a net increase in density

(a) Applicability

(1) This section applies to:

a. Any residential subdivision, and

b. Any subdivision or site plan for commercial or mixed-use development that exceeds 5 acres.

c. Replatting of lots proposing an increase in density to ensure public improvements will have capacity to serve.

(2) Requirements for parks, open space and civic spaces and related improvements (referred to collectively as "amenity space") include all park or land dedications (including park or land dedications pursuant to subsections (e) through (j) of this section), areas legally reserved and restricted as amenity space consistent with this section, and park improvement fees for parks for all types of residential, commercial and mixed-use development. Any amenity spaced provided pursuant to this development is credited toward the amenity space requirements of the applicable zoning district. Any amenity space provided to fulfill the applicable zoning district requirements must comply with this section, and are credited toward the amenity space requirements of this section.

(3) For any multi-phased development:

a. The applicant shall provide all dedications in the first phase of the development; or

b. Provide a bond (pursuant to Section 24.4.3 of the UDC) for any amenities not dedicated along with any fees required by subsection (g) below when the first phase of the development is recorded. Applicants shall not substitute a letter of credit for bond to comply with this subsection.

(b) Park and Open Space Master Plan

(1) *Description*. The City will prepare a *Parks and Open Space Master Plan*.

a. The *2020 Parks, Recreation and Open Space Master Plan* (adopted April 19, 2021)(the "*Master Plan*") consists of a map of the corporate limits of the City of Laredo and the extraterritorial jurisdiction of the City of Laredo. Additionally, the *Parks and Open Space Master Plan* includes the most current version of the City's recreational needs assessment and summary of priority items for Laredo Parks and Open Space.

b. The *Master Plan* shall include a graphical representation (map) of the site of developed park, undeveloped parks, arterials, parks subject to annexation agreements, proposed parks and rivers, creeks, arroyos, streams, and power line easements 60 feet in width or greater.

1. The **Linear Park System** refers to the parks and linear linkage system which connects parks.

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2. The **Linear Linkage System** refers to rivers, creeks, arroyos, streams, power line easements 60 feet in width, or other easements or conveyances of 60 feet or wider which are intended to connect parks.

(2) *Adoption*

a. The Planning and Zoning Commission and the Laredo Parks and Recreation Board shall review and comment on the *Master Plan* prior to its submission to City Council.

b. The *Master Plan* shall be reviewed and adopted as an appendix of the Comprehensive Plan by the City Council through a resolution.

(3) *Effect*. Park location is based on the *Parks and Open Space Master Plan* map.

(c) Level of Service Standard. The following level of service (LOS) standard is adopted to provide certainty in the development approval process, ensure that required amenities are proportionate to a development's impacts, and to calibrate amenity types to the character of a development's neighborhood and future land use planning objectives:

(1) Table 4.2-1 provides the minimum amount of amenity space required per increment of development. This is based on the standard for park space adopted by the *Parks and Open Space Master Plan*, adjusted by zoning district or areas to consider the character and built environment of each area.

(2) Subsection 24.4.2(d) below describes the amenity types that an applicant may provide to fulfill the LOS standard. Each amenity type is assigned a score based on its relative value, the cost of providing and improving the amenity, and its compatibility with the land use patterns in the applicable zoning district.

Table 4.2-1 Amenity Level of Service (LOS)

	Amenity LOS *(1 equivalent dwelling unit [EDU] = 1 dwelling unit or 800 sf of non-residential gfa)*
Agriculture (AG)	950 sf / edu (residential subdivision, base option only)
Residential Suburban (R-S)	950 sf / edu (residential subdivision, base option only)
Single Family Residential (R-1)	950 sf / edu (residential subdivision, base option only)
Single Family Reduced Area (R-1A)	250 sf / edu (projects of at least 15,000 sf)
Single Family High Density (R-1B)	100 sf / edu (projects of at least 15,000 sf)
Residential/Office (R-O)	75 sf / edu (lots of at least 30,000 sf)
Limited Business (B-1), Community Business (B-3)	75 sf / edu (lots of at least 30,000 sf)
Central Business (CBD), Arts and Entertainment (AE)	50 sf / edu (lots of at least 40,000 sf)
Highway Commercial (B-4)	120 sf / edu
Light Manufacturing (M-1)	n/a
Heavy Manufacturing (M-2)	n/a
Planned Unit Development (PUD)	950 sf / edu
ETJ (Subdivision Plat)	950 sf / edu

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(d) Amenity Types and Criteria

(1) *Generally*. The following amenity classification standards define the type, size and character of each amenity classification used in this section. Actual design and configuration of new facilities will be influenced by property size, topography, surrounding land uses and design criteria for the specific park to be developed. The amenity design criteria shall consider specific needs of the population within a given service area. Standards for park design should be carefully followed to ensure quality of facilities and recreation program services for each park.

(2) *Credit*. Table 4.2-2 assigns a credit for each amenity type provided. The area of each amenity type is multiplied by the credit to determine the area available to fulfill the park LOS. *[Example: assume that a subdivision zoned R-S requires 6 acres of park to meet the LOS standard. The proposed subdivision includes 2 acres of parks, 4 acres of qualifying natural areas, and a 1.3-acre community garden. The application meets the LOS because it includes 6 qualifying acres:*

Natural Area: 5 acres x 0.6 = 3 qualifying acres
Community Garden: 1.3 acres x 0.75 = 1 qualifying acre
Parks: 2 acres x 1.0 = 2 qualifying acres
3 + 1 + 2 = 6 qualifying acres

Table 4.2-2 Park Types

Category	Description / Standards	Where Available	Credit
Landscaping			
Median Landscaping	Median landscaping as required by section 24.3.6. Subject to subsections (5), (9) and (11) below.	R-1A, R-1B, R/O, B-1, B-3, B-4, PUD	0.4
Parking Lot Landscaping	Perimeter parking lot landscaping as required section 24.3.6. Subject to subsections (5), (9) and (11) below.	R-1A, R-1B, R/O, B-1, B-3, B-4, PUD	0.4
Stormwater management	Detention improvements may be accepted by the Laredo City Council upon recommendation of the Parks and Recreation Director and the Park and Recreation Board if the area to be considered is greater than 30 feet wide and meets the gradient requirements for parks, and does not exceed 50% of the total park area to be dedicated. Subject to subsections (5), (9) and (11) below. If accepted as part of a park or park dedication, the following uses will be allowed for detention areas: • Hike / Bike Trails • Soccer Fields • Practice Fields • Other uses as approved by the Parks and Recreation Director.	R-1A, R-1B, R/O, B-1, B-3, B-4, PUD	0.5
Wetlands	Natural wetlands reasonably visible from walkways provided in and through the wetland. Subject to subsections (5), (9) and (11) below.	R-1A, R-1B, R/O, B-1, B-3, B-4, PUD	0.4
Common Open Space			

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Category	Description / Standards	Where Available	Credit
Natural Area	Natural are of local, regional, or statewide significance, which may be used in a sustainable manner for scientific research, education, aesthetic enjoyment, and appropriate use not detrimental to the primary purpose (other than wetlands as provided above). These areas are resource rather than user-based, but may provide some passive recreational activities such as hiking, nature study, and picnicking. Natural Areas may include floodplains (section 24.2.20) or riparian buffers (section 24.3.8). Subject to all applicable suitability criteria in subsection (3) – (11) below.	Any	0.6
Greenway	A series of connected natural areas (including areas protected by state or federal law) such as ravines, creeks, streams,[i] woodlands, floodplains, or protected tree canopy that connect buildings or gathering spaces with trail systems, or that buffer the site from streets or neighboring areas. Subject to all applicable suitability criteria in subsection (3) – (11) below.	Any	0.75
Agricultural Preserve	An area designated for active farming in the form of crop cultivation, the keeping of livestock, or equestrian facilities. Agricultural Preserves protect areas of agricultural and rural heritage and promote compatible active agricultural operations.	AG, R-S, R-1, R-1A, PUD, ETJ	0.75
Community Garden	A site operated and maintained by an individual or group to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for personal use, consumption, donation or off-site sale of items grown on the site. Subject to subsections (5), (9) and (11) below.	Any	0.75
Parks	Any mini-park, neighborhood park, community park, metropolitan park, regional park, special use park or school-park as defined by the *Master Plan*, and that complies with all applicable suitability criteria in subsection (3) – (11) below. This includes any park or land dedications pursuant to subsections (e) through (j) of this section.	AG, R-S, R-1, R-1A, PUD, ETJ	1.0
Trails and Pathways	Any trail or pathway as defined by the *Park and Open Space Master Plan*, and that complies with all applicable suitability criteria in subsection (3) – (11) below.	Any	0.5
Wet areas	The surface area of perpetually impounded water (wet ponds and / or lakes) located in the floodplain and natural drainage areas of riparian buffer requirements if that there is sufficient land available for recreational amenities and subject to subsection (10) below.	R/O, B-1, B-3, B-4, PUD	0.75
Historic Buildings	An existing building or buildings that has historical or cultural significance and is designated as a landmark may be located in a common open space and open to the public.	R/O, B-1, B-3, B-4, PUD	0.25
Civic Space ***(may be privately owned and not dedicated to the City)***			
Plaza	An open area with seating that is adjacent to, or part of, a building. A Plaza may be combined with the Courtyard frontage type. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands. A plaza requires a minimum depth and width of 10 feet and a minimum total area of 300 square feet. Subject to subsections (5), (9) and (11) below.	R/O, B-1, B-3, B-4, PUD	1.5
Square	Areas that are improved with a combination of lawn, landscaping and seating areas, and that are accessible to the public or the project's tenants or customers. A Square shall be: • bounded by streets on at least one side and pedestrian walkways on at least 2 sides, or • not bounded by streets, but accessible to the public Subject to subsections (5), (9) and (11) below.	R/O, B-1, B-3, B-4, PUD	1.25
Courtyard	A courtyard is a contiguous open area, open to the public, that – • is surrounded on at least two sides by building walls with entryways, and • is at grade.	R/O, B-1, B-3, B-4, PUD	1.25

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Category	Description / Standards	Where Available	Credit
Rotary or Circle	A circular area containing a monument or similar feature, and which organizes buildings or movement around a center. Buildings facing a rotary are concave, while those facing a circle are convex.	R/O, B-1, B-3, B-4, PUD	0.9
Pedestrian Pathways	Protected customer walkways or easily identifiable building pass-throughs that contain window displays and are intended for general public access. Subject to subsections (5), (9) and (11) below.	R/O, B-1, B-3, B-4, PUD	0.9
Green	A common open space available for unstructured recreation, its landscaping consisting of grassy areas, trees, shrubs, and other landscaping. Subject to subsections (5), (9) and (11) below.	R/O, B-1, B-3, B-4, PUD	0.75

(3) *Suitability for Parks and Trails*

a. Any land dedicated to the city under this section as a park must be suitable for park and recreation uses.

b. If existing trails (maintained by the City of Laredo), park (maintained by the City of Laredo), or public schools abut the property, preference for the land to be dedicated in fulfillment of this section should be given to the land abutting the existing trail or school.

c. All park dedications and park development that are dedicated to the city in fulfillment of the requirements of this section must be fully accessible to the general public without hindrance.

d. Parks shall be easy to access and open to the public view, enhance the visual character of the city, protect public safety and minimize conflict with adjacent land uses. The following guidelines should be used in designing parks and adjacent development.

1. Where physically feasible, park sites should be located adjacent to greenways (the linear linkage system), other parks, and/or schools to encourage both shared facilities and the potential co- development of new sites.

2. A proposed subdivision adjacent to a park may not be designed to restrict reasonable access to the park from other area subdivisions. Street and linear linkage system connections to existing or future adjoining subdivisions may be required to provide reasonable access to parks.

3. Where a non-residential use must directly abut a park, the use must be separated by a screening wall or fence and landscaping. Access points to the park may be allowed by the Planning and Zoning Commission if public benefit is established. This subsection does not apply to service areas that that provide a public benefit for the park, such as cafes or other activities that the Parks and Recreation Director determine will provide a public benefit.

4. At least 40% of the perimeter of a park should abut a public street. In all cases, the Planning and Zoning Commission shall approve the proposed street alignment fronting on city parks.

5. Streets abutting a park shall be built in accordance with the thoroughfare plan and the standards of this Chapter. However, the City may require any

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residential street built adjacent to a park to be constructed to collector width to ensure access and prevent traffic congestion.

(4) *Proportions*. The land to be dedicated in fulfillment of this section shall have an overall property proportion ratio (width by depth) of two to one (2:1), unless otherwise approved by the Parks and Recreation Director. At least one side of the park shall have at least 150 feet of frontage on a public street. Floodplain areas or park dedications along drainage ways/creeks/arroyos and power line easements greater than 100' in width are exempt from this requirement.

(5) *Grade*. At least 75% of the land to be dedicated in fulfillment of this ordinance must be less than an 8% gradient in any direction.

(6) *Creekside Areas*. The land to be dedicated in fulfillment of this section along an unimproved creek shall not be cleared or altered except that the understory may be removed for purposes of public health, safety and welfare.

(7) *Utilities*. Water, sanitary sewer and electric improvements shall be readily accessible to the park from an adjacent street right-of-way or public easement.

(8) *Detention Areas*. Recreation facilities built by a landowner or developer within detention areas can be accepted pursuant to subsection 24.4.2(h)below. Additional requirements apply to recreation facilities built within detention areas, including:

a. All improvements must be built 1 foot higher than the area inundated by a 2-year storm event. Hydraulic and hydrology models used to calculate those areas must use hydrology generated by ultimate built-out of the contributing watershed (a.k.a. "ultimate hydrology").

b. The area within the detention area that is lower than the area inundated by a 2-year storm event must be designed to drain completely. Use of trickle channels is encouraged.

c. The cost of any drainage structures, control structures, excavation (except in direct relation to construction of recreational facilities), or other drainage related features is not included as meeting the requirements of subsection (j) below.

d. Restrooms, concession stands, and similar buildings must be located out of the detention / retention area.

(9) *Maintenance*

a. The amenity site shall be free of trash and debris.

b. At the option of the City, the land shall be left in its natural condition or cleared. If the City opts to have the land remain in its natural condition and the developer disturbs the land then, if requested by the Parks and Recreation Director in writing prior to the time of final plat approval, the developer shall return the disturbed land to a condition that is as close as possible to its original natural condition.

c. Parks of less than 15 acres that are not designated on the *Park and Open Space Master Plan* shall be maintained by a homeowners association.

(10) *Floodplain*

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a. Land that is in the unimproved floodway of a 100-year storm event according to the City's floodplain administrator is not eligible for fulfilling the dedication requirements of this Section, except as provided below.

b. Land that is in a floodplain of a 100-year storm event is eligible for fulfilling up to 50% of the dedication requirements of this section, if:

1. The entirety of the floodplain that is located within the property boundaries of the development is dedicated.

2. The floodplain lands to be dedicated in fulfillment of this ordinance are suitable for recreational uses as determined by Director of Parks.

3. The floodplain lands to be dedicated in fulfillment of this section are not cleared, channelized, or altered.

(11) *Hazardous Substances and/or Underground Storage Tanks (UST's)*

a. Prior to the dedication of land, the applicant shall make full disclosure of the presence of any hazardous substances and/or underground storage tanks (UST's) of which the applicant has any knowledge. The City, at its discretion, may proceed to conduct an initial environmental test and surveys on the land, as it may deem appropriate, and the Developer shall grant to the City and its agents and/or employees reasonable access to the land as necessary to conduct those surveys and tests. If the City elects to send its agents and/or employees onto the Developer's land, it shall provide for hold harmless, indemnification and liability insurance as necessary to protect the Developer.

b. If the results of surveys and tests indicate a reasonable possibility of environmental contamination or the presence of UST's the City may:

1. require further surveys and tests be performed at the Developer's expense as the City may deem necessary prior to its acceptance of the dedication, or

2. the Developer may or the City may require that the Developer identify alternative property or pay cash in lieu of the park dedication.

(e) Park Dedication and Site Approval Process

(1) Every master plan that incorporates residential development (single family, multi-family or manufactured homes) must designate park space to be dedicated as a neighborhood park unless otherwise provided for in this section.

(2) The proposed site of the park shall be shown on the master plan and labeled "proposed park."

(3) The designation on a master plan of "proposed park" does not obligate the City of Laredo to accept the proposed park until the park site is approved, submitted and accepted by the City Council through a separate dedication instrument. The City Attorney shall approve the dedication instrument form.

(4) The applicant shall submit the master plan to the Planning Department. The Department shall immediately submit a copy of the master plan to the Parks & Recreation Department.

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(5) The Parks and Recreation Director shall review the master plan's proposed park site and present a written recommendation.

(6) The written recommendations of the Parks and Recreation Department Director shall, within two business days, be submitted to the Planning Department and shall be included with the comments on the master plan to be deliberated on and approved by the Planning and Zoning Commission. If this time frame is not possible, the Parks and Recreation Director may present their recommendation to the Planning and Zoning Commission at their meeting and submit the written recommendation within five working days after the meeting.

(7) Upon approval of the master plan and park site the Parks and Recreation Director shall submit the park site to the City Council for "Park Site Reliance Approval." The submission shall include the written recommendation of the Parks and Recreation Director and the Planning and Zoning Commission.

(8) "Park Site Reliance Approval" of the site or sites issued by the City Council is sufficient for the developer to rely on and to continue the development process. It ensures acceptance of the park by the City in compliance with the Park Site Reliance Approval. The pendency of the Park Site Reliance Approval does not prohibit a developer from proceeding with the platting of the first phase of the development.

(9) As part of the master plan review process, the Parks Director shall issue a letter of approval to the developer that stipulates the improvements to be built on the dedicated park (whether improvements are to be made by the developer or the City), and the timeline for park design and construction completion.

(10) If a Developer makes any material and substantial change to the master plan, as determined by the Planning Director, the Developer shall initiate the approval process for the park site or sites again.

(f) Land Dedication

(1) *Applicability*. This subsection applies to parks included in a final plat to be filed of record with the County Clerk of Webb County for development of a residential area in accordance this section.

(2) *Dedication*

a. A plat subsection this to this section shall show the parks to be dedicated. That parks shall be labeled "open space." The plat shall include a fee simple dedication of the area of land to the City for park purposes, or the parks may be conveyed as a park by a separate dedication instrument approved by the City Attorney. Dedication and Park Improvement fees shall be calculated as per Table 4.2-3.

b. The required land dedication of this subsection may be met by a payment of money in lieu of land when permitted or required by the other provisions of this section.

c. The developer may defer dedication of parks for the entire approved master plan prior to the final approval of the first filed plat.

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(3) *Phasing*. The following apply if a plat is phased through multiple plats and is subject to park dedication, and the initial master plan phases do not include parks:

a. *Deferment Contract.* If the proposed park is shown on a master plan and the first phase includes less than 150 residential lots or dwelling units, the applicant may plat the first phase and defer the dedication of parks. However, no further subdivision plat within the master plan or the property subject to that master plan shall be accepted or approved until parks are dedicated per the requirements of this section. The deferral shall not continue more than 18 months from the date the plat is filed of record with the Webb County Clerk. The developer shall reserve parks for dedication by entering into an enforceable contract, which shall include the provisions set forth in this section, with the City and approved by the City Attorney.

b. *Enforcement*. No development which defers park dedication shall plat a subsequent phase irrespective of ownership, transfer ownership of the remainder of the undeveloped property subject to the original approved master plan, or amend the master plan, until the provisions set forth in the preceding paragraph are met.

c. *Insufficient Dedication.* If the actual number of completed dwelling units exceeds the figure upon which the original dedication was based, additional dedication is required by Cash Payment in lieu of land as calculated in this section.

d. *Options for Multi-Family or Insufficient Dedication.* For multi-family development, development where parks were not previously dedicated nor payment made with the filing of a plat, or if the number of completed dwelling units exceeds the figure upon which the original dedication was made:

1. additional park land may be dedicated,

2. private park land and improvements may be provided to accomplish the requirements of this section (if the entire requirement of parks for the multi-family development is met by the private park), or

3. payment in lieu of land required by this section shall be made at the time of the building permit application and the funds shall be used for improvements to the original park dedication.

(g) Fees

(1) *Cash Payment in Lieu of Land*

a. A landowner or developer responsible for dedication under this section may, upon request, meet the requirements of section 24.4.2(f) in whole or in part by cash payment in lieu of land.

b. The amount of cash payment is calculated pursuant to Table 4.2-3 and amended from time to time by City Council, sufficient to acquire parks or to improve existing parks.

c. A request to make a cash payment is subject to the recommendation of the Parks and Recreation Director and approval by City Council. The recommendation is based upon the following criteria:

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1. A neighborhood park exists within the service area of the new neighborhood and has capacity to serve the new neighborhood or there is additional land adjacent to the park which will be acquired with the funds to meet the needs of the new neighborhood; or
2. The master plan or plat subject to dedication has less than 150 residential units and a community park is within the neighborhood service area which has sufficient capacity to meet the needs of the neighborhood seeking the exception within the service area for a neighborhood park; or
3. The development making request for cash in lieu of land has 35 or fewer residential units and the funds must be used to improve the nearest park.

d. The fee in lieu of land dedication is due and payable prior to plat recordation.

e. Cash payments in lieu of land may be used to acquire new parks serving the subject development, or improvements to existing parks serving the subject development, for capital replacements to existing park facilities serving the neighborhood, or any purpose reasonably related to new parks or new park facilities serving the subject development, limited to the following purposes:

1. speed humps for parks abutting roads if it is shown that the development and park activity have created an increase in auto and pedestrian traffic in the immediate vicinity;
2. traffic signals or signs after it is shown that the development and park activity have created an increase in auto and pedestrian traffic in the immediate vicinity; and
3. sidewalks abutting the park.

f. Any traffic control device installed pursuant to subsection e above shall comply with Chapter 19 of the City of Laredo Code of Ordinances.

(2) *City Option to Require Cash In Lieu of Land*

a. The City may opt to purchase land for parks or own land in or near the area of actual or potential development.

b. If the City purchases parks or owns land, the City may require subsequent park dedications in the surrounding area to be in cash if:

1. the park has the capacity to serve the development's neighborhood park requirements,
2. meets the service area requirements of a neighborhood park,
3. the cash is used for neighborhood park capital improvements or capital replacements, and
4. the land is dedicated as a park.

c. If the park is fully improved to neighborhood park standards and no capital replacements are anticipated within two years, the cash may be used for capital improvements to the neighborhood park nearest the development boundary.

(3) *Park Improvement Fee*

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a. In addition to the land dedication there shall be a Park Improvement Fee, as may be amended from time to time by City Council, to provide improvements to the park to meet the standards for a neighborhood park to serve the service area in which a development is located.

b. A park improvement fee is due when the final plat is filed, and is calculated as per Table 4.2-3.

Table 4.2-3 Park Dedication Fee Methodology

I	**Current Desired Level of Service**	
	Neighborhood Parks	1 Acre per 1,000 Population
II	**Land Requirements**	
	2000 Census Figures (Total Population)	176,576
	Person per Household (PPH) for Single Family *(based on census information for owner and renter occupied units)*	
	Single Family	3.9
	Multi-Family	2.82
	Overall average	3.7
	1,000 people / 3.90 PPH (based on decennial census)	256 Dwelling Units / residential lots or 1 Acre per 256 Units
	Dedication Requirement (min)	The minimum land requirement for park dedication is one (1) acre per one thousand population – Neighborhood parks only.
III	**Neighborhood Park Acquisition Cost *(Determines Cash Payment in Lieu of Land)***	
	Fee shall be determined on a per-acre basis	$35,000.00 per acre or fraction thereof. The City may allow an appraisal of land within the floodplain.
	The fee shall be calculated by A x V = Cash Payment in Lieu of Land; where:	• A is the required park dedication in acres, calculated to tenths of an acre. • V is the per-acre valuation based upon $45,000.00
IV	**Neighborhood Park Improvement Fee**	
	The developer is required to pay the City the following fee as a park improvement fee for each acre of park dedicated (calculated on 1000 population per acre) as per section II of this Table calculated as follows:	$80,384.00
	For every 256 dwelling units multiplied by $500.00 per dwelling unit/residential lot (see example #1).	The City may require up to 1.56 additional acres per 256 dwelling units (calculated on 1000 population per acre) by reducing

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		the park improvement fee by $35,000.00 per additional acre or fraction thereof (see examples #2 and #3).
	Example #1: A plat containing 256 Dwelling Units/residential lot (1000 Population)	
	Land Dedication per Section II of the Appendix	= 1 Acre
	Park Improvement fee per Section IV of the Appendix	
	256 Dwelling Units/residential lot at $314.00	= $80,384.00
	Example #2: A plat containing 256 Dwelling Units/residential lot (1000 Population) and the City requiring One additional Acre	
	Land Dedication per Section II of the Appendix	= 1 Acre
	Additional Land Dedication	= 1 Acre
	Total Land Dedication	= 2 Acres
	Park Improvement fee per Section IV of the Appendix	
	256 Dwelling Units/residential lot at $500.00	= $80,384.00
	Additional Land Dedication Credit 1 acre x $35,000.00	=<$35,000.00>
	Net Park Improvement fee after credit	= $45,384.00
	Example #3: A plat containing 256 Dwelling Units/residential lot (1000 Population) and the City requiring 1.56 additional Acres	
	Land Dedication per Section II of the Appendix	= 1 Acre
	Additional Land Dedication	= 1.56 Acres
	Total Land Dedication	= 2.56 Acres
	Park Improvement fee per Section IV of the Appendix	
	256 Dwelling Units/residential lot at $500.00	= $80,384.00
	Additional Land Dedication Credit 1.56 acre x $35,000.00	=<$54,600.00>
	Net Park Improvement fee after credit	= $25,784.00

(h) Park Improvements by Developer or Landowner

(1) A landowner or developer may offer to construct park improvements and dedicate the land and the improvements to the City, in fulfillment of the requirements of this section.

(2) These improvements shall comply with the needs assessment of the current Parks and Open Space Master Plan, as adopted by the City.

(3) Improvement plans and specifications are subject to the review and approval or disapproval by the Parks and Recreation Director.

(4) All park improvements are subject to inspection and approval by the City Engineering Department for compliance with the approved plans and specifications. Improvement plans and specifications must meet all applicable Federal, State, and local regulations.

(5) Once improvements are inspected and approved by the City Engineering Department, the completed park is presented to City Council for acceptance as a

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park and the landowner or developer shall deed the park and improvements to the City. The criteria listed in subsection 24.4.2(d) below applies to the resulting park.

(6) The landowner or developer shall post a financial guarantee for 100% of the cost of park improvements that are have not been completed and approved by the City Engineering Department. This guarantee shall be filed with the City prior to plat recordation. The financial guarantee will be released after the following requirements are met:

a. Improvements must have been constructed in accordance with the Approved Plans.

b. All parks upon which the improvements have been constructed are dedicated as required by this section.

c. All manufacturer warranties are provided for any and all equipment.

d. Improvements must meet all applicable Federal, State, and local regulations as of the time of the approval of plans and specifications.

e. A Certificate of Completion of the park improvements is issued by the City Engineer.

(7) Upon issuance of the Certificate of Completion, the landowner or developer shall warrant all improvements for a period of 1 year. The City Manager shall release the financial guarantee upon issuance of the Certificate of Completion. The developer remains liable to the City for any and all warranty repairs for 1 year pursuant to the certificate of warranty pursuant to Section 24.4.4.

(8) The City may draw on the financial guarantee if:

a. Landowner or developer fails to complete the improvements in accordance with the Approved Plans

b. Landowner or developer fails to dedicate the park on which the improvements are constructed.

(9) Landowner or developer shall be liable for any deficiency between the amount of the guarantee and the cost of completion of the installation of improvements and the amount of any warranty work.

(i) Time Requirements for Park Improvements Design and Completion

(1) *Single Phase Development*. The timeline for park design and construction completion for a one plat development (single phase development) begins at plat recordation, and the park improvements shall be completed within 18 months of plat recordation.

(2) *Phased Development*

a. The timeline for park design and construction completion for phased developments where the master development plan calls for several dedicated park sites, where each plat includes dedicated parks, is established in the same manner as for single phase developments.

b. If the master development plan calls for all required park dedication in one specific phase (plat) of the development, the timeline for park design and construction completion runs as of the date of recordation of the first plat in the

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series of plats subject to the approved master development plan and shall be completed within 36 months of the platting of the park.

c. The Director of the Parks Department may approve the order of phasing of the development so that development will reach the dedicated park as soon as possible.

d. No more than three phases shall be developed before the park is platted and improved.

e. The park (including any temporary easements necessary to access the park) shall be dedicated within 18 months of the date of final recordation of the first plat in the series of plats as per the approved master development plan, or prior to the final recordation of the second phase (plat), whichever occurs first.

f. For non-contiguous dedications, vehicular access may be provided by a 40 foot minimum width temporary access easement if no other access exists, subject approval of the Parks and Recreation Director.

(j) Prior Dedication

(1) Park Dedication Credit is given for land dedicated and used in accordance with Section 24.3.8 (Riparian Buffers) toward the dedication of parks required by this section, or credit will be given for dedications pursuant to this section and Section 24.3.8 (Riparian Buffers).

(2) If a landowner or developer wishes to dedicate additional park land, the park dedication in excess of the requirements of this section is deemed a Park Dedication Credit.

(3) Park Dedication Credit may be sold or transferred between projects at full credit for the requirements of this section, if the receiving project is within or crosses a 2 mile radius of the project boundary of the site from which the credit originated, and if the park dedication is made pursuant to this section.

(4) If a dedication requirement arose prior to passage of this section, that dedication requirement is controlled by the "City of Laredo Annexation Agreement and Service Plan" under which the dedication requirement was incurred and approved by the Laredo City Council by and through an Annexation Ordinance. Additional dedication is required only for any increase in density and is based on the ratio set forth in the City of Laredo Annexation Agreement and Service Plan.

(5) The origination of Park Dedication Credits and their later use must be acknowledged in writing from the Parks and Recreation Director.

(6) Parks not accessible to the general public may count towards the required park dedication if the Parks and Recreation Department is not responsible for development, construction, or ongoing maintenance of said park.[1]

(7) The receiving project shall not cross a major thoroughfare.

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(k) Special Fund

(1) There is established a special fund to deposit all sums paid in lieu of land or pursuant to this section, any preceding ordinance or annexation agreement. This fund is known as the "Park Acquisition and Park Improvement Fund".

(2) The Parks and Recreation Director shall prepare an annual budget for the expenditure of available funds in the Park Acquisition and Park Improvement Fund. The budget shall be included in the City's annual budget, the Capital Improvement Program and approved by the Laredo City Council. Prior to the preparation of any budget, the Director of Parks shall seek recommendations for the expenditure of Park Acquisition and Park Improvement Funds from the Laredo Parks and Recreation Board, and ensure the expenditures are consistent with any *Master Plan* needs assessment.

(3) The Parkland Acquisition and Park Improvement Fund shall be used exclusively to acquire, develop or improve parks or any purpose reasonably related to new parks or new park facilities serving the subject development, limited to the following purposes:

a. speed humps for parks abutting roads if it is shown that the development and park activity have created an increase in auto and pedestrian traffic in the immediate vicinity;

b. traffic signals or signs after it is shown that the development and park activity have created an increase in auto and pedestrian traffic in the immediate vicinity; and

c. sidewalks abutting the park.

(4) Expenditures from the Parkland Acquisition and Park Improvement Fund fund are subject to the restrictions contained in section 24.4.2(g)(1)e. Traffic control device installation shall comply with Chapter 19 of the City of Laredo Code of Ordinances.

(5) The City shall account for all sums paid under this section with reference to the individual developments and plats involved. Any funds paid for those purposes must be expended by the City within 36 months after the filing of the final plat, or, if a phased development, the filing of each phase or section of the contributing subdivision.

(6) Where funds or a dedication for a phased development are paid or made for the entire development at one time, and the original developer does not complete all phases of the entire development, the funds or dedication paid or made will satisfy the park and money requirements of this section for the undeveloped land. No further dedication or money is required unless there is an increase in density, in which case additional parks and fees may be required.

(l) Consideration and Approval

(1) Appeal from any decision by the Parks and Recreation Director or the Laredo Parks and Recreation Board in regards to the provisions of this ordinance shall be in writing, submitted to the Parks Director and the Planning Director and placed on the next agenda of the City Council. The City Council may make a decision contrary to

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those recommendations only by a concurring vote of a majority of the Council members present.

(m) Review of Dedication Requirements. The City shall review the requirements of this ordinance and the associated fees set forth in this section every three (3) years or more frequently as needed.

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24.4.3 Cluster

(a) Applicability. This section applies to a residential development consisting of single-family detached homes arranged in accordance with the cluster development standards established within the applicable zoning district. This design features smaller, grouped lots to maximize shared open space. Common open spaces are often designated for natural and recreational resources, including parks, woodlands, creeks, riparian areas, and floodplains. By concentrating development on the buildable portions of a site, cluster subdivisions support the preservation of environmental features and open space.

(b) Open Space

(1) Common open space shall be connected to other open spaces, greenways, and trail systems within the development and adjacent properties. Such integration should be pursued where practical and where it does not significantly impact the ecological or resource value of designated protection areas

(2) Open space shall be incorporated into the development layout to provide the greatest possible access to significant open areas for the majority of properties. Access may be restricted where necessary to support the effective management and preservation of natural resources.

(3) Distance from Residential Lots. All required common amenity or open space shall be accessible and located no further than 1,200 feet from any residential lot within the cluster subdivision, measured along a sidewalk or trail from the nearest property line of the lot to the nearest property line of the open space. Widths of public rights-of-way and pedestrian easements shall be excluded from the 1,200-foot calculation.

(c) Increased Lot Area or Setback

When a cluster subdivision is situated across a local street from an existing conventional development, it shall incorporate one of the following design approaches:

(1) Perimeter lots shall have a lot area and width equal to or greater than those of the conventional lots across the street;

(2) Lots may be oriented sideways to the local street and conform to cluster subdivision standards; or

(3) The cluster subdivision may have rear-facing lots along the local street, provided a Type B buffer yard is included.

(d) Minimum Site Area

(1) The minimum site area required for a cluster subdivision is five acres.

(e) Minimum Lot Area adjacent to existing developments (other than cluster subdivisions). The cluster subdivision lots directly abuting the existing subdivisions shall be:

(1) Equal to or greater than the lot area and width of the existing adjacent lots;

(2) Separated from adjacent lots by a buffer yard or;

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(3) The dwelling units on the perimeter cluster shall be set back from the boundary of the cluster subdivision a minimum of the following distances based on the number of cluster lots being developed:

a. One to 10 lots; 30 feet;

b. 11 to 30 lots: 40 feet; and

c. 31 or more lots: 50 feet.

(f) Buffering Requirements

(1) A buffer area along the perimeter of the cluster subdivision may count toward the required common open space. However, no more than 25 percent of the total required open space may be within the perimeter buffer area.

a. Natural buffer area. Natural buffer areas include the use of a higher density of plant materials and an earthen berm to achieve the required level of buffering and screening.

b. Structural buffer area. Structural buffer areas include the use of a wall or fence to achieve the required level of buffering and screening.

24.4.4 Commercial Condominiums

(a) Applicability. This section applies to commercial condominiums. A commercial condominium is defined as development where the land under each commercial unit is owned by the building owner(s) and common parking, ingress, egress, easements and landscaped areas are owned and maintained by a condominium association.

(b) Condominium Association

(1) The applicant shall form a condominium association.

(2) The association agreement shall be filed simultaneously with the final plat with the County Clerk's records, with the City's concurrence.

(3) The association agreement shall contain binding provisions between the property owners for the allocation of costs and responsibilities associated with the common area.

(As amended 4/21/86, Ordinance # 86-0-074)

(c) Dimensional Standards. The following standards apply to commercial condominiums:

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Table 4.3-1 Commercial Condominium Standards

Standard	Area or Zoning District					
	R/O,	B-1, B-3	CBD, AE	B-4	M-1, M-2	PUD, ETJ
Development size (*min, sf*)	10,000	10,000	5,000	31,000	31,000	31,000
Commercial unit (lot) size (*min, sf*)	n/a	n/a	n/a	1,000	1,000	1,000
Ratio of common area to floor area	n/a	n/a	n/a	2:1	2:1	2:1
Percent landscaping in common area *(min; maintained by condominium association)*	n/a	n/a	n/a	5%	5%	5%
Common area – number of separate curb cuts to public street	n/a	n/a	n/a	2	2	2

(d) Utility Easement. Utility easement requirements, design and specifications for public and private utility distribution are subject to approval of the City. In the absence of written approval, a minimum 15-foot wide utility easement is required along the outside perimeter of the land to be platted to provide services to this development and future development.

24.4.5 Improvement Guarantees

(a) Generally.

(1) *Completion or Improvement Guarantee.* The applicant shall not file an application for final plat approval until a written report is received from the City Attorney and City Engineer stating that either of the following conditions are met:

a. *Construction of Improvements*. All necessary improvements are constructed. The applicant's duly authorized representative shall inspect all construction while in progress. A certificate of that representative stating that the construction conforms to the specifications and standards in this Code must be presented to the Planning Director before the plat is recorded.

b. *Security in Lieu of Construction ("Security")*. The applicant has posted a surety bond, letter of credit or escrow as provided below.

(2) *Cost of Improvements*

a. Securities shall include an amount adequate to cover the entire cost of installing all necessary improvements as estimated by the City Engineer, plus a cost escalator as provided below. This amount of the security is based on the estimated cost of the improvements on the latest date stated for their installation, and not on the actual date of the security or the date that a cash or other instrument is deposited with the City or the bank.

b. If a subdivider submits an original security after two (2) years elapses from the date on which a plat was approved, the actual cost estimate of completing the uncompleted site improvements shall increase by an amount, based upon a locally recognized construction cost index as approved by the City Engineer, required to cover an estimated inflationary increase in the cost during the duration of the period covered by the security.

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(b) Surety Bond. This requirement is satisfied if:

(1) The applicant files a surety bond with the City Attorney:

a. payable to the City of Laredo,

b. on a form provided by City,

c. from a surety bonding company licensed to do business in the State of Texas, and

d. having a Best AAA rating.

(2) The bond shall guarantee installation of all necessary improvements within the time estimated for their completion by the City Engineer. The bond shall include a condition requiring the subdivider to complete all improvements and have them pass a final inspection within the earlier of final plat approval 3 years from the date of preliminary plat approval, or shall have received an approved extension at least 30 days prior to the expiration of the performance bond.

(3) The amount of the bond is based on the estimated cost of the improvements on the latest date stated for their installation, and not on the actual date of the surety bond.

(4) A bond shall specifically state that it remains in full force until the improvements are made by the owner and accepted by the City of Laredo.

(c) Letter of Credit. This requirement is satisfied if:

(1) The applicant files an irrevocable letter of credit with the City Attorney, on a form provided by the City.

(2) The letter of credit shall require only that the City present the credit with a sight draft and an affidavit signed by the City Attorney attesting to the City's right to draw funds under the credit.

(d) Escrow Account. This requirement is satisfied if:

(1) The applicant places cash or other instrument made payable to the City of Laredo on deposit, on an instrument readily converted into cash at face value. This includes a deposit with the City of Laredo or in escrow with a bank.

(2) The use of any instrument other than cash or the bank with which the funds are deposited an escrow account, is subject to the approval of the Planning and Zoning Commission.

(3) The applicant shall file an agreement between the financing bank and the applicant with the City Attorney, guaranteeing:

a. That the funds of the escrow account shall be held in trust until released by the City Attorney, as construction is approved by the City Engineer, and may not be used or pledged by the owner as security in any other matter during the escrow period, and

b. That if the applicant fails to complete the improvements within the agreed time limits, the bank shall immediately make the funds in the accounts available to the City for use completing the improvements.

(e) Inspection

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(1) If the applicant files one of the above three (3) types of security, the City Engineer shall inspect the construction of the improvements while in progress and upon completion of construction.

(2) After final inspection, the City Engineer shall notify the owner and the City Attorney in writing as to the acceptance or rejection of the construction.

(3) The City Engineer shall reject construction only if it fails to comply with the standards and specifications contained or referred to in this Chapter.

(4) If the City Engineer rejects construction, the City Attorney shall proceed to enforce the guarantees provided in this Section, on direction of the Planning and Zoning Commission.

(f) Release Upon Completion of Site Improvements. Upon completion of the required site improvements and final inspection, an instrument releasing the applicant from the provisions of the improvement guarantee shall be filed with the City Engineer.

(g) Maintenance

(1) *Maintenance Agreement*

a. Prior to the issuance of any building permit for which private improvements are required, the City Engineer shall require the applicant or owner to execute under oath, an inspection and maintenance agreement binding on all subsequent owners of land served by the facility. The agreement shall provide for access to the facility at reasonable times for regular inspections by the City Engineer and for regular or special assessments of property owners to ensure that the facility is maintained in proper working condition to meet design standards and any provision established.

b. The agreement shall be recorded by the applicant and/or owner in the deed records of Webb County, Texas.

c. The agreement shall also provide that, if after the notice by the City Engineer to correct a violation requiring maintenance work, satisfactory corrections are not made by the owner(s) within a reasonable period of time (30 days maximum), the City Engineer may perform all necessary work to place the facility in proper working condition. The owner(s) of the facility shall be assessed the cost of the work and any penalties. This may be accomplished by placing a lien on the property, which may be placed on the tax bill and collected as ordinary taxes by the City.

(2) *Maintenance Responsibility*

a. All private improvements and appurtenances required for commercial or multifamily development shall be maintained by the owner of the commercial or multifamily development.

b. All private improvements required for single family or duplex residential development shall be maintained by the developer for 2 years after the final acceptance for the entire development. The City will not accept any improvements (including drainage structures) which are not complete according to the requirements of this Code.

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c. The owner of the property on which work is done pursuant to this Code for private improvements, or any other person or agent in control of that property, shall maintain in good condition and promptly repair and restore all grade surfaces, walls, drains, dams and structures, vegetation, erosion and sediment control measures, and other protective devices and remove and properly dispose of all floatables. The repairs or restoration and maintenance shall be in accordance with approved plans.

d. A maintenance schedule shall be developed for the life of any private improvement and shall state the maintenance to be completed, the time period for completion, and who shall perform the maintenance. This maintenance schedule shall be printed on the preliminary plat or storm water management plan.

(h) Replats. The Planning and Zoning Commission has discretion as to the type of securities to be posted by the applicant for replats of property less than one block.

(i) Floodplains

(1) For properties within the floodplain and where a map revision is proposed, a surety bond, letter of credit, or escrow account as required above shall be double the estimate of the drainage improvements and shall remain in effect until the improvements are complete.

(2) Upon completion of improvements, a letter of credit shall be put up in the amount equivalent to the estimate of the drainage improvements until the Letter of Map Revision (LOMR) is approved by the Federal Emergency Management Agency (FEMA).

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24.4.6 Stormwater Management

Purpose: The purposes and objectives of this section are as follows:

- *To protect, maintain, and enhance public health, safety, and general welfare by establishing minimum requirements and procedures to control the adverse impacts associated with storm water runoff. Proper management of storm water runoff will minimize damage to public and private property, reduce the effects of development on land and stream channel erosion, assist in the attainment and maintenance of water quality standards, reduce local flooding, and maintain the pre-development runoff characteristics after development, as nearly as possible.*
- *To prevent the discharge of contaminated storm water runoff from development and/or redevelopment or construction sites into the Municipal Separate Storm Sewer System (MS4) and natural water within the City of Laredo and its extraterritorial jurisdiction.*
- *To facilitate compliance with state and federal water quality standards, limitations, and permits by owners and operators of development and/or redevelopment sites or construction sites within the City of Laredo.*
- *To enable the City to comply with all federal and state laws and regulations applicable to storm water discharges.*
- *To maintain and improve the quality of surface water and groundwater within the City of Laredo by preventing the introduction of pollutants to the maximum extent practicable (MEP) using best management practices (BMPs).*
- *To establish responsibility for the reduction of harmful and damaging effects of development-generated erosion, sedimentation, storm water runoff, and accumulation of debris on other properties and receiving waters.*
- *To minimize harm and long-term costs to the community from activities which may adversely impact water resources.*
- *To encourage the use of Regional Storm Water Detention Facilities.*

(a) Applicability

(1) *Scope and Jurisdiction*

a. This section applies the minimum storm water management requirements for development and/or redevelopment of a site within the City of Laredo and its extraterritorial jurisdiction.

b. This section is not a limitation or repeal of any other powers granted by the State statute.

c. If site characteristics indicate that complying with these minimum requirements do not provide adequate designs or protection for local property or residents, it is the designer's responsibility to exceed the minimum requirements as necessary.

d. For properties located within the City of Laredo's ETJ, the City's and County's engineering staff shall coordinate to apply the standards that are more restrictive.

(2) *Applications.* This section applies to any subdivision plat or any site plan for a building permit, except as provided in subsection 24.4.5(a)(6) below.

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(3) *Administration*. The City Engineer is responsible for the coordination and enforcement of the provisions of this section. [*See Article 5*]

(4) *Implementation of State/Federal Requirements*

a. This section sets development constraints to ensure compliance with the outlines, obligations, and responsibilities of the City of Laredo as specified in agreements, permits and jurisdictional responsibilities of state and federal governmental agencies for storm water management which may include, but are not limited to, the following:

1. TCEQ - dam safety,

2. TCEQ - water rights,

3. EPA-NPDES, and/or TCEQ-TPDES,

4. TxDOT,

5. U.S. Army Corps of Engineers,

6. State Historical Officer,

7. Parks and Wildlife,

8. IBWC,

9. FEMA.

b. This section does not abrogate responsibilities of the City of Laredo or its citizens from compliance with state and federal regulations.

(5) *Storm Water Management Guidance Manual*. A *Storm Water Management Guidance Manual* is adopted and incorporated by reference as a supplement to this section. The *Storm Water Management Guidance Manual* provides specific development and / or redevelopment design standards and criteria and information on best management practices (BMPs) and permanent storm water control mechanisms whose incorporation into a development ensure compliance with this Code. The manual shall be updated and republished periodically to reflect adopted changes in policies and/or standards, which can be found here: https://www.cityoflaredo.com/departments/engineering-department/development-services-information/stormwater-management-guidance-manual

(6) *Exemptions*. The following development activities are exempt from this section and the requirements of providing storm water management measures:

a. Land disturbing activities on agricultural land for production of plants and animals useful to man.

1. This exemption includes: forages, and sod crops, grains and feed crops, tobacco, cotton, and peanuts; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, including the breeding and grazing of these animals; bees; fur animals and aquaculture.

2. The construction of an agricultural structure of at least 1 acre, such as broiler houses, machine sheds, repair shops and other major buildings, which require the issuance of a building permit require the submittal and approval

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of a storm water management plan prior to the start of the land disturbing activity.

b. Land disturbing activities undertaken on forest land for the production and harvesting of timber and timber products.

c. Construction or improvement of single-family residences or their accessory buildings (less than 1 acre) separately built and not part of a multiple construction of a subdivision development.

d. There are no exemptions from the requirements imposed upon the City of Laredo as part of its MS4 obligations.

e. The City of Laredo is not exempt from the requirements of this Code.

(b) Drainage Standards

(1) *Method of Computing Runoff*

a. The basis of computing runoff is either the rational formula, or another method deemed acceptable by the City Engineer.

b. Runoff rates for areas greater than 130 acres shall use either a unit hydrograph methodology, or another method deemed acceptable by the City Engineer.

c. Where an approved study exists (i.e. FEMA, or other regulatory agency) for areas less than 130 acres, the methodology shall match that used in the study unless otherwise dictated by the City Engineer.

d. Wet antecedent conditions shall be assumed.

e. Run-off rates shall be computed on the basis of ultimate development of the proposed development/redevelopment, or construction activity.

f. Flows from off-site contributing areas draining to, and/or through, the proposed development / redevelopment or construction activity are based on the 25-year existing conditions.

g. To determine time of concentration, times are calculated on the basis of an improved drainage system upstream from the area under consideration.

h. Run-off coefficients shall be obtained from information presented in the Storm Water Management Guidance Manual.

(2) *Off-Site Drainage*

a. The owner or developer of property to be developed / redeveloped is responsible for accepting all predevelopment storm drainage flowing onto their property as calculated per subsection 24.4.5(b)(1).

b. Predevelopment storm drainage shall be adequately conveyed through, or around, the property. This responsibility includes all drainage directed to that property by prior development as well as drainage naturally flowing naturally through the property by reason of topography.

c. Adequate consideration shall be given to determine how the storm water discharge leaving the proposed development will affect downstream property. In determining downstream effects from storm water management structures and the development/redevelopment, or construction activity on receiving streams

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known to having flooding or erosion problems, the City Engineer may require (at their reasonable discretion) that hydrologic-hydraulic engineering studies be extended downstream, to a point where the proposed development/redevelopment or construction activity represents less than 10% of the total contributing watershed.

d. Any construction activity that requires off-site grading or encompasses an area in compliance with current EPA/NPDES storm water permitting provisions, where storm water runoff has been collected or concentrated, whether it be by permanent drainage systems or streets, shall not drain onto adjacent property except in existing creeks, channels, storm sewers, or streets unless the following is provided:

1. Notarized letter (which is notarized and recorded with the County Clerk) of permission from the affected property owner;
2. Proper drainage easements;
3. An owner who is unable to acquire the necessary off-site easements shall provide the City with documentation of their efforts, including evidence of a reasonable offer made to the adjacent property owner. By written request for assistance, the City may assist the negotiations to acquire off-site easements. If the negotiations are unsuccessful, the request may, at the developer's option, be submitted to the City Council for consideration of acquisition through condemnation. In either case, by the owner/developer shall pay the total cost of the acquisition and easements; or
4. A developer who is unable to obtain either 1 or 2 above and chooses not to seek assistance from the City, as outlined in 3 above shall provide the City with documentation of their efforts. The developer will then execute a notarized letter. The letter shall be in a form approved by the City Attorney and shall provide that the developer shall agree to save and hold harmless the City of Laredo from any and all claims or suits for damage arising out of the required grading and/or concentrations of flow. The City may require the notarized letter of permission or easement from the affected property owner prior to construction.

e. The subdivider shall pay for the cost of all (post-development) drainage improvements or offsite downstream upgrades required for the development of the subdivision. These include any necessary off-site channels, or storm sewers, and acquisition of the required easements. In areas where the proposed off-site improvements are made within existing City right-of-way(s), an estimate of these off-site costs shall be prepared and submitted with the drainage plans.

f. If it is anticipated that additional runoff incident to the construction activity will overload an existing downstream drainage facility, whether natural or man-made, and result in hazardous conditions, the City Engineer may withhold approval of the activity until appropriate provisions are made to correct the problem. Plans shall be provided which include all necessary off-site

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improvements including storm sewer systems, channel grading, driveway adjustments, culvert improvements, and related items.

(3) Finished Floor Requirements

a. The first-floor elevations of all residential and other structures shall be set at a minimum elevation as per the latest adopted International Residential Code.

b. The approved drainage system shall provide for positive overflow at all low points. The term "positive overflow" means that when the inlets do not function properly or when the design capacity of the conduit is exceeded, the excess flow can be conveyed overland along a grassed or paved course. The approved drainage system shall provide for positive overflow at all low points. Normally, this would mean along a street alley, or otherwise require the dedications of special drainage easements on private property.

c. Positive overflow sections shall provide at least 2 feet from the overflow invert adjacent to the structure and the corresponding first-floor elevation of all residential and other structures.

d. All lots affected by positive overflow section shall be labeled, and minimum finished floor elevation shall be provided on face of the subdivision plat. The Building Official shall require a finished floor National Flood Insurance Program elevation certificate in compliance with this ordinance as a prerequisite to obtain a Certificate of Occupancy.

e. When the drainage characteristics of a subdivision are such that a portion of the subdivision is within or adjacent to the 100-year floodplain, the minimum finished floor elevation of 18 inches above top of curb be shown on all lots contained within or adjacent to the 100-year floodplain. These elevations should be based on the most current flood plain management criteria. The elevations shall be shown on the plat prior to filing the plat for record. The following note shall be added to any plat upon which the City Engineer requires the establishment of minimum finished floor elevations:
"The City of Laredo reserves the right to require minimum finished floor elevations on any lot contained within this addition. The minimum elevations shown are based on the most current information available at the time the plat is filed and may be subject to change. Additional lots, other than those shown, may also be subject to minimum finished floor criteria."

(c) Drainage Facilities

(1) *Streets and Closed Storm Sewer Systems*

a. *Street Drainage*

1. Streets may be used for storm water drainage only if the calculated storm water flow does not exceed 10 feet per second.

2. Streets used for storm water drainage shall conform to the following. If streets are not capable of carrying storm waters as outlined below, the developer shall provide drainage facilities as required by these standards.

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a. Streets and alleys shall be designed on the basis of a ten (10)-year frequency storm event.

b. Storm sewer inlets shall be built along paved streets at such intervals that the depth of flow, based upon the 10-year storm, does not exceed the top of curb.

c. Bypass flow is allowed and shall not exceed 25% of the original discharge.

d. Valley gutters shall be placed when surface drainage crosses any local street or if the change in elevation between curbs returns exceeds 6 inches.

e. Valley gutters shall be reinforced concrete and be at least six(6) feet wide.

f. Inlets shall be located as necessary to remove the flow based on a 10-year storm.

g. At any intersection, only one street shall be crossed with surface drainage. Preferably, this street shall be the lower classified street. When an alley intersects a street, inlets shall be placed in the alley whenever flow down that alley would cause the capacity of the intersecting street to be exceeded.

b. *Closed Storm Sewer Systems*. Where closed storm sewer systems are used, the excess discharge shall be picked up at the point where the street can no longer handle the runoff flowing curb full.

c. *Closed Storm Sewer Pipe*. Closed storm sewer pipe size and grade shall be designed based on the following criteria:

1. Minimum pipe size shall be 24 inches in diameter. When circumstances do not allow for a 24-inch diameter, the City Engineer may approve an alternate size.

2. Minimum grade shall allow minimum flow velocities are at least 3 feet per second with the pipe flowing full under the design conditions.

3. Allowable "n" values for design shall be as specified in the Storm Water Management Guidance Manual.

4. Under normal conditions, pipes shall be designed assuming full flow conditions.

5. Where conditions or design cause a pipe to flow under pressure, the hydraulic grade line shall be calculated and plotted in profile. The hydraulic grade line shall not be closer than 1 foot to finished grade unless specifically authorized by the City Engineer.

6. Pipe for storm drains shall be reinforced concrete pipe (RCP) in sizes as shown on the approved plans. All RCP shall be minimum Class III. All Class III RCPs shall have a minimum cover of at least 1 foot over the top of the pipe. Where added strength of pipe is needed for traffic loads over minimum cover or for excessive height of backfill, concrete pipe shall be ASTM C14 Extra Strength or ASTM C76, Class IV or Class V.

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7. City Engineer may approve alternate pipe materials (HDPE, FIBER GLASS, CMP, etc.) within the private easement, positive overflow area and within the Right-Of-Way (ROW).

d. *Manholes.* Manholes (inlets and junction boxes) shall be provided at sewer intersections, and at a maximum of 500 feet on straight lines. Design of manholes shall conform to the City of Laredo Design Standards, as periodically amended.

(2) *Open Channels*

a. Open Channels shall be designed for subcritical flow under normal conditions. If supercritical flow exists, energy dissipation will be required to return flow to subcritical flow conditions. Open channels shall be designed to convey at least the 25-year frequency design storm event.

b. The maximum allowable velocities in constructed channels are based on the channel type. The following velocity chart is used for scour protection and to determine the maximum velocities for a given type of channel lining:

Table 4.5-1 Velocity (Maximum) for Scour Protection

Channel Type	Maximum Velocity
Grass Lined	5 fps
Concrete Lined	> 5 fps

c. Other methods of bottom and slope protection may be substituted for conditions where concrete lining is required upon the approval of the City Engineer. Requests for substitution shall be accompanied by an engineering analysis of the equivalency to concrete, reasons for substitution, and an evaluation of maintenance issues.

d. Grass-lined channels shall include slope protection in bends, unless the radius of curvature is greater than twice the channel top width.

e. Open channels shall provide a at least 1 foot of freeboard above design flow depth. Additional freeboard is required where design conditions warrant as outlined in the *Storm Water Management Guidance Manual*. All channels shall have a minimum 8 foot bottom width to facilitate maintenance operations. Where the calculated depth of normal flow is less than the required freeboard, the City may consider reducing channel widths (valley gutter, concrete swale) or alternate configurations.

(3) *Culvert and Bridge Crossings*

a. All roadway culvert crossings shall be designed for a 25-year frequency storm event.

b. Crossings located within flood hazard zones shall be designed to ensure compliance with FEMA regulations.

c. The hydraulic capacity of proposed culverts shall be such that headwater depth is at least 1 foot below the minimum roadway elevation.

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d. Proposed bridges shall have a low chord elevation at least 1 foot above the design storm water surface elevation.

e. All culverts located or expected to be located under paving and bridges shall be structurally designed for an HS-20 loading.

f. Hydrologic and hydraulic calculations for all crossings must be included in the permit application to ensure compliance with this Code.

g. All culvert and bridge crossing(s) need to have the flood gauge installed by the developer before acceptance by the City.

(4) *Hydraulic Structures - Energy Dissipation*

a. Where hydraulic structures are included in the design of storm water drainage systems, energy dissipation shall be included in the structure as outlined in the *Storm Water Management Guidance Manual*.

b. Hydraulic structures may include, but are not limited to: pipe outlets, spillways, drop structures, and culvert headwalls.

c. All energy dissipators should be designed to facilitate maintenance.

d. At the reasonable discretion of the City Engineer, the design of outlet structures in or near parks and/or residential areas must give special consideration to aesthetics.

(5) *Retention/Detention Facilities.* The following are minimum criteria for detention facilities within the City of Laredo and its extraterritorial jurisdiction. These criteria do not supersede or replace requirements established by the State of Texas for dam safety, dam construction plan review, and/or the impoundment of State Waters. Where the State of Texas requirements apply, the owner/developer and/or engineer shall provide evidence of compliance prior to final approval of the facility by the City of Laredo.

a. *Allowable Discharge - (Pre/Post Analysis for Retention/Detention Facilities)*

1. The ultimate 100-year design storm event is used to determine the required retention/detention volume for the development site.

2. The discharge rate from the facility shall be such that the pre- development discharge rate from the site is not exceeded in the post-developed condition for the design storm event. The precondition discharge rate shall be calculated assuming the proposed site is in a natural state.

3. Upstream adjacent properties shall be considered at their existing conditions, provided that the downstream receiving stream/channel/detention pond can accept additional storm water runoff volume without causing flooding as determined by the City Engineer.

b. *Storage*

1. The design storage shall be the volume of the design storm event hydrograph that exceeds the allowable discharge rate noted above.

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2. Basins without upstream detention areas and with drainage areas of 130 acres or less may calculate storage using the Modified Rational Method as described in the *Storm Water Management Guidance Manual*.
3. Basins with drainage areas greater than 130 acres, or where the Modified Rational Method is not applicable, shall be designed using an approved method as described in the *Storm Water Management Guidance Manual*.

c. *Impoundment Design Criteria*

1. The steepest side slope permitted is 4:1 for a vegetated earth embankment, 2:1 for a rock dam, or as determined by a geotechnical investigation that is certified by a licensed professional engineer and approved by the City Engineer.
2. Earth embankments used to temporarily impound the required detention volume shall be constructed according to standard specifications for fill. These specifications should be, at a minimum, adequate for levee embankments and be based on the City of Laredo standard specifications for embankment, topsoil, sodding, and seeding.
3. Where permanent impoundment is to be provided a geotechnical investigation is required. Based on the geotechnical report more stringent specifications may be required.
4. Embankments, spillways and other appurtenances shall be designed to withstand the pressures of the impounded storm water.
5. Excavated detention facilities must provide positive drainage with a minimum bottom grade of 0.3% (0.003/ft). A low flow concrete valley gutter shall also be provided.

d. *Freeboard and Emergency Spillway*

1. The top of the embankment shall be at least 1 foot above the 100-year maximum design elevation.
2. An emergency spillway, or overflow area, shall be provided above the maximum design elevation to ensure that the State of Texas Dam Safety overflow requirements or the 100-year frequency event, whichever is more stringent, does not overtop the embankment.
3. If the emergency spillway capacity is to be provided over the embankment, the spillway will be structurally designed to prevent erosion and consequent loss of structural integrity.
4. The spillway or the dam portion of the pond shall be constructed of reinforced concrete or with concrete lining. The City Engineer may approve alternate materials.

e. *Outflow Structure.* Where the outflow structure conveys flow through the embankment in a conduit, the conduit shall be reinforced concrete or other material to be approved by the City Engineer designed to support the external loads with an adequate factor of safety. It shall withstand the internal hydraulic

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pressures without leakage under full external load or settlement. It must convey water at the designed velocity without damage to the interior surface of the conduit.

f. *Fence*

1. Security fencing with a minimum height of 6 feet shall encompass the detention and maintenance area when required, as determined by the City Engineer, due to potential safety hazards created by prolonged storage of floodwater.

2. Design shall not restrict the inflow or outfall of the basin.

3. Adequate access for maintenance equipment shall be provided.

4. In basins used for recreation areas during dry periods, pedestrian access may be provided with the approval of the City Engineer.

g. *Floatable Controls*

1. Detention facilities shall incorporate some type of floatable controls (baffles, skimmers, etc.) to ensure that discharge of floatables from the facility is limited to the maximum extent practicable as determined by the City Engineer.

2. As part of the ongoing detention facility maintenance, the detention facilities shall be regularly checked and any floatables removed.

3. A maintenance regimen for the removal of floatables shall be part of the maintenance schedule submitted for permit review and approval.

h. *Maintenance Access Requirements*

1. A minimum 15-foot wide maintenance area shall be provided to serve the detention facility. The crown (top of berm) shall have a minimum width of 10 feet unless used for primary maintenance of the detention facility, in which case it shall have a minimum width of 15 feet.

2. Access must be provided into detention basins designed for periodic desilting and debris removal. Basins with permanent storage must include dewatering facilities to provide for maintenance.

i. *Municipality Participation*

1. When the City Engineer determines that additional storage capacity beyond that required by the applicant for on- site storm water management is necessary in order to enhance or provide for the public health, safety and general welfare, to correct unacceptable or undesirable existing conditions or to provide protection in a more desirable fashion for future development, the City Engineer may:

a. Require that the applicant grant any necessary easements over, through or under the applicant's property to provide access to or drainage for such a facility;

b. Require that the applicant attempt to obtain from the owners of property over, through or under where the storm water management facility is to

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be located, any easements necessary for the construction and maintenance of the facility. If the applicant fails to obtain the easement the City may, at its option, assist by purchase, condemnation, dedication or otherwise, and subject to paragraph c below, with any cost incurred to be paid by the City); and/or

c. Participate financially in the construction of such facility to the extent that the facility exceeds the required on-site storm water management as determined by the City Engineer.

d. The City may assume maintenance of the facility as a storm water management facility.

2. To implement this provision both the municipality and developer must be in agreement with the proposed facility that includes the additional storage capacity, and jointly develop a cost sharing plan which is agreeable to all parties.

j. *Fee in-lieu-of Detention.* The City Engineer may waive the detention requirement for small plats (less than 5 acres) with the options of fee in-lieu-of detention when the downstream receiving stream/channel/detention pond can accept additional storm water runoff volume without causing erosions. The calculation will be based on the combination of the construction cost and land cost of the proposed detention facility and may include the maintenance cost for 2 years.

(6) *Regional Storm Water Management Facilities*

a. *Generally*

1. For purposes of this section, a regional storm water management facility is any facility constructed on a channel or waterway whose total drainage area is greater than 130 acres and serves more than 1 development.

2. Regional storm water management facilities may be maintained by the City.

3. The design of regional storm water management facilities shall assume that all contributing areas are fully developed in accordance with approved future land use plans.

4. A plan of the contributing area will be submitted as part of the permitting process indicating conveyance easements through the property being developed sufficient to convey post development flows to the facility.

5. If the proposed development is upstream of the regional storm water management facilities, pass through conveyance systems shall be included in the design of the development.

b. *Lakes and Dams*

1. If a property owner or developer desires to modify an existing pond or lake, or desires to impound stormwater by filling or constructing an above-ground dam, thereby creating a lake, pond, lagoon or basin as part of the planned development of that property – the criteria listed below shall be met before the City approves the impoundment.

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2. Ponds or lakes created by excavation of a channel area without erecting a dam above natural ground elevation or instream, low water check dams are also subject to the criteria listed below with the exception of spillway capacity requirements.
3. The City Engineer has final authority to determine the design criteria for a proposed dam, check dam, or excavated lake.
4. The requirements of the State of Texas must also be met for the construction of dams, lakes, and other impoundments.
5. The design criteria for a dam is dependent on the size and hazard classification of the dam. The size and hazard classification will be based on Chapter 12 of the Texas Water Code. The following criteria will be used to classify a dam:

   Size. The classification for size is based on the height of the dam and storage capacity, whichever gives the larger size category. Height is defined as the distance between the top of the dam (minus the freeboard) and the existing streambed at the downstream toe. Storage is defined as the maximum water volume impounded at the top of the dam (minus the freeboard).

Table 4.5-2 Spillway Design Flood (SDF)

Hazard	Size	SDF
Low	Minor	100-year
	Small	¼ PMF
	Intermediate	¼ PMF to ½ PMF
	Large	PMF
Significant	Small	¼ PMF to ½ PMF
	Intermediate	½ PMF to PMF
	Large	PMF
High	Small	PMF
	Intermediate	PMF
	Large	PMF

In all cases, the minimum principal spillway design capacity is the 100-year design flood. In certain cases, a dam breach analysis may be required to determine the proper classification of the structure. For all structures requiring a spillway design flood equal to the Probable Maximum Flood (PMF), a dam breach analysis is required to determine the downstream consequences of a failure. All dams designed for a Spillway Design Flood (SDF) of ½ PMF or less shall be constructed with a minimum freeboard of 2 feet above the SDF elevation.

(7) *Retaining Walls in Waterways*

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a. All retaining structures/walls located within a 100-year floodplain shall be constructed of reinforced concrete or other materials approved as designed for the specific on-site conditions. Special structural designs shall be submitted with supporting calculations to the City Engineer for approval.

b. Retaining walls shall be designed to achieve a minimum factor of safety of 2 against overturning and 1.5 against sliding.

c. The criteria/parameters used in considering the adequacy of the retaining wall design shall be as outlined in the *Storm Water Management Guidance Manual*.

d. Any wall taller than 30 inches requires a building permit, and any wall taller than 4 feet in height will require a building permit and an engineer's certification that the wall is structurally sound, and built as per the plan specifications.

(d) Easements

(1) *Generally*

a. Property development/redevelopment that includes detention and/or drainage facilities shall dedicate easements to the City.

b. The minimum width of easements shall be determined by the City Engineer, based on the examples set out in the *Storm Water Management Guidance Manual*.

c. Final plats shall contain standard language addressing the easements and management areas, and on-ground monumentation as outlined below:

1. Floodway easements are to be dedicated for open waterways in nonresidential areas. The property owner shall maintain floodway easements.

2. Drainage easements shall be dedicated for manmade drainage channels, closed storm sewer systems, or drainage structures in areas not owned by the City, but to be maintained by the City.

3. Detention basins shall be maintained in detention area easements. Detention basins constructed through private development activities shall be maintained by the property owner or neighborhood association. Detention basins constructed for the City, or constructed as a regional facility approved by the City, shall be maintained by City personnel.

4. All detention easements and drainage easements shall include provisions for adequate maintenance such as dedicated and maintained access easements. These access easements shall be sufficient to provide ingress and egress for maintenance. The minimum width is 15 feet. Access easements are needed only when the area to be maintained does not border a public right-of- way.

(2) *Easements for Enclosed Storm Sewers, Positive Overflow Areas and Lot Drainage*

a. A grading plan shall be prepared and submitted to the City, which indicates typical lot grading for all lots in the subdivision using typical FHA lot grading types (A, B, and C). [*See Table 4.5-3 Typical FHA lot grading, below.*]

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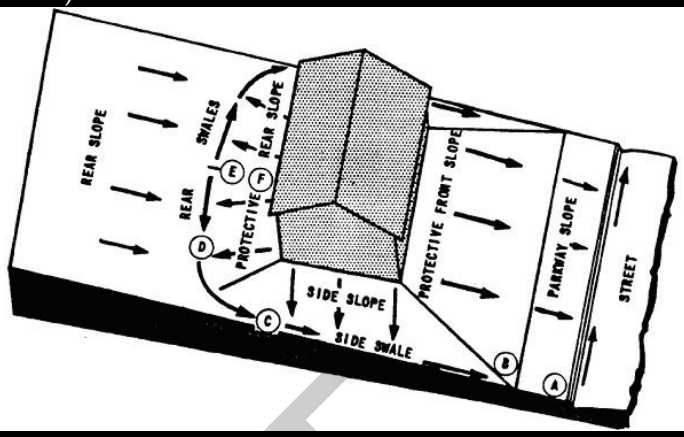
Table 4.5-3 Typical FHA lot grading

Type "A" Lot Grading (all drainage to street)

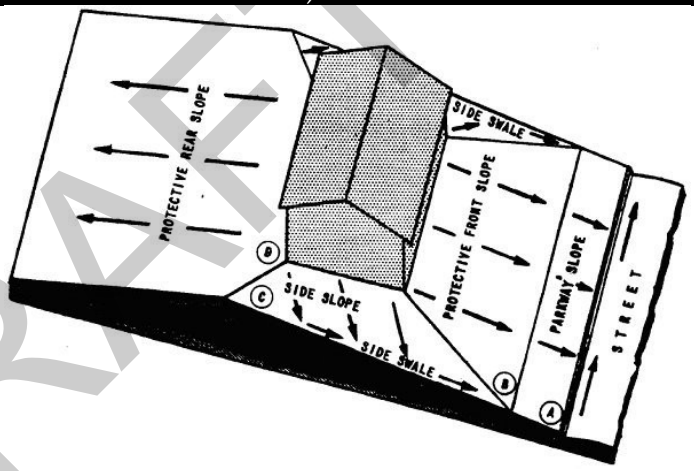
Rear yard swales behind the house carry surface water from rear yard to side yard swales (1% minimum) which carry it to street for disposal through the street gutters and the public storm drainage system.



A	Curb-top on lot line extension at highest lot corner.
A-B	Parkway slope
B-C	Side yard swale
C-D	Swale turn with 10′ radius D-E Rear swale
E-F	Protective rear slope up from high point of swales

Type "B" Lot Grading (drainage both to street & to rear lot line)

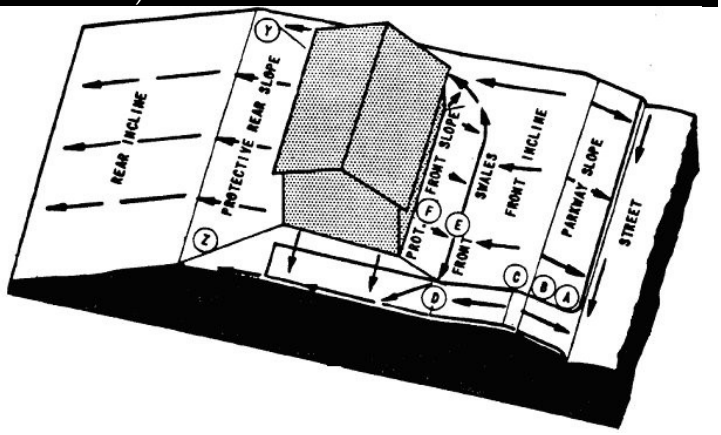
Only side swales are needed to drain both to the street and to the rear lot line. They should extend back of the line of the rear building wall; then splash blocks from rear roof downspouts should be placed to direct roof water to the side swales for drainage directly to the abutting street. Thus the amount of water carried on the rear slope to easements or other properties is kept as small as possible. This reduces erosion and disposal problems.



A	Curb-top on lot line extension at highest lot corner
A-B	Parkway slope
B-C	Side swale
C-D	Protective side slope at extension of rear wall

Type "C" Lot Grading (all drainage to rear lot line)

Front swales are essential to carry surface water from the front yard to side-yard swales which carry it to the rear for disposal in easements or across other properties. Proper cross-section of the street gutter, curb and parkway strip are essential to stop street water from flowing onto the lot.



A	Curb-top at high side of driveway near low lot corner
A-B	Parkway slope
B	Driveway grade change from upgrade drive in street to downgrade drive on lot
C-D	Driveway downgrade point out from front of building
D-E	Front swale
E-F	Protective front slope from highpoint of swales

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b. All storm sewer conduits to be dedicated to the City shall be located in an easement dedicated to the City of Laredo at the time of final platting of the property. The easement shall be at least 15 feet wide for storm sewers, or wider if the City Engineer requires it for maintenance or other purposes. Special drainage easements for positive overflows on private property shall at least 10 feet wide, or wider if the City Engineer requires it, for maintenance or other purposes.

c. Accumulated drainage from more than one residential lot (or more than one lot equivalent in the case of staggered or offset lots) shall be contained within a Special Drainage Easement. This easement shall be dedicated to the City at the time of final platting of the property. This shall be a special drainage easement on private property and shall at least 10 feet wide. The easement may be shared with underground utility easements if those facilities do not impede the calculated runoff.

d. Front to rear lot drainage shall not exceed a maximum slope of 5%.

e. No flow restricting fences, buildings, structures, or other improvements which impede flow shall be placed within these easements.

f. Single front to rear residential lot drainage, or one lot equivalent in the case of staggered, or offset lots do not require Special Drainage Easement. Front to rear lot drainage shall not exceed a maximum slope of 5%.

g. All lots draining and/or receiving runoff will be identified with a plat note.

h. Flow restricting fences or other structures installed between these lots shall be constructed to the specifications of the engineer of record. Those specifications shall be located on the recorded grading plan.

i. Flow restricting fences shall be reinforced at the time of building permit submittal.

j. The applicant shall install a 20' wide sod strip along entire rear property line of lots draining onto other lots (5 foot strip on upgradient lot and 5 foot strip on downgradient lot).

(e) Temporary Erosion and Sediment Control

(1) *General Requirements*

a. All operators of construction sites shall use best management practices (BMPs) to control and reduce the discharge, to the MS4 and to waters of the United States, of sediment, silt, earth, soil, and other material associated with clearing, grading, excavation, land filling, and other construction activities to the maximum extent practicable.

b. Any BMPs capable of installation and/or implementation prior to commencement of construction (for example, structural measures) shall be installed and/or implemented prior to commencement of construction at the site or in compliance with a schedule for installation and/or implementation in an applicable Storm Water Pollution Prevention Plan (SWPPP).

c. The BMPs used at construction sites may include:

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1. Ensuring that existing vegetation is preserved where feasible and that disturbed portions of the site are stabilized as soon as practicable in portions of the site where construction activities have stopped for 14 days, and no further construction is anticipated for an additional 7 days, or have permanently ceased;
2. Use of structural practices to divert flows from exposed soils, to store flows, or to otherwise limit runoff and the discharge of pollutants from the site to the maximum extent practicable;
3. Minimization of the tracking of sediments off-site by vehicles, the generation of dust, and the escape of other windblown waste from the site;
4. Prevention of the discharge of building materials, including cement, lime, concrete, asphalt, or mortar, to the MS4 or waters of the United States;
5. Measures to prevent and contain spills of paints, solvents, fuels, septic waste, and other hazardous chemicals and pollutants associated with construction, and to assure proper cleanup and disposal of any of those spills in compliance with state, federal, and local requirements;
6. Implementation of proper waste disposal and waste management techniques, including covering waste materials, minimizing ground contact with hazardous chemicals and trash, and installing and maintaining covered receptacles for rubbish and garbage to assure that those waste materials are not blown or carried by rainfall runoff from the site;
7. Timely maintenance of vegetation, erosion and sediment control measures, and other BMPs to maintain them in good and effective operating condition; and
8. Installation of structural measures during the construction process to control pollutants in storm water discharges that will occur after construction operations are completed. Structural measures should be placed on upland soils to the degree attainable. Installed structural measures may include, but are not limited to:
   a. storm water detention structures (including wet ponds);
   b. storm water retention structures;
   c. flow attenuation by use of open vegetative swales and natural depressions;
   d. other velocity dissipation devices;
   e. infiltration of runoff on site; and
   f. sequential systems which combine several practices.
9. Operators of construction sites are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with construction activity have terminated.

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d. Qualified personnel (provided by the operator of the construction site) shall inspect disturbed areas of any construction site are not finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site, at least once every 7 calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater. All erosion and sediment control measures and other identified BMPs shall be observed in order to ensure that they are operating correctly and are effective in preventing significant impacts to receiving waters and the MS4. Based on the results of the inspection, best management practices BMPs shall be modified as appropriate, and as soon as practicable.

e. Any owner of a site of construction activity, whether or they are an operator, is jointly and severally responsible for compliance with the requirements in this subsection 24.4.5(e)(1).

f. Any contractor or subcontractor on a site of construction activity, who is not an owner or operator, but who is responsible under their contract or subcontract for implementing a BMP control measure, is jointly and severally responsible for any willful or negligent failure to adequately implement that control measure.

(f) Storm Water Quality Management

(1) *Applicability*

a. Except as provided in subsection 24.4.5(f)(1)a.2 below, a site specific storm water quality management plan is required for all residential, commercial, and industrial development and/or redevelopment of 1 acre or more within the City of Laredo and its jurisdictional areas.

1. For the purpose of this section, the area of the development must include all contiguous land owned by the responsible party, regardless of the amount of land affected by the development activity.

2. A storm water quality management plan is not required when a portion of a previously developed tract of land is redeveloped, unless the redevelopment will result in the conversion of more than ¼ acre from a porous surface to an impervious surface.

b. The storm water quality plan must be submitted at the time of preliminary plat submission, or submission of a site plan with an application for a building permit (if the site is more than 1 acre).

c. The storm water quality management plan must identify the location of the ultimate outfall from the City's MS4 into the receiving water and any environmentally sensitive areas that will receive any pollutants carried by storm water pollution from the site.

d. The storm water quality management plan must state whether an NPDES storm water pollution prevention plan or a pollution control plan will be submitted to the City Engineer.

e. The storm water quality management plan must be signed and sealed by a professional engineer licensed to practice engineering in the State of Texas.

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(2) *Special Land Use Requirements.* A storm water quality management plan and any plans submitted for a building permit for the development of property that will be used for one of the uses listed below must identify the appropriate best management practices (BMPs) to prevent pollutants being discharged into the City's MS4. The owner of a site within City that is currently used for one of the activities described below is not required to physically alter the existing facility to comply with this section, unless alterations or repairs to the facility require the facility to be brought into compliance with the current City of Laredo building code. The uses are as follows:

- **a.** Fueling stations.
- **b.** Vehicle/equipment washing and steam cleaning facilities.
- **c.** Facilities engaged in harmful liquid materials loading and unloading.
- **d.** Facilities engaged in harmful liquids storage in aboveground storage tanks.
- **e.** Facilities engaged in container storage of harmful liquids (such as oil, chemical, and hazardous substances), food wastes, and hazardous wastes.
- **f.** Facilities engaged in outdoor storage of raw materials that are subject to leaching and transport by erosion and sedimentation, such as gravel, sand, topsoil, compost, sawdust, wood chips, building materials, including lumber, which are subject to leaching; and concrete and metal products, which are subject to chemical erosion, corrosion, and leaching.

(3) *General Requirements*

- **a.** *Preliminary Plan (Platting).* A layout of the proposed water quality management system and calculations showing it meets the requirements of subsection 24.4.5(f)(4) below shall be submitted with the other requirements outlined in Article 11.
- **b.** *Final Construction Plans*. Final construction plans and specifications, and calculations showing that the water quality management system meets the requirements of subsection 24.4.5(f)(4) below shall be submitted with the other requirements as outlined in Article 11.

(4) *Design Criteria*

- **a.** *Quality Management Criteria*
  - **1.** *Generally.* The criteria of the water quality management for the new development and redevelopment is that the water quality effects of the development should not be significantly different from the water quality effects of the same site before construction. Development/redevelopment within the City of Laredo shall provide, at the minimum, one of the following methods for storm water treatment, if the discharges meet the requirements of the City's stormwater NPDES permit and state water quality criteria. The City Engineer may require more stringent treatment methods if discharges fail to meet water quality goals. The drainage area for determining treatment volumes includes all areas draining to the facility (on-site and off-site). If off-

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site flows are not commingled with on-site flows prior to treatment, they should not be included in the treatment volume.

2. *Method Treatment Volume and Recovery Rate*
   a. *Wet Detention*: Wet detention treatment volume shall be, at a minimum, the first 1 inch of runoff. No more than ½ of the volume may be discharged in the first 24 hours.
   b. *Off-line Retention*: Off-line retention diverts the first flush of storm water runoff to a facility separated from the main line storm water conveyance system. The treatment volume for off-line retention shall be ½ inch of runoff. The treatment volume shall again be available within a minimum of 24 hours and a maximum of 72 hours following a storm event, with appropriate on-site soils tests submitted to verify the infiltration rate.
   c. *Online Retention or Detention*: For online retention or detention with under drained filtration, treatment volume shall be provided equal to 1 inch of runoff. Only bottom underdrain systems planted with grass that are capable of recovering the treatment volume within 24 hours are allowed, to the satisfaction of the City Engineer, to exceed the capabilities of a bottom underdrain system.
3. *Design*. Design criteria and design specifications for the water quality treatment methods described above are outlined in the *Storm Water Management Guidance Manual*.

b. *Floatable Controls.* All detention facilities shall incorporate floatable controls (baffles, etc.) to ensure that no floatables are discharged from the facility. The detention facilities shall be regularly checked and any floatables removed as part of the ongoing detention facility maintenance.

c. *Spill Control*. All detention facilities shall incorporate in the design of their discharge structures a method for stopping all discharges in case of an accidental spill occurring within the detention facilities drainage area. This discharge control device shall be periodically checked to ensure its continued operation as part of the ongoing detention facility maintenance.

d. *BMPs.* For residential development/redevelopment areas of more than 1 acre, and with the approval of the City Engineer or his/her authorized representative, the water quality requirements as stated in subsection 24.4.5(f)(4) may be waived in favor of a series of permanent BMPs, i.e., swales, vegetated buffers, small impoundments, etc. that are shown to provide sufficient water quality enhancements to meet the intent of subsection 24.4.5(e).

e. *Discharges To The Rio Grande.* For sites discharging directly into the Rio Grande the runoff amounts used for the determination of water quality treatment volume are 50% greater than those indicated in subsection 24.4.5(e)[2]. The only

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treatment method for water quality shall be off-line retention unless otherwise approved by the City Engineer and the IBWC.

(g) Low-Impact Development (LID) or Light Imprint (LI) Practices. The storm water concept plan, storm water management plan, and site-specific storm water quality management plan may incorporate Low-Impact Development (LID) or Light Imprint (LI) Practices where provided by the *Storm Water Management Guidance Manual.*

(h) Warning and Disclaimer of Liability

(1) The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions.

(2) Flood Heights may be increased by manmade or natural causes.

(3) This article does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

(4) This section does not imply that properties are always free from flooding or flood damage, surface water stagnation or nonpoint source pollution or that all flood control and water treatment projects to control the quantity and quality of runoff can be constructed effectively.

(5) This section does not create additional duties, on the part of the city, or to hold the city liable for any damages incurred in a flood or from adverse water quality, due to drainage runoff.

(6) This section does not waive the city's immunity under State law or reduce the need or necessity for flood insurance.

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24.4.7 Streets

(a) Generally

(1) The arrangement, character, extent, width, grade, access to, and location of all streets shall conform to the City Comprehensive Plan and the Future Thoroughfare Plan and are considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed land uses to be served by streets.

(2) The Building Official shall not issue any permit for any development that does not access a street right-of-way compatible with the requirements of this Section, or a private access easement that complies with the minimum width requirements.

(3) If the right-of-way or pavement width or base required by the City Comprehensive Plan is in excess of the minimum right-of-way or pavement width, then the subdivider may request the participation of the City in the additional cost of street construction over and above the costs which would be required for residential street construction. In that instance, a written contract with the City is required as part of the application for final plat approval. The written contract shall be considered part of the application for final plat along with the other information and data required by the subdivision procedures.

(b) Street Arrangement

(1) *Generally*. Where streets are not shown in the City Comprehensive Plan and Future Thoroughfare Plan, the arrangement of streets in a subdivision:

a. Provide for the continuation of appropriate projection of existing streets in surrounding areas; or

b. Conform to a plan for the neighborhood to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.

(2) *Integration of Existing Streets*. If a subdivision abuts or contains an existing or proposed street, the Commission may require:

a. Marginal access streets;

b. Reverse frontage with screen planting contained in non-access reserve strips along the rear property line;

c. Deep lots with rear service alleys, or minimum distances between intersecting driveways and streets, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic;

d. Minimum spacing between intersecting driveways onto a street or arterial to conform to the Comprehensive Plan, the Future Thoroughfare Plan, or Access Management Guidelines adopted by the City.

(3) *Railroad Right-of-Way*. If a subdivision borders on or contains a railroad right-of-way, the Commission may require a buffer zone between the railroad right-of-way and the residential development to a distance of 300 feet minimum suitable for the

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appropriate use of the intervening land, for park purposes. These distances consider grade approaches and future grade separations.

(4) *Permanently Designed Dead-End Streets*

a. These streets are not longer than five hundred (500) feet or twenty-four dwelling units.

b. These streets provide a turn-around at the closed end with an outside roadway diameter of at least one hundred (100) feet, and a street property line diameter of at least one hundred twenty (120) feet.

(5) *Connections*

a. The system of streets designated for the subdivision must connect with streets already dedicated in adjacent subdivisions.

b. Where adjacent connections are not platted, the general projection of streets in the nearest subdivided tracts must continue to the boundaries of the tract subdivided, so that other sub-dividers may connect.

c. Reserve strips of land controlling access to or egress from other property from any street or alley or having the effect of restricting or damaging the adjoining property, are not permitted in any subdivision unless those reserve strips are conveyed to the City in fee simple.

(6) *Crowns*. The crown of all streets, alleys, or access easements is based on three eighths (3/8) of an inch per foot of street width. Crowns are not less than the height of the curb nor more than twelve (12) inches. Crowns may be altered when design warrants in cases like super-elevated roadways.

(c) Street Classification

(1) *Generally*. The components of the City's street system are divided into seven major classifications with corresponding right-of-way widths. All yards or setbacks abutting a major street as designated are measured from the proposed street line, which is, from a line one-half the proposed right-of-way width from the centerline of the major street.

(2) *Context***.** Street classifications align with different development contexts within the city. There are two specific contexts:

a. Compact/Urban; and

b. Suburban.

(3) *Expressway*. An expressway is a limited access, high speed roadway with grade separated interchanges. Expressways are of regional significance and the interchanges may have a significant impact on land use due to their desirability as locations for commerce and industry. Expressways are generally controlled by the State of Texas with variable width right-of-way dimensions.

(4) *Multiway Boulevard*. A multiway boulevard is a street type that provides a direct path to distant destinations. The multiway boulevard separates through travel lanes from local access lanes to simultaneously move vehicles while providing a calm, spacious pedestrian and living environment for adjacent residences. This street type is

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generally controlled by the State of Texas or the City. There are four multiway boulevard types within one development context – compact/urban.

a. A – Residential Multiway

b. B – Commercial Multiway

c. C – Mixed-Use Multiway

d. D – Transit-Oriented Multiway

(5) *Principal Arterial*. A principal arterial is a street type that provides for longer, direct trips on relatively straight paths which often connects to expressways. This street type is generally controlled by the State of Texas or the City. There are six principal arterial types within compact/urban and suburban development contexts allocated with additional development residential and commercial characteristics.

a. A – Suburban

b. B – Compact/Urban

1. Residential

2. Commercial

c. C – Suburban

d. C – Compact/Urban

1. Commercial 1

2. Commercial 2

(6) *Minor Arterial*. A minor arterial is a street type typically found between principal arterials that provides continuous paths to intermediate destinations and alternate routes for longer trips. This street type is generally controlled by the City or County. There are 3 minor arterial types within two development contexts.

a. Suburban

b. Compact/Urban

1. Residential

2. Commercial

(7) *Collector*. A collector is a street type typically found between minor arterials that provide frequent interconnections between neighborhoods. Collectors allow local trips that avoid the arterial network. This street type is generally controlled by the City or County. There are five collector types within two development contexts.

a. Suburban

b. Compact/Urban

1. Residential

2. Commercial

3. Main Street 1

4. Main Street 2

(8) *Industrial Collector*. An industrial collector is a collector street that primarily accommodates large vehicular traffic. This street type is generally controlled by the

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City or County. Industrial collectors are located within suburban development contexts.

(9) *Local Street*. A local street is a street type interconnected within neighborhoods that adjoin to other neighborhoods. These streets discourage through traffic. This street type is generally controlled by the City or County. There are three local street types.

a. Main Street

b. Main Street (Angled Parking)

c. Yield Street

(d) Street Design

(1) *Generally*

a. Streets will follow the regulations and allocations established in each street classification's Street Design Criteria Matrix (subsections (2) through (8) below). Each matrix establishes regulations for travel lanes, median/turning lanes, transit lanes, pedestrian zones, bicycle facilities, and other elements.

b. To facilitate flexibility in design while maintaining the safety, health and welfare of the public, the Traffic Director may grant administrative exceptions to the Street Design Criteria Matrix if:

1. The Planning Director certifies that the proposed exception does not conflict with the goals and policies of the comprehensive plan; and

2. The applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles, that exceptions to the standard provided by this chapter would not pose a threat to health and safety.

c. Street jogs shall avoid centerline effects less than three hundred (300) feet.

d. Street and access easement designs shall conform with the latest American Association of State Highway and Transportation Officials publication of "A Policy on Geometric Design of Highways and Streets." A professional engineer registered in the State of Texas shall prepare and sign street design plans. For intersection design purposes, local streets and collectors assume passenger vehicles only, multiway boulevards and arterials will carry single-unit trucks and city transit buses, all industrial collectors and expressways will carry vehicles of WB-50.

e. Streets shall intersect at right angles.

f. Half streets are prohibited unless:

1. They are essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, or

2. The Commission finds it is practicable to require the dedication of the other half when the adjoining property is subdivided.

g. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street is plotted within that tract.

(2) *Expressway*. Expressway shall comply with the following criteria:

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Table 4.6-1 Expressway

Street Design Criteria	
	Expressway
	Compact/Urban
ROW width (*min*)	Variable
Travel Lanes (*max*)	8
Travel Lane Width (*min*)	
outer lanes	11'
inner lanes	10'
Median / Turning Lane Elements	
Number (*max*)	1
width (*min*)	18'
Raised	Yes
Transit Lane	
Number	N/A
width (*min*)	N/A
Pedestrian Zone	
Total min width	36'
Sidewalks / Pedestrian facilities (*location / width*)	8'
Planting Strips or Sidewalk Buffer (*min*)	6' on both sides of side median / 4' along sidewalk
Streetscape Planting	Yes
Bicycle facilities (within Pedestrian Zone)	
Width	6'
Protected	Yes
Elevated / Raised	Yes
Sharrows	Yes
Other Elements	
Grade (*min*)	0.50%
Grade (*max*)	5%
Curb radius (*min*)	30'
On-street parking	8' parallel

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(3) *Multiway Boulevard*. Multiway Boulevards shall comply with the following criteria:

Table 4.6-2 Multiway Boulevard

Street Design Criteria				
	Multiway Boulevard			
	A	B	C	D
	Compact/Urban	Compact/Urban	Compact/Urban	Compact/Urban
ROW width (*min*)	140'	150'	150'	150'
Travel Lanes (*max*)	5	5	5	5
Travel Lane Width (*min*)				
outer lanes	11'	11'	10'	11'
inner lanes	10'	10'	10'	10'
Median / Turning Lane Elements				
Number (*max*)	3	3	3	3
width (*min*)	10' center / 6' side	10' center / 17' side	10' center / 18' side	10' center and side
Raised	Yes	Yes	Yes	Yes
Transit Lane				
Number	N/A	N/A	2	2
width (*min*)	N/A	N/A	11'	11'
Pedestrian Zone				
Total min width	44'	49'	48'	39'
Sidewalks / Pedestrian facilities (*location / width*)	Both sides / 10' min	Both sides / 14' min	Both sides / 12' min	Both sides / 12' min
Planting Strips or Sidewalk Buffer (*min*)	6' in side median / 4' along bike track	11' side median	6' side median	5' side median
Streetscape Planting	Yes	Yes	Yes	Yes
Bicycle facilities (within Pedestrian Zone)				
Width	6'	6'	6'	10'
Protected	Yes	Yes	Yes	No
Elevated / Raised	Yes	Yes	Yes	No
Sharrows	Yes	Yes	Yes	Yes
Other Elements				
Grade (*min*)	0.50%	0.50%	0.50%	0.50%

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Grade (*max*)	5%	5%	5%	5%
Curb radius (*min*)	20'	20'	20'	20'
On-street parking	8' parallel	8' parallel	8' parallel	7' parallel

(4) *Principal Arterial*. Principal Arterials shall comply with the following criteria:

Table 4.6-3 Principal Arterial

Street Design Criteria						
	Principal Arterial					
	A	B		C		
	Suburban	Compact/Urban		Suburban	Compact/Urban	
Development Characteristic		Residential	Commercial		Commercial 1	Commercial 2
ROW width (*min*)	100'	120'	120'	120'	120'	120'
Travel Lanes (*max*)	4	4	2	4	4	4
Travel Lane Width (*min*)						
outer lanes	12'	12'	12'	12'	12'	12'
inner lanes	12'	12'	12'	12'	12'	12'
Median / Turning Lane Elements						
Number (*max*)	1	1	2	1	1	2
width (*min*)	10'	20'	10'	10'	10'	10'
Raised	Yes	Yes	Yes	Yes	Yes	Yes
Transit Lane						
Number	N/A	N/A	2	N/A	N/A	2
width (*min*)	N/A	N/A	11'	N/A	N/A	11'
Pedestrian Zone						
Total min width	22'	22'	21'	28'	27'	19'
Sidewalks / Pedestrian facilities (*location / width*)	Both sides / 6' min	Both sides / 6' min	Both sides / 12' min	Both sides / 6' min	Both sides / 16' min	12'

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Planting Strips or Sidewalk Buffer (*min*)	2 5' min planting strip or 1 10' planting strip	2 5' min planting strip or 1 10' planting strip	5' min planting strip	2 8' min planting strip or 1 16' planting strip	5' min planting strip	5' min planting strip
Streetscape Planting	Yes	Yes	Yes	Yes	Yes	Yes
Bicycle facilities (within Pedestrian Zone)						
Width	6'	6'	9'	6'	6'	7'
Protected	Yes	Yes	Yes (adjacent to on-street parking)	Yes	Yes	No
Elevated / Raised	Yes	Yes	No	Yes	Yes	No
Sharrows	N/A	N/A	N/A	N/A	N/A	N/A
Other Elements						
Grade (*min*)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Grade (*max*)	5%	5%	5%	5%	5%	5%
Curb radius (*min*)	25'	20'	20'	25'	20'	20'
On-street parking	None	8' parallel	8' parallel	None	8' parallel	None

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(5) *Minor Arterial*. Minor Arterials shall comply with the following criteria:

Table 4.6-4 Minor Arterial

Street Design Criteria			
	Minor Arterial		
	Suburban	Compact/Urban	
Development Characteristic		Residential	Commercial
ROW width (*min*)	90'	90'	90'
Travel Lanes (*max*)	4	2	2
Travel Lane Width (*min*)			

outer lanes	11'	10'	10'
inner lanes	10'	N/A	N/A
Median / Turning Lane Elements			
Number (max)	1	1	1
width (*min*)	10'	10'	10'
Raised	Yes	Yes	Yes
Transit Lane			
Number	N/A	N/A	N/A
width (*min*)	N/A	N/A	N/A
Pedestrian Zone			
Total min width	26'	22'	22'
Sidewalks / Pedestrian facilities (*location / width*)	Both sides, 6' min	Both sides / 6' min	Both sides / 12' min
Planting Strips or Sidewalk Buffer (*min*)	2 7' min planting strip or 1 14' planting strip	5' min	4' min
Streetscape Planting	Yes	Yes	Yes
Bicycle facilities (within Pedestrian Zone)			
Width	6'	6'	6'
Protected	Yes	Yes	Yes
Elevated / Raised	Yes	Yes	Yes
Sharrows	N/A	N/A	N/A
Other Elements			
Grade (*min*)	0.50%	0.50%	0.50%
Grade (*max*)	5%	5%	5%
Curb radius (*min*)	25'	20'	20'
On-street parking	None	8' parallel	8' parallel

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(6) *Collector*. Collectors shall comply with the following criteria:

Table 4.6-5 Collector

Street Design Criteria					
	Collector				
	Suburban	**Compact/Urban**			
Development Characteristic		Residential	Commercial	Main Street 1	Main Street 2
ROW width (*min*)	80'	80'	80'	80'	80'

Travel Lanes (*max*)	2	2	2	2	2
Travel Lane Width (*min*)					
outer lanes	11'	10'	10'	10'	10'
inner lanes	N/A	N/A	N/A	N/A	N/A
Median / Turning Lane Elements					
Number (*max*)	1	N/A	N/A	1	1
width (*min*)	11'	N/A	N/A	10'	10'
Raised	No	N/A	N/A	Yes	Yes
Transit Lane					
Number	N/A	N/A	N/A	N/A	N/A
width (*min*)	N/A	N/A	N/A	N/A	N/A
Pedestrian Zone					
Total min width	22'	22'	22'	17'	17'
Sidewalks / Pedestrian facilities (*location / width*)	Both sides / 6' min	Both sides / 6' min	Both sides / 12' min	Both sides / 17' min	Both sides / 8' min
Planting Strips or Sidewalk Buffer (*min*)	2 5' min planting strip or 1 10' planting strip	2 5' min planting strip or 1 10' planting strip	4' min	3' min	3' min
Streetscape Planting	Yes	Yes	Yes	Yes	Yes
Bicycle facilities (within Pedestrian Zone)					
Width	6'	6'	6'	10'	6'
Protected	Yes	Yes	Yes	No	Yes
Elevated / Raised	Yes	Yes	Yes	No	Yes
Sharrows	N/A	N/A	N/A	Yes	N/A
Other Elements					
Grade (*min*)	0.50%	0.50%	0.50%	0.50%	0.50%
Grade (*max*)	5%	5%	5%	5%	5%
Curb radius (*min*)	20'	15'	15'	15'	15'
On-street parking	None	8' parallel	8' parallel	8' parallel	8' parallel

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(7) *Industrial Collector*. Industrial Collectors shall comply with the following criteria:

Table 4.6-6 Industrial Collector

Street Design Criteria	
	Industrial Collector
	Suburban
ROW width (*min*)	70'
Travel Lanes (*max*)	2
Travel Lane Width (*min*)	
outer lanes	12'
inner lanes	N/A
Median / Turning Lane Elements	
Number (*max*)	1
width (*min*)	11'
Raised	No
Transit Lane	
Number	N/A
width (*min*)	N/A
Pedestrian Zone	
Total min width	10'
Sidewalks / Pedestrian facilities (*location / width*)	Both sides / 6' min
Planting Strips or Sidewalk Buffer (*min*)	4' min
Streetscape Planting	Yes
Bicycle facilities (within Pedestrian Zone)	
Width	6'
Protected	No
Elevated / Raised	No
Sharrows	No
Other Elements	
Grade (*min*)	0.50%
Grade (*max*)	5%
Curb radius (*min*)	30'
On-street parking	None

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(8) Local Street. Local Streets shall comply with the following criteria:

Table 4.6-7 Local Street

Street Design Criteria			
	Local Street		
	Main Street	Main Street (Angled Parking)	Yield Street
ROW width (*min*)	60'	90'	60'
Travel Lanes (*max*)	2	2	1
Travel Lane Width (*min*)			
outer lanes	10'	10'	10'
inner lanes	N/A	N/A	N/A
Median / Turning Lane Elements			
Number (*max*)	N/A	N/A	N/A
width (*min*)	N/A	N/A	N/A
Raised	N/A	N/A	N/A
Transit Lane			
Number	N/A	N/A	N/A
width (*min*)	N/A	N/A	N/A
Pedestrian Zone			
Total min width	13'	17’	33'
Sidewalks / Pedestrian facilities (*location / width*)	Both sides / 13' min	Both sides, 17' min	Both sides, 8' min
Planting Strips or Sidewalk Buffer (*min*)	5’ min	5’ min	8' min
Streetscape Planting	Yes	Yes	Yes
Bicycle facilities (within Pedestrian Zone)			
Width	10'	10'	10'
Protected	No	No	No
Elevated / Raised	No	No	No
Sharrows	Yes	Yes	Yes
Other Elements			
Grade (*min*)	0.50%	0.50%	0.50%
Grade (*max*)	5%	5%	5%
Curb radius (*min*)	15'	15'	10'
On-street parking	7' parallel	18' angled	8' parallel

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(9) *Streets Not Identified***.** For purposes of streets and easements not identified in the Thoroughfare Plan, the following applies:

a. Streets shall have a 50′ R.O.W. with a 30′ paving section.

b. Access easements intended for primary access to a proposed lot or building are 50′ wide with a 30′ paving section.

(e) Blocks and Street Lengths[3]

(1) *Generally*. Blocks in the incorporated areas of the City shall comply with 24.3.9(b)(Site Design). In the ETJ, blocks shall not exceed 1,000 feet long and shall have a minimum length of two hundred (200) feet.

(2) *Exception*. The Commission may approve block lengths that deviate from the typical range (200 ft to 1,000 ft) if needed to ensure the proper projection of existing major thoroughfares and existing platted blocks.

(3) *Street length*

a. For a typical street segment, street length means the distance following the centerline of the intersecting centerlines of the improved roadway between traffic control devices or cul-de-sacs that halt vehicular movement (Figure 4.6-1 Measuring Street Length). The City Engineer or designee may approve a different street length than required by this subsection in the M-1 or M-2 districts if the modified street lengths are needed to accommodate safe and efficient truck movements and do not cause a violation of the fire code (see Section 12-2 of the Laredo Code).

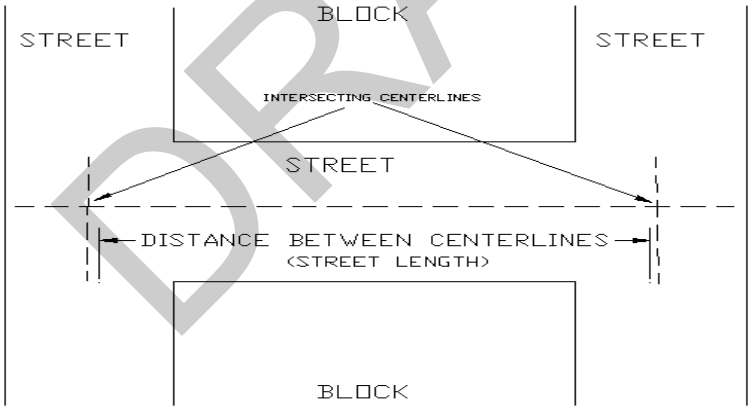

Figure 4.6-1 Measuring Street Length

b. An L-shaped (elbow type) intersection is an intersection formed by the roadway centerlines of two different non-continuous street lengths where the interior angle formed by these intersecting street lengths is at least 72 degrees and no greater than 120 degrees (Figure 4.6-2 L-Shaped Elbow). Each leg of an L- shaped (elbow type) intersection is considered a separate street section in determining street length.

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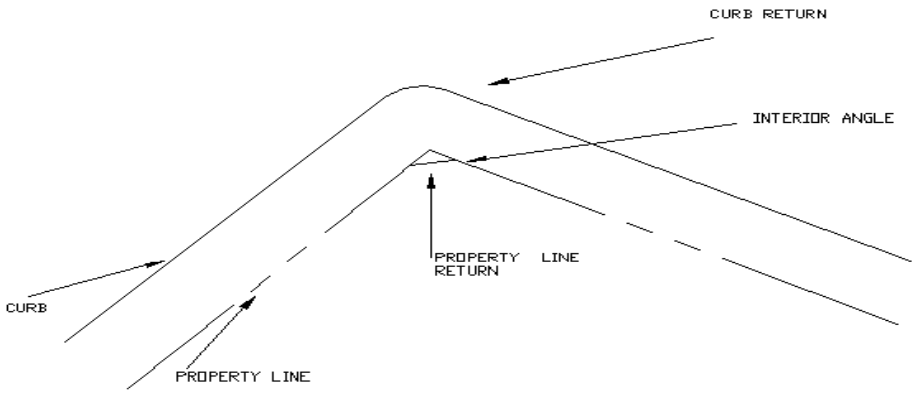

Figure 4.6-2 L-Shaped Elbow

c. *Street Segment*. A street segment means the section of the street length that results from the placement of traffic calming devices (Figure 4.6-3 Street Segments).

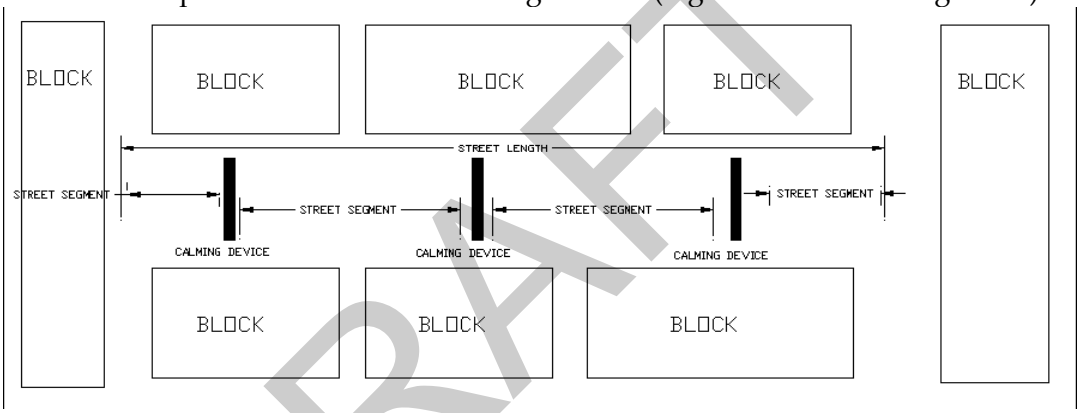

Figure 4.6-3 Street Segments

d. *Maximum Continuous Street Length.*

1. The continuous street length shall not exceed 1,000 feet for streets classified as local residential and 2,000 feet for other streets not classified as collectors. A longer street length than permitted by the maximum street lengths may be allowed through placement of an approved traffic calming device(s) as described in subsection 24.4.6(f)(1)b and Table 4.6-8.

2. The continuous street length shall not exceed 1,200 feet for streets classified as collectors. A longer street length may be allowed through the placement of an approved traffic calming device/s as described in 24.4.6(f)(1)b and Table 4.6-8.

3. The street length shall not exceed 700 feet for a local and 1,000 feet for a collector, and a longer street length is allowed through the placement of approved traffic calming device(s) as described on 24.4.6(f)(1)b and Table 4.6-8, if:

a. the street intersects an arterial roadway, or

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b. the street serves as an entrance street to the proposed neighborhood, or

c. the street provides an opportunity for traffic to pass from a street of a higher classification to another street link, or

d. the street width is at least 40 feet.

e. *School Street Length.* For a new school development, all collector and local streets fronting the school require the placement of approved traffic calming devices, including signs and striping maintaining a street segment length of 200 to 400 feet.

(4) *Waivers.*

a. The Planning and Zoning Commission may waive block lengths and street lengths if the waiver is requested in writing and incorporates traffic impact mitigation measures into a site plan. This waiver is submitted in conjunction with a preliminary plat/replat application.

b. The Planning and Zoning Commission may not grant a block length waiver unless traffic impact mitigation measures comply with standards (adopted here as minimum standards) of the Institute of Transportation Engineers, *Manual of Transportation Engineering Studies* (2nd Edition, 2010).[4]

c. A block length waiver shall not modify the City of Laredo Comprehensive Plan or the Thoroughfare Plan addressing expressways, multiway boulevards, arterials, collectors, and local streets or of the proper extension of any street.

d. A block length waiver shall not compromise safety.

(f) Traffic Calming

Purpose. Long streets, wide street cross sections and uninterrupted traffic flows can encourage speeding on local streets. Traffic calming is a combination of physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users. Traffic calming and street design standards slow traffic while allowing flexibility and design and offering applicants the choice of treatment that works best for the streets in a proposed development. Traffic control devices, notably stop signs and speed limits, are regulatory measures that require enforcement. Traffic-calming measures are self-enforcing.

(1) *Streets, Street Length, and Traffic Calming*

a. Different street types and varying street lengths require traffic calming devices to help reduce travel speeds, improve safety, and promote walkability.

b. If the street segment criteria in subsection 24.4.6(e)(3)d.1-3 are surpassed, the applicant shall install a traffic calming device(s) including signs and striping, designed and approved by the City. The applicant shall follow the standards prescribed in Table 4.6-8. This table allocates traffic calming devices according to different street types and their varying street lengths.

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Table 4.6-8 Streets, Street Length, and Traffic Calming

Street Type	Street Length (ft)	Required Traffic Calming Device
Local Street	1,000	Must maintain 250 to 500 ft segments
Other streets not classified as collectors	2,000	Must maintain 500 to 1,000 ft segments
Collectors	1,200	Must maintain 500 to 800 ft segments
Local Street and Collectors	700 / 1,000	Must maintain 300 to 400 ft segments

(2) *L-shaped (elbow type) Intersections.*

a. These intersections require a traffic calming device if the street length to the center of the intersection, measured from the point where the projection of the center lines for the two street sections intersect, exceeds 600 feet.

b. Each leg of an L-shaped (elbow type) intersection is considered a separate street section.

c. When required, the traffic calming device(s) must maintain a maximum of 400 feet from the center of the L-shaped (elbow type) intersection.

d. Any proposed street section that includes an L-shaped intersection is measured beginning at the center of the intersection.

e. L-shaped intersections with interior angles less than 72 degrees are not permitted.

f. Intersections with interior angles greater than 120 degrees are not considered an L-shape (elbow Type).

g. Where the interior angle exceeds 120 degrees, a smooth curve roadway design with a minimum radius conforming to the standards for the particular geometric section are used.

h. Where two L-shaped (elbow type) intersections are used to determine the street length, street length shall not exceed 1,000 feet.

i. A longer street length may be allowed through the placement of an approved traffic calming device(s) at distances described in subsection 24.4.6(f)(1)b and Table 4.6-8.

(3) If traffic calming is necessary on a roadway adjacent to a school, a raised platform will be used as a crosswalk.

(4) Required traffic calming devices shall be located at least 100 feet from any intersecting street, cul-de-sac, and L-shaped elbow type intersections (except those devices specifically designed for intersections and crosswalks).

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(5) The plat shall clearly identify driveway locations for lots affected by any proposed traffic-calming device during the platting process to restrict driveway location to that particular location. The City may also require modification of lots fronting a proposed traffic calming device to minimize impact to these residential lots.

(6) *Installation*.

a. When a series of traffic calming devices needs installation, the same type of device(s) may be used for a particular street or area. The exact placement of any required traffic calming device is subject to the Traffic Safety Department's review and approval.

b. The Traffic Safety Department reviews and approves intersection approaches that require stop sign installation.

(7) *Permitted Traffic Calming Devices*. The following provisions describe and establish permitted traffic calming devices where traffic calming measures are required by the City. These devices allow design flexibility and offer applicants the choice of treatment that works best for streets in a development subject to the City's review and approval. Defined street traffic calming devices include:

a. *Chicane*: curb extensions that alternate from one side of the street to the other, forming S-shaped curves.

b. *Speed Table:* flat-topped speed humps often constructed with concrete or other textured materials on the flat section.

c. *Pedestrian Crosswalks*: a ten foot wide painted strip on street pavement that connects a sidewalk to another sidewalk which provides circulation, or access to schools, playgrounds, shopping centers, transportation, or other community facilities.

d. *Pinchpoint*: curb extensions on both sides of the street that reduce pavement width.

e. *Traffic Circle*: raised islands, placed in intersections, around which traffic circulates.

f. *Roundabouts*: intersection where traffic flows in a circular direction around a central island. Drivers entering the roundabout must yield to traffic already circulating within it.

g. *Street Plantings*: Trees and shrubs placed along the street to narrow a motorist's visual field.

h. *Bollards*: a vertical device that provides a physical barrier between different uses.

i. *Raised intersection platform*-flat raised areas covering entire intersections, with ramps on all approaches and often with concrete or other textured material on the flat section.

j. *Temporary Traffic Calming Device*: an unspecified device used in special circumstances upon approval by the Traffic Engineer as a temporary solution. It could be in any form or shape as the devices listed above and must conform to the norms and specifications listed in the specification book. Temporary traffic

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calming devices are easy to install, remove, and use a rubber type material that can withstand the natural elements and the constant strain caused by motor vehicles. This device is strictly for temporary use and is the responsibility of the developer to maintain it until a decision is made to install a permanent traffic calming device.

(g) Pedestrian Zones and Sidewalks

(1) *Generally*. Pedestrian Zones are areas within a street right-of-way that restrict vehicular through-traffic and designates space for pedestrian activities like walking and cycling. Sidewalks are required on both sides of streets within pedestrian zones, including cul-de-sacs, in conformance with the American Disabilities Act (ADA) and the following standards.

(2) *Pedestrian Zone Standards*.

a. Pedestrian Zones are required for any development or structure.

b. Pedestrian Zones include but are not limited to sidewalks, street plantings, patios, bollards, lighting, street furniture, on-street parking, bicycle lanes, and cycle tracks.

c. Pedestrian Zones shall include drought-tolerant trees on both sides of the street planted:

1. at 1 per every 40 linear feet maximum,

2. to provide shading for pedestrians,

3. to avoid conflict with overhead utilities, and

4. at least 5 feet from the street curb.

d. Pedestrian Zones shall be well lit by providing lighting along streets. Pedestrian Zones require street lighting that:

1. Uses light fixtures that directs at least 85% of light downwards;

2. Uses a two-sided opposite lighting arrangement or two-sided staggered lighting arrangement;

3. Limits light pole heights to a 15 foot maximum; and

4. Places light poles at least 3 feet from the street curb.

e. Pedestrian Zones provide on-street parking, bicycle lanes, sharrows, and cycle tracks by the regulations established in the street classification matrixes.

f. If on-street parking is required per the street classification matrixes, then parking must encompass at least 25% of the street length.

g. All site plans, plats, and associated development plans show Pedestrian Zone features.

(3) *Sidewalk Standards*

a. Sidewalks are required of any development or structure. They are required as part of the platting improvements for land subdivision in all zoning districts.

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b. Sidewalks shall be provided along all public and private streets abutting any development or redevelopment and any addition to a non-residential structure exceeding 500 square feet in gross floor area.

c. Sidewalks shall be continuous. Subdivision warranties will not be released until all sidewalks are completed (and continuous).

d. Sidewalks shall be constructed directly away from a curb, except where the continuation of any existing sidewalk on adjacent property requires alternate placement.

e. Sidewalks will meet the standards prescribed in the street classification matrixes. If those standards are not met, a sidewalk must provide a minimum width of 8 feet unless specifically mentioned elsewhere in this Article.

f. Sidewalks shall be constructed of 4" concrete (3000 psi) with #6 - 6x6 welded wire fabric or rebar.

g. Mailboxes, street lights, fire hydrants shall be 4 feet of sidwalk behind mailbox with no obstructions.

h. Construction in CBD district shall include 8 foot wide unobstructed sidewalks.

i. Commercial developments shall provide additional sidewalk width at established transit stops in accordance with the requirements of the transit operator based on the location of the transit stop.

j. Handicap ramps and driveway cuts conform to engineering design requirements established in Appendix G.

k. The requirements for sidewalks in new subdivisions are:

Table 4.6-9 Sidewalks in New Subdivisions

	AG	R-S	R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2
Expressway	8	8	8	8	8	8	8	8	8	8	8
Multiway Boulevard	8	8	8	8	8	8	8	8	8	8	8
Principal Arterial	8	8	8	8	8	8	8	8	8	8	8
Minor Arterial	6	6	6	6	6	6	6	8	6	6	6
Collector	6	6	6	6	6	6	6	8	6	6	6
Industrial Collector	8	8	8	8	8	8	8	8	8	8	8
Local Street	4	4	4	4	4	4	4	8	4	4	4

l. The requirements for sidewalks in subdivisions established by plat approval prior to July 1, 1995 are:

Table 4.6-10 Sidewalks in Existing Subdivisions

	AG	R-S	R-1	R-1A	R-1B	R-O	B-1 B-3	CBD	B-4	M-1	M-2
Expressway	None	None	None	None	None	8	8	8	8	8	8
Multiway Boulevard	None	None	None	None	None	8	8	8	8	8	8

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Principal Arterial	None	None	None	None	None	8	8	8	8	8	8
Minor Arterial	None	None	None	None	None	6	6	8	6	6	6
Collector	None	None	None	None	None	6	6	8	6	6	6
Industrial Collector	None	None	None	None	None	8	8	8	8	8	8
Local Street	None	None	None	None	None	4	4	8	4	4	4

(4) *Alternative Proposals*. The Planning and Zoning Commission may authorize alternative proposals for pedestrian circulation in certain circumstances. Alternate proposal applications are submitted as part of the preliminary plat.

(5) *Exceptions*

a. Sidewalks are not required on local streets if the smallest lot in a new residential subdivision is more than 15,000 square feet in area.

b. Sidewalks are not required in industrial park developments exceeding ten acres, where each lot within the development exceeds one acre provided, however, that the sidewalks are required along public streets, industrial collectors and access roads abutting the development if necessary to provide direct pedestrian access from residential neighborhoods to transit, shopping or neighborhood schools as determined by The Planning and Zoning Commission.

c. Sidewalks are not required for replats in existing residential subdivisions where the total area being replatted does not exceed 20,000 square feet.

(6) **Double Frontage Lots**. In the event double frontage lots are created for the purpose of separating residential property from arterials and collectors, the shoulder and sidewalk area of the arterial or collector conform to the following standards:

a. Street tree planting conforms to the provisions established in this Article and Section 24.3.7 (Landscaping and Tree Preservation) of this Code.

b. If the City proposes to maintain an unpaved shoulder area, it will consist of an impervious material. The developer may also provide a low maintenance landscape plan. The proposed plan is subject to the Planning and Zoning Commission's approval. A pervious radius in compliance with Section 24.3.6(d)(1)c of this Code for tree planting remains.

(h) Street Medians

(1) **Generally.** A street median is a roadway divider that separates opposing travel lanes. Street medians are typically provided for in most street types.

(2) **Standards.** In addition to the requirements in the street classification matrixes, the following regulations apply to street medians.

a. Street medians are raised

b. Required street medians have a 10-foot minimum width

c. Raised street medians have drought-tolerant trees planted at a 1 per every 50 linear feet ratio. Tree canopies will not encroach travel lanes.

d. Raised street medians provide lighting for vehicular movement. This lighting:

1. Uses light fixtures that directs at least 75% of light downwards;

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2. Uses one light pole attached with either one or two lamps;
3. Limits light pole heights to a 20-foot maximum'; and
4. Spaces light poles 300 feet.

(3) **Street Medians with Turning Lanes.** Street medians may have turning lanes. These lanes within street medians may be raised or unraised but have a 10-foot minimum width.

(4) **Unraised Street Medians and Turning Lanes**. Unraised street medians are permitted and may include turning lanes. These medians have an 11-foot minimum width. No trees or lighting are permitted in unraised street medians.

(i) Pavement Standards

(1) **Generally**. Streets must safely service emergency response units, high traffic volumes, and transit vehicles by reliable pavement standards.

(2) **Pavement Structure**. Pavement structure design shall follow the American Association of State Highway and Transportation Officials (AASHTO) Guide for Design of Pavement Structures latest approved edition. A professional engineer registered in the State of Texas prepares and signs the pavement design report. Pavement design requirements follow the regulations prescribed in this section.

(3) **Length of Service Life**. Pavement shall be designed for a twenty-year service life.

(4) **Traffic Load, Reliability and Pavement Structures**. The traffic load is the cumulative expected 18-Kip equivalent single axle loads (ESAL) for the service life. The following 18-Kip ESAL Reliability Level and Pavement Structure are required for each street classification:

Table 4.6-11 Street Pavement Specifications

Street Classification	18-KIP ESAL	Reliability Level	Minimum Pavement Structure	Maximum Pavement Structure
Major, Minor Arterials, Industrial Collector	3,000,000	R-95	SN = 3.80	SN = 5.76
Major Collector, Industrial Street	2,000,000	R-90	SN = 2.92	SN = 5.08
Local Collector (See note below)	270,000	R-70	SN = 1.98	SN = 4.20
Local Street and access easements intended for primary access to a proposed lot or building (See note below)	50,000	R-70	SN = 1.54	SN = 3.18
Local Street less or equal to 500 feet. (See note below)	25,000	R-70	SN = 1.54	SN = 3.18

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Note: Local Collectors, Local Streets, and Local Streets less or equal to five-hundred (500) feet shall provide a two (2) year warranty period after acceptance of the improvements by the City of Laredo. In addition, the City of Laredo will track the cost savings to the end user. In the event the savings are not there this issue shall be readdressed at such time.

Note: *Traffic loads for expressways, multiway boulevards, principal arterials, minor arterials, collectors, and industrial collectors include bus traffic*.

Flexible and rigid pavement repair within the warranty period shall follow TxDOT Maintenance Operations Manual and/or AASHTO latest revision as recommended by the project engineer and approved by the City Engineer.

(5) **Serviceability**. Pavement serviceability is the pavement's ride quality and its ability to serve the type of traffic (automobiles and trucks) which uses the facility. The initial serviceability index (p0) for flexible pavements is 4.2 and for rigid pavement is 4.5. The minimum terminal serviceability index (Pt) for local streets are 2.0 and for collectors and arterials are 2.5. A standard deviation (S0) for flexible pavement is 0.45 and for rigid pavement is 0.35.

(6) **Roadbed Soil**. A soil investigation must be performed for the design of pavement structures. The number of borings and locations are sufficient to accurately determine the stratum along the route. Any existing soil information that is available either from the City or from private sources are evaluated and, if determined applicable and valid, are allowed in place of new soil tests.

a. Roadbed soil with a plasticity index (P.I.) greater than twenty (20) are treated with lime to reduce the P.I. below twenty (20). The application rate of lime is determined by laboratory testing. In no case will the lime be less than fifteen (15) pounds/S.Y. for six (6) inches of lime treated subgrade. Lime treated subgrade includes a "structural layer" within the pavement design calculations. Proposals for stabilization alternatives in place of the use of lime are considered upon submittal of an engineering report verifying adequate stabilization of the highly plastic soil (particularly in soils high in sulfates where lime and cement are deemed inappropriate).

b. Where the roadbed is in a rock excavation a "structural layer" within the pavement design calculations can be used that is equivalent to a structural layer for lime stabilized subgrade. If a roadbed structural layer is used in the pavement calculation for rock subgrade an engineering report provided to public works addressing the consistency of the subgrade prior to base placement.

(7) **Pavement Layer Material**. Alternative pavement materials may be used where the existing soil or subsurface conditions, or the alternative materials, provide a level of drivability comparable to the materials otherwise required by this section. Proposals for alternative pavement materials with supporting engineering documentation may

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be submitted to the City for consideration. The combination of the following materials are allowed for pavement structure:

a. Lime treatment for subgrade.

b. Flexible base (crushed limestone or caliche).

c. Prime coat.

d. Tack coat.

e. Hot mix asphaltic concrete pavement.

f. Asphalt treated base.

g. Reinforced concrete.

h. Base reinforcement (Geogrids).

Note: The City Engineer approves the pavement combination.

(8) **Minimum Layer Thickness (Compacted).** If the following components are utilized in proposed pavement sections, the minimum thickness for the components are:

a. Hot mix asphaltic concrete pavement no less than two (2) inches thick for surface course (Type D).

b. Hot mix asphaltic concrete pavement no less than two and one-half (2 1/2) inches thick for a leveling-up course (Type B).

c. Asphalt treated base no less than four (4) inches thick.

d. Flexible base no less than eight (8) inches thick.

e. Lime treatment for subgrade no less than six (6) inches thick.

(9) **Curb and Gutter**. Concrete curbs or monolithic curbs and gutters constructed in accordance with the City of Laredo standard details shall be provided where indicated on the typical cross sections and shall conform to the City of Laredo *Standard Specification Manual*. Where the street upon which the lot or lots abut is a state numbered highway as defined in the Texas Highway and Public Transportation Commission Regulations of the Texas Administrative Code, and has a rural design or cross section, the owner of the lot or lots are not obligated to construct adjacent curb and gutter, provide security in lieu of construction, or place the cost of these improvements in a trust account for the City's cost of improvements when the abutting street is converted to an urban design.

(10) **Medians and Dividers**. Medians and dividers with curbs shall be constructed in accordance with the approved cross section. Divider strips on primary and secondary streets constructed without curbs shall be graded to a slope of ¼ inch per foot from the center of the divider strip to a point 7 inches from above the edge of pavement and from that point to the edge of pavement.

(11) **Arterials**. Arterial slopes shall be ¼ inch per foot toward the street except in heavy cuts, where a maximum of one (1) inch per foot are permitted. Landscaping, walls, or fences placed in the parkway for aesthetic purposes cannot obstruct sight distance.

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(12) **Industrial Intersections**. Industrial park, truck route, and industrial collector intersections, turning locations, and queuing lanes shall be constructed with reinforced concrete.

(j) Street Names and Building and Unit Numbering

Purpose: this subsection provides for the assignment of street names and building and unit numbers to provide a logical pattern that facilitates the location of buildings by citizens, visitors, and emergency vehicles. The intent is to ensure quick and easy location of properties for public safety, postal, and utility services by:

- *Creating standards for street naming*
- *Creating standards for address numbering and assignment*
- *Providing guidelines on the addressing process*
- *Preventing duplicate street names and allowing only approved street types*

(1) *Applicability.* This subsection applies to applications for subdivision plat approval, and to developers, contractors, and building occupants applying for street names and addresses.

(2) *Street Naming*. The Planning Commission shall assign street names at the time of subdivision plat approval. No proposed street names will duplicate, relate, or mimic any existing street name.

(3) *Street Naming Procedures*

a. *Master List*. The Planning Department shall maintain a master list of all existing and proposed street names.

b. *Initiation.* A list of proposed street names and/or a plat with all proposed street names are sent to the Planning Department for review. The Planning Department, in consultation with the Police Department (PD), and United States Postal Service, reviews and approves all street names.

c. *List of Street Names.* The applicant shall submit a list of street names to the Planning Department as part of the subdivision review process. The Planning Department and Police Department will check the names based on subsection (4) below and transmit a list of approved and denied names to the applicant. The applicant must re-submit the denied street names, until all names are approved.

d. *Addressed Plat.* Once street names are approved and the applicant sends a stamped plat stating that it is ready for addressing to the Planning Department, address assignments are completed and the addressed plat (plat with situs numbers) is sent back to the Planning Department and applicant.

e. *Changes to Address Assignments.* Any changes to the address assignments must be sent to the Planning Department before the final plat is filed. Once the plat is filed, any address changes are approved as provided in the street renaming standards below. The applicant must coordinate with the Planning Department and submit either a replat or a certificate of compliance for the changes.

f. *Recording Street Names.* All streets are entered into the GIS system as "Proposed" and are changed to "Existing" when the streets are built, inspected and final

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acceptance is given for the project. Any unused street names is deleted and no longer be reserved for that project after a maximum period of three (3) years.

(4) *Street Naming Standards*

a. *Applicability*

1. Within the city limits, only approved street names will be used. County designated road names are not used.

2. Any unnamed arterial street or unnamed street on the Future Thoroughfare Plan will be named by City Council.

3. The following are not assigned a street name:

a. Fire Lanes.

b. Alleys.

b. *Accepted Street Types*. Only accepted street types are allowed. Accepted types are not permitted in the street name. (e.g., Delores Trail Rd is not acceptable, as a Trail is an accepted street type). Most street types with 4 characters or less are not abbreviated. Street types with more than 4 characters are abbreviated based on the standards set by USPS. Any Street types not on the list are reviewed and approved on a case by case basis.

Table 4.6-12 Approved Street Types

Street Type	USPS Abbreviation	Guidelines
Avenue	AVE	A street not limited to a single Subdivision
Boulevard	BLVD	See subsection (c) of this section
Circle	CIR	A looped or circular street having two intersections on the same road.
Court	CT	Dead-end street terminating in a cul-de-sac with a circle
Cove	CV	Local streets designated with "COVE" as the type
Drive	DR	A curvilinear street or arterial
Expressway	EXPY	See subsection (c) of this section
Hill	HL	
Landing	LNDG	
Lane	LN	Local street within a subdivision
Loop	LOOP	
Parkway	PKWY	Typically an arterial
Pass	PASS	
Place	PL	Dead-end street
Point	PT	
Ramp	RAMP	
Ridge	RDG	

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Street Type	USPS Abbreviation	Guidelines
Road	RD	Typically an arterial
Run	RUN	
Square	SQ	Discouraged; usually reserved for non-motorized areas andpaths
Street	ST	Thoroughfare not limited to a single subdivision
Terrace	TER	
Trace	TRCE	
Track	TRAK	
Trail	TRL	Generally limited to use on non-vehicular trailsand recreational trails
View	VW	
Way	WAY	A curvilinear street

c. *Naming Conventions*

1. Proposed street names shall not conflict with already established street names. Duplicate name values are not allowed (e.g., if there is an existing Delores Pl, then Delores Dr, Trl, or Ln are not allowed).

2. Continuations of existing streets must maintain the existing name and type, except as approved by the Planning Department and Police Department.

3. All names shall be simple to pronounce, spelled according to a standard dictionary and use the common spelling for a word.

4. Proposed names shall not sound like or approximate the name of an existing street.

5. Names cannot be homonyms or phonetically like existing names. (e.g., Marlin - Marlyn).

6. Cardinal directions cannot be used in the name. (e.g., North Road)

7. No special characters or punctuations are allowed in street names. Only alphabetical symbols A through Z and blank spaces may be used in street names (e.g., O'Brien Lane is not acceptable, but Obrien lane is acceptable).

8. Names cannot contain numbers or spelling of numbers (e.g., Three Lane).

9. Names cannot begin with articles (a, an, the, or, of) (e.g., The Grand Parkway).

10. Names cannot contain initials, abbreviations, or single letters. (e.g., TJ Lane).

d. *Directional Changes.* If a street makes a directional change of approximately ninety degrees (90°), the street name must change. The only exception is a freestanding street terminating in cul-de-sacs on both ends, with only a single access point (Figure 4.6-4).

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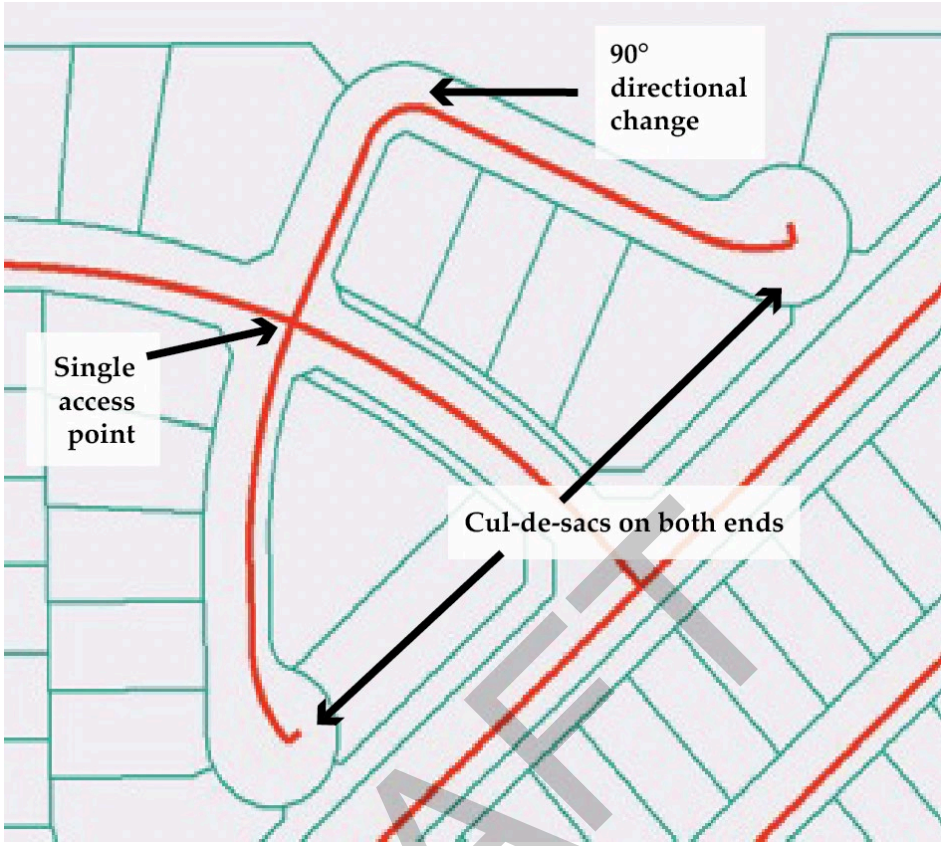

Figure 4.6-4 Single Street Name with 90° Directional Change (Source: City of McKinney, Texas)

(5) *Renaming Streets*

a. *Applicability.* Street name changes are allowed only if the existing street name interferes with the accurate dispatch of emergency vehicles or postal delivery.

b. *Duplicate Names*. If a duplicate name exists, the City will consider the following factors in deciding which street to assign the name:

1. The road originally assigned the name; and

2. The road with the most addresses using the name; and

3. The longest road; and

4. The most heavily travelled road; and

5. Any other factors consistent with public safety objectives.

c. *Procedures for Street Name Changes*

1. Any street name changes must be coordinated with the Engineering Department, Planning Department, Police Department and USPS.

2. If a applicant initiates a street name change, the applicant shall inform all affected parties of the change so there are no issues receiving mail. Parties include existing homeowners, property owners, and the USPS. If the City initiates the change, the City will inform all affected parties.

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3. Any platted street name change is subject to approval by City Council. All street name changes approved by City Council must be approved in a City Ordinance.
4. Any street name change requests in the ETJ must be routed to Webb County. (*Note: the City rarely has jurisdiction over street names outside the City limits [for example, Municipal Utility Districts]*).
5. TxDOT roadway changes must be coordinated with the Engineering Department, Planning Department, Police Department, Webb County and the applicant.
6. After the City Council approves a street name change:
   a. The applicant must coordinate with the Planning Department and submit either a replat or a Certificate of Correction.
   b. When the replat or certificate of correction issued, the Planning Department will change the street name in the GIS system and notify USPS, Webb County, and the Webb County Elections Administration.
   c. Street signs are updated after a street name is changed. Generally, the City provides street signs for City streets within the city limits, and TXDOT provides street signs on State roads in the City. The City Engineer will notify applicants when they are responsible for street sign changes.
   d. Streets signs outside the city limits are coordinated with Webb County, TxDOT and the applicant.
7. If an arterial or roadway on the Future Thoroughfare Plan is named or changed, the City will update the Comprehensive Plan to reflect this change.

(k) Addressing (Building and Unit Numbers)

Purpose: this subsection provides for the assignment of building and unit numbers to provide a logical pattern that facilitates the location of buildings by citizens, visitors, and emergency vehicles. The intent is to ensure quick and easy location of properties for public safety, postal, and utility services by creating standards for address numbering and assignment.

(1) *Applicability.*

a. The Planning Department approves and assigns all street names and addresses. Street names are approved before building and unit numbers are assigned. Addressing requests are categorized as follows:
   1. New Residential Subdivision addressing; and
   2. Ad-hoc addressing (e.g., utility meters, grading permits and development permits), and stand-alone commercial and residential addresses.

b. Addresses are only provided on roads that have an approved street name.

(2) *Address Numbering Process*

a. *New Residential Subdivision.* Addresses for new residential subdivisions are initially assigned at the time of plat approval.

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b. *Ad-Hoc Addresses*. Requests for ad-hoc residential and commercial addresses originate from the City Engineer. The Planning Department will assign the address and notify the respective department.

(3) *Address Numbering Standards*[5]

a. *Reference.* Addresses are assigned off the public street from which driveway access is located. For double frontage lots, the address is assigned off the public street where the mailbox is located.

b. *Address Structure*. Addresses have four main component parts: address number, the directional, primary name, and type (Figure 4.6-5). The street address should always be presented in the following order: address number, directional prefix (if any), street name, street type, and apartment or suite number (if any).

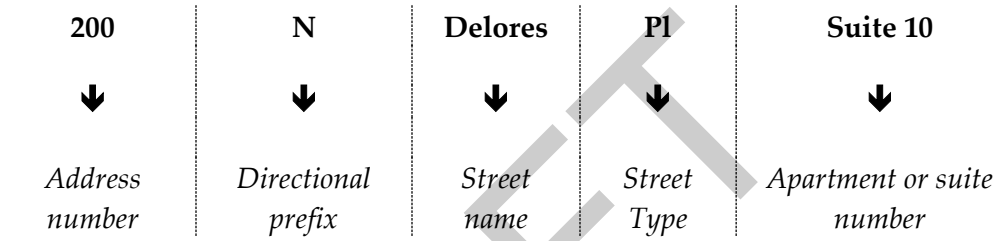

Figure 4.6-5 Address Structure

c. *Sequencing.* The Planning Department shall determine the point of origin for all addresses in Laredo in consultation with the USPS. From this point of origin, addresses will increase either to the north, south, east, or west depending on the predominant direction a street travels, starting at 100 and/or 101.

d. *Address Conventions.*

1. The direction a street travels determines odd and even addresses. Addresses on the left (determined from the point of origin) are odd while addresses on the right are even.

2. Building and Unit/Suite numbers must be numeric. Building designations are permitted if there are multiple structures on a parcel lot or site. Unit/Suite designations are used if there are multiple addressable spaces within a building. Fractional, alphanumeric and hyphenated address numbers (e.g., 101 ½, 101B, 101-5) are prohibited and unless needed to accommodate a legacy address, or as provided below for Duplex/Triplex Residences.

3. Address numbers for lots generally start with a '00' or '01' at the beginning of an address range and maintain a standard interval of 4 integers.

4. Addresses on opposite sides of a street must be sequential and follow a consistent numbering pattern.

e. *Blocks*

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1. Block ranges for streets change at street intersections. The Planning Department may grant exceptions to accommodate legacy addressing issues or keep numbering ranges consistent with nearby streets.
2. Block ranges may also change in the middle of a street to keep street numbering ranges consistent with nearby streets.

f. *Cul-De-Sacs*. A street that intersects only one access point and terminates in cul-de-sacs on both ends shall maintain a single street name from end to end (see Figure 4.6-4).

g. *Corner Lots*

1. Address assignment is made based on driveway access to the front of a structure.
2. If driveway access cannot be determined, the address is assigned from the shortest lot frontage.
3. The applicant shall determine the orientation of a structure and driveway for corner lots as early as possible in the planning process to assign a correct address.
4. Plat maps shall clearly indicate lot access for corner lots or other ambiguous lot locations, so that accurate addresses can be assigned.

h. *Private Driveways*

1. Lots along a private driveway may be addressed off an existing adjoining street when it serves no more than two (2) lots.
2. A sign which clearly indicates all address numbers assigned shall be located at the entry point of the private driveway.
3. Private driveways that serve more than two (2) lots will be addressed off the private driveway.

i. *Two-Family Dwellings or Triplexes*. New duplex and triplex structures will use one primary building address with each individual unit identified by the primary address followed by a letter in alphabetical order. The letter unit designator is not part of the address number but a suffix to the number.

j. *Multi-Family Dwellings*

k. For most multi-family dwellings, one main building (generally the administrative office or community center), is assigned a primary address based on entrance access along the public right of way.

l. Multi-family buildings with multiple entrances may require separate addresses if primary access is from different streets.

m. Each multi-family building is assigned building numbers as secondary location indicators by the Planning Department or the applicant.

n. Building numbers shall follow the spatial pattern of the buildings in a logical manner, although the applicant determines the exact numbering pattern. A common pattern is to start on the right at the entry way and increase in a counterclockwise direction.

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o. Unit numbers shall represent the building, floor and unit. For example:

Building Number #1, Floor 2: 1201, 1202, 1203
Building Number #12, Floor 3: 12301, 12302, 12303

1. Public safety requires that building numbers are prominently displayed on each building and easily readable from the street or main driveway. The development shall include signs or a map of the complex that direct first responders quickly to the correct location in an emergency.

p. *Manufactured Home Parks*

1. Each manufactured home is assigned an individual address if all homes in the manufactured home park have primary driveway access from a public street.

2. If individual manufactured homes do not have driveway access from a public street, then one primary address is assigned for the entire community based on entrance access along the public right of way, followed by lot numbers for each individual home. Lot numbers shall follow the spatial pattern of the buildings in a logical manner.

q. *Offices*

1. For an office with one building, a single address based on entrance access along the public right of way is assigned.

2. For a site with multiple buildings, each office building is assigned an individual address based on the entrance access along the street range. Address numbers will follow the spatial pattern of the buildings in a logical manner.

3. If multiple offices exist in each building, individual offices will be assigned suite numbers as secondary location indicators by the Planning Department. Suite numbers must be numeric.

4. The suite number assigned must indicate the floor location. (e.g., 201 = first office on the second floor).

r. *Commercial / Mixed Use*

1. *Generally*

a. Individual commercial/mixed use buildings are assigned an address based on entrance access along the public right of way.

b. For a commercial/mixed use site with multiple buildings, each building is assigned an individual address based on the entrance access along the street range. Numbers shall follow the spatial pattern of the buildings in a logical manner.

c. A building housing more than one business or occupant or tenant is assigned suite numbers as secondary location indicators by the Planning Department. Suite numbers must be numeric.

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d. A building that houses one main commercial business with additional smaller spaces (e.g., big box store with with bank, hair salon etc.) is assigned one address for the use of all businesses located within the main store.

2. *Strip Commercial Buildings*. For commercial buildings aligned in a linear configuration on one story:

a. One address is assigned based on entrance access along the public right of way.

b. A building housing more than one occupant or tenant is assigned suite numbers as secondary location indicators by the Planning Department.

3. *Shopping Mall*. For a commercial building that has multiple tenants with primary access internal to the building:

a. One main address, with suite numbers designated for each business is assigned based on entrance access along the public right of way.

b. If the building has multiple access points from various streets, one street will be chosen for the main address.

s. *Accessory Structures*. Outbuildings or accessory buildings that have their own access point to a public street are assigned different addresses than the principal structure. Addresses are assigned based on entrance access along the public right of way.

t. *Water Tower/Wireless Tower*. Wireless towers and water towers are assigned individual addresses based off entrance access along the public right of way.

u. *Miscellaneous Addresses*. The Planning Department assigns addresses that are categorized as "miscellaneous" for structures that are typically unstaffed and for unstructured assets such as electric meters, irrigation meters, cable/ATT boxes, and gates.

v. *Community Pools*.

1. If a pool shares the same access point as an amenity center or a park then the pool will share the same address as the facility.

2. If pool access is different from the main park access or amenity center then a separate address will be assigned for the pool based on entrance access along the public right of way.

w. *Guard Station*

1. If guard station exists on a property with an existing primary address, the guard house will share the same primary address.

2. If the guard station exists as a stand-alone structure with street access, a separate address is assigned based on the street range.

(4) *Renumbering of Addresses*

a. Legacy addresses, particularly in older sections of the city, may not follow existing standards but will be accommodated for historic reasons. The Planning Department may approve address changes based on the following criteria:

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1. Safety or emergency response purposes.
2. A street name changed from a County Road (CR), Farm to Market (FM), etc. to a standard street name.
3. Correcting an existing address number that is not in sequence with the surrounding address range.
4. Re-numbering existing addresses to accommodate new buildings.

b. If an address number has been changed in the GIS system, the Planning Department will notify the USPS, any appraisal district, and the Webb County Elections Administration.

(l) Street Lighting

(1) All new subdivisions (excluding replats of tracts where the standards below are met) shall include street lighting if non existing. The applicant shall present a plan to install street lighting in conformance with the standards below to the Director of Traffic Safety for approval prior to final plat submittal in conformance to the following standards:

a. Arterial streets = 27,000 Lumens approximately every 300 feet of street length. (Amended 4/6/92, Ordinance # 92-0-080)

b. All other streets = 16,000 Lumens approximately every 300 feet of street length. (Amended 4/6/92, Ordinance # 92-0-080)

(2) The Commission may approve minor variations in positioning of lamp poles due to lot and block configuration.

(3) On streets that serve as exterior boundaries of the subdivision, the Commission may allow alternate spacings for lamp poles if the adjacent land can be expected to develop and provide for its alternate half of the Street Lighting.

(4) The owner shall install and provide the first year's electricity costs at its expense, and considered as a utility cost for bonding requirements (or alternative guarantees as may be allowed). (As amended 10/30/84, Ordinance # 84-0-178)

(m) Exceptions. A subdivision or resubdivision for residential purposes may dedicate residential right-of-way adjacent to or within the proposed subdivision if the right-of-way was designated on a recorded subdivision plat before January 1, 1980.

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24.4.8 Utilities

(a) Generally. The Building Official shall not issue any permit for any development that does not have a system for water supply, storm water drainage, street, electricity improvements and sewage disposal approved in accordance with this Section.

(b) Utility Easements

(1) *Rear Lot Utility Easements*

a. Easements are required across lots or centered on rear lot lines for utilities (hereinafter "rear lot utility easements") where necessary.

b. Rear lot utility easements shall comply with Table 4.7-1.

c. These easements may be required across parts of lots other than as described above upon recommendation of the City Engineer or Utilities Director. (As Amended 12/4/84, Ordinance # 84-0-199)

(2) *Front Lot Utility Easements*. The developer of a residential (single family R-S, R-1, R-1A, R-1B, PUD or ETJ) subdivision may locate utilities (electric, gas, telephone and cable) within the front yard setbacks of the lots within the subdivision. This easement shall meet the following minimum requirements: (As Amended 8/20/12, Ordinance # 2012-O-108; 7/6/16, Ordinance # 2016-O-075)

a. Front lot utility easements shall comply with Table 4.7-1.

b. All transformers, pedestals, boxes or any other distribution boxes or pedestals shall be placed within the easement and shall be centered on the side yard property line with the transformers placed nearest to the street and pedestals or other boxes aligned behind the transformer box.

c. Only electric utility primary and secondary cable shall be placed at the 52inch depth, or lower as may be specified by the electric utility provider and covered with a minimum 24 inches of fill.

d. Telephone, Cable and Gas shall be placed no more than 24 inches below grade within the same trench.

e. All back fill shall be at 95% compaction or as set out in the *Standard Technical Specification Manual*.

f. Flowable backfill may be used if it meets the following:

1. *Cement*. Portland Cement shall conform to the requirements of the latest revision of ASTM Designation C150, Type 1, or Type II. Only one brand or kind of cement shall be used in any one structure or trench except as permitted in writing by the City Engineer. All cement shall be delivered in bags plainly marked with the brand and name of the manufacturer.

2. *Fine Aggregate*. Provide fine aggregate that will stay in suspension in the mortar to the extent required for proper flow and that meets the gradation requirements of the aggregate gradation chart below. Test fine aggregate gradation in accordance with Tex-401-A. Plasticity Index (PI) must not exceed 6 when tested in accordance with Tex-106-A.

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3. *Mixing Water*. Use mixing water conforming to the requirements of TxDOT Item 421, "Hydraulic Cement Concrete."

g. The utility easement may extend into the lot along the side yard property line so long as it centered on the side yard lot line and does not extend past the side yard setback line (being five feet on each side of the side yard lot line) to a point where it intersects with the projection of the front of the house's foundation. This additional easement extension is to be used for the utilities service lines to the house.

h. The developer and builders shall ensure that driveways are not constructed on the same side of the lot where a transformer has been or will be placed.

i. If there is any conflict between the above requirements and the City of Laredo *Standard Technical Specification Manual*, the *Standard Technical Specification Manual* controls.

Table 4.7-1 Utility Easement Specifications

	Width	Distance from front property line		Trench	
Easement Type/Location	*(min-feet)*	Min *(feet)*	Max *(feet)*	Width *(max - inches)*	Depth *(min - inches)*
Rear Lot Utility (dry) Easements	12'	n/a	n/a	n/a	n/a
Rear Lot Utility (wet) Easements	15'	n/a	n/a	n/a	n/a
• **Along a plat boundary with adjacent unplatted land, or platted land, or platted with an adjacent utility easement**	6'	n/a	n/a	n/a	n/a
Side Lot Utility (dry) Easements	10'	n/a	n/a	n/a	n/a
Side Lot Utility (wet) Easements	7.5′	n/a	n/a	n/a	n/a
• **Along a plat boundary with adjacent unplatted land, or platted land, or platted with an adjacent utility easement**	5′	n/a	n/a	n/a	n/a
Front Lot Utility Easements	6'	4'	10'	24"	52"

(3) *Design and Installation*.

a. *Generally*. All utilities shall be designed and installed in conformance with the *Standard Technical Specification Manual*, as amended from time to time and upon the approval of the Utilities Director and City Engineer.

b. *Private Contractor*. Where the subdivider installs the utilities with a private contractor, the private contractor shall accomplish all the engineering covering plans and specifications. The private contractor shall identify driveways, sidewalks and ramp's location on the plat and confirm they are not constructed on the same side as the transformer. The Engineering Department of the City of Laredo shall approve those plans and specification prior to the start of any

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installation. All engineering work shall be accomplished by persons qualified under State of Texas laws to do that work.

c. *Private Installation.* The City Engineer shall confirm the construction of sewer and water lines within the subdivision is contracted to private companies.

d. Eastern and Western Division and older accepted subdivisions which do not have utilities may be installed by the city on a reimbursement by the land owner (i.e lien on the property).

(4) *Statement of Compliance*. The Director of Utilities shall provide the Commission with a statement that the proposed water and sewer system for the subdivision meets their current engineering standards for water and sewer service, prior to Commission approval of the subdivision.

(5) *Water Rights*. The City of Laredo has rights to the water of the Rio Grande to only a limited extent, and that it is expected that the City's demand for water will exceed its supply within the planning period that this document addresses, the following is required. Therefore, all subdivisions within the jurisdiction of this ordinance, and outside the Laredo city limits as of the date of passage of this section, shall provide to the Laredo Utilities Department those water rights (or money in lieu of water rights) that are fair and equitable for the creation of any additional lots that the system will have to serve.

(c) Electrical Service. All single-phase electrical service in new subdivisions of land be installed underground in accordance with the underground service policy of the electric utility, except that service to the perimeter lots may be underground from overhead facilities. Primary, secondary and street light conductors shall be located in dedicated utility easements located adjacent to rear or side lots lines except as otherwise permitted in subsection 24.4.7(a).

(d) Model Subdivision Rules

Purpose. The model rules provide the criteria for assuring that an adequate supply of safe drinking water and adequate safe sewer facilities are available to residential areas in accordance with state standards established by the Texas Department of Health and the TCEQ. The model rules prohibit the establishment of residential developments with lots of five acres or less without adequate water supply and sewer services, prohibit more than one single-family, detached dwelling to be located on each subdivision lot, and establish minimum setbacks to ensure proper operation of water supply and sewer services and to reduce the risk of fire hazards.

(1) *General Provisions / Scope of Chapter*

a. This chapter contains model rules which the Texas Water Development Board (board) is required to adopt in accordance with Texas Water Code Section 16.343.

b. Before an application for financial assistance from Economically Distressed Areas Program as Specified in Chapter 355, Subchapter B of the Texas Water Code or Chapter 363, Subchapter E of the same title may be considered by the board, the applicant shall provide documentation satisfactory in form and in substance that the municipality (ETJ) and county in which the applicant is located has adopted the necessary orders, ordinances or other rules that meet the requirements of the

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Model Subdivision rules contained in Chapter 16, Subchapter B of the Texas Water Code.

(2) *Subdivision Within The Extraterritorial Jurisdiction (ETJ) - Plat Required*

a. The owner of a tract of land that divides the tract in any manner that creates 2 or more lots of 5 acres or less intended for residential purposes must have a plat of the subdivision prepared. Lots of 5 acres or less are presumed to be for residential purposes unless the land is restricted to non-residential uses on the final plat and duly noted in all deeds and contracts for deeds.

b. A division of a tract is defined as including a metes and bounds description, or any description of less than a whole parcel, in a deed of conveyance or in a contract for a deed, using a contract of sale or other executory contract, lease/purchase agreement, or using any other method to convey property.

c. Every plat creating 2 or more lots of 5 acres or less for residential purposes, located within the ETJ of the City of Laredo, shall comply with the standards of Section 24.4.7(d)(3).

d. The final plat shall include on the plat or have attached to the plat by an engineering report, consistent with Section 364.52 of the Texas Administrative Code (TAC), bearing the signed and dated seal of a professional engineer registered in the state of Texas. The engineering report shall discuss the availability and methodology of providing water facilities and wastewater treatment to individual lots within the subdivision. A detailed cost estimate per lot acceptable to the Planning and Zoning Commission shall be provided for those unconstructed water supply and distribution facilities and wastewater collection and treatment facilities which are necessary to serve each lot of the subdivision. The plan shall include a construction schedule for each significant element needed to provide adequate water or wastewater facilities.

e. No subdivided land shall be sold or conveyed until the subdivider has received final approval by the Planning and Zoning Commission of the tract and has filed and recorded, with the County Clerk of Webb County, a legally approved plat.

(3) *Subdivision Within the Corporate Limits of the City of Laredo- Plat Required.* The subdivision of a tract of land into 2 or more lots of 5 acres or less for residential purposes within the corporate limits of the City of Laredo shall, at a minimum, meet the standards established in this section as well as those required in Article 5 for the filing of a plat.

(4) *Facility Standards.* The establishment of a residential development with 2 or more lots of 5 acres or less where the water supply and sewer services do not meet the minimum standards of this section is prohibited.

a. *Public Water Systems*

1. Where drinking water is to be supplied to a subdivision by the City of Laredo, the water quality and system design, construction and operation shall meet the minimum criteria set forth in 25 TAC 337.201 - 337.212, "Rules and Regulations for Public Water Systems", and 25 TAC 337.1 - 337.18,

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"Drinking Water Standards Governing Drinking Water Quality and Reporting Requirements for Public Water Supply Systems."

2. Subdividers shall supply drinking water by connecting to the City of Laredo system. The written service agreement permitting the connection to the City of Laredo system shall calculate service charges based on the ultimate development and occupancy of the proposed subdivision for a minimum of thirty (30 years). The agreement must reflect that the subdivider has paid the cost of water meters and other necessary connection equipment, membership fees, water rights acquisition costs, or other fees associated with connection to the City of Laredo system so that service is available to each lot upon completion of construction of the water facilities described on the final plat.

b. *Non-Public Water Systems*

1. Where individual wells or other non-public water systems are proposed for the supply of drinking water to residential establishments, the subdivider shall have prepared and provide a copy of a groundwater availability study that complies with the requirements of 30 TAC §§ 230.1 through 230.11 for water availability for public water supply systems and certifies the water quality of the water produced from the test well must meet the standards of water quality required for community water systems as set forth in 30 TAC Section 290.104, 290.106 and 290.108 and 290.109, either:
   a. without any treatment to the water; or
   b. with treatment by an identified and commercially available water treatment system.
2. Individual water wells or non-public water systems that do not meet the water quality standards developed by the TCEQ and set out in 30 TAC Sections 290.104, 290.106 and 290.108, and 290.109 shall be prohibited.

c. *Transportation of potable water*. The conveyance of potable water by transport truck or other mobile device to supply the domestic needs of the subdivision is not an acceptable method, except on an emergency basis. Absence of a water system meeting the standards of these rules due to negligence of the subdivider does not constitute an emergency.

d. *Water Supply Systems*. All water supply systems shall be consistent with the standards developed by the Commission and as set out in 30 TAC Chapter 290.

e. *Wastewater Systems*

1. *Organized Sewerage Facilities*.
   a. Subdividers who propose the development of an organized wastewater collection and treatment system other than the City of Laredo municipal system, shall obtain a permit to dispose of wastes from the TCEQ in accordance with 30 TAC Chapter 305 "Consolidated Permits" and obtain approval of engineering planning materials for such systems under 30 TAC Chapter 317 "Design Criteria for Sewerage Systems" from the TCEQ.

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b. Subdividers who propose to dispose of wastewater by connecting to an existing permitted facility must provide a written agreement with the City of Laredo. The agreement must accommodate the total flow anticipated from the ultimate development and occupancy of the proposed subdivision for a minimum of 30 years. This agreement must reflect that the subdivider has paid the cost of all fees associated with connection to the wastewater collection and treatment system so that service is available to each lot upon completion of construction of the wastewater facilities described on the final plat. Engineering plans for the proposed wastewater collection lines must comply with 30 TAC, Chapter 317 and 31 TAC, Section 364.33(a)(12).

2. *On-site Sewerage Facilities*

a. *Lot Size and Location*. No on-site wastewater disposal or septic system shall be permitted on any lot or tract which is less than one acre in size or within 200 feet of a public wastewater collection system. No on-site wastewater disposal system shall be permitted on any tract, regardless of size. where soil conditions, flood zones, topography, or other conditions do not permit both an undisturbed septic drain field and sufficient fallow, undisturbed land for a replacement drain field.

b. *Flood Zones*. No on-site wastewater disposal or septic system shall be permitted within any 100-year flood zone identified by the Federal Emergency Management Agency on the Flood Insurance Rating Maps (FIRM).

c. *Less than 5,000 GPD*. On-site facilities which serve residential dwellings with anticipated wastewater generation of no greater than 5,000 gallons per day must comply with 30 TAC, Chapter 285 and be designed by a registered professional engineer or registered professional sanitarian.

d. *At Least 5,000 GPD*. Proposals for on-site sewerage facilities for the on-site disposal of sewage in the amount of 5,000 gallons per day or greater must comply with 30 TAC, Chapter 317 and be presented to the TCEQ for determination be presented to the Texas Commission of Environmental Quality for determination of the necessity for a wastewater permit from that agency. Each such disposal facility must be designed by a registered professional engineer.

e. *TCEQ Wastewater Permit not Required*. On-site sewerage facilities not required to obtain a wastewater permit from the TCEQ must apply for and receive a permit from the City of Laredo Health Department or its authorized agent as required by the procedures established in 25 TAC 301.101 through 301.109.

f. *On-site Sewage Disposal Near Lakes or Water Storage Reservoirs*. On-site sewerage facilities proposed near lakes or water storage reservoirs shall

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be licensed and installed in strict accordance with requirements established by the TCEQ in their rules 31 TAC Chapter 285.

g. *On-site Wastewater Disposal in Recharge Zones*. On-site sewerage facilities proposed within aquifer recharge zones must be licensed and installed in strict accordance with requirements established by the TCEQ and applicable Texas Department of Health regulations.

h. *Inspections*. The TCEQ, the City of Laredo Health Department, or their authorized agents shall review proposals for on-site sewage disposal systems and make inspections of such systems as necessary to assure that the system is in compliance with Chapter 366 of the Texas Health and Safety Code and rules in 30 TAC Sections 285, and in particular Sections 285.4, 285.5, 285.30 through 285.39. In addition to the unsatisfactory on-site disposal systems listed in 30 TAC Section 285.3 (b), pit privies and portable toilets are prohibited.

i. *Prohibitions*. Pit privies, portable toilets, and on-site sewerage facilities that do not meet the wastewater treatment standards developed by TCEQ and set out in 30 TAC Chapter 285 are prohibited.

f. *Graywater Systems for Reuse of Treated Wastewater*

1. *Organized Sewerage Facilities*. Any proposal for sewage collection, treatment and disposal systems which include graywater reuse shall meet minimum criteria of 30 TAC, Chapter 210 promulgated and administered by the TCEQ.

2. *On-Site Sewerage Facilities*. Any proposal for on-site sewage disposal which includes provisions for graywater use shall meet the minimum criteria of 30 TAC, Chapter 285.

g. *Sludge Disposal*. The disposal of sludge from water treatment and wastewater treatment facilities shall meet the criteria of 30 TAC, Chapter 312, and Chapter 317.

h. *Setbacks*. In areas outside the corporate city limits which lack water lines sized for fire protection, setbacks from private access easements, public or private roads and right-of-ways shall be a minimum of 45 feet from the centerline of such road, street, or easement. Setbacks from adjacent property lines shall be a minimum of 5 feet for site-built housing and 7 feet for any manufactured home or mobile home, and shall not conflict with separation or setback distances required by rules governing public utilities, on-site sewerage facilities, or drinking water supplies.

i. *Number of Dwellings per Lot*. No more than one single family detached dwelling shall be located on an individual lot or tract. A notation of this restriction shall be placed on the face of the approved final plat, in all deeds, and in all contracts for deed for real estate sold within the subdivision. Notice of this restriction must be given by the seller in writing to any purchaser prior to execution of any binding agreement for sale or conveyance of any real estate. Proposals which include multi-family residential shall include adequate, detailed planning materials as

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required for the determination of proper water and wastewater utility type and design.

j. *Connection to Public Wastewater Collection System*. As soon as a public wastewater system is available within 200 feet of the lot or tract, the lot or tract must be connected to the public wastewater collection system. Failure to properly connect to the public system within 30 days of written notice by the City of Laredo shall void any water service agreement, and water service shall be suspended until proper connection to the wastewater collection system is in place.

(5) *Enforcement and Penalties*

a. If it appears that a violation or threat of a violation of Chapter 212, Subchapter B of the Texas Local Government Code or a plan, rule or ordinance adopted under Chapter 212, Subchapter B, or consistent with Subchapter B exists, the City of Laredo is entitled to appropriate injunctive relief against the person who committed, is committing or is threatening to commit the violation.

b. A suit for injunctive relief may be brought in the county in which the defendant resides, the county in which the violation or threat of violation occurs, or any county in which the City of Laredo is wholly or partly located.

c. A person commits an offense if the person violates Chapter 212, Subchapter B or a plan, rule, or ordinance adopted under Chapter 212, Subchapter B or consistent with Subchapter B within the limits of the City of Laredo. An offense under this section is a Class C misdemeanor. Each day the violation continues constitutes a separate offense.

d. *Civil Penalty*. A person who violates any rule adopted under this section pursuant to Section 16.343 of the Texas Water Code is subject to a civil penalty of not less than $50 nor more than $1,000 for each violation and for each day of a conning violation but not in excess of $5,000 per day.

e. *Damages*. The city of Laredo may recover damages in an amount adequate for the City to undertake any construction or other activity to bring about compliance with a requirement established under this section.

f. *Equitable Remedies*. In addition to other remedies, the subdivider may be enjoined for the violation or threatened violation of any requirement of this section by suit for injunction and/or application for temporary injunction, and/or temporary restraining order duly filed by the City Attorney. In addition to enforcement by a political subdivision, the Texas Attorney General may bring suit to enforce a rule adopted under Section 16.350 of the Water Code, to recover the penalty provided by Section 16.352 of the Texas Water Code, to obtain injunctive relief to prevent the violation or continued violation of a political subdivision's rules, or to enforce the rules, recover the criminal penalty, and obtain injunctive relief.

(6) *Conflict of Interest*

a. Any member of the Commission who has a substantial interest in a subdivided tract shall file, before a vote or decision regarding the approval of a plat for the tract, an affidavit stating the nature and extent of the interest and shall abstain

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from further participation in the matter. The affidavit must be filed with the City Secretary of the City of Laredo.

b. For the purposes of this section a person with substantial interest is one who:

1. has an equitable or legal ownership interest in the tract with a fair market value of $2,500 or more;

2. acts as a developer of the tract;

3. owns 10% or more of the voting stock or shares of or owns either 10% or more or $5,000 or more of the fair market value of a business entity that:

a. has an equitable or legal ownership interest in the tract with a fair market value of $2,500 or more; or

b. acts as a developer of the tract; or

4. receives in a calendar year funds from a business entity described by subsection 24.4.7(d)(6)b.3 that exceed ten percent (10%) of the person's gross income for the previous year.

c. A person also is considered to have a substantial interest if he or she is related within the first degree by consanguinity or affinity to another person who, under subsection 24.4.7(d)(6)b, has a substantial interest in the tract.

d. For the purposes of this section, a tract includes the subdivided tract as a whole, not an individual lot.

e. The finding by a court of a violation of this section of these rules does not render voidable an action of the commission unless the measure would not have passed the commission without the vote of the member who violated this section.

f. A violation under this section is a Class A misdemeanor.

(7) *Financial Guarantees for Improvements*. The requirements for posting a financial guarantee to ensure construction for improvements on a subdivision shall be provided as established in Section 24.4.4 of this Article.

(8) *Certification Of Compliance For Utility Connection Application Fee*. The fee for processing an application for Certification of Compliance for Utility Connection shall be fifty dollars ($50.00).

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Article 5 Introduction

Division 1 General Procedures

Purpose: This Article -

- *Establishes the workflows associated with zoning and subdivision plat processes, and*
- *Assures that the processes comply with state law, and*
- *Assigns decision making authority, completeness review, and deadlines to ensure that the processes are efficient and fair to applicants, and*
- *For discretionary or legislative decisions, provide notice and an opportunity to be heard by persons affected by the application.*

24.5.1 General Procedural Requirements & Authority

(a) Applicability. This Article sets up rules and procedures for specific land use decisions under the jurisdiction of the Planning and Zoning Commission, Zoning Board of Adjustment, the City Council (where applicable), and administrative decisions.

(b) Procedures

(1) This Article sets up rules for procedures, such as pre-application, neighborhood notification, notices and public hearings. It then describes the process for specific land use decisions. The procedures have a common workflow and description, as follows:

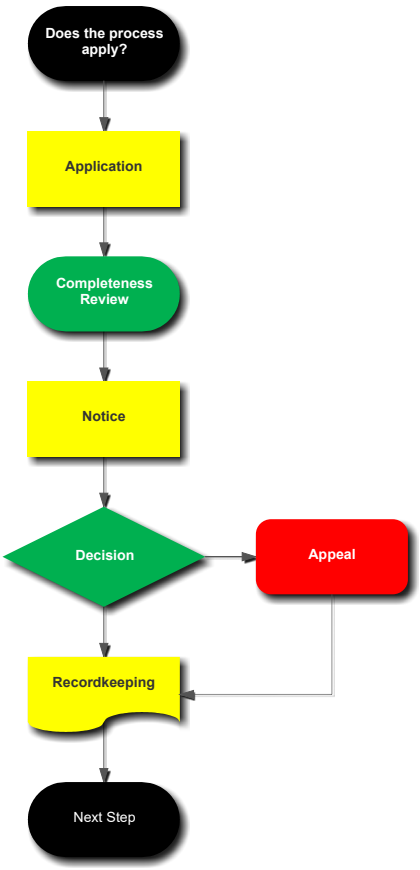

Table 5.1-1 Common Procedural Elements

Element	What does this mean?
Applicability	The type of development or situation that is subject to the process.
Initiation	This is how the applicant begins the process, including which department or official receives the application.
Completeness	This is how the City of Laredo determines that the application has sufficient information to be processed.
Notice	This describes the type of notice, and how it is provided.
Decision	This states who approves the application, and the type of proceeding that leads to the decision.
Approval Criteria	These are any standards that apply to the application. All applications are subject to this Chapter and zoning district regulations.
Subsequent Applications	If an application is denied, some processes have a waiting period before that type of application can be re-filed for the property.
Appeals	This provides a way to review an application that is denied, or that have conditions that the applicant disagrees with.
Scope of Approval	This indicates what activity the application authorizes. For example, some approvals send the applicant to the next step in the overall process, while others authorize construction or use.
Recordkeeping	This states how the formal decision of approval is maintained.

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(2) The processes established in this Article are summarized below:

Table 5.1-2 Process Summary

	Agency							Notice			
Process	*Director*	*Other Administrative Officials*	*Planning and Zoning Commission*	*City Council*	*Board of Adjustment*	*Historic District / Landmark Board*	*Appeals Board*	*Publication*	*Mail*	*Signs*	*Cross-Reference*
Plan Adoption or Amendment	I		R-PH	D-PH				✓			24.5.11
Text Amendment	I		R-PH	D-PH				✓			24.5.12
Annexation	I		R-PH	D-PH				V	V	V	24.5.13; Texas Local Government Code, Chapter 43
Rezoning	I		R-PH	D-PH				✓			24.5.14
Conditional use permit	I		R-PH	D-PH						✓	24.5.15
Historic district or landmark plan					D	D					24.5.16
Preliminary Plat	I		D-PH						✓		24.5.18
Final Plat	D		D-PH								24.5.19
Minor Plats	I		D-PH						✓		24.5.20
Construction Plans		I, D									24.5.21
Replat	I	D	A-PH								24.5.22
Vacating Plat (if lots sold)	D										24.5.23
Amending Plat	I/D	D	A-PH								24.5.24
Certificate of compliance	I/D		A-PH								24.5.25
Site Plan	D		A-PH								24.5.35
Building Permit Certification	D										24.5.36
Certificate of Occupancy Certification	D										24.5.36
Zoning Appeals	I				A-PH				✓	✓	24.5.37
Zoning Variances	I				A-PH				✓	✓	24.5.38
Subdivision Variances	I		D-PH								24.5.39
Interpretation	I-D										24.5.40
Stormwater Permitting		I-D					A				Division 5

Note: this table is a general summary. Refer to the referenced sections for the specific procedure. If there is any conflict between the text section referenced here and this Table, the text section controls.

Key: I = intake, review and referral
R = Recommendation
D = Decision
A = Appeal or Referral
PH = public hearing
✓ = required
V= varies by request or type of annexation or application

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24.5.2 Pre-Application

(a) Applicability. This section applies to any application for a rezoning, conditional use permit, preliminary or final subdivision plat, site plan, stormwater management permit, or zoning variance.

(b) Initiation. Before filing an application subject to this section, the applicant shall request a conference with the Staff Coordinating Committee concerning the plans and data as specified in this Article and Article 12.

(c) Staff Coordinating Committee

The purpose of the Staff Coordinating Committee is to assist an applicant prior to the submittal of an application, to coordinate the technical aspects of development, and to advise the City Manager concerning planning issues.

(1) The Staff Coordinating Committee is composed of the following members or their representatives:

- **a.** The Director of Public Utilities
- **b.** The City Engineer
- **c.** The City Building Official
- **d.** The City Fire Chief
- **e.** The City Planning Director
- **f.** The Traffic Director

(2) The Committee may request the assistance other staff members and agency representatives.

(d) Scheduling. Any applicants wishing to discuss a development proposal with the Committee shall advise the Director of Planning at least 24 hours prior to the meeting.

(e) Meeting

(1) The pre-application meeting shall include the following:

- **a.** A discussion of technical studies, plans and other information deemed relevant to the specific application request,
- **b.** Discussion of the anticipated level of citizen interest,
- **c.** A discussion of the general project consistency with this Chapter and the Comprehensive Plan.

(2) The applicant shall provide a brief overview of the project, including proposed location, uses, densities, project layout, and design features.

(3) Planning staff will provide information and comments at the pre-application meeting, but will not take formal action on the application. In addition to provision of verbal information, Planning staff may provide a Pre-application meeting checklist.

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(4) The applicant's and Planning staff's comments are for purposes of information, but are not binding on either the City or the applicant.

(f) Documentation

(1) During the meeting, Planning staff may review and complete an informational checklist, based on the scope of the application.

(2) Planning staff will record in writing and provide the applicant any pertinent information concerning the project scope, as described by the applicant, as well as verbal guidance provided by City staff.

24.5.3 Filing Applications

(a) General Requirements

(1) Applications filed under this Chapter must include the information required by Article 12 (Submittal Requirements). All applications shall be made on forms prepared by the Planning Director.

(2) The Council may establish fees for all applications required in this Chapter by resolution.

(b) Completeness Review

(1) The City of Laredo will not process incomplete applications.

(2) An application is not complete until all required items are submitted (see Article 12).

(3) When applications are filed, Planning staff will review them for completeness.

(4) The time period to process an application does not commence until the staff determines that the application is properly submitted and the applicant has corrected any deficiencies in the application.

(5) Review for completeness of application forms is solely to determine whether information required for submission with the application is sufficient to allow further processing.

(6) Planning staff will determine whether the application is complete and will transmit the determination to the Applicant. If staff determines that the application is not complete, staff will specify those parts of the application that are incomplete and will indicate how they can be made complete, including a list and description of the information needed to complete the application. Staff and the decision making agency are not obligated to further review the application until the required information is corrected. For applications subject to Division 4 of this Article (Subdivision Procedures), Section 24.5.15)(Conditional Use Permits) and Section 24.5.35 (Site Plan Review), the application is not considered filed and is denied.

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(7) If the application does not comply with the standards for approval and does not request a variance, text amendment or rezoning, the Director may administratively deny the application.

(8) Planning staff or the approving authority may provide submission deadlines for materials required in support of any application provided for in Article 12. Compliance with those deadlines is required to have the application placed on an agenda to be heard by the approving authority.

24.5.4 Notice Provisions

(a) Generally

(1) This Chapter, relying on the minimum threshold set by State law, establishes various requirements for public notice.

(2) The Table below, along with subsection (b), describes the various types of Notice and their contents. More specific notice requirements may be prescribed in each procedural section.

Table 5.4-1 Type and Description of Notice

Type of notice	Description
Publication	The Planning Director will publish in an official newspaper or a newspaper of general circulation in the City.
Mail	The Director will mail the notices. Notice is served by its deposit in the City, properly addressed with postage paid, in the United States mail. Regular mail is sufficient, unless certified mail is required by a specific process or state law.
Electronic Transmission	**1.** The City may communicate with the applicant or persons requesting notice by electronic transmission. **2.** Electronic transmission may include email, or communication through social media or online notification procedures established by the Director.

(b) Required Information. Notice shall include the following information, unless the process includes a different requirement:

(1) A synopsis of the proposed ordinance or application,

(2) Time, date, and place of the public hearing or meeting;

(3) The type of land use or development decision that is being considered;

(4) If a public hearing is required, a statement that at the time and place of the hearing all persons who desire will have an opportunity to be heard in opposition to or in favor of the ordinance or application;

(5) The Planning Department's website address (URL).

(c) Failure to Provide Notice. The failure of the City of Laredo to provide any notice not otherwise required under State law does not affect the validity of any action undertaken pursuant to this Chapter, and no person may challenge an action for

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lack of notice where the City has complied with the applicable State law governing notice.

24.5.5 Staff Review

(a) Review by Other Departments and Agencies. The staff may forward copies of the application to various local, state and/or federal agencies and departments for their review and comment. The Director may ask the reviewers to respond in writing or attend an application review meeting with the staff.

(b) Staff Review. The staff shall review the application and supporting information. This may occur in a meeting with the applicant and representatives of other agencies or departments, as described in subsection (a) of this section. After reviewing the information, staff shall prepare a report summarizing the information for the reviewing bodies and providing a recommendation for action and any proposed conditions. The applicant or other interested parties may obtain a copy of the staff report from the department before the hearing at which the application is scheduled to be heard.

(c) If an individual section of this Article (and where permitted by state law) delegate to staff the authority to approve, approve with conditions, or deny an application, the staff report may include a written decision to that effect.

24.5.6 Decision Making & Public Hearings

***Purpose**. The purpose of a public hearing is to allow the applicant and all other interested parties a reasonable and fair opportunity to be heard, to present evidence relevant to the application, and to rebut evidence presented by others.*

(a) Rules of Procedure. The City Council and Planning and Zoning Commission may adopt rules of procedure for public hearings.

(b) Action. Reviewing bodies shall hold regularly scheduled public hearings to receive and review public input on items required by this Code. Decisions and/or recommendations should be rendered in a timely manner, based upon the specific requirements of these regulations and following:

(1) Conformance with these regulations, the comprehensive plan, and other adopted plans, design guidelines and policies;

(2) Recommendations of staff and recommending bodies;

(3) Input of reviewing agencies and departments;

(4) Public comment and testimony received at the hearing; and

(5) Effects of the proposal on the neighborhood, area, and community-at-large.

(c) Authority to Condition Development Approvals

(1) After review of the application, other pertinent information or documents, and any evidence made part of the public record, the recommending and decision-making bodies may impose conditions that are reasonably necessary

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to assure compliance with applicable general or specific standards expressed in these regulations.

(2) The Planning Director shall include a copy of the conditions with the record of decision.

(3) The applicant shall be notified of any conditions imposed on the application.

24.5.7 Tabling of Application

***Purpose**: this section allows for the tabling of applications as needed to collect additional information, or to engage in further review.*

(a) Applicant Request. An applicant may request to table any application for a future meeting date. If the application was noticed, re-noticing will be at the applicant's expense:

(b) Director Request. The Planning Director may request to table any application for further review and consideration. In that case, the Planning Director shall provide notice and explanation to the applicant before the meeting at which the application is scheduled for hearing. Notice of the tabling will be given at the beginning of the scheduled meeting.

(c) Applications on hold. Applications placed on hold cannot exceed three (3) months, in which previous processes and fees paid need to be resubmitted.

24.5.8 Withdrawal of Application

(a) Generally. An application may be withdrawn at any time prior to formal consideration by the reviewing body.

(b) Fees. Withdrawal of an application after the determination of completeness results in the forfeiture of fees.

(c) No Public Hearing Required. If no public hearing is required, the applicant should give notice of the withdrawal to the Planning Director at the earliest possible time. This allows the Planning Director to notify other applicants of an agenda change.

(d) Public Hearing Required. If a public hearing is required, an applicant may request a withdrawal from the Planning Director at any time prior to opening of the hearing. Once the public hearing is opened, the reviewing body shall decide whether to approve the request and may instead act on the application.

24.5.9 Scope of Approval

(a) Generally. The reviewing body may take any action on the application that is consistent with the notice given, including approval of the application, conditional approval of the application, or denial of the application.

(b) Amendments. The reviewing body may allow amendments to the application if the effect of the amendment is to reduce the density or intensity of the original application, reduce the impact of the development, or reduce the amount of land involved from that indicated in the notices of the hearing. The reviewing body may

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not permit a greater amount of development, a more intensive use, a larger area of land than indicated in the original application, or a greater variance than was indicated in the notice.

24.5.10 Post-Decision Proceedings

(a) Revisions to Approval

(1) Major Revisions

a. A major revision is any revisions that the Planning Director determines is not a minor revision.

b. A major revision is approved by the original decision-maker is required in accordance with the procedures established for original consideration of the application.

c. In making a determination, the Planning Director may seek a recommendation from any recommending body involved in the original application process.

Division 2 Plans, Amendments and Annexation

24.5.11 Comprehensive Plan

(a) Applicability. This section applies to any action to adopt or modify the City's comprehensive plan, consistent with Sections 9.02 – 9.04 of the City Charter, and Chapter 213 of the Texas Local Government Code.

(b) Initiation. The City Manager shall submit a proposed comprehensive plan or proposed modification of the existing plan to the City Council. [*Reference: City Charter Section 9.03(B)*]

(c) Completeness. Not applicable.

(d) Notice. The following notice is required for a plan adoption or amendment:

Table 5.11-1 Notice-Comprehensive Plan

Notice	When	Where / To Whom / Additional Requirements
Publication	≥ 10 days before the Planning and Zoning Commission hearing	• notice published in a daily newspaper of general circulation printed in the city.
Website	≥ 15 days before the Planning and Zoning Commission hearing	• not applicable

(e) Decision

(1) Referral

a. The City Council shall refer the proposed plan or modification to the Planning and Zoning Commission.

b. The referral may specify a deadline for the Planning and Zoning Commission to report its recommendations.

(2) Planning and Zoning Commission Recommendation

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a. The Planning and Zoning Commission consider the plan or modification at a public hearing.

b. After the hearing is closed, the Planning and Zoning Commission shall submit its recommendations:

1. To recommend approval the plan or modification, or

2. To recommend deny the plan or modification, or

3. To recommend to approve the plan or modification with revisions.

c. The Planning and Zoning Commission shall submit its recommendations within the time period prescribed by the City Council in its referral. If the City Council does not prescribe a time period, the Planning and Zoning Commission shall submit its recommendation within 180 days after the date of the Council's referral. If the Planning and Zoning Commission fails to act during this time period, the Planning and Zoning Commission is deemed to have submitted the proposed amendment with a recommendation to deny the plan or modification.

(3) City Council Decision

a. The City Council shall consider the plan or modification at a public hearing.

b. After the hearing is closed, the City Council shall by resolution:

1. Adopt the plan or modification, or

2. Deny the plan or modification, or

3. Approve the plan or modification with amendments, or

4. Remand the plan or modification to the Planning and Zoning Commission. The remand may include a deadline as provided in subsection (1) a above, and the failure to specify a deadline has the effect specified in subsection (2)c above.

(f) Approval Criteria

(1) The comprehensive plan shall include at least the following elements: land use, community facilities, and transportation.

(2) The plan shall contain an existing land use map and a future land use map.

(3) The plan shall include cross-references comparing future land use categories to comparable zoning districts. Pursuant to Texas Local Government Code § 213.005 (map of a comprehensive plan illustrating future land use shall contain the following clearly visible statement: "A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries."

(4) The plan shall include goals, objectives and policies for each element.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

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(i) Scope of Approval. See Sections 9.03(C) and 9.04(C) of the City Charter.

(j) Recordkeeping. The Planning Department shall maintain a copy of the adopted Comprehensive Plan, and shall display the plan on its website.

24.5.12 Text Amendment

(a) Applicability. This section applies to any action of the City Council to amend, supplement or change the regulations of this Chapter. This includes the regulations, restrictions and boundaries or classification of property contained within this Chapter, a change to the Official Zoning Map (OZM) initiated by the City Council instead of a property owner, or regulations affecting subdivision plats.

(b) Initiation

(1) *Generally*. A text amendment may be initiated:

a. By the City Council on its own motion;

b. By City staff,

c. By motion by the Planning and Zoning Commission;

d. By application of any resident, property owner, or business owner within the City.

(2) Standard Technical Specifications Manual

a. The Standard Technical Specifications Committee shall review the Standard Technical Specifications Manual at least on an annual basis.

b. The Standard Technical Specifications Committee shall forward its recommendations for revision to the City Council. The City Council shall forward any amendments for consideration by the Planning and Zoning Commission for adoption as provided in subsection (e) below.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. The following notice is required for a text amendment:

Table 5.12-1 Notice-Text Amendment

Notice	When	Where / To Whom / Additional Requirements
Publication	≥ 10 days before the City Council hearing	
Website	Any time before the initial hearing	• not applicable

(e) Decision.

(1) *Generally*. All hearing and notification procedures shall comply with Chapters 211 or 212 of the Texas Local Government Code, as applicable.

(2) *City Council Hearing*. The City Council shall consider the text amendment at a public hearing. After the hearing is closed, the City Council shall by ordinance:

a. Adopt the text amendment, or

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b. Deny the text amendment, or

c. Approve the text amendment with amendments, or

d. Remand the text amendment to the Planning and Zoning Commission.

(f) Approval Criteria. A text amendment is a legislative decision that is committed to the City Council's discretion. The City Council may approve the text amendment if:

(1) It is consistent with the comprehensive plan, and

(2) Promotes the public health, safety and general welfare.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval. The approval of a text amendment does not authorize the development of land. A text amendment allows property owners to apply for permits or actions that are consistent with its standards and requirements.

(j) Recordkeeping

(1) The text amendment involving only this Chapter shall be codified and published as part of the Laredo Code by the City Secretary.

(2) An amendment to the Standard Technical Specifications Manual shall be incorporated into the latest version of the Manual and published on the City's website.

24.5.13 Annexation

(a) Applicability. This section applies to the annexation of territory to the City, consistent with Texas annexation law (Texas Local Government Code, Chapter 43).

(b) Initiation.

(1) *Generally*. Annexations are initiated as provided by state law. All initial zoning requests shall be considered except the Agricultural District (AG) zone.

(2) *Annexation Schedule*. Voluntary annexation applications may be submitted year-round, but shall only be processed twice per year according to the following schedule.

a. First Cycle. Applications are due on the third Friday in January at 5 pm.

1. Staff review shall require four weeks when less than six applications are submitted in a cycle, six weeks when seven to twelve applications are submitted, eight weeks when thirteen or more applications are submitted.

2. Applications shall be presented at the first Planning Commission meeting which immediately follows staff review.

3. Applications shall be presented at the first three City Council meetings following the Planning Commission, for one public hearing, one

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introductory reading, and one final reading, in accordance with State requirements.

4. Annexations be completed within 90 days after the date of the City Council introductory reading in accordance with State requirements. All documents and agreements must be signed within 90 days or the annexation application is void and the applicant must re-apply.

b. Second Cycle. Applications are due on the third Friday in July at 5 pm.

1. Staff review shall require four weeks when less than six applications are submitted in a cycle, six weeks when seven to twelve applications are submitted, eight weeks when thirteen or more applications are submitted.
2. Applications shall be presented at the first Planning Commission meeting which immediately follows staff review.
3. Applications shall be presented at the first three City Council meetings following the Planning Commission meeting, for one public hearing, one introductory reading, and one final reading, in accordance with State requirements.
4. Annexations shall be completed within 90 days after the date of the City Council introductory reading in accordance with State requirements. All documents and agreements must be signed within the 90 days or the annexation is void and the applicant must re-apply.

(c) Completeness. All information required by state law is required for any annexation initiated by a property owner and subject to submittal requirements outlined in Article 12 section 24.12.4.

(d) Notice. Public notice is required as provided by state law.

(e) Decision. Decision making procedures are provided by state law.

(f) Approval Criteria. The City's annexation policy is to evaluate annexation applications based on their conformance with the goals of the City's Comprehensive Plan.

(g) Subsequent Applications. Any limits on subsequent applications apply to the extent provided by state law.

(h) Appeals. Appeals procedures are provided by state law.

(i) Scope of Approval. The City will extend the regulations of this Chapter to annexed territory as provided by state law.

(j) Recordkeeping. Annexations are tracked as provided by state law.

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Division 3 Zoning Procedures

24.5.14 Rezonings

(a) Applicability. This section applies to the change in the zoning classification of individual properties.

(b) Initiation. **Initiation**. A rezoning may be initiated by the owner of the subject property owner.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. The following notice is required for a rezoning:

Table 5.14-1 Notice-Rezoning

Notice	When	Where / To Whom / Additional Requirements
Publication	≥ 15 days before the Planning and Zoning Commission hearing	• not applicable
Mail *(see subsection (1) below)*	≥ 10 days before the Planning and Zoning Commission hearing ≥ 10 days before City Council appeal hearing (if applicable)	• All owners of property, or to the person rendering the property for taxes, located within 200 feet of any property affected. • If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given by publication. • If the rezoning affects residential or multifamily zoning, to each school district in which the property for which the change in classification is proposed is located.
Website	Any time before the initial hearing	• not applicable

(e) Decision

(1) *Planning and Zoning Commission Recommendation*. The Planning and Zoning Commission shall conduct a public hearing on the rezoning. If the public hearing is recessed, it can continue to a time and date certain, at least 10 days after the initial hearing after which a second meeting will occur. The Planning and Zoning Commission shall submit its recommendation:

a. To approval the rezoning, or

b. To deny the rezoning.

(2) Appeal to City Council

a. If the Planning and Zoning Commission recommends denial of the application, the applicant may appeal to the City Council.

b. The applicant shall file with the City Planning Department a written request for hearing before the City Council within 30 days of the Commission's decision.

c. The City Council shall consider the rezoning appeal at a public hearing. After the hearing is closed, the City Council shall by ordinance:

1. Approve the rezoning, or

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2. Deny the rezoning, or
3. Approve the rezoning with conditions.

(f) Approval Criteria. In its review of an application for rezoning, the City Council shall consider the following criteria. No single factor is controlling. Instead, each is weighed in relation to the other standards. If the Planning and Zoning Commission finds that a rezoning is inconsistent with the land use element of the Comprehensive Plan, the application shall not considered until a recommendation regarding a comprehensive plan amendment for the proposed zoning amendment is forwarded to the city council, either prior to or concurrently with the proposed zoning amendment.

(1) *Consistency*. The city council does not, on each rezoning hearing, redetermine as an original matter, the city's policy of comprehensive zoning. The city's zoning map shall not be altered for the special benefit of the landowner when the change will cause substantial detriment to the surrounding lands or serve no substantial public purpose.

(2) *Adverse Impacts on Neighboring Lands*. The city council shall consider the nature and degree of an adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive. Further, the city council finds and determines that vast acreages of single-use zoning produces uniformity with adverse consequences such as traffic congestion, air pollution, and social alienation. Accordingly, rezonings which promote mixed uses subject to a high degree of design control are not necessarily deemed to be inconsistent with neighboring lands and shall be considered.

(3) *Suitability as Presently Zoned*. The city council shall consider the suitability or unsuitability of the tract for its use as presently zoned. This factor, like the others, must often be weighed in relation to the other standards, and instances can exist in which the use for which land is zoned may be rezoned upon proof of a real public need or substantially changed conditions in the neighborhood.

(4) *Health, Safety and Welfare*. The rezoning must bear a substantial relationship to the public health, safety, morals or general welfare or protect and preserve historical and cultural places and areas. The rezoning ordinance may be justified, however, if a substantial public need exists, and this is so even if the private owner of the tract will also benefit.

(5) *Public Policy*. A strong public policy in favor of the rezoning may be considered. Examples include a need for affordable housing, economic development, or mixed-use development which functionally relates to the surrounding neighborhoods.

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(6) *Size of Tract*. The city council shall consider the size, shape and characteristics of the tract in relation to the affected neighboring lands. Amendatory ordinances shall not rezone a single city lot when there have been no intervening changes or other saving characteristic. Proof that a small tract is unsuitable for use as zoned or that there have been substantial changes in the immediate area may justify an amendatory ordinance.

(7) *Other Factors*. The city council may consider any other factors relevant to a rezoning application under Texas law.

(g) Subsequent Applications

(1) This subsection applies if:

a. the applicant withdraws an application after notice of hearing is published, or

b. the City Council denies a rezoning application.

(2) If subsection (1) applies, the applicant shall not file any rezoning application for the same property during the waiting periods listed below:

a. Six (6) months to reapply for changes to the Zoning Map for the same or more intensive land use classification.

b. Three (3) months to reapply for changes to the Zoning Map for a less intensive land use classification.

(3) After the above waiting periods have concluded, the application expires and the applicant shall reapply the submittal process which includes payment of submittal fees.

(4) The above waiting periods begin with either the date of withdrawal of the prior application before the Planning and Zoning Commission or City Council or the date of the City Council's denial of the prior application.

(As amended 9/15/86, Ord. # 86-0-170)

(h) Appeals. Not applicable.

(i) Scope of Approval. The approval of a rezoning does not authorize the development of land. A rezoning allows the applicant to apply for a building permit, in the case of uses permitted as of right, or a conditional use permit, in the case of uses designated as special uses within the applicable zoning district.

(j) Recordkeeping. If the amendment involves changes to the existing zoning district boundaries, the form of the amending ordinance shall contain a narrative description of the land to be reclassified or reference to an accompanying plat of such land showing the new zoning districts and indicating their boundaries. The Planning Director shall refer to the attested ordinance as a record of the current zoning status until the zoning map is changed accordingly.

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24.5.15 Conditional Use Permits

(a) Applicability. This section applies to any application for approval of a use designated as a Conditional Use in the Use Chart (see Section 24.2.16). If an application for a conditional use permit includes a subdivision of land, Division 4 of this Article also applies.

(b) Initiation. A conditional use permit may be initiated by the owner of the subject property owner.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. The following notice is required for a conditional use permit:

Table 5.15-1 Notice-Conditional Use Permit

Notice	When	Where / To Whom / Additional Requirements
Publication	≥ 15 days before the Planning and Zoning Commission hearing	• not applicable
Mail *(see subsection (1) below)*	≥ 10 days before the Planning and Zoning Commission hearing ≥ 10 days before City Council appeal hearing (if applicable)	• All owners of property, or to the person rendering the property for taxes, located within 200 feet of any property affected. • If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given by publication.
Website	Any time before the initial hearing	• not applicable

(e) Decision

(1) The Planning and Zoning Commission shall conduct a public hearing on the conditional use permit. The Planning and Zoning Commission shall submit its recommendation:

- **a.** To approval the conditional use permit, or
- **b.** To deny the conditional use permit, or
- **c.** To approve the conditional use permit with conditions.

(2) Appeal to City Council

- **a.** If the Planning and Zoning Commission recommends denial of the application, the applicant may appeal to the City Council.
- **b.** The applicant shall file with the City Planning Department a written request for hearing before the City Council within 30 days of the Commission's decision.
- **c.** The City Council shall consider the conditional use permit appeal at a public hearing. After the hearing is closed, the City Council shall by ordinance:
  - **1.** Approve the conditional use permit, or
  - **2.** Deny the conditional use permit, or
  - **3.** Approve the conditional use permit with conditions.

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(f) Approval Criteria. The Planning and Zoning Commission or City Council will approve a conditional use permit only if the applicant demonstrates that:

(1) The proposed specific use shall comply with all regulations of the applicable zoning district, the provisions of Article 4 of this chapter, and any applicable supplemental use regulations as set forth in Article 6 of this chapter.

(2) The proposed special use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal, as submitted or modified, shall have no more adverse effects on health, safety or comfort of persons living or working in the neighborhood, or shall be no more injurious to property or improvements in the neighborhood than any other use generally permitted in the same district. In making this determination, the Planning and Zoning Commission or Council shall consider the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any policy of the comprehensive plan which encourages mixed uses and/or densities.

(3) Adequate utilities shall be provided as set forth in the utilities standards of this chapter (Section 24.4.7).

(4) Adequate measures shall be taken to provide ingress and egress designed to minimize traffic hazards and to minimize traffic congestion on the public roads.

(5) The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

(6) The proposed use shall not injure the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.

(7) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.

(8) The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

(9) The public interest and welfare supporting the proposed specific use authorization shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.

(g) Subsequent Applications

(1) This subsection applies if:

a. the applicant withdraws an application after notice of hearing is published, or

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b. the City Council denies a conditional use permit application.

(2) If subsection (1) applies, the applicant shall not file any conditional use permit application for the same property during the waiting periods listed below:

a. Six (6) months to reapply for the same or more intensive use.

b. Three (3) months to reapply for changes to a less intensive use.

(3) The above waiting periods begin with either the date of withdrawal of the prior application before the Planning and Zoning Commission or City Council or the date of the City Council's denial of the prior application.

(h) Appeals. Not applicable.

(i) Scope of Approval

(1) *Generally*. The approval of a conditional use permit does not authorize the development of land. A conditional use permit allows the applicant to apply for a building permit.

(2) *Violations.* Any conditional use permit is in violation of this Chapter and shall be suspended or revoked if:

a. A court having jurisdiction or a jury find the holder of the Conditional use permit guilty of a violation or if a holder of an conditional use permit pleads guilty of violating:

b. Any requirement or term or condition of the Conditional use permit or has not conformed, at any time, with any or all of the requirements or terms or conditions as set out in the Conditional use permit as approved by the City Council.

c. The activity authorized by the Conditional use permit commences prior to the institution of all conditions imposed by the Conditional use permit.

d. The use for which the Conditional use permit was authorized does not commence within 6 months of the effective date of the Conditional use permit. The Building Services Director may grant extension of up to 6 months\for good cause shown, upon petition of the conditional use permit holder.

e. The use for which the Conditional use permit is authorized is discontinued for 6 consecutive months.

(3) *Notification.* If the use discontinues or fails to commence as stipulated in this, Zoning Enforcement Staff will issue written notification to the property owner. Ten (10) days after issuance of this notice, the Planning Director shall issue the permit holder written notification of the Conditional use permit's official revocation and removal from the City of Laredo Zoning Map.

(j) Revocation

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(1) If it is determined based an inspection by the Planning Director or reasonable investigation by the City Manager, or his designee, that there exist reasonable grounds for revocation of a Conditional Use Permit, a public hearing shall be set before the Zoning Commission and the City Council.

(2) Circumstances that warrant revocation of an improved conditional use permit include, but shall not be limited to, any of the following:

a. Violation of any of the conditions of the conditional use permit if not corrected to the satisfaction of the City within 90 days of the owner having received written notice of the violation and the means necessary to correct it;

b. A plea of guilty or no-contest to an offense that that occurs on the property for which the conditional use permit is granted involving any zoning ordinance or provision of the City Land Development Code;

c. The building, premise, or land uses under the conditional use permit is enlarged; structurally altered, or otherwise significantly changed without the approval a of a separate conditional use permit for such enlargement, modification, structural alteration or change;

d. Violation of any provision of the site plan encompassing the property for which the conditional use permit was issue for, terms or conditions of a conditional use permit;

e. The conditional use permit was obtained by fraud or with deception.

(3) *Revocation process.* The revocation process shall be conducted through a public hearing and recommendation by the Zoning Commission followed by a public hearing and ordinance amendment consideration by the City Council. The City Council may revoke the conditional use permit; deny the revocation and allow the use to continue, or deny the revocation and amend the conditional use permit to attach conditions to assure that the terms, conditions and requirements of the conditional use permit be met.

(4) *Effect of revocation.* Upon the effective date of the revocation, it shall be unlawful to undertake or perform any activity that was previously authorized by the conditional use permit. Any person, firm, or corporation, who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be not more than Two Thousand Dollars ($2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

(k) Recordkeeping. A certified copy of all ordinances authorizing a conditional use permit pursuant to this section shall be recorded by and at the expense of the applicant in the name of the property owner as grantor in the office of the county clerk.

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24.5.16 Historic District or Landmark Plan Review

(a) Applicability.

(1) This section applies to every application or review involving:

a. alterations and/or additions to existing structures in an "H" (Historic) district (section 24.5.16),

b. alterations and/or additions to locally significant historic landmarks, or

c. the erection of any new structure within a historic district.

(2) No permit shall be issued for the alteration, construction or demolition of any structure located in a historic district or for any locally significant historic landmark without the approval of the Historic District/Landmark Board. However, the Building Official may order the immediate demolition of any structure in imminent danger of collapse that represents a significant threat to the public safety.

(3) No permit shall be issued for the installation of any sign or monument in the historic district without the prior submittal completeness and approval of the Historic District/Landmark Board.

(4) Only activity requiring a building permit is subject to review by the Historic District/Landmark Board.

(5) The following activities are exempt from Historic District/Landmark Board review:

a. The proposed use, interior arrangement, or interior design of any structure

b. Repairs and renovations to existing buildings which do not alter the exterior appearance

c. Activity which does not require a building permit

d. The addition, repair, or renovation of utilities and services such as power, water, sewer, and communication lines

(6) The Historic District/Landmark Board may authorize staff to administratively approve activities which require Board approval. For any of those activities, any reference to the Historic District/Landmark Board is deemed to refer to staff.

(b) Initiation.

(1) Applications (see Article 12 for contents) shall be filed with the Historic Preservation Officer before meeting with the Historic District/Landmark Board at least 20 days prior to a regularly scheduled meeting of the board.

(2) Applications shall be accompanied by drawings and submitted for approval by the Historic District/ Landmark Board.

(c) Completeness. See Section 24.5.3(b).

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(d) Notice. See table 5.15-2.

Table 5.15-2 Notice-Historical District or Landmark

Notice	When	Where / To Whom / Additional Requirements
Publication	≥ 15 days before the Historic District/Landmark Board hearing	• not applicable
Mail	≥ 10 days before the Historic District/Landmark Board hearing ≥ 10 days before City Council appeal hearing (if applicable)	• All owners of property, or to the person rendering the property for taxes, located within 200 feet of any property affected. • If the property within 200 feet of the property on which the change is proposed is located in territory annexed to the municipality and is not included on the most recently approved municipal tax roll, the notice shall be given by publication.
Website	Any time before the initial hearing	• not applicable

(e) Decision.

(1) The Historic District/Landmark Board shall review the application and and shall approve, approve with conditions, or deny the application.

(2) In all applications involving the demolition or partial demolition of a structure in an historic district or a locally significant historic landmark, the Historic District/Landmark Board may order the postponement of demolition for a period of time no more than 90 days.

(f) Approval Criteria. In reviewing an application, the Historic District/Landmark Board shall consider the guidelines established in the Secretary of the Interior's Standards for Rehabilitation and Urban Design Guidelines.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Any person aggrieved by the decision of the historic district/landmark board may appeal the decision to the council by filing a written appeal, specifying the reasons, within thirty (30) days of the time the order is issued.

(i) Scope of Approval. After the plan is approved, the applicant may apply for a building permit or certificate of occupancy consistent with any conditions established by the Historic District/Landmark Board.

(j) Recordkeeping. The applicant and Planning Director shall maintain a copy of the approved application.

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Division 4 Subdivision Procedures

24.5.17 General Subdivision Procedures

(a) Applicability

(1) *Generally*

a. This Division applies to any subdivision, except as provided in subsection 24.5.17(a)(3) below.

b. For plats within the ETJ, the County Planning Department will place the plat before the County Commissioners Court. Once approved and executed by the Commissioners Court, the plat will be forwarded to the City Planning Department by the County Planning Department for recordation.

c. If this Chapter or any other City ordinance requires a property owner to have a plat of that land submitted to and approved by the Planning and Zoning Commission, that plat is deemed a subdivision plat within the meaning of this Chapter. The proposed plat must meet the procedural and substantive requirements of this Division to be approved. This applies whether the proposed plat includes only one lot, or more than one lot. (As amended 11/21/88, Ordinance # 88-0-148)

(2) *Unlawful to Subdivide Land Except by an Approved Plat*

a. It is unlawful for property owner, or agent of a property owner, having any land within the City of Laredo or within the extraterritorial jurisdiction of the corporate limits of the City of Laredo, to subdivide or lay out that land in lots unless by a plat approved and recorded pursuant to the regulations contained in this Division and the applicable provisions of this Chapter.

b. The City may approve an amending plat without notice, hearing, or approval of other lot owners if the sole purpose is as authorized under Section 212.016 of the Local Government Code.

c. A lot of record may only be developed if existing public infrastructure is already in place (or payment by the land owner for placement and construction).

(3) *Exemptions*. This Division does not apply to:

a. a conveyance of a parcel of land to or between adjoining property owners which does not create an additional building lot,

b. a conveyance of land in excess of 50 acres, which does not create a new street, and is used for agricultural purposes,

c. a conveyance in one instrument to the same grantee or grantees of all of a lot of record,

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d. the sale or conveyance of abutting street rights-of-way, whether improved or unimproved, to adjacent property-owners by the City of Laredo, or

e. The development of any lot of record as defined Article 9 of this Chapter. (As amended 12/7/09, Ordinance # 2009-O-213)

(b) Scope of Approval

(1) *Floodplain*. All plat approvals, whether preliminary or final, in which an area of special flood hazard exists, and which requires compliance with the Flood Hazard District (F) and a Flood Insurance Rate Map Revision is required are valid for 48 months from the initial date of plat approval. The owner or applicant may not extend this term.

(c) General Standards. The following standards apply to all plats, and are in addition to the design specifications required by either the City Engineering Department or the City of Laredo Utilities.

The following standards ensure that the development of any property subject to the City's subdivision regulations is completed in a manner that follows the purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the City, and to insure the public welfare.

(1) No land shall be used for a purpose prohibited by any restrictive covenant, inscribed on the plat as approved by the Planning and Zoning Commission, nor shall any land be used that is not in accordance with the regulations of this ordinance.

(2) No building shall be erected, converted, enlarged, reconstructed or structurally altered or moved for a purpose or purposes prohibited by covenants incorporated as plat restrictions and approved by the Commission.

(3) No building shall be erected, nor moved, nor shall any permit be issued for an improvement by the Building Official, on a parcel of land, except on a lot as platted in accordance with this Division.

(4) No building shall be enlarged except on a parcel of land platted in accordance with this Division.

(5) No building affected by fire, flood, wind, or other disaster shall be reconstructed beyond 50% of its present floor area except on a lot as platted in accordance with these regulations.

(6) The acceptance of a final plat by the City of Laredo does not obligate the City to finance or furnish any storm sewers, drainage structures, or street or water or sewer improvements or any other improvements within the approved subdivision. Expenditure of public funds for these purposes must be approved by ordinance passed by the City Council of the City of Laredo. (As amended 4/20/87, Ordinance # 87-0-83)

(d) Building Permits on Unplatted Land. The Building Official may issue a permit on a parcel of land not platted in accordance with this Division only if:

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(1) The permit is for the repair, improvement or reconstruction of an existing single-family residential structure located within the City that does not further encroach in any building setback, except upon the approval of a variance from the Board of Adjustment.

(2) Any permit request to remedy a residence unsafe as per Section 103.2, Unsafe Residential buildings, of the Standard Housing Code (see Section 16-16 of the Laredo Code) or Chapter 16, Article 4 of the Laredo Code.

(3) The permit is for construction on an oil and gas exploration or extraction site after the issuance of a conditional use permit by the City Council (see Section 24.6.17 (Oil & Gas Production and Extraction)).

(4) The permit is for the removal of a mobile home, or the demolition of a house or building.

(5) The permit is for improvements or construction on city owned property for which a public purpose is intended, specifically a park or utility enhancement.

(6) The permit is for improvements or construction on property that is a lot of record located in Eastern or Western Division. Excluded from this exception is a lot of record within one block of the intersection of any two arterials and/or collectors identified on the City of Laredo's Major Thoroughfare Plan.
(Created on 12/7/09, Ordinance # 2009-O-213)

(e) Improvements by Political Subdivisions. A building permit, permit for electricity or permit for other construction related services may be issued for the construction of improvements by a political subdivision of the State of Texas on property (for which a public purpose is intended and there will be no resale of the property) which has received final plat approval by the Planning and Zoning Commission but has not recorded the plat, if:

(1) A resolution, order or ordinance is approved by the governing body of the political subdivision that clearly guarantees that any public improvements shall be constructed in accordance with the plans and specifications submitted to and approved by the Planning and Zoning Commission and the City (including all City departments which have review and approval authority).

(2) A written request, accompanied by a certified copy of the resolution, order, ordinance or certified minutes, is submitted to the City Manager by the chief Executive Officer or Director of the political subdivision which clearly requests the issuance of a building permit, other permit for electricity or permit for other construction related services and reaffirms the political subdivision's guarantee to complete the public improvements. Once the City Manager has approved that request, the request is forwarded to the City Council for approval. Once approved by the City Council, the City may issue

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building permits or other permits for electricity or other construction related services.

24.5.18 Preliminary Plat

(a) Applicability. This section applies to any application for approval of a preliminary plat of subdivision.

(b) Initiation

(1) Applicants shall submit the information required by Article 11 of this Chapter. All subdivision plats, maps, fees, and related materials subject to the provisions of this chapter shall be submitted to the Director of Planning not later than four o'clock p.m. 15 days prior to the next regular Commission meeting, unless subject to the requirements of a public hearing pursuant to Section 212.105 of the Local Government Code governing the replat of property zoned R-1 (Single Family Residential District) during the preceding 5 years, or restricted to residential uses for not more than 2 family dwellings per lot. Plats, maps, fees, and related materials for replats requiring notification shall be submitted to the Director at least 25 days prior to the Commission meeting at which the public hearing is to be held.

(2) New developments shall be subject to the Model Subdivision Rules as granted by the Texas Administrative Code, Title 31, Part 10, Chapter 364.

(3) The proposed method(s) of providing water and sewage facilities to the subdivision in conformance with Section 212.105 of the Local Government Code, and in conformance with the model rules adopted under Section 16.343 Texas Water Code.

(4) A Master Plan (also referred to herein as a General Plan) shall be submitted for any subdivision proposed to be developed in sections or as a phased development.

(5) Incomplete applications shall be returned to the applicant within 48 hours of submittal. Following the submission of a completed application, the written comments and recommendation of the city staff shall be made available to the applicant(s) within 8 days prior to the Commission meeting.

(c) Initiation. The applicant shall file a complete application with the Planning Department.

(d) Completeness. See Section 24.5.3(b).

(e) Notice. Not applicable.

(f) Decision

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(1) *Staff Review*. The Planning and Zoning Department will review the application and submit any comment and/or recommendations and place it on the Planning and Zoning Commission agenda.

(2) *Generally*. The Commission will review each plat filed pursuant to this chapter and take the following action:

a. If the plat complies with all provisions of this chapter, the Commission shall approve the plat, or

b. Defer action until the next regular meeting that occurs within 30 days after the filing date, or

c. Approve the plat with conditions, or

d. Disapprove the plat if it fails to comply with this chapter, or

e. Grant simultaneous preliminary and final plat approval if:

1. The application is a reapplication for a plat that expired within 3 years of the new application, and that fully complies with previous approval conditions;

2. If there have been any changes to codes or construction plans such that the plat would not receive approval if submitted today, the plat is no longer exempt and must go through the preliminary approval process again;

3. The plat covers a residential lot or lots in the Eastern or Western Division where the total area is less than 20,000 square feet served by water and wastewater facilities with frontage on an existing local public street;

4. The plat covers a single lot, or includes a single commercial or industrial reserve contained within an approved Master Plan, where no additional lots or streets are proposed; or

5. The plat vacates an existing plat.

(3) *Master Plan Accompanying Preliminary Plat.* The Planning and Zoning Commission may approve the Master Plan as submitted, approve the Master Plan subject to the comments and recommendations made by the Planning and Zoning Department and/or amend, modify or add to those comments.

(g) Approval Criteria. No person shall subdivide any tract of land except in conformity with this Chapter. The Planning and Zoning Commission shall approve a preliminary plat only if it conforms to:

(1) The comprehensive plan and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

(2) The transportation plan and major thoroughfare plan for the extension of major thoroughfares, streets, and public highways within Laredo and in its

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extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and

(3) The rules and regulations of Article 4 of this Chapter.

(h) Subsequent Applications. The Commission may reconsider the conditions for granting approval within 12 months following Commission approval upon the applicant's written request. The request shall be submitted on forms approved by the Department and shall state the specific requirement or condition of approval to be reconsidered and the reasons for reconsideration. The Commission may:

(1) affirm its previous action(s);

(2) rescind its previous action(s) if the merits of the situation warrant; or

(3) grant a variance as provided under this chapter.

(i) Scope of Approval

(1) *Timing*. All preliminary plat approvals and any conditions are valid for 30 months from the date on which the approval was granted. The Commission may, upon written request of the owner or applicant and in conformance with the submittal requirements of this chapter, prior to the expiration of plat approval, extend this term of approval for 1 additional 6 month period. No preliminary plat shall remain valid for longer than 36 months from the date of approval.

(2) Master Plan Accompanying Preliminary Plat

a. *CAD File Required*. The subdivider shall submit a geo-referenced CAD file (see Article 11 for contents and specifications) of the approved Master Plan within 10 business days after the Planning and Zoning Commission approves the Master Plan. No preliminary plat of any property which is the subject of a Master Plan shall proceed until the subdivider has submitted paper copies and CAD file of the approved Master Plan as provided in Article 11.

b. If a Master Plan is approved subject to comments, the applicant shall revise the Master Plan and submit the revised Master Plan to the Department of Planning and Zoning within 10 business days of the approval. The revised Master Plan shall guide the Commission and the Developer/Owner in the review of sectional plans covering portions of land contained within the Master Plan.

c. An approved Master Plan is valid until all phases or units contained in the plan are completed, or upon receipt of a proposal to modify the plan filed by the developer. An approved master plan/general plan is void if at any time after approval more than 36 months elapses with no subsequent plat application filed.

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d. To the extent allowed by law, an approved Master Plan with "substantial alterations" constitutes the first in a new series of permits as defined in Chapter 245 of the Texas Local Government Code for that portion of an approved plan that is altered. In applying these provisions, a "substantial alteration" is considered any of the following actions if done through the initiative of the property owner or the property owner's agent:

1. Change in alignments or right-of-way of any proposed arterial or collector roadways.

2. Alteration of the proposed land use of any tract within the approved Master Plan. Land uses are defined by the City of Laredo's Comprehensive Plan.

(j) Recordkeeping. A preliminary plat is not considered a subdivision plat, and is not recorded with the County Office. The Planning Director and the applicant shall maintain copies of the preliminary plat for purposes of inspection and final plat approval.

24.5.19 Final Plat

(a) Applicability. This section applies to the approval of final plats for recording with the County Clerk.

(b) Initiation. The applicant shall file a final plat application, along with the materials required in Article 12, with the Planning Director.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) The Planning and Zoning Commission shall approve or deny (with reasons) the final plat within 30 days from the time of proper filing.

(2) City Engineer Review and Approval

a. The Planning Department will send the original plat to the City Engineer. The Chairperson of the Planning and Zoning Commission shall not sign the plat until the City Engineer signs the plat.

b. Within 30 working days the City Engineer shall find, prior to signing the plat, that:

1. The plans and specifications comply with this Chapter.

2. Monuments are placed as specified in Article 4.

3. The calculations on the drawing are technically correct.

4. If a bond or other guarantee is required, the proper instrument is approved by the City Attorney in the value required.

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c. The City Engineer shall notify the applicant if the plans and specifications, monuments, or bond or other security are incorrect.

d. As soon as any necessary corrections are made, the City Engineer shall sign and date the plat.

e. After signing the plat, the Engineer Department shall deliver the original plat to the Planning Director for recording.

(3) After the City Engineer's signature, if required by the County Commissioners, the Planning Director shall place the plat before the County Commissioners for their review and approval. After the plat is approved by the County Commissioners, the Planning Director shall record the plat.

(f) Approval Criteria

(1) Final plats shall comply with the conditions of plat approval imposed by the Commission, if any, and the following additional requirements.

(2) No person shall subdivide any tract of land except in conformity with this Chapter. The Planning and Zoning Commission shall approve a final plat only if it conforms to:

a. The comprehensive plan and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

b. The transportation plan and major thoroughfare plan for the extension of major thoroughfares, streets, and public highways within Laredo and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

c. The rules and regulations of Article 4 of this Chapter.

(3) The Commission may deny final approval of any subdivision plat or replat if:

a. The subdivider has proceeded with the construction of any permanent improvements prior to the final approval of the plat; or

b. The subdivider has finalized the conveyance of a legal interest in lots or tracts of land within a subdivision which is not properly recorded or not in compliance with the provisions of this chapter and not excepted from the requirements of this chapter.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval

(1) *Timing*. If the final plat is not recorded within 30 months from date of approval and performance guaranteed in one of the forms required by Section 24.4.3, the plat expires. Upon the applicant's written request, the Planning Director shall approve one six-month extension of this deadline. If the owner resubmits the plat, the plat is resubmitted in the same manner as for a previously unsubmitted plat.

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(2) *Water and Sewer Service.* No water or sewer services shall be provided, and no building permits issued to any buildings or lot (except for those buildings already provided with those services) after 1 year from the plat's recording unless all improvements as required by the Planning and Zoning Commission are approved.

(j) Recordkeeping.

(1) The Planning Director shall:

a. Record the plat in the responsible County Office of the applicant complies with Section 24.4.3 and pays all the necessary fees, and

b. File a copy of the performance agreement described in Section 24.4.3.

(2) If the County records only a reduction copy of the original plat, the Planning Director shall maintain the original or a copy of the original. The applicant bears the costs of reducing the original for recording by the County. The County may maintain custody of the original. The applicant may make a reproducible copy of the original.

(3) After the plat is recorded, the City Planning Department and the City Engineering Department will make changes to all pertinent city maps for which they are responsible.

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24.5.20 Minor Plat

(a) Applicability. This section applies to minor plats described by Texas Local Government Code § 212.0065.

(b) Initiation. The applicant shall file a minor plat application, along with the materials required in Article 12, with the Planning Director.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) The City Engineer and the Planning Director will jointly approve the minor plat.

(2) The City Engineer or the Planning Director may, for any reason, elect to present the minor plat for approval to the Planning and Zoning Commission.

(3) The City Engineer or the Planning Director shall not disapprove the minor plat, and shall refer any minor plat which they refuse to approve to the Planning and Zoning Commission within the time period specified in Texas Local Government Code § 212.009.

(f) Approval Criteria. No person shall subdivide any tract of land except in conformity with this Chapter. The Planning and Zoning Commission shall approve a minor plat only if it conforms to:

(1) The comprehensive plan and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

(2) The transportation plan and major thoroughfare plan for the extension of major thoroughfares, streets, and public highways within Laredo and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and

(3) The rules and regulations of Article 4 of this Chapter.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval. Minor plats are valid for 30 months from the initial date of approval. The Commission may, upon written request of the owner or applicant and in conformity with the submittal requirements of this chapter, extend this term for only 1 additional 6 month period.

(j) Recordkeeping. A minor plat is recorded in the same manner as a final plat (see Section 24.5.19(j).

24.5.21 Construction Plans

(a) Applicability

(1) Construction plans for all water and sewer improvements approved by the Director of Public Utilities.

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(2) Construction plans for water and sewer improvements are not required if the Commission finds that water and sewer service facilities are unnecessary to the subdivision, and:

a. a statement to that effect is placed on the face of the plat, and

b. the statement is accompanied by an affidavit of exemption by the engineer preparing the plat, certifying that those facilities are unnecessary pursuant to the requirements of Section 212.0105(B) of the Local Government Code.

(b) Initiation. The subdivider shall submit:

(1) Complete plans and specifications for any proposed improvements, streets, drainage structures, utilities, and related improvements performed by the subdivider to the Engineering Department.

(2) Plans and calculations for storm sewers and special structures to the Engineering Department.

(3) Plans and profiles of water and sewer utility lines to Laredo Waterworks System and the City Utilities Department.

(4) Where required by Article 11, grading and drainage plans to the Engineering Department.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision. The agencies listed in subsection (b) above shall review the construction plans.

(f) Approval Criteria. All improvements to be done shall be in accordance with the design standards of the City of Laredo in effect at the time of submission of the plat.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval

(1) If any part of the proposed construction is considered unsatisfactory and below the standard required under the circumstances, construction operations start on the affected portion until alterations are made to conform to the standards required by the City of Laredo.

(2) The applicant shall schedule a preconstruction meeting prior to notify the City Engineer and the Director of the Utilities Department before beginning construction so that they may inspect that work during construction.

(j) Recordkeeping. After the improvements are completed, the applicant shall furnish a final set of plans in detail to the City Engineer and the Utilities Department Director. A Registered Professional Engineer shall prepare the plans and certify them as complete and correct "as built" improvements plans.

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24.5.22 Replats

(a) Applicability. Pursuant to Texas Local Government Code § 212.014, 212.0145, and 212.015, a replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if either:

(1) The replat:

a. Is signed and acknowledged by only the owners of the property being replatted;

b. Is approved by the Planning and Zoning Commission; and

c. Does not attempt to amend or remove any covenants or restrictions, or

(2) The replat:

a. is signed and acknowledged by only the owners of the property being replatted; and

b. involves only property:

1. of less than one acre that fronts an existing street; and

2. that is owned and used by a nonprofit corporation established to assist children in at-risk situations through volunteer and individualized attention.

(3) Either:

a. During the preceding 5 years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or

b. any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.

(b) Initiation. Unless subsection (a)(2) applies, the applicant shall file a replat application, along with the materials required in Article 12, with the Planning Director.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. The following notice is required if subsection (a)(3) applies:

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Table 5.22-1 Notice-Replat

Notice	When	Where / To Whom / Additional Requirements
Mail	*If the replat requires a variance or exception:* ≥ 10 days **before** the Planning and Zoning Commission hearing	• Owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. • A copy of subsection (e)(2) must be attached to the notice. • The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the municipality.
	If the replat does not require a variance or exception: ≤ 10 days **after** the Planning and Zoning Commission hearing	• Each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent municipality or county tax roll. This does not apply to a proposed replat if the Planning and Zoning Commission holds a public hearing and gives notice of the hearing in the manner above.

(e) Decision

(1) The City Engineer or the Planning Director may, for any reason, elect to present the replat for approval to the Planning and Zoning Commission.

(2) The City Engineer or the Planning Director shall not disapprove the replat, and shall refer any replat which they refuse to approve to the Planning and Zoning Commission within the time period specified in Texas Local Government Code § 212.009.

(3) If subsection (a)(3) applies and requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths (¾) of the members present of the Planning and Zoning Commission. For a legal protest, written instruments signed by the owners of at least 20% of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the Planning and Zoning Commission prior to the close of the public hearing.

a. In computing the percentage of land area under this subsection, the area of streets and alleys are included.

b. This subsection does not apply if if the area to be replatted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

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(f) Approval Criteria. No person shall replat any tract of land except in conformity with this Chapter. The Planning and Zoning Commission shall approve a replat only if it conforms to:

(1) The comprehensive plan and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

(2) The transportation plan and major thoroughfare plan for the extension of major thoroughfares, streets, and public highways within Laredo and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities; and

(3) The rules and regulations of Article 4 of this Chapter.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval

(1) The replat may be recorded and is controlling over the preceding plat without vacation of that plat.

(2) Replats are valid for 30 months from the initial date of approval. The Commission may, upon written request of the owner or applicant and in conformity with the submittal requirements of this chapter, extend this term for only 1 additional 6 month period.

(j) Recordkeeping. A minor plat is recorded in the same manner as a final plat (see Section 24.5.19(j).

24.5.23 Vacating Plats

(a) Applicability. Pursuant to Texas Local Government Code § 212.013:

(1) the proprietors of the tract covered by a plat may vacate the plat at any time before any lot in the plat is sold, or

(2) If lots in the plat have been sold, the plat, or any part of the plat, may be vacated on the application of all the owners of lots in the plat with approval obtained in the manner prescribed for the original plat.

(b) Initiation. See Section 24.5.19(b)

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision. See Section 24.5.19(e)

(f) Approval Criteria. See Section 24.5.19(f)

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval. Vacating plats are valid for 30 months from the initial date of approval. The Commission may, upon written request of the owner or applicant and

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in conformity with the submittal requirements of this chapter, extend this term for only 1 additional 6 month period.

(j) Recordkeeping. See Section 24.5.19(j).

24.5.24 Amending Plats

(a) Applicability. This section applies to amending plats described by Texas Local Government Code § 212.016.

(b) Initiation. The applicant shall file an amending plat application, along with the materials required in Article 12, with the Planning Director.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat. [*Reference: Texas Local Government Code § 212.016(b).*]

(e) Decision

(1) The City Engineer and the Planning Director will jointly approve the amending plat.

(2) The City Engineer or the Planning Director may, for any reason, elect to present the plat for approval to the Planning and Zoning Commission.

(3) The City Engineer or the Planning Director shall not disapprove the plat, and shall refer any plat which they refuse to approve to the Planning and Zoning Commission within the time period specified in Texas Local Government Code § 212.009.

(f) Approval Criteria. See Section 24.5.19(f)

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval. Amending plats are valid for 30 months from the initial date of approval. The Commission may, upon written request of the owner or applicant and in conformity with the submittal requirements of this chapter, extend this term for only 1 additional 6 month period.

(j) Recordkeeping. See Section 24.5.19(j).

24.5.25 Certificate of Compliance

(a) Applicability. This section applies to any request for certification as to compliance with the subdivision regulations of this Chapter for a previously approved and recorded plat.

(b) Initiation. The applicant shall file an application for a certificate of compliance, along with the materials required in Article 12, with the Planning Director.

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(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) The Planning and Zoning Commission shall issue a certificate of compliance upon the written request of an owner, public utility, political subdivision, or Municipal Corporation within 20 days after the request is filed.

(2) If the Planning Director determines that a subdivision plat or replat is not required, a written certification of that determination shall be issued within 10 days after the application for the plat or determination is made.

(f) Approval Criteria. The certificate of compliance shall issue if:

(1) the tract of land is specifically identified in the request; and

(2) the Commission has determined that a subdivision plat or replat is required under the provisions of this chapter; and

(3) the plat or replat has been reviewed and approved by the Commission pursuant to the requirements of this chapter.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval. A certificate of compliance has no formal effect on the permitting processes of this Chapter.

(j) Recordkeeping. The applicant and Planning Director shall maintain copies of any approved certificate of compliance.

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Division 5 Stormwater Permitting

24.5.26 Administration and Permitting Process

(a) Designated Administrator. The City Engineer shall implement and enforce the provisions of this Division. Any powers granted to or duties imposed in this Code upon the City Engineer may be delegated to other qualified City personnel.

(b) Duties. The Administrator's duties are to:

(1) Review all storm water concept plan applications and storm water management permit applications to determine that the permit requirements of this Division are satisfied.

(2) Review all storm water concept plan applications and storm water management permit applications to determine that all necessary federal, state or local governmental agency approvals are secured and do not conflict with provisions of this Division.

(3) Review all storm water concept plans applications and storm water management permit applications with the Flood Administrator to determine if the proposed development/redevelopment and construction activity is located in a floodway and ensure that Section 24.2.20 (Flood Hazard District) is satisfied.

(4) Require an applicant for a storm water management permit to execute an affidavit on behalf of the applicant and its heirs, successors and assigns, agreeing that until the drainage improvements are accepted by the City, applicant shall save and hold harmless the City, its officers, employees and appointed officials for any damages arising from loss of property, personal injury or death, loss of access of property, or other consequential damages as a result of a development permit being granted pursuant to this Article. However, the City shall indemnify and hold applicant harmless from any and all actions or proceedings arising out of the sole negligence or willful act of City. The affidavits shall be filed with the City Secretary.

(5) Develop and implement an inspection program for storm water facilities within the City of Laredo and its jurisdictional areas.

24.5.27 Storm Water Management Permit

(a) Applicability

(1) A Storm Water Management Permit is required for all land disturbances of 1 acre or larger in accordance with current Environmental Protection Agency/ National Pollutant Discharge Elimination System requirements (EPA/NPDES) for storm water discharges. This includes permit requirements for land disturbances of some sites under 1-acre in environmentally sensitive areas.

(2) If any other provision or ordinance of the City of Laredo conflicts with this Division, that which provides more environmental protection applies unless specifically provided otherwise in this Division.

(3) The City Engineer is authorized to adopt written procedures for the purpose of carrying out the provisions of this Division. The Storm Water Management Guidance Manual is the repository of all current and effective procedures.

(b) Initiation

(1) *Responsibility of Licensed Professional Engineer.* All documents, calculations, plans, and related documents submitted to the City Engineer as part of the storm water management review process shall be signed and sealed by a licensed professional engineer unless stated otherwise in this Code. The engineer shall use the best available information and current acceptable level of practice in the design of storm water management systems taking into consideration their potential off-site impacts.

(2) *Scope of Development Plans*

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a. In developing plans for subdivisions, individual lots in a subdivision development are not considered separate land disturbing activities and do not require individual permits. Instead, the subdivision development, as a whole, is considered a single land disturbing activity. Hydrologic parameters that reflect the ultimate subdivision development shall be used in all engineering calculations.

b. If individual lots or sections in a subdivision are developed by different property owners, all land disturbing activities related to the subdivision shall be covered by the approved storm water management plan permit for the subdivision. Individual lot owners or developers shall sign a certificate of compliance that all activities on that lot will be carried out in accordance with the approved storm water management plan permit for the subdivision.

c. Construction drawings for subdivisions which are submitted for approval prior to the effective date of these regulations are exempt from these requirements. Development of new phases of existing subdivisions which were not previously approved shall comply with the provisions of these regulations.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision. The Administrator shall review and approve or deny the Stormwater Management Permit application.

(f) Approval Criteria. The Administrator shall approve the Stormwater Management Permit application only if it complies with all applicable provisions of Section 24.4.5 (Stormwater Management).

(g) Scope of Approval

(1) *Permit Conditions.* No storm water management permit shall be issued or modified without the following:

a. Right of entry by the City for emergency maintenance if necessary;

b. Right of entry by the City for inspections;

c. Any off-site easements needed; and

d. An approved storm water management plan.

(2) Storm Water Permit Suspension and Revocation

a. A Storm Water Management Permit shall be issued prior to commencement of construction activity

b. A storm water management permit may be suspended or revoked if one or more of the following violations are committed:

1. violation(s) of the conditions of the storm water management plan approval;

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2. construction not in accordance with the intent of the approved plans;
3. noncompliance with correction notice(s) or stop work order(s); or
4. the existence of an immediate danger in a downstream area in the reasonable judgment of the City Engineer.

c. If one or more of these conditions is found, a written notice of violation shall be served upon the owner or authorized representative and an immediate stop-work order may be issued. The notice shall set forth the measures necessary to achieve compliance with the plan. Correction of these violations must be started immediately or the owner shall be deemed in violation of this Code.

(h) Recordkeeping

(1) The approved storm water management plan shall contain certification by the applicant that all land clearing, construction, development and drainage will be done according to the storm water management plan or previously approved revisions.

(2) In addition to the plans and permits required from the City, applicants shall obtain all applicable state and federal permits required for the proposed development prior to issuance of a storm water management permit.

(3) A copy of the approved storm water management plan permit placard shall be posted in clear public view at the construction site from the date of commencement of construction through the date of final stabilization.

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24.5.28 Simplified Storm Water Management Control Plan

(a) Applicability. For all land disturbing activities that do not require the issuance of a storm water management permit, the person responsible for the land disturbing activity shall submit a simplified storm water management control plan (see Article 12 section 24.12.10).

(b) Initiation. The applicant shall file an application for a simplified storm water management control plan with the City Engineer.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision. A simplified storm water management control plan does not require approval by the City Engineer and does not require preparation or certification by a licensed professional engineer.

(f) Approval Criteria. The simplified storm water management control plan shall comply with all applicable provisions of Section 24.4.5 (Stormwater Management).

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

(i) Scope of Approval.

(1) The storm water management control plan shall contain authorization by the person responsible for the land disturbing activity of the right of the City Engineer to conduct on-site inspections.

(2) The storm water management control plan shall contain certification by the persons responsible for the land disturbing activity that the land disturbing activity will be accomplished in accordance with the plan.

(j) Recordkeeping. The applicant shall maintain the materials described in subsection (i) above.

24.5.29 Storm Water Concept Plans

***Purpose**: the storm water concept plan allows the City to review the proposed development / redevelopment or construction activities prior to extensive design. This allows the City to ensure that all aspects of the storm water management standards are addressed early in the design process. Additionally, it allows the developer/engineer the opportunity to address all aspects of the design, with regard to this Division, with the City prior to extensive design and plan development.*

(a) Applicability. A storm water concept plan for each development / redevelopment and construction activity shall be submitted for review by the City Engineer prior to submission of the storm water management plan and construction plans for the entire development / redevelopment or construction activity, or any portion of the development / redevelopment.

(b) Initiation.

(1) The developer and its engineer is responsible for the accuracy of the information furnished in the design of the storm drainage facilities, pertaining to both the development / redevelopment or construction site in question (on-site) and affected (off-site) properties.

(2) If any storm water management plan involves any storm water management facilities or land to be dedicated to public use, the same information shall also be submitted for review and approval to the department having jurisdiction over the land or other appropriate departments or agencies identified by the City Engineer for review and approval.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) The storm water concept plan may be reviewed, if needed, with the designer, after City Engineer review, where it will either be approved, approved with changes, or rejected. If rejected, then changes, additional analysis, or other

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information necessary to approve the next submittal of the concept plan shall be identified.

(2) The City Engineer's review of the storm water concept plan will be completed within 10 working days from receipt of the plan.

(3) Within 10 working days from receipt of the storm water concept plan, the City Engineer shall issue a decision either approving, rejecting or conditionally approving the plan with modification.

(f) Approval Criteria

(1) The storm water concept plan shall comply with all applicable provisions of Section 24.4.5 (Stormwater Management).

(2) All drainage easements, both on-site and off-site, shall be dedicated to the City of Laredo, with the easement called-out and appropriately identified as an easement to be dedicated to the City of Laredo for drainage purposes. Appropriate drainage easements on designated floodways (HUD-FEMA Maps) shall be properly described.

(3) Compliance with Federal Emergency Management Agency (FEMA) regulations is mandatory. All subdivisions shall conform to the "Federal Disaster Protection Act of 1973, Public Law 93-234, passed by the 93rd Congress, H.R. 8449, December 31, 1973 (the latest revision thereof).

(g) Subsequent Applications. Not applicable.

(h) Appeals. See Section 24.5.32.

(i) Scope of Approval

(1) All preliminary plats of the development / redevelopment or construction activity shall be consistent with the storm water concept plan.

(2) Upon approval of the concept plan, the applicant shall submit a final storm water management plan (as part of the construction plans) to the City Engineer for review and approval. The City Engineer may accept and submit into the review process a storm water concept plan if it identifies the location and type of facilities to be constructed in sufficient detail to accurately assess proposed impacts and the City Engineer determines that a storm water management plan is not needed. If accepted under this provision, the storm water concept plan then becomes the storm water management plan for this development.

(3) Upon approval by all departments and agencies listed in subsection (b), this storm water management plan serves as the basis for all subsequent construction.

(4) Permit approval, by the City of Laredo, of the design plans and specifications does not relieve any responsibility of the developer/engineer referred to in this Division.

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(j) Recordkeeping. The applicant and City Engineer shall maintain a copy of the approved storm water concept plan.

24.5.30 Storm Water Management Plan

(a) Applicability. The storm water management plan is a report containing calculations, plans, narrative and supplemental information showing the proposed development's / re- development's compliance with this Division and all state and federal laws that affect the development.

(b) Initiation. The storm water management plan is submitted to the City after review of the storm water concept plan. All deficiencies indicated by the City review of the concept plan shall be rectified in the storm water management plan.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) The City Engineer will review and approve, approve with changes, or reject the storm water management plan.

(2) If rejected, then the City Engineer shall identify changes, additional analysis, or other information necessary to approve the next submittal of the storm water management plan.

(3) Within 10 working days from receipt of the storm water management plan, the City Engineer shall:

a. complete the storm water management plan review, and

b. issue a decision approving, rejecting or conditionally approving the plan with modification.

(4) The storm water management plan is not considered approved without the inclusion of an approval stamp with a signature and date on the plans by the City Engineering Department. The stamp of approval on the plans is solely an acknowledgment of satisfactory compliance with the requirements of these regulations. Approval of construction plans by the City of Laredo Engineering Department does not relieve the owner/developer, consultant engineer, and/or contractor from compliance with the subdivision and storm water management requirements of this Chapter and other City ordinance, state and federal regulations, and any liabilities or responsibilities with respect to the design, construction, or operation of the project.

(f) Approval Criteria. The storm water management plan shall comply with all applicable provisions of Section 24.4.5 (Stormwater Management).

(g) Subsequent Applications. Not applicable.

(h) Appeals. See Section 24.5.32.

(i) Scope of Approval

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(1) Upon review and approval of the storm water management plan by the City of Laredo, the City will issue a storm water management permit indicating the development's compliance with this Code and allowing the commencement of construction.

(2) Approved storm water management plans remain valid for five (5) years from the date of approval. Extensions or renewals of the plan approvals will be granted by the City Engineer upon written request by the person responsible for the land disturbing activity.

(j) Recordkeeping. The applicant and City Engineer shall maintain a copy of the approved storm water management plan.

24.5.31 Storm Water Variances

(a) Applicability

(1) This section applies to variances from the provisions of Section 24.4.5 (Stormwater Management).

(2) There will be no variances from the requirements imposed upon the City of Laredo as part of its MS4 obligations.

(b) Initiation

(1) A written request for a variance is required and shall state the specific variance sought and the reasons, with supporting data, for granting the variance.

(2) The request shall include descriptions, drawings, calculations and any other information necessary to evaluate the proposed variance.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) Any substantial variance from the storm water management plan or concept plan shall be referred to all agencies which reviewed the original plan.

(2) The City Engineer will conduct a review of the request for a variance within 10 working days. Failure of the City Engineer to act by the end of the tenth working day results in automatic approval of the variance.

(f) Approval Criteria

(1) The City Engineer may grant a variance from the requirements of Section 24.4.5 if there are exceptional circumstances applicable to the site such that strict adherence to the provisions of that Section will result in unnecessary hardship and not fulfill its intent.

(2) Storm water variances shall comply with all provisions of Section 24.4.5 (Stormwater Management) to the extent possible.

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(g) Subsequent Applications. Not applicable.

(h) Appeals. See Section 24.5.32.

(i) Scope of Approval. After the variance is approved, the applicant may seek approval of a storm water management permit, storm water concept plan or storm water management plan as applicable.

(j) Recordkeeping. The applicant and City Engineer shall maintain a copy of the approved variance.

24.5.32 Storm Water Appeals

(a) Applicability. This section applies to any person aggrieved by a decision of the City Engineer (including any decision with reference to the granting or denial of a variance as provided in Section 24.5.31).

(b) Initiation. The aggrieved person may appeal the decision by filing a written notice of appeal with the City Engineer within 30 calendar days of issuance of the City Engineer's decision. A notice of appeal shall state the specific reasons why the decision of the City Engineer is alleged to be in error.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) *City Engineer*. The City Engineer may:

a. reverse the decision, or

b. send the notice of appeal to the v with comments. The City Engineer shall prepare and send to the Board of Adjustment and Appellant, within 15 days of receipt of the notice of appeal, a written response to the notice of appeal.

(2) *Board of Adjustment*

a. All appeals shall be heard by the Board of Adjustment, which has authority to hear and determine appeals in a quasi-judicial capacity.

b. The Board of Adjustment shall hear the appeal at its next regularly scheduled meeting date, not to exceed 30 days after receipt of the notice of appeal by the Board of Adjustment or at another time mutually agreed upon in writing by the Appellant and the Chairperson of the Appeals Board.

c. Each party to the appeal is entitled to a hearing before the Board of Adjustment under judicial forms of procedure. At the hearing, each party has the right to present evidence and sworn testimony of witnesses, to cross- examine witnesses, and to cause a transcription of the proceedings to be prepared.

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d. The Board of Adjustment will render a decision within 15 days after the appeal is heard.

(f) Approval Criteria. The City Engineer or Board of Adjustment may reverse the City Engineer's decision if the appealing party demonstrates that the decision is in error, is not authorized, or violates the appealing party's state or federal constitutional rights.

(g) Subsequent Applications. Not applicable.

(h) Appeals. A party dissatisfied with the decision of the Board of Adjustment may appeal the decision to the Superior Court by writ of certiorari.

(i) Scope of Approval. If the appealing party is the applicant and prevails, the appealing party may continue with any application for a storm water management permit, storm water concept plan or storm water management plan (as applicable) consistent with the final order of the City Engineer or Board of Adjustment.

(j) Recordkeeping. The applicant and City Engineer shall maintain a copy of the order on appeal.

24.5.33 Storm Water Inspection

(a) Applicability. This section provides for the inspection of storm water management systems constructed pursuant to this Division.

(b) Initiation

(1) *Inspection Schedule and Reports*. Prior to the issuance of a storm water management permit, the developer will submit to the City Engineer a proposed inspection and construction control schedule. The City of Laredo or its authorized representative shall conduct inspections and file reports for periodic inspections necessary during construction of storm water management systems to ensure compliance with the approved plans.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) Inspection Requirements During Construction

a. After commencing initial site operations, regular inspections shall be made at the following specified stage of construction:

1. Infiltration systems at the commencement, during, and upon completion of construction.

2. Flow attenuation devices, such as open vegetated swales, upon the completion of construction.

3. Retention and detention structures at the following stages:

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a. Upon completion of excavation to sub-foundation and where required, installation of structural supports or reinforcement for structures, including but not limited to:

1. Core trenches for structural embankments;
2. Inlet-outlet structures and anti-seep structures, watertight connectors on pipes; and
3. Trenches for enclosed storm drainage facilities.

b. during placement of structural fill, concrete, and the installation of catch basins;

c. during backfill of foundations and trenches;

d. during embankment construction; and

e. upon completion of final grading and the establishment of permanent stabilization.

(2) Final Inspection Reports

a. The City Engineer shall conduct a final inspection upon completion of the storm water management facility to determine if the completed work is constructed in accordance with the approved plan and this Chapter.

b. "As-built" certification by a licensed professional engineer licensed in the State of Texas is also required to certify that the facility is constructed as shown on the "As-built" plans and substantially compliant with plans and specifications.

c. The developer will receive written notification of the results of the final inspection.

(3) Inspection for Prevention Maintenance

a. Preventive maintenance shall be ensured through inspection of all infiltration systems, retention, or detention structures by the City Engineer. The inspection shall occur during the first year of operation and at least once every 3 years thereafter.

b. The City Engineer shall maintain inspection reports for all storm water management facilities.

c. Inspection reports for retention and detention facilities shall include:

1. The date of inspection;

2. Name of inspector;

3. The condition of the following:

a. Vegetation;

b. Fences;

c. Spillways;

d. Embankments;

e. Reservoir area;

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f. Outlet channels;

g. Underground drainage;

h. Sediment load; or

i. Any other item that could affect the proper function of the storm water management system; and

4. Description of needed maintenance.

d. If the City Engineer's inspection reveal that the storm water management facility is in a condition that presents an immediate danger to the public health or safety, because of an unsafe condition or improper maintenance, the City Engineer shall take any action necessary to protect the public and make the facility safe.

(f) Approval Criteria. The storm water system shall comply with all applicable provisions of Section 24.4.5 (Stormwater Management) and any conditions of approval of a storm water management permit, storm water concept plan or storm water management plan as applicable.

(g) Subsequent Applications. Not applicable.

(h) Appeals. See Section 24.5.32.

(i) Scope of Approval

(1) No work shall proceed until the City Engineer inspects and approves the work previously completed and furnishes the developer with the results of the inspection reports as soon as possible after completion of each required inspection.

(2) Any portion of the work which does not comply must be promptly corrected by the developer, after written notice from the City Engineer. The notice shall set forth the nature of corrections required and the time within which corrections will be made.

(3) The developer shall notify the City Engineer before commencing any work in conjunction with the storm water management plan and upon completion of the project when a final inspection will be conducted.

(j) Recordkeeping. The City Engineer shall maintain a permanent file of inspection reports.

24.5.34 Storm Water Pollution Prevention Plan (SWPPP)

(a) Applicability. This section applies to:

(1) All operators of sites of construction activity, including clearing, grading, excavation, and land filling activities, that result in the disturbance of at least 1 acre of total land area, or

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(2) All sites of construction activity, including clearing, grading, excavation, and land filling activities, that:

a. are part of a common plan of development or sale within which at least 1 acre of total land area is disturbed, or

b. who are required to obtain an NPDES permit for storm water discharges associated with construction activity.

(b) Initiation

(1) The SWPPP shall be prepared and submitted to the City Engineer at least 15 calendar days prior to the commencement of construction activities. If the construction activity is already underway upon the effective date of this Code, the SWPPP shall be submitted within 30 calendar days.

(2) The SWPPP shall be prepared and submitted to the City Engineer in conjunction with the Storm Water Management Permit and Building Permit application.

(3) Any operator who intends to obtain coverage for storm water discharges from a construction site under the NPDES General Permit for Storm Water Discharges from Construction Sites ("the Construction General Permit") shall submit a signed copy of the Notice of Intent (NOI) to the City Engineer, at least 15 calendar days prior to the commencement of construction activities.

(4) A SWPPP shall be prepared and implemented prior to the beginning of construction activities in accordance with the requirements of the Construction General Permit or any individual NPDES permit issued for storm water discharges from the construction site, and with any additional requirement imposed by or under this Chapter and any other City Code.

(5) The SWPPP shall be prepared, dated, signed, and sealed by a licensed professional engineer. The signature and seal of the licensed professional engineer is their attestation that the SWPPP fully complies with the requirements of the Construction General Permit, or with any applicable individual NPDES permit issued for storm water discharges from the construction site, and with any additional requirement imposed by or under section 24.4.5. The SWPPP shall contain the name, title, and business address of the licensed professional engineer signing it.

(6) If the construction activity is already underway upon the effective date of this Chapter, the NOI shall be submitted within 30 calendar days.

(7) For storm water discharges from construction sites where the operator changes, a revised NOI shall be submitted at least 2 calendar days prior to when the new operator commences work at the site.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

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(e) Decision. The City Engineer shall review and approve, approve with conditions, or deny the SWPPP.

(f) Approval Criteria. The SWPPP shall comply at a minimum with with the requirements of the Section 24.4.5 of this Chapter, the Construction General Permit, any individual EPA/NPDES permit issued for storm water discharge from the construction site, and any additional requirement imposed by or under this Chapter.

(g) Subsequent Applications. Not applicable.

(h) Appeals. See Section 24.5.32.

(i) Scope of Approval

(1) *Generally.* A copy of any SWPPP that is required by this Section shall be submitted to the City in conjunction with any application for a building permit, and Storm Water Management Permit, and any other City approval necessary to commence or continue construction at the site.

(2) Updates and Modifications

a. The SWPPP shall be updated and modified as appropriate and as required by the Construction General Permit and section 24.4.5. Any update or modification to the SWPPP shall be prepared, signed, and sealed by a licensed professional engineer.

b. The operator shall modify the SWPPP whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to the MS4 or to the waters of the United States, and which has not otherwise been addressed in the SWPPP, or if the SWPPP proves to be ineffective in eliminating or significantly minimizing pollutants, or in otherwise achieving the general objective of controlling pollutants in storm water discharges associated with construction activity. In addition, the SWPPP shall be modified to identify any new contractor and/or subcontractor that will implement a measure in the SWPPP. All modifications to the SWPPP shall be submitted to the City Engineer within 7 calendar days of a change, determination of ineffectiveness (self or City inspection), or effective date of changes in contractor and/or subcontractor.

(3) Inspection

a. Qualified personnel (provided by the operator of the construction site) shall inspect disturbed areas of the construction site are not finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site, at least once every 7 calendar days and within 24 hours of the end of any storm that is 0.5 inches or greater. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering

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the drainage system. Erosion and sediment control measures identified in the SWPPP shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters or the MS4. Locations where vehicles enter or exit the site shall be inspected for evidence of off-site sediment tracking.

b. Based on the results of the inspections required by subsection a. above, the site description and/or the pollution prevention measures identified in the SWPPP shall be modified as appropriate, but in no case later than 7 calendar days following the inspection. Those modifications shall provide for timely implementation of any changes to the SWPPP within 7 calendar days following the inspection. All modifications to the SWPPP shall be submitted to the City Engineer within 7 calendar days of the date of inspection.

(4) Enforcement

a. If, upon the City Engineer's review of the SWPPP (or any modification to the SWPPP) and any site inspection that the City Engineer may conduct, the City Engineer determines that the SWPPP does not comply with the requirements of the Construction General Permit, any individual NPDES permit issued for storm water discharge from the construction site, or any additional requirement imposed by or under section 24.4.5, the City Engineer may issue an order prohibiting the commencement, or the continuation, of any construction activity at the site.

b. If at any time the City Engineer determines that the SWPPP is not being fully implemented, the City Engineer may issue an order prohibiting the continuation of any construction activity at the site. Any order issued by the City Engineer under the authority of this paragraph may be in the form of a Compliance Order (24.8.9(e), an Emergency Cease and Desist Order (24.8.9(e)), or a Stop Work Order (24.8.9(h)) of this Code.

c. Upon review of the SWPPP and any site inspection that is conducted, the City may deny approval of any building permit, Storm Water Management Permit, or any other City approval necessary to commence or continue construction, or to assume occupancy, on the grounds that the SWPPP does not comply with the requirements of the Construction General Permit, any individual or group NPDES permit issued for storm water discharge from the construction site, or any additional requirement imposed by or under section 24.4.5. Also, if at any time the City determines that the SWPPP is not fully implemented, the City may deny approval of any building permit, storm water management plan permit,

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or any other City approval necessary to commence or continue construction, or to assume occupancy, at the site.

d. The City Engineer may notify the operator at any time that the SWPPP does not meet the requirements of the Construction General Permit, any applicable individual NPDES permit issued for storm water discharges from the construction site, or any additional requirement imposed by or under this Code. That notification shall identify those provisions of the permit or code which are not being met by the SWPPP, and identify which provisions of the SWPPP require modifications in order to meet those requirements. Within 7 calendar days of that notification from the City Engineer, the operator shall make the required changes to the SWPPP and shall submit to the City Engineer a written certification that the requested modifications are made.

(5) Notice of Termination (NOT)

a. Where a site is finally stabilized and all storm water discharges from construction activities that are authorized by section 24.4.5 and by the NPDES permit for those construction activities are eliminated, or where the operator of all stormwater discharges at a facility changes, the operator of the construction site shall submit to the City Engineer, a Notice of Termination (NOT).

b. Upon final stabilization of the construction site, the owner (or the duly authorized representative thereof) shall submit to the City Engineer written certification by a licensed professional engineer that the site is finally stabilized. The City may withhold occupancy or use of permits for any premises constructed on the site until the certification of final stabilization is filed and the City Engineer determines, following any appropriate inspection, that final stabilization has occurred and that any required permanent structural controls are completed.

(j) Recordkeeping.

(1) Generally

a. The SWPPP, with the licensed professional engineer's signature, seal, and date affixed, and the certifications of contractors and subcontractors required by this Section, and with any modifications attached, shall be retained at the construction site from the date of commencement of construction through the date of final stabilization.

b. The operator shall retain copies of any SWPPP and all reports required by this Division or by the NPDES permit for the site, and records of all data used to complete the NOI, for at least 3 years from the date that the site is finally stabilized.

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c. The operator shall make a copy of the SWPPP and any modification available to the City Engineer and any other authorized City inspector at the construction site upon request (as well as to EPA and State inspectors).

(2) *Certification Statement*. All contractors and subcontractors identified in a SWPPP shall sign a copy of the following certification statement before conducting any professional service identified in the SWPPP:

"I certify under penalty of law that I understand the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

The certification must include the name and title of the person providing the signature; the name, address, and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.

(3) *Inspection Report Logs*. A report log summarizing the scope of any inspection required by subsection (i)(3)b. above, and the name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the SWPPP, and actions taken shall be made and retained as part of the SWPPP for at least three years from the date that the site is finally stabilized. The report shall identify any incidence of noncompliance. Where a report does not identify any incidence of noncompliance, the report shall contain a certification that the facility is in compliance with the SWPPP, the facility's NPDES permit, and section 24.4.5 of this Code. The report shall be certified and signed by the person responsible for making it.

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Division 6 Administrative Permits

24.5.35 Site Plan Review

(a) Applicability

(1) *Generally*. Site plan approval is required for all non-residential or multifamily development, single-family detached or two-family (duplex) dwellings, agriculture, and special events that meets the following thresholds:

a. New construction or expansion of an existing building or structure that increases the existing floor area by 30% or that adds 2,000 sf of floor area.

b. New construction or expansion of non-residential parking lots that increase the existing impervious area by 30% or that add 2,000 sf of impervious coverage.

(2) *Optional Site Plans*. A property owner may file an application for site plan approval for:

a. Existing or previously legal-nonconforming structures; or

b. A non-conforming use which has been in existence for at least 10 years.

(3) Deviations Prohibited

a. A site plan shall not authorize deviation from any applicable development standards normally required by the existing underlying zoning, including, but not limited to signs, landscaping, parking, paving or dimensional requirements or any applicable notes from the recorded plat.

b. The Board of Adjustment has no authority to grant any variance to any aspect of any approved site plan.

(b) Initiation. The property owner shall file a site plan application with the Planning Director. In addition to the information required by Article 12, the Director may require the following additional information if needed to address the proposed development's impacts:

(1) elevations of the proposed new or remodeled structures,

(2) analysis of the traffic impacts of the proposed use, or

(3) evaluation of the environmental impacts of the proposed use.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision

(1) Planning Director Review

a. The Planning Director shall review the site plan and shall:

1. Approve the site plan, or

2. Deny the site plan, or

3. Approve the site plan with conditions, or

4. Refer the site plan to the Planning and Zoning Commission for its review and final action as provided in subsection (h) below.

b. The applicant or an aggrieved party may appeal the Planning Director's decision to the Planning and Zoning Commission pursuant to subsection (h) below

(2) Authorization to Impose Conditions

a. *Generally*. The Planning and Zoning Director or Planning and Zoning Commission may impose conditions necessary to maintain the integrity of the City's zoning districts, to ensure the proposed use is consistent with

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the City's Comprehensive Plan, conforms with this Chapter, is appropriate to its location and compatible with neighboring uses, and does not cause undue traffic congestion or significant deterioration of the environment.

b. *Conditions Supplementary*. All requirements imposed by a Site plan are in addition to and supplement this Chapter's requirements.

c. *Authorized Conditions*. Authorized conditions include, but are not limited to:

1. *Site Plan Features*. Limitations or requirements regarding the area, setbacks, open space, landscaping, buffering, lighting, fencing, signage, off-street parking, and similar site plan features of the proposal.

2. *Operations*. Limitations or requirements regarding the proposed use's operating characteristics, duration or any similar feature of the proposed use.

3. *Duration*. If the event Director or Planning and Zoning Commission limits the duration of a site plan, a six month grace period, starting from the final approval date, is afforded the applicant in addition to the time period stipulate the site plan conditions.

(f) Approval Criteria. An application for a site plan shall comply with the following standards:

(1) *Generally*. The site of the proposed use or any associated improvements are not in violation of any local, state, or federal law (other than a zoning violation).

a. The use and site plan for the proposed conditional use conforms, at a minimum, with all applicable provisions of this Chapter for the existing underlying zoning designation, including but not limited to:

b. Site Development Standards. All parking, landscaping, signage, improvement and dimensional standards

c. Zoning Districts Standards. The purpose of the zoning district in which the proposed conditional use is to be located and any standards applicable to the particular proposed use.

d. Site plans are only authorized for the proposed use.

(2) *Suitability*. The characteristics of the proposed site are suitable for the proposed use considering the size, shape, location, topography and location of improvements and natural features.

(3) *Timeliness*. The proposed use and/or development is timely, considering the adequacy of transportation systems, public facilities and services, existing or planned for the area affected by the proposed use.

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(4) *Compatibility to Surrounding Area*. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed as allowable by the underlying zoning district.

(5) *Comprehensive Plan*. The proposed use satisfies any applicable goals and policies of the Comprehensive Plan, which apply to the proposed use.

(6) *Overlay Status*. The site is not in an overlay district.

(7) *Use Appropriate and Compatible.* The use is appropriate to its proposed location and compatible with the character of neighboring uses, or enhances the mixture of complementary uses and activities in the immediate vicinity.

(8) *Traffic*. The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking or loading problems. Necessary mitigating measure shall be proposed by the applicant.

(9) *Nuisance*. The operating characteristics of the use do not create a nuisance and the impacts of the use on surrounding properties are minimized with respect to noise, odors, vibrations, glare, and any other similar conditions.

(10) *Environment*. The use shall not cause significant deterioration to water resources, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.

(g) Subsequent Applications. Not applicable.

(h) Appeals. If a site plan is appealed to the Planning and Zoning Commission:

(1) The Planning and Zoning Commission shall consider the site plan at a public meeting, and

(2) After the consideration of the Planning Director's decision and any evidence provided by the applicant or an aggrieved party, the Planning and Zoning Commission shall:

a. Approve the site plan, or

b. Deny the site plan, or

c. Approve the site plan with conditions, or

d. Remand the site plan to the Planning Director for further consideration.

(i) Scope of Approval

(1) *Generally*. After the site plan is approved, the building official may issue a building permit or certificate of occupancy consistent with any conditions of site plan approval.

(2) *Changes to Site Plan*

a. *Generally*. Any change to an approved site plan, other than those changes that qualify as insubstantial pursuant to subsection b. below, require amendment of the existing site plan. Amendment of an approved site

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plan may only be authorized by Planning Director pursuant to the procedures set forth in subsection (e) above, and subject to appeal or referral to the Planning and Zoning Commission as provided in subsection (h) above.

b. Insubstantial Changes to Approved Site Plan

1. The Planning Director may approve insubstantial changes to a previously approved site plan without notice or a public hearing. An insubstantial change is one that becomes necessary during the use's actual implementation, which could not be reasonably anticipated during it's review, and that does not significantly change the original approval granted.

2. An amendment to any of the following site plan requirements is not considered insubstantial:

a. *Use* - those activities allowed on site by the site plan.

b. *Operational Characteristics* - the gross limitations or requirements regarding the proposed use's operating characteristics.

c. *Site Plan Features* - the gross limitations or requirements regarding the area, setbacks, open spaces, landscaping, buffering, lighting, fencing, signage, or the off-street parking of the proposal.

d. *Duration* - Requirements governing the duration of the permit.

e. *Permit Holder* - Requirements regarding the person or entity to whom the permit is issued.

(3) *Revocation*

a. *Criteria.* An approved site plan is considered in violation of this Chapter and shall be revoked if a court of law finds the use in violation of any of the following conditions:

1. The use established on site does not conform, at any time, with any or all approved permit condition(s) and or any local, state or federal law.

2. The activity authorized by the site plan commences prior to the institution of all conditions imposed by the site plan.

3. Discontinuance of the approved use for at least 6 consecutive months.

4. The approved use does not commence within 6 months of the final approval date.

b. *Revocation Procedures.* If the Zoning Enforcement Official's inspection reveals noncompliance with this Chapter, site plan revocation procedures shall commence as follows:

1. The Zoning Officer shall, upon discovery of site plan noncompliance, issue a written warning, granting a grace period of at least 10 working

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days. During this time, the use may be brought into compliance with the current approved site plan for that location.

2. If noncompliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official shall issue written citation.
3. If the citation results in a guilty verdict, the site plan is considered revoked.
4. The Planning Director shall issue the permit holder written notification of the site plan's official revocation.
5. In the event of discontinuance or failure to commence as stipulated above, Zoning Enforcement Staff will issue written notification to the applicant. Ten (10) days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Site plan's official revocation.

(4) *Transferability*. A site plan shall be transferable only with the approval of the City Council, and is subject to all conditions of the initial approval, and other conditions the City Council may require.

(j) Recordkeeping. The applicant and Planning Director shall maintain a copy of the approved site plan.

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24.5.36 Building Permits and Certificates of Occupancy

(a) Applicability. The building official shall process building permits and certificates of occupancy as provided in the building code. [*Reference: Laredo Code, Chapter 7*.]

(b) Initiation. The applicant shall not file a building permit, and Building Official shall not issue a building permit, for any application requiring approval of the City Council, the Planning and Zoning Commission, the Zoning Board of Adjustment, the Historic District/Landmark Board, or that requires prior approval pursuant to Divisions 3 through 5 or Section 24.5.35 (site plan review) until all required permits or approvals are approved.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision. See building code.

(f) Approval Criteria. The building official may issue the building permit or certificate of occupancy only if the application complies with all applicable provisions of this Chapter and any approved rezoning condition, conditional use permit, subdivision plat approval, stormwater management permit, site plan, or historic district approval.

(g) Subsequent Applications. Not applicable.

(h) Appeals. If a building permit or certificate of occupancy is denied for noncompliance with a provision of this Chapter or an approval listed in subsection (f) above, the applicant may appeal that decision to the Board of Adjustment (see Section 24.5.38).

(i) Scope of Approval. See building code.

(j) Recordkeeping. The building official shall maintain an application for and an approved building permit in its files, and the applicant shall maintain an original signed copy of the approved building permit.

Division 7 Relief

24.5.37 Appeals

(a) Applicability

(1) *Board of Adjustment*

a. The Board of Adjustment may hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this Chapter. [*Reference: Texas Local Government Code § 211.009(a)(1)*]

b. Texas Local Government Code § 211.010 lists the parties eligible to file an appeal with the Board of Adjustment.

(2) *Riparian Buffer Standards*. The Planning and Zoning Commission shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the ESD or Planning Director in the enforcement or administration of Section 24.3.10 (Riparian Buffers).

(b) Initiation. The appellant must file with the board and the official from whom the appeal is taken a notice of appeal, as provided in Texas Local Government Code § 211.010.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. The following notice is required for a zoning appeal hearing:

Table 5.37-1 Notice-Zoning Appeal

Notice	When	Where / To Whom / Additional Requirements
Mail	*Not required*	• Applicant, appellant, or other parties in interest. • May include regular mail or email
Publication	*Not required*	• not applicable
Posting	≥ 72 hours	• Post notice of the hearing in a visible location outside of Laredo City Hall
Website	Any time before the initial hearing	• not applicable

(e) Decision

(1) *Board of Adjustment*

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a. The Board of Adjustment shall conduct a public hearing on the appeal and shall render its decision after the hearing is closed.

b. In exercising its authority under Subsection (a)(1), the board of adjustment may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for that purpose the board has the same authority as the administrative official.

c. The concurring vote of 75% of the 9 members of the board is necessary to:

1. reverse an order, requirement, decision, or determination of an administrative official;

2. decide in favor of an applicant on a matter on which the board is required to pass under the zoning provisions of this Chapter.

d. The Board of Adjustment's decision on appeal is final unless judicial review pursuant to Texas Local Government Code section 211.001 is pursued.

(2) *Riparian Buffer Standards*

a. The Planning and Zoning Commission shall conduct a public hearing on the appeal and shall render its decision after the hearing is closed.

b. Any person whose petition for variance has not been granted and who remains adversely affected by the ESD's order, or who is subject to an order of the ESD issued following a Show Cause Hearing may challenge the final action of the Planning Director to the Planning and Zoning Commission.

c. The Planning and Zoning Commission's decision on an appeal involving Section 24.3.8 (Riparian Buffers) is final.

(f) Approval Criteria. The Board of Adjustment or Planning and Zoning Commission may reverse the decision on appeal if it is found erroneous, unauthorized, or in violation of a party's state or federal constitutional rights.

(g) Subsequent Applications. Not applicable.

(h) Appeals. A party with standing may seek judicial review pursuant to Texas Local Government Code § 211.011.

(i) Scope of Approval. After a final decision on appeal is rendered, the applicant and any party in interest may file any further permits or applications, undertake construction, or establish a use consistent with that decision.

(j) Recordkeeping. The Planning Director shall maintain a copy of any order of the Board of Adjustment or Planning and Zoning Commission pursuant to this Section.

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24.5.38 Zoning Variances

(a) Applicability. The Board of Adjustment may authorize in specific cases a variance from the terms of a zoning. [*Reference: Texas Local Government Code § 211.009(a)(3)*] The Zoning Board of Adjustment may authorize a Zoning Variance from the requirements of the zoning provisions and sign regulations of this Unified Development Code if the Variance from the terms of the zoning provisions is not contrary to the public interest and, due to special conditions, a literal enforcement of the requirements would result in self-imposed unnecessary hardship, so the spirit of this Code is preserved, and substantial justice done.

(b) Initiation. An application for a zoning variance shall be filed with the Planning Director.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. The following notice is required for a zoning variance hearing:

Table 5.38-1 Notice-Subdivision Variance

Notice	When	Where / To Whom / Additional Requirements
Mail	≥ 10 days before Board of Adjustment hearing	• Applicant, appellant, or other parties in interest. • May include regular mail or email
Website	Any time before the initial hearing	• not applicable

(e) Decision.

(1) The Board of Adjustment shall conduct a public hearing on the variance and shall render its decision after the hearing is closed.

(2) The Board of Adjustment may, in whole or in part:

a. Approve the variance, or

b. Deny the variance, or

c. Approve the variance with conditions.

(3) The concurring vote of 75% of the 9 members of the board is necessary to authorize a variance.

(f) Approval Criteria. The Board of Adjustment shall not approve a variance unless it finds that:

(1) The variance is not contrary to the public interest, and

(2) An peculiar or unusual condition exists that preclude the reasonable use of land, and

(3) Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and

(4) The spirit of the varied provision is observed and substantial justice is done.

(g) Subsequent Applications. Not applicable.

(h) Appeals. A party with standing may seek judicial review pursuant to Texas Local Government Code § 211.011.

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(i) Scope of Approval. After a final decision on the variance is rendered, the applicant and any party in interest may file any further permits or applications, undertake construction, or establish a use consistent with that decision.

(j) Recordkeeping. The Planning Director shall maintain a copy of any order of the Board of Adjustment pursuant to this Section.

24.5.39 Subdivision Variances

(a) Applicability. This section applies to variances from the subdivision regulations.

(b) Initiation. See Article 11 of this Chapter. The applicant shall:

(1) submit the variance request in writing,

(2) cite the specific rule, policy, or standard from which a variance is sought or the appeal made, and

(3) the reasons for the request.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision. The Planning and Zoning Commission may, by a 2/3 majority vote of those members present and voting, grant a variance from the provisions referenced in subsection (a) above.

(f) Approval Criteria. The Planning and Zoning Commission shall not grant a variance unless:

(1) The variance is warranted because:

a. strict compliance would create an undue hardship:

1. by depriving the owner or applicant of the reasonable use of the land; or

2. due to unusual physical characteristics of the land; or

b. unique design considerations warrant the variance; or

c. planning and land use considerations require the mitigation of excessive vehicular traffic, noise, dust, vibration or other intrusive adjacent uses, and

(2) the general purposes and goals of this chapter are maintained; and

(3) the variance:

a. is not detrimental to the public health, safety, welfare; and

b. does not physically injure adjoining property; and

c. the variance does not prevent the subdivision or development of other adjacent land.

(g) Subsequent Applications. Not applicable.

(h) Appeals. Not applicable.

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(i) Scope of Approval

(1) Any variances granted under this section applies only to the specific property included the plat. The variance does not change any provision of this chapter, nor establish any policy, rule, or regulation contrary to the provisions of this chapter.

(2) Any variance granted on the effective date of this section and incorporated in a recorded subdivision plat, is recognized as valid.

(j) Recordkeeping. The variance is tracked and recorded with the plat application, and recorded with the final subdivision plat.

24.5.40 Interpretation

(a) Applicability. The Planning Director has authority to make written interpretations concerning the text of this Chapter and the official zoning map.

(b) Initiation. A request for interpretation shall be submitted to the Planning Director on a form established by the Planning Director and made available to the public.

(c) Completeness. See Section 24.5.3(b).

(d) Notice. Not applicable.

(e) Decision. The Planning Director may, in its discretion, take any of the following actions:

(1) Review and evaluate the request;

(2) Consult with other staff or the Planning Commission;

(3) Render an opinion; and

(4) Provide the interpretation to the applicant in writing by regular mail.

(f) Approval Criteria. The Planning Director shall consider this Chapter, the zoning map, the comprehensive plan, and any other relevant information.

(g) Subsequent Applications. Not applicable.

(h) Appeals. See Section 24.5.37.

(i) Scope of Approval. An interpretation does not authorize the development or use of property. After an interpretation is issued, the applicant or any other person may file an application to develop or use property pursuant to this Chapter, and the decision-maker shall take the interpretation into consideration.

(j) Recordkeeping. The Planning Director shall maintain an official record of interpretations that shall be available for public inspection during normal business hours.

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Article 6 Supplemental Use Regulations

24.6.1 Generally

(a) **Generally.** Uses subject to this Article are subject to the regulations of this Article in addition to all required zoning district regulations, or any applicable regulations in Articles 3 and 4.

(b) **Separation Measurement**. This subsection applies to any required separation between a use ("regulated use") and a zoning district ("protected district") or another use ("protected use").

(1) If the separation is from a protected use, measurement is made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure housing the regulated use to the nearest property line of the protected use, unless otherwise stated.

(2) If the separation is from a zoning district, the measurement is made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure housing the regulated use to the closest boundary line of the protected zoning district, unless otherwise stated.

(c) **Location**. The following uses require additional distancing from certain zones.

Table 6.1-1 Distancing Requirements

Use	Districts	Distance
Animal Services	B-1, B-3	50 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Automobile or Vehicle Sales or Truck Stops	B-4	Abutting freeway and State Aid Primary Roads only. Storage of equipment and vehicles adjoining any Residential or B-4 district shall be screened from view along the adjacent property line.
Bars	CBD, B-4	300 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Entertainment Facility	CBD, C	75 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Funeral & Interment Services	B-1, B-3	100 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district and within three hundred (300) feet of a principal arterial street. In addition, screening from adjacent less intensive uses is required.
Halfway Houses (Criminal)	B-4	500 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Heavy Manufacturing	B-4	200 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district

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Use	Districts	Distance
Indoor Amusement	CBD, AE	75 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Indoor Amusement	CBD, AE	300 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Recycling Plants	B-1, B-3	100 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Special Events (Temporary)	B-4	300 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district

(d) Performance Standards. Uses shall not create noise, fumes, smoke, odor, vibration or involve welding or the use of heavy equipment outdoors in the B-1, B-4 and CBD, AE districts.

24.6.2 Accessory Structures & Uses

(a) **Generally**. An accessory structure or use must be conducted on the same lot as the principal use to which it is related, and is not permitted on an undeveloped lot.

(b) **Agricultural Uses**. Uses accessory to agricultural uses include those normally associated with agricultural pursuits, such as including barns, corrals, silos, stables, personal workshop spaces, green houses and equipment storage sheds.

(c) **Residential Uses**. Uses accessory to residential uses include:

(1) In any district, swimming pools, tennis courts, cabanas, pool houses, palapas, garden and tool storage sheds, garages, porte-cocheres, carport, barbecue pits or accessory dwelling units separated from the principal structure.

(2) In an R-S, R-1, R-1A or R-1B district, construction yards and model homes shall:

a. Serve new construction in the subdivision where it is located; and

b. Are allowed only on a temporary basis. Construction yards shall be converted to residential lots or common open space and model homes shall be converted to dwelling units, no later than the issuance of a certificate of occupancy for all uses on all lots in the subdivision.

(d) **Storage**. Storage may occur in the same building with the principal use.

(e) **Dumpsters and Refuse Collection.** Dumpsters, trash bins and similar refuse collection facilities (referred to collectively as "refuse collection facilities") shall comply with the following:

(1) Refuse collection facilities and large items for solid waste pick-up shall be confined in an enclosed area that is screened on all sides.

(2) Access to the enclosure shall be from the interior of the site..

(f) **Central Business District (CBD)**. Within the CBD district:

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(1) Filling station pumps, pump islands, and accessory buildings are permitted within a required yard if they are at least fifteen (15) feet from any street right-of-way line.

(2) Filling station pumps and pump islands shall not be closer than one hundred (100) feet from any residential district.

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24.6.3 Accessory Dwelling Units

An accessory dwelling unit is permitted if that all the following conditions are met:

(a) Plans for the accessory dwelling unit demonstrate sufficient capacity for all utilities and drainage.

(b) The lot area is at least 3,000 sf per dwelling unit.

(c) At least two paved off-street parking spaces per dwelling unit are provided on the lot, with paved access to the street.

(d) Only one manufactured home is allowed per lot, which requires a permanent foundation.

24.6.4 Adaptive Reuse

Purpose: *This section provides flexibility in adapting existing structures to new uses over time, in recognition that neighborhoods and land uses do not remain static. This section encourages the repurposing of existing buildings to provide a more efficient use of infrastructure, minimize excessive development costs, and to encourage mixed use development in locations with existing infrastructure.*

(a) Applicability.

(1) This section applies to the use of an existing building in any zoning district, if the building lawfully existed before the effective date of this Chapter, and**:**

a. Has been vacant for at least 2 years;

b. Is located in a local or nationally designated historic structure or historic district;

c. Was constructed at least 50 years before the effective date of this chapter;

d. Is vacant, uninhabitable, and hazardous to persons and property because of its physical condition, as determined by the Planning Director;

e. Is declared or certified blighted pursuant to a redevelopment plan approved by the City Council; or

f. Is declared a public nuisance by the City Council.

(2) This Section does not apply to:

a. New construction; or

b. Change of non-conforming uses, unless the existing use is located in a structure that qualifies under subsection (1) and was lawful when it was established.

(b) **Eligibility**. To qualify for the regulatory incentives established below, an adaptive reuse must either :

(1) Retain the existing bulk, height and lot configurations of the existing structure and lot; or

(2) If the building is expanded or relocated on the lot:

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a. The building must meet the rear and side setback requirements of the zoning district. If the building does not meet a frontage buildout standard, the building may expand to increase the frontage buildout, but may not be altered to reduce the frontage buildout.

b. If the existing building is set back at least 20 feet from the front property line, meet the frontage landscaping requirements.

c. Unless the expansion conforms to any maximum building footprint or height standards, the building footprint and height may expand:

a. By up to 20%, or

b. By up to 50% if authorized by a conditional use review.

d. If the building is located in the R-O, B-1, B-3, AE or CBD zoning districts, the front façade shall at least maintain the existing percentage of windows and entryways after the building is rehabilitated.

(c) Code Compliance. An adaptive reuse shall comply with all current, applicable building and fire code standards.

(d) Permitting. The building subject to adaptive reuse must obtain a building permit under the standards in effect at the time of application, including any alternative standards adopted by the City of Laredo for existing buildings.

(e) Uses. In addition to any use permitted in the base district, a building that qualifies under subsection (a) of this section is allowed any the following new residential and/or mixed uses**:**

(1) Dwelling units (single family, duplex, townhomes, apartments, condominiums)

(2) Live-work units.

(3) Mixed-use buildings.

(f) Incentives. An adaptive reuse qualifies for the following regulatory incentives:

Table 6.4-1 Adaptive Reuse Incentives

(A)	(B)	(C)
Incentive	**Existing Building Rehab** *(see subsection (b)(1) above)*	**Expansion** *(see subsection (b)(2) above)*
Building Height	Existing building height is considered permitted and not nonconforming.	In addition to Column (B), any expansion must comply with subsection (b)(2)c above.
Landscape & Preservation *(Section 24.3.6)*	No additional landscaping is required. Additional landscaping provided must be maintained.	If the building is located further than 20 feet from the right-of-way, frontage landscaping is required. No additional landscaping is required.
Parking & Loading *(Section 24.3.7)*	Existing parking and loading spaces shall be maintained or may decrease where allowed	For existing building space, Column (B) applies. Parking space requirements are reduced by 50% for any expansion, if the total number of

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	by Article 3. No additional spaces are required.	parking spaces existing prior to the expansion is not reduced.
Amenity Space *(Section 24.4.4)*	No amenity space is required.	No amenity space is required unless the expansion exceeds 20,000 square feet or 50% of the existing building area. Additional amenity space is calculated only for the additional building area.
Stormwater management *(Sections 24.4.5 and Article 5, Division 5)*	No Stormwater Management Permit or Simplified Storm Water Management Control Plan is required.	Only a Simplified Storm Water Management Control Plan is required.

24.6.5 Agriculture uses

(a) **Applicability**. This section applies to any agriculture use as defined by Article 10 section 24.10.2 Definitions of this UDC. Agriculture uses can enhance food security, production, promote sustainability and preserve land (see Texas Local Government Code Title 8 § 251.001). Uses can range from small scale in urban areas to large scale in larger open space subject to applicable zoning districts listed in section 2.16-1 Land Use Table.

(b) **Community Garden**

(1) Registration. Community gardens must register with the Director of Planning. The registration packet shall include:

a. Authorization from the property owner;

b. Governance structure of the garden;

c. Hours of operation;

d. Maintenance and security requirements and responsibilities;

e. Contact information for a garden coordinator/manager; and

f. Garden site plan.

(2) Lighting. Any lighting shall be shielded so that all directly emitted light stays on the property.

(3) Stormwater. Water that has been used on-site shall not flow onto adjacent property, including water used for irrigation purposes. In addition, the City Engineer may determine the appropriateness of a Community Garden location due to potential impacts on the stormwater system.

(4) Nuisances. All gardens shall be maintained to be free of odors, pests, rodents, trash, and/or anything else that might be considered a nuisance. Trash and recycling receptacles or any such other containers must be kept outside of all applicable building setbacks for the associated property. Composting containers shall be located in accordance with paragraph I., Composting, below.

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(5) Prohibited Plants. The planting and/or growing of illegal or invasive plant species, as listed in Table 3.7-4, Prohibited Plants, is prohibited.

(6) Permits. Applicable permits for buildings, fences, and/or utilities may be required. All other applicable City of Laredo Ordinances shall apply to Community Gardens.

(7) Fences. Fences are permitted pursuant to the allowances for the associated district.

(8) Buildings. A shed structure may be utilized on-site for storage of materials and tools used for garden cultivation, subject to the following:

a. Maximum square footage of shed structure is 200 square feet.

b. Maximum height of buildings is 10 feet.

c. All buildings shall meet zoning setback requirements.

d. This requirement may be split into one shed and one greenhouse, neither structure to exceed 100 square feet.

(9) Composting. Composting may be performed on-site, within a composting container, subject to the following:

a. Composted materials shall be generated on-site or contributed by members of the community garden; and

b. All composting containers shall be located a minimum of 20 feet from side and rear property lines and a minimum of 40 feet from the front property line.

(10) Signs. One 18" x 24" sign is permitted per lot.

(11) As Accessory Use.

a. Accessory to Residential Use. A community garden located on a lot with an existing residential use shall meet standards in paragraphs 1 through 6., above, and applicable standards in section 24.6.02, Residential Accessory Uses and Structures.

b. Accessory to Nonresidential Use. A community garden located on a lot with an existing nonresidential use shall meet standards in paragraphs 1. through 7., above.

(c) Greenhouse/Nursery:

(1) *Permitted Activities and Structures.* A food truck court may allow for:

a. Accessory Structures. If housed in an accessory structure, the accessory structure shall not be greater than one-half of the square footage of the primary structure.

b. Personal Use. The use shall be limited to personal use only with no commercial activity occurring on-site.

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24.6.6 Amusement Redemption Machine Establishment

(a) **Applicability**. This section applies to any Amusement Redemption Machine Establishment in the C District.

(b) **License**. Any required license pursuant to Chapter 18, Article I of the Laredo Code is required.

(c) **Standards.** See Section Sec. 18-2.4 of the Laredo Code.

24.6.7 Bars

Bars are subject to the following performance standards:

(a) **Sign Placement**. All signs shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

(b) **Safety**. Bars shall discourage criminal activities and vandalism. This includes provisions for sufficient lighting and perimeter fencing, elimination of dark areas, and building orientation to provide maximum site from a public street.

(c) **Litter.** Bars shall make provisions to minimize litter, and to keep it from blowing onto adjacent streets and properties.

24.6.8 Campgrounds

A conditional use permit may provide for campground areas that are designed for use by tents, recreational vehicles, or other camping structures. These areas shall not locate in any sections designed for manufactured homes. A conditional use permit shall designate areas for tent camping and recreational vehicles. Areas set aside for tent camping and recreational vehicles are exempt from amenity space requirements.

24.6.9 Flea Markets

A flea market shall comply with the following:

(a) Direct access shall be provided to an arterial street.

(b) The flea market shall not adjoin any residential zoning district.

(c) On-premises public sewer and water facilities and services shall be available which meet public health and adopted building code standards for a public rest room established in the Standard Plumbing Code Table 922.2 "Minimum Plumbing Fixtures" for restaurants. Retail sales area is measured as all area of the business grounds excluding parking and required building setbacks.

(d) A flea market shall be designed for sales made from booths and not directly from motor vehicles.

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24.6.10 Food Trucks

(a) Applicability. This section applies to any food truck or food truck court as defined by section 13-21 of the Laredo Code. Food trucks and food truck courts are divided into short-term and long-term categories as regulated below

(b) Generally

(1) Food trucks and food truck courts shall comply with all applicable requirements of Chapter 13 of the Laredo Code (see section 13-24 (Food truck regulations)), and all applicable rules of the Department of State Health Services (see Texas Administrative Code Title 25 § 228.221).

(2) Any food truck or food truck court operating in the street right-of-way or other public space shall comply with Chapter 28, Article V of the Laredo Code.

(3) The operator shall submit a site plan to the Planning Director depicting the location of the food trucks on the property and all permits and licenses required by section 13-24 of the Laredo Code before commencing operation.

(4) No food truck shall operate in the right-of-way of any street or thoroughfare where the lawful speed limit exceeds 30 miles per hour.

(5) Parking requirements for food trucks are established by section 24.3.7 (Parking and Loading). If food trucks or food truck courts are located on the same property as another principal use, the total number of parking spaces on the parcel shall accommodate the food truck/food truck court and all principal uses on the property.

(6) Food trucks, portable restroom trailers, and other temporary structures related to food trucks are not subject to the section 24.3.4 (Building Design & Height), except for any computation of maximum height.

(7) Exterior lighting must be hooded or shielded so that the light source is not directly visible to a residential use.

(8) All food trucks located in a food truck court shall be on an improved, permanent surface. If the food truck is located on private property, the surface shall comply with section 24.3.7 (Parking and Loading).

(c) Food Truck Courts. The following apply to all food truck courts:

(1) *Permitted Activities and Structures.* A food truck court may allow for:

a. Only food trucks that hold valid permits and licenses as required in this section;

b. The food trucks within the food truck court to remain on their pad sites overnight. Note: Food trucks are required to leave the food truck court at least once a year to retain food truck status.

c. Tables, chairs, and canopies for food court customers.

d. Signs in accordance with the section 24.6.22 (Signs).

e. Music (live acoustic or recorded) that is played or broadcast in compliance with Chapter, Article XI (Noise Nuisances) inside the food truck court's property boundaries, and a small playground areas.

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(2) *Pad Sites*

a. Food truck courts shall designate pad site locations for individual food trucks in the site plan required above.

b. Food truck pad sites and dining areas shall comply with the setbacks for the applicable zoning district.

c. All food truck pad sites shall be separated from other pad sites, dining areas, and structures by at least 10 feet.

d. Pad sites and dining areas shall not be located within fire lanes, easements, setbacks, buffers, or visibility triangles.

(3) *Hours of Operation.* Food truck courts shall operate only between the hours of 8 a.m. and 11 p.m.

(4) *Site Manager.* Food truck courts shall have a site manager that will remain on property during the hours of operation.

(d) Short-Term Food Truck Courts

(1) A short-term food truck court is temporary in nature, intended as an interim use on undeveloped or previously developed land where the property owner is investigating or pursuing long-term use or redevelopment of the property, or where the food truck is associated with a special event. In addition to the items in subsection (c)(1) above, a short-term food truck court may allow for the establishment of a site that provides for the gathering of two (2) to five (5) food trucks.

(2) A short-term food truck court shall:

a. Locate at least 100 feet from a residential zoning district;

b. Provide only portable or temporary improvements. Long-term or permanent improvements are not allowed.

c. Provide adequately maintained trash receptacles for customer use.

d. Comply with general site plan requirements described in the Site Plan Review section of Article 3, Development Review Procedures, the applicable requirements of Article 7 General Development Standards, and the specific use standards below.

(3) Short-term food truck courts shall not impede vehicular circulation or block fire lanes or sanitation routes through the existing sites on which they are located.

(4) Short-term food truck courts are not subject to the landscaping requirements of section 24.3.6 (Landscaping & Tree Preservation), but are subject to any tree preservation requirements.

(5) Short-term food truck courts shall use existing solid waste collection sites on the properties on which they are located, and provide proof of permission to do so.

(e) Long-Term Food Trucks Courts

(1) Long-term food truck courts are intended to have more permanency than short-term food truck courts and are held to the same development standards as restaurant developments, with the exceptions identified in the specific use

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standards below. In addition to the items in subsection (c)(1) above, a long-term food truck court may allow for:

a. The establishment of a site that provides for the gathering of two (2) or more food trucks.

b. Food trucks to access potable water and sewage disposal facilities onsite. If these utilities are made available, they shall be located in a manner to necessitate the movement of each food truck to access the utilities.

c. Larger-scale entertainment and accessory uses for court customers, such as a volleyball court and bar, or related items that the Planning Director determines are at a scale that would not disturb surrounding property owners.

d. Accessory structures.

e. Alcohol sales with approved permits and licenses from the Texas Alcoholic Beverage Commission.

(2) A long-term food truck court shall locate at least 150 feet from a residential zoning district and 500 feet from an RL district.

(3) If water and wastewater facilities are provided to food trucks in a long-term food truck court, the site shall be designed to require all food trucks to remain mobile to access these facilities. Additional tanks or portable tanks for wastewater are prohibited.

24.6.11 Head Shops

Drug and Tobacco Paraphernalia Shops (Head Shops) and Tobacco Shops are subject to the following conditions:

(a) Hours of operation are limited from 8 a.m. to 12 midnight.

(b) No person under 18 years of age is permitted to enter the establishment or purchase any products from the establishment unless accompanied by an adult parent or guardian.

(c) Each establishment shall post a sign conspicuously on each public entrance or near each public entrance notifying the public that no person under the age of eighteen years of age may enter the establishment unless accompanied by an adult parent or guardian.

(d) Drug and Tobacco Paraphernalia Shops (Head Shops) shall not locate within eight hundred (800) feet of any:

(1) residential district,

(2) religious land use,

(3) public or private elementary, middle, or high school,

(4) day care licensed by the state,

(5) public playground, or

(6) park.

(e) Tobacco Shops are not located within three hundred (300) feet of any:

(1) residential zoned district,

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(2) church,

(3) public or private elementary, middle, or high school,

(4) day care licensed by the state,

(5) public playground, or

(6) park.

(f) An opaque fence or wall at least 7 (seven) feet tall shall be constructed along any side or rear property lines which abut or adjoin property containing a residential use.

(g) Establishments shall make provisions to minimize litter, and to keep it from blowing onto adjacent streets and properties.

(h) There shall be no ground vibrations created or sustained on the site which are perceptible without instruments at any point on any property adjoining the subject property.

(i) The establishment shall undergo an annual Fire Inspection.

(j) This section does not legalize or apply to the delivery, furnishing, transferring, possessing or manufacture of drug paraphernalia or any use otherwise prohibited by state or federal law.

(k) Tobacco Shops are required to submit, at the request of the City, an audit or allow an audit, of their gross revenue to insure that less than 45% of the establishment's gross revenue is derived from Drug paraphernalia sales. *(Ordinance No. 2015-0 -124, 9/21/15)*

24.6.12 Junkyards

(a) Generally

(1) This section applies to any junkyard.

(2) A business where 3 or more junked items or used appliances are located temporarily or permanently requires a conditional use permit, except where located within an enclosed building or which is located in an M-2 (Heavy Manufacturing) district and which otherwise conforms to this section.

(3) Both new and legal non-conforming businesses shall comply with this section.

(b) Requirements.

(1) Junkyards shall be enclosed by an opaque fence or wall at least seven (7) feet tall, and constructed and maintained in conformance with the requirements of Section 24.3.5 (Fencing and Screening) in commercial and industrial districts and the following:

a. Where fences or walls abut residential property, no junk, salvage or used appliance shall be located less than 20 feet from the property line.

b. Fences or walls on property lines that front on arterial streets require a minimum of:

1. 20 feet setback from the property line; or

2. a distance from the property line at least equal to the average setback of the buildings on adjoining properties.

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c. All junkyards require security against unauthorized entry or trespass during non-business hours.

d. Junkyards located adjacent to or within 1000 feet of a State Primary Aid Highway shall provide a fence located at least 20 feet from the front, side, or rear property line of at least the height of accumulated junk, salvage or used appliances.

e. The storage or display of junk, salvage or used appliances outside the fenced area is prohibited.

(2) All used appliances, parts or other materials located in or on the premises of any junkyard shall be arranged to allow reasonable access to and inspection of the premises by authorized fire, health, police and building officials of the City of Laredo. Latches and/or doors shall be removed from all refrigerators and freezers located within the yard. Oil, gasoline, and other flammable liquids shall be drained from wrecked vehicles.

(c) **Nonconformity**. All junkyards that do not conform to this section after October 15, 1986 are deemed illegal uses, and are subject to enforcement under the provisions of this section.

24.6.13 Manufactured Homes and Manufactured Home Parks

(a) **Applicability**

(1) This section applies to any designated R-1-MH (Single-Family Manufactured Housing) district.

(2) Manufactured homes located on a lot of record that is owned by the owner of the manufactured home and maintained in one ownership, and which meets all applicable requirements are permitted where indicated in the Use Table (section 24.2.16).

(b) **Uses Permitted.** The R-1-MH district allows any use permitted in the R-S (Residential Suburban) district, in addition to manufactured homes and manufactured housing parks.

(c) **Lot Standards and Manufactured Home Placement**

(1) Only one manufactured home is permitted per manufactured home rental space in manufactured home parks.

(2) Manufactured homes shall comply with the Finished Floor Requirements of the Stormwater Management standards (section 24.4.5).

(3) All manufactured housing lots shall have a level and graded pad provided in conformance with standards promulgated by the Department of Housing and Urban Development.

(4) Anchors and tie-downs for manufactured homes shall conform to applicable building codes.

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(5) All manufactured homes shall be skirted in conformance with standards established by the Building Standards Board.

(6) The pulling hitch shall be removed from the manufactured home unless otherwise prohibited by law within 90 days of placement.

(d) Non-Residential Uses. Any non-residential use is subject to the same requirements as the R-S (Residential Surburban) district.

(e) Utilities. All public and private utilities shall be placed underground. Water and wastewater utilities shall be located within the street right-of-way. Private utilities which are not located in the street right-of-way shall be located in dedicated easements.

(f) Park and Open space dedication. See section 24.4.4 (Amenity Space Standards).

(g) Additions. Additions to manufactured homes are prohibited except for the following:

(1) Porches, carports, awnings, window shading, or housing unit shading that conforms to all building code and setback provisions.

(2) Additions to and expansion of the living quarters (including bedrooms, dining, living, and baths) if:

a. The addition conforms to all applicable building codes, and

b. The manufactured home is attached to the land by rendering it for tax purposes as real property, and[1]

c. The manufactured home and all additions conform to all setback provisions established in the applicable zoning district.

(h) Screening

(1) The perimeter of a manufactured home park shall be buffered from all R-S, R-1, R-1A and nonresidential subdivisions by an opaque fence or wall at least seven feet in height.

(2) The landscaping and tree preservation standards for new subdivisions (section 24.3.6(b) apply to a manufactured home park. The landscaping and tree preservation standards for existing subdivisions (section 24.3.6(c)) apply to the placement of a manufactured home on an existing lot.

(3) No fencing or permanent wall or structure may be located within the front yard setback.

(i) Existing Manufactured Home Communities. Any mobile home park, in existence on January l, 1984 may be subdivided into lots if it was designed and built in accordance with mobile home park regulations of the Land Development Ordinance in effect when the mobile home park was constructed subject to the following subdivision standards:
(As amended 8/21//84, Ordinance # 84-0-128)

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Table 6.12-1 Standards for Subdivision of Existing Manufactured Home Communities

Factor	Standard
Lot access (*all lots shall have access to a dedicated, public street right-of-way of the following width*)	30' (*min*)
Street paving (*minimum width*)	30 feet back-of-curb to back-of-curb
Street construction	City Standards, except the Street may be either roll over or high back curb and gutter
Sidewalks	4' wide Constructed to City standards along at least 1 side of street rights-of-way
Cul-de-sac radii	40' (*min*)
Lot size	4,000 sf (*min*)
Utility easement (*outside street*)	12' wide (*min*) for all utilities
Utility easement (*in street right-of-way*)	50' (*min*) right-of-way

a. Water, sewer, drainage, street lights, street name signs and all requirements of this Chapter apply except as stated in this section.

b. After any subdivision of a mobile home park, the applicant may rent the lots for up to 3 years.

24.6.14 Mini-Warehouses

Mini-warehouse facilities shall comply with the following design standards.

(a) The facility shall be located at least 350 feet from a Principal Arterial as identified in the Future Thoroughfare Plan.

(b) At least 5% of site shall be reserved for landscape purposes, in addition to the requirements of Section 24.3.6 (Landscaping & Tree Preservation).

(c) Mini-warehouses shall be enclosed by an opaque fence or wall at least seven (7) feet tall that complies with Section 24.3.5 (Fencing and Screening).

(d) Flammables, combustibles, corrosives, toxins, nuclear waste, hazardous waste water, or any material requiring placards for transport are not permitted. No permits for storage of any like materials issued by the Laredo Fire Department shall supersede this provision.

24.6.15 Nationalization of Vehicles

A nationalization of vehicles enterprise requires a site plan and shall comply with the following:

(a) A two (2) acre minimum lot size is required.

(b) The use shall not locate within 200 feet of:

(1) Any residential structure;

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(2) The boundary of any district zoned AG, R-S, R-1, R-1A, or R-1B.

(c) Two public restroom facilities per one acre of land are required on the premises. Restrooms must comply with public health and adopted building code standards established in the International Plumbing Code Table 403.1 "Minimum Required Plumbing Fixtures".

(d) Property lighting shall be screened to avoid adverse impact on adjacent residential neighborhoods.

(e) Trees and shrubs shall be planted along the perimeter of parking areas in accordance with the Section 24.3.6 (Landscaping & Tree Preservation).

(f) All parking lots shall be paved with asphalt or concrete materials.

(g) Dumpsters, trash bins, and locations for refuse collection shall be provided on site.

(h) A minimum seven foot opaque fence is required adjacent to residential uses.

24.6.16 Oil & Gas Production and Extraction

(a) Applicability

(1) This section applies only to aboveground activity related to oil and gas production and extraction.

(2) It is unlawful and a violation of this section for any person, acting either for themselves or as an agent, employee, independent contractor or servant of any other person, to explore for oil and gas, or to commence operations, or to operate or service any well, or to drill, or to re-enter any well including to workover, re-complete, plug back, deepen, or activate any well or to re-enter any well which has been plugged and abandoned, or to engage in related storage of oil, natural gas, and other hydrocarbons within the corporate limits of the city without complying with this section.

(3) The Planning Director may waive any standard set out in this section upon finding that it:

a. is not commercially reasonable, as defined by Texas Natural Resources Code § 81.0523, or

b. effectively prohibits an oil and gas operation conducted by a reasonably prudent operator, or

c. is preempted by state or federal law.

(4) By accepting any permit authorized and issued pursuant to this section, any operator or permittee expressly stipulates and agrees to be bound by and comply with this section and that by reference, the terms of this section are deemed incorporated in any permit issued pursuant to this section with the same force and effect as if this section was set forth verbatim in the permit.

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(b) **Description of Activities.** The owner or operator shall file a metes and bounds description of the drilling block situated within the outlines of drilling areas proposed or approved by the Railroad Commission of Texas (the "Railroad Commission"). The description shall be prepared by a licensed surveyor. When the drilling operations are approved by the Commission, it becomes the official legal description of the drilling block for all purposes in this section.

(c) **Generally**. The following standards apply to any activities subject to subsection (a):

(1) The hours of drilling operations, re-entry and well servicing are limited to daylight hours in developed areas, except in the case of an emergency.

(2) Use of all-electric drilling rigs and generators are required is any residential structure is less than 600 feet from the well.

(3) Lighting of drilling operations shall be screened to avoid adverse impact on adjacent residential neighborhoods.

(4) In lieu of a chain link fence, all wells and tanks located in a developed residential or commercial area shall be screened by a solid masonry wall around the well within 60 days of completion of drilling, redrilling, reworking, converting or activation. The wall shall be of solid neutral color, compatible with surrounding uses, and maintained in a neat orderly, secure condition. The wall shall be at least six feet in height and constructed in accordance with provisions of the city building code. The entry gates shall be of galvanized steel, and shall be kept locked.

(5) For wells visible from a public street in a developed residential or commercial area, the site shall be landscaped in accordance with Section 24.3.6 (Landscaping & Tree Preservation).

(6) Shrubs shall be spaced at intervals of at least three (3) feet along the perimeter of the solid masonry wall adjacent to the right of way, exclusive of driveway entrances, pedestrian walkways and cutback areas. The shrubs shall be maintained at a height of no more than 36 inches nor less than 18 inches. The plan shall be submitted and approved by the Planning Director, and shall be implemented with the installation of the masonry wall.

(d) **Public Nuisance Declared**. No person shall conduct any well operation in a manner that would create a noise, odor or vibration detrimental to the health, safety or welfare of the surrounding neighborhood or any considerable number of persons. That operation is hereby declared to constitute a public nuisance and subject to the provisions of Chapter 21, Article II, of the Code of Ordinances pertaining to "Nuisances."

(e) **Registration of Wells in Annexed Territory.**

(1) The owner or operator of every existing well within any territory annexed after the effective date of this section shall register the wells with the Planning Director within six months after the date of annexation. The following information shall be submitted to the Planning Director for purposes of registering an existing well:

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a. A sketch or map showing the location in relation to a permanent marker, such as in a street or road intersection, or with metes and bounds referenced to a filed plat to show the exact location of the surface installation at the site of the well including the drilling block number and its elevation.

b. A short description of the surface installations, including tanks, pumping equipment, compressors, LTX units, etc.

c. A specification of existence of any buildings, structures or public roads to the well within 600 feet of the location.

d. An affidavit shall be attached verifying the truth of the statements contained in the application as well as showing the name of the operator and the name and addresses of the owners of the working interest.

e. A copy of all Railroad Commission forms filed by the operator pertaining to the wells.

(2) If the owner or operator of an existing well does not file an application to operate the well and receive the Planning Director's approval within six (6) months, it shall incur a penalty of $50 per day until the application is filed.

(f) **Insurance**. All operators shall maintain or cause to be maintained comprehensive general liability insurance and insurance coverage on their employees, agents and contractors (or require that insurance to be maintained), in addition to required workmen's compensation insurance, in at least the following amounts:

(1) Bodily injury, per individual or per event: $1,000,000

(2) Property damage, per accident or accidents: $100,000

(3) Umbrella Insurance, each accident: $1,000,000

(4) Cost of Well Control: $5,000,000

(g) **Bonds**.

(1) *Generally.* Prior to the issuance of any permit, the applicant shall file a bond with the city secretary executed by the applicant as principal and by a good and sufficient corporate surety company. The bond shall provide that the principal will remedy any and all damages to the streets, curbs, gutters, water lines, fire hydrants and other public property, occasioned in any manner by the principal, his agents, employees, servants and contractors, and that applicant will reimburse the city for any expenditures made by the city. The bonds shall inure to the benefit city; shall be in a form acceptable to the city attorney; and shall be in the amount of one hundred thousand dollars ($100,000.00). The applicant is not required to post additional bond if it has in effect and on file with the city secretary an approved bond, filed in connection with some other application for the same applicant, in the amount of one hundred thousand dollars ($100,000.00) as required by this section. Each bond shall be for a term of ten(10) years and shall be kept in effect by renewal on or before any expiration date unless the applicant is sooner released. "Good and sufficient corporate surety company" means a surety company licensed to do business in the state and whose name

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appears on the current list of accepted surety on federal bonds published by the U. S. Treasury Department. Whenever a bond is mentioned in this section the bond, to be acceptable, must have a good and sufficient corporate surety company as surety.

(2) *Release of Bond*. The permittee may have the bond released by the Planning Director:

a. When the permittee ceases operations, completes plugging of all wells for which permits are in effect, removes all equipment and machinery, and files a written request for release of the bond with the Planning Director.; or

b. When the permittee assigns, transfers, or conveys its interest to another and the assignee, transferee, or recipient files a good and sufficient bond in accordance with the terms of this section.

(h) **Deed Restrictions**. This section does not authorize the drilling of any well where legally enforceable deed restrictions or covenants prohibit the drilling of the well.

(i) **Surface Rights**. This section or any permit issued under this section does not:

(1) Grant any right or license to the permittee to enter upon or use any land; or

(2) Limit or prevent the property owner from contracting for any payment of any kind for damages or for rights or privileges with respect to surface rights

(j) **Inspection Fee**. There is levied an annual per well inspection fee of $150 which is due and payable during the month of January of each calendar year. Failure to pay this fee is cause for revocation of any permit issued under this section . The Planning Director will prepare an annual well inspection report which is to be made available to the operators prior to January first of each year. If an intent to plug and abandon a well is filed with the Planning Director prior to January thirty-first, but which is not completed by January thirty-first, payment of the $150 fee for that well is excused if the well is finally plugged and abandoned in accordance with this section prior to March first of that same year. A new well on which drilling operations are in progress on the thirty-first day of January is exempt from the $150 fee for the remainder of that calendar year.

(k) **Compliance**. The operator is responsible for compliance with this section during all operations at the well. Any violation of any valid law or of any valid rule, regulation or requirement of any state or federal regulatory body having jurisdiction with reference to drilling, completing, equipping, operating, producing, maintaining, or abandoning oil or gas wells or related appurtenances, equipment or facilities, or with reference to firewall, fire protection, blow out protection or safety of persons or property is a violation of this section.

(l) **Well Head Setbacks**.

(1) No well shall be drilled or re-entered for deepening or conversion, the surface location of which is:

a. Within less than the height of the drilling rig plus 25 feet from any street, alley or utility easement, unless the operator obtains a variance to be approved by the Zoning Board of Adjustment.

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b. Within less than 400 feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the Zoning Board of Adjustment for which the operator provides notarized affidavits from all affected property owners within 400 feet of the proposed well stating consent to the proposed drilling or re-entry activity for deepening or conversion.

c. Within less than 400 feet from any exterior boundary line or 600 feet from any building or land used by any public or parochial school, college, university, or hospital, or which is occupied by a religious land use or a public building, unless the operator obtains a variance from Zoning Board of Adjustment for which the operator provides notarized affidavits from all affected property owners within 600 feet from the proposed well stating consent to the proposed drilling or re-entry activity for deepening or conversion.

d. Within less than 400 feet from the exterior boundary line of lands utilized for cemeteries or public parks, unless the operator obtains a variance from the Zoning Board of Adjustment.

(2) No well shall be re-entered for reworking which does not involve deepening or conversion or for plugging and abandonment, the surface location of which is within less than 200 feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the Zoning Board of Adjustment for which the operator provides notarized affidavits from all affected property owners within 200 feet of the proposed well stating consent to the proposed re-entry activity for reworking which does not involve deepening or conversion.

(m) Development Setbacks. Development setbacks shall be pursuant to the provisions in section 24.3.3 (Blocks, Lots and Yards).

(n) Operational Standards

(1) *Mud*. Drilling mud shall be environmentally safe water-based fluid. No excess mud shall be allowed to accumulate on the site, and residues shall be removed following the completion of drilling operations. All post-drilling shavings shall be hauled out upon completion.

(2) *Hydrogen Sulfide*. No well may be operated within the corporate limits where the hydrogen sulfide concentration exceeds the minimum standards authorized under Rule 36 of the Railroad Commission rules (16 Tex. Admin. Code § 3.36).

(3) *Transport Lines*. Markers shall be installed to identify the location of collection and transport lines to prevent accidental rupture.

(4) *Pits*. The use of earthen pits for reserve mud or waste material such as drilling mud, contaminated mud, drill stem test returns and the like are not permitted. However, earthen pits may be used to store fresh water and for drill cuttings only. A sump pit may be constructed and used to collect and temporarily hold runoffs from the rig. Upon completion of any well, any earthen pit and sump pits

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shall be emptied of contaminated materials, allowed to dry and filled with dirt and smooth leveled with the grade of the drilling block, and reseeded with native grass for erosion control.

(5) *Derricks and Rigs*. No operator shall use or operate any wooden derrick in connection with the drilling or reworking of any well, or permit any drilling rig or derrick to remain on the premises or drilling site longer than 60 days after completion or abandonment of any well. All engines shall be equipped with effective mufflers.

(6) *Blowout Preventer*. Two (2) dually controlled, hydraulically activated ram-type blowout preventers with a manually operated lock with working pressure rating equal to the maximum anticipated wellhead pressure, but at least equal to the minimum internal yield pressure rating of the casing to which it is connected, shall be used for all drilling or completion operations involving the use of drill pipe or tubing after the surface casing has been set. For wells drilled to depths below protection casing an annular (Hydril) type blowout preventer shall be used in addition to the two (2) dually controlled blowout preventers specified. The mechanical operation of the blowout preventers shall be checked at least every 24 hours, recorded in a signed and dated log, and pressure tested prior to installation on each casing string at least once a week after that time during the drilling and completing point. A choke manifold having the same working pressure rating as the preventers will be installed below the blowout preventer stack. In addition, the drilling rig, as part of its inventory, will have "inside blowout preventers" for each size and thread of tubing or drill pipe to be used in drilling the test well and any other type of safety equipment commonly used in the industry that may be requested by the Planning Director.

(7) *Surface Casing*. All operators commencing drilling operations on a new well shall set and cement a sufficient amount of surface casing to properly protect all fresh water sands in accordance with the requirements of the Texas Natural Resources Conservation Commission, the Texas Department of Health, and any other governmental agency having jurisdiction. The length of surface casing be at least fifteen hundredths (0.15) of the length of the next string of pipe proposed to be set. The surface casing shall be new or used casing, inspected and pressure tested to have a minimum internal yield value, as defined by the API formula, of at least the product of one (1.0) pound per square inch times the total depth of which the surface casing is set and shall be cemented by the pump and plug method. A volume of cement shall be used which, according to accepted engineering procedures, is calculated to fill the annular space between the surface casing and well bore to the surface of the ground, the cement will be circulated with the pump until the returns of cement are observed at the surface of the ground, and the cement shall be allowed to stand for a period sufficient to develop 1,000 PSI compressive strength before the plug is drilled. If cement does not circulate to the surface, a temperature survey shall be conducted to determine the depth reached by the cement. At that time any remedial

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procedures shall be followed as directed by the Planning Director. As to wells above 4,000 feet, the Planning Director may grant an exception to the surface casing requirements.

(8) *Production and Protection Casing*. The producing or protection strings shall meet API specifications. Cementing shall be by the pump and plug method, and a volume of cement which is according to accepted engineering calculations, sufficient to fill the annular space between the casing and the well bore to a point at least 1,000 feet above the shoe, or the highest producing zone, whichever is the shallower depth. Cement shall be allowed to stand for a period sufficient to develop 2,000 PSI compressive strength before drilling the plug.

(9) *Drill Stem Tests*. Open hole drill stem tests may be conducted only if the well effluent produced during the test is produced through an adequate oil and gas separator to storage vessels, the gas placed into a temporary line to flow into the air at a place approved by the Planning Director, and the effluent remaining in the drill pipe at the time the tool is closed is flushed to the surface by circulating drilling fluid down the annulus and up the drill pipe. The Planning Director shall shut down operations if, in the opinion of the Planning Director, gas is being flared by the operator which is excessive or dangerous.

(10) *Formation Pressures*. No well shall be completed or operated in a zone which is reasonably anticipated to produce shut in pressures in excess of the working pressure rating of the standard API wellhead equipment on the well.

(11) *Wellheads*. All wells shall be equipped with casingheads, tubing heads, and wellhead connections which conform to API standards. The casingheads used on those wells shall have working pressure ratings of at least the highest pressure encountered in the area. All Christmas trees to be used by the operator in the city limits shall be tested to the related pressure after they are installed, and a copy of the testing shall be furnished to the Planning Director. The Planning Director shall approve tubing heads and wellhead connections to be used on those wells, which shall have working pressure ratings in excess of the well's shut in surface pressure. All wells having a surface shut in pressure of 3,000 pounds per square inch or less shall be equipped with at least one master valve and one wing valve. All wells having surface shut in pressures in excess of 3,000 pounds per square inch shall be equipped with at least two (2) master valves and one wing valve, and no such well shall have threaded connections between the surface safety valve and the Christmas tree.

(12) *Multiple Completions*. Multiple completions may be permitted by the Planning Director when the casing, tubing and wellhead equipment is adequate, and the well is properly equipped with special packers for that purpose, together with all equipment customarily required for multiple completions. Except as provided in this section, multiple completion is not permitted.

(13) *Surface Safety Valves*. A high-low surface safety valve shall be installed on all wells with a surface shut in pressure in excess of 1,500 pounds per square inch.

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In addition, a cutoff safety valve will be installed downstream from the wellhead equipment, or as directed by the Planning Director.

(14) *Daily reports*. Daily drilling reports shall be furnished by the operator to the Planning Director. The Planning Director will make periodic inspections, of all wells in the process of being drilled or completed to ascertain that all provisions of this section are observed. Prior to the running of casing, cementing operations, installation of production equipment or perforation operations, the operator shall notify the Planning Director in sufficient time so that the Planning Director may be present.

(o) Final Report. Within thirty (30) days after completion of any well, the operator shall file in the office of the Planning Director a final report including the casing program actually utilized in the well, all cementing affidavits, all tests, a description of equipment and all necessary reports required by all governmental regulatory bodies or agencies having jurisdiction. In addition, the final reports shall specify any changes in well location, depth, and any other variation from the terms of the application. The final report shall specify the perforated interval and include information pertaining to other sands, if any. The Planning Director may request that the operator furnish copies of all logs run on the well. If the well is not a tile well, the operator shall furnish copies of the logs to the Planning Director. If the well is a lite well, the operator shall furnish them six (6) months after the completion of the well.

(p) Well Control

(1) In the event of the loss of control of any well, the operator shall immediately take all reasonable steps to regain control of the well, regardless of any other provisions of this section, and shall notify the Planning Director by telephone and in writing as soon as practicable after receipt of notice of the occurrence of the loss of well control endangering persons or property.

(2) If the Planning Director certifies in writing to the city secretary that in their opinion:

a. danger to persons or property exists because of the loss of well control, briefly describing the situation, and

b. the operator is not taking, or is unable to take reasonable, necessary steps to regain control of the well;

the operator shall employ any well control expert or experts or other contractors or suppliers of special services, necessary to regain control of the well.

(q) Relief Wells

(1) Drilling of a relief well may be commenced without first securing a permit if that action is deemed necessary in the good faith opinion of the operator. The operator shall make all reasonable efforts to notify the Planning Director by telephone as soon as feasible, but failure to make that notification is not a violation of this section. Within 24 hours thereafter, the operator drilling the relief well shall notify the Planning Director that those operations have

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commenced, stating fully the reasons therefore, and shall within five (5) days after commencement of operations apply to the Planning Director for a special permit to drill the well as a "relief well."

(2) No filing fee is required for a "relief well" permit, but the operator drilling the relief well shall furnish the Planning Director any information with respect to the relief well as requested from time to time by the Planning Director. No well drilled as a relief well under the provisions of this section shall be completed as a producing well unless a permit therefore is issued in the same manner as is required for drilling any other well. A "relief well" permit will be for six (6) months only, and any relief well not completed as a producing well shall be plugged and abandoned within six (6) months after commencement of drilling operations, unless the Planning Director grants an extension.

(r) **Pipelines**. Before any excavation or construction work is commenced on any pipeline to move oil, gas, water or other product to or from any well site, on, over, under, along or across any city street, sidewalk, alley or other city property, a franchise shall first be obtained from the city council. All pipelines shall be laid only in accordance with the provisions of that franchise, this code, the city charter and other ordinances of the city. Before a franchise is obtained from the city council, the parties requesting the franchise shall present information to the city pertaining to the safety equipment to be used in the pipeline, the type of pipe to be used, and how the same compares to state and federal regulations for similar type pipelines to be operated within a city. All permanent pipelines, shall meet A.SA 331.8 specification or better. Any operator constructing a pipeline shall furnish the Planning Director a centerline description plat showing the proposed and as-built location and size of such pipeline. No operator shall interfere with or damage any existing storm sewer, drainage facility, water line, sewer line or gas line, or facility of a public utility located on, under or across the course of any such pipeline. Temporary lines may be laid under revocable easements.

(s) **Storage facilities**. Steel storage tanks shall be used to store liquid hydrocarbons and shall be constructed, installed and maintained in a good and workmanlike manner. All steel tanks shall meet the minimum quality and design standards of API 12B standard bolted steel tanks or API 12D standard welded steel tanks including recommended pressure and vacuum relief valves. All steel tanks shall be equipped with a vent line and a flame arrester shall be installed at the point where gas is vented to the atmosphere from the vent line. Each tank or tank battery shall be surrounded by an earthen fire wall located at such a distance from the tanks and of sufficient height to hold and retain at least one and one-half (1 1/2) times the maximum capacity of the storage facilities. An operator may use, construct and operate steel conventional separators and such other appurtenances as are reasonably necessary for treating oil, condensate, or gas at each tank battery location. Those facilities shall be constructed and maintained to meet or exceed API standards. All pressure vessels shall be equipped with both a regulation pressure relief safety valve and a bursting head.

(t) **Fired Vessels**. No fired vessel or open flame shall be located nearer than 150 feet from any well or storage tank.

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(u) **Fences**. Within 60 days of completion of drilling, redrilling, reworking or converting, or activation of an idle well, drill sites are to be secured from unauthorized entry by appropriate means which may include gate guards or a cyclone fence of heavy gauge. The entry gates shall be of galvanized steel, and shall be kept locked. All wells and production facilities shall be adequately protected by a cyclone type fence of heavy gauge wire, at least seven (7) feet tall with an 18 inch or longer barbed wire apron around the top, with the fence and apron extended over entry gates. The entry gates shall be galvanized steel and cyclone-type mesh, and shall be kept locked to prevent unauthorized entry. Flashing red warning lights shall be installed as requested by the Planning Director on the tank battery sites. Safety precautions normally taken by reasonably prudent operators shall be observed. The final design of the fence around the wells and production facilities shall be approved by the Planning Director.

(v) **Pumping Unit Prime Movers**. Only electric prime movers are permitted for the purpose of pumping wells.

(w) **Vented Gas**. No operator shall allow gas to escape or be vented into the air except for bleed gas normally vented from standard gas flow controls and normal stock tank vapors. All gas burned shall be burned in a manner which does not create or constitute a fire hazard. The location of the torch, pipe or other burning device, and their construction, maintenance, and operation shall comply with any regulations issued by the city.

(x) **Salt Water and Waste Water Disposal**. All salt water produced from any oil or gas well shall be disposed of in accord with the requirements of the Texas Railroad Commission. No person shall permit any crude oil, gas or other flammable petroleum product to spill over, overflow, leak, drain out, escape or accumulate in any sewer or about the premises, or on any surface, or in any open surface ditch or any other exposed surface conduit, or handle any hydrocarbon in any manner or amount which creates a potential fire hazard, or permit any condition which may pollute any surface or subsurface water or damage any publicly owned land.

(y) **Production Equipment**. The operator shall maintain all production equipment in good condition.

(z) **Premises to be Kept Clean**. All surface areas utilized by an operator for production facilities shall be kept clear of dry grass, weeds and combustible trash or other rubbish or debris that would, if allowed to accumulate, result in a fire hazard. If the operator does not keep the premises clean, the Planning Director may have it contracted and the payment of that work performed shall constitute a valid lien against the property.

(aa) **Signs**. Printed signs with at least two (2) inch letters reading "DANGER, NO SMOKING OR OPEN FLAMES ALLOWED," or similar words, and in Spanish "PELIGRO, NO FUMAR, MATERIAL COMBUSTIBLE," or similar words, shall be posted in conspicuous places on each well, storage tank or battery of tanks. The signs shall include well name, drilling block number, R.R.C. identification number, twenty-four hour emergency telephone number, and notification telephone number of the Laredo Fire Department.

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Well and lease designations required by the Railroad Commission or any other governmental authority having jurisdiction shall also be displayed.

(bb) **Blocking of Streets and Alleys**. No street or alley shall be blocked or obstructed by any drilling or producing operations unless prior consent is obtained from the city, except in connection with emergency operations being conducted under or pursuant to sections 22-81 and 22-82.

(cc) **Plugging and Abandonment**.

(1) All wells within the city limits which are not producing oil or gas on a regular basis will, be plugged and abandoned, except as follows:

a. Wells in use as water supply wells in compliance with rules and regulations of the Texas Natural Resources Conservation Commission and the Texas Department of Health.

b. Wells in use as salt water or waste disposal wells operating under a valid permit

c. Wells used as injection or observation wells in secondary recovery, pressure maintenance or other improved recovery operations where the operations are conducted under a valid permit from the Railroad Commission.

d. Wells capable of producing oil or gas on a regular basis which are shut in.

e. Any well on which drilling, reworking, recompletion, or well servicing operations are in progress and continued with no cessation of more than 90 consecutive days.

(2) If a well is abandoned, the operator shall plug the well in accordance with the rules of the Railroad Commission and this section. The operator shall submit to the Planning Director's office 24 hours in advance of the plugging operation an application for a permit which shall include a notice of intent of plug and abandon a description of the abandonment program and the filing fee. If a drilling or reworking operation has just been completed on a well and the operator desires to plug and abandon the well, the 24 hour notice is reduced to at least a two (2) hour notice. The abandonment operations shall be conducted in a manner that prevents well fluids from reaching the surface or contaminating subsurface fresh water zones.

(3) Where enough of the producing or protective casing, has been removed from the well to expose the shoe of the surface casing, then a two hundred-foot cement plug shall be placed opposite the shoe of the surface casing to extend at least one hundred (100) feet downward and a similar 100 feet upwards from the shoe of the surface casing. Sufficient time shall be allowed for this cement to harden enough so that it will sustain the weight of drill pipe or tubing to this depth. The operator shall feel for the top of the plug to determine that the top is at least 100 feet above the shoe of the surface casing and is of sufficient hardness to hold the weight of the drill pipe or tubing to this depth. If a mechanical bridge plug or cement retainer is used in the middle of the cement plug, the operator is not

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required to feel for the top of the plug. If the top of the plug is not 100 feet upwards from the shoe, a second cement application is required and shall be tested as above. After the plug at the shoe is successfully completed, a minimum 50 foot cement plug shall be set at the surface, after which the casing shall be cut off at least five (5) feet below the surface of the ground and a one-half-inch steel plate welded over the top. The location shall then be backfilled and leveled.

(4) If the protective or producing string of casing to be left in the well extends upwards from the shoe of the surface casing so as to prevent the above described method of abandonment, then then following procedure applies. A packer or cast iron cement retainer shall be set in the surface casing 50 feet above the top of any other casing within the surface casing and sufficient cement shall then be squeezed below the packer or retainer to theoretically extend to 100 feet below the shoe of the surface casing and fill that portion up to the packer or retainer with the cement. The packer or retainer will be left in the well. If cement cannot be pumped into the annulus, the well shall be cemented in accordance with Railroad Commission rules.

(5) When casing is to be shot or cut off and pulled, a blowout preventer equipped to completely blank off the well bore and close off around the casing to be pulled shall be installed and tested prior to shooting or cutting off the casing.

(6) Prior to cutting any casing, the annulus between the casing to be recovered and the surface string of casing will be tested to determine whether this annulus is dead or pressured. If it is pressured then no casing will be recovered until this pressure is released to zero and the annulus filled with mud laden fluid of sufficient density to maintain zero surface pressure.

(7) The well shall have a safety valve installed on the top of the casing string before any casing is shot or cut off. This safety valve shall not be removed until the first joint of casing is pulled and shall then be kept immediately at hand so that it may be, if needed, reinstalled.

(8) The well shall be completely filled at all times with mud laden fluid of sufficient density to prevent the entrance of formation fluids which would jeopardize well control during all casing and tubing operations. Periodic checks will be made of the mud fluid during displacing operations.

(9) The operator shall have a responsible representative at the well during the setting and tagging of cement plugs and during the casing pulling operations, to insure that the procedures outlined in the "Notice of Intent to Plug and Abandon" filed with the Railroad Commission are complied with and to insure that other provisions of this article are complied with.

(10) The Planning Director shall inspect all abandoned and plugged wells for compliance with these requirements. No operator's bond shall be released unless the Planning Director has issued a certificate of inspection.

(dd) **Development Requirements Pertaining to Land Near Existing Oil and Gas Wells and Related Storage Facilities**. No structure, including any public or private parking areas,

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shall be located within 200 feet from the vicinity of any existing wellhead or related facility used for the storage of oil, natural gas, or hydrocarbons. For all transmission lines of four (4) inches and greater in diameter, a 50 feet no build zone is required and shall be based on a 25 feet center line from the outermost edge of the transmission lines.

24.6.17 Residential Building Types

(a) **Generally**. These standards apply to any single-family attached dwelling, duplex, townhouse, zero-lot line house, live/work dwelling, boarding/rooming house, or senior living facility. These regulations supersede the base district regulations to the extent of any inconsistency.

(b) **Townhouse**.

(1) No side yard is required.

(2) A rear setback is not required when the townhouse lot abuts an alley or driveway having a minimum right-of-way width of twenty-four (24) feet which is used to provide ingress and egress to the townhouse development.

(3) Minimum lot width is 24 feet.

(4) A minimum of one hundred (100) square feet of contiguous open area shall be provided on each individual lot. The open area may be located in front or to the rear of the townhouse. On corner lots or where side yards are present, the one hundred (100) square feet of contiguous area may include the side yard as long as it is not separated by a fence from the remaining portion of the one hundred (100) square feet of space. The "contiguous open area" may consist of lawns, landscaped areas and/or walkways, but shall not include parking or driveways.

(5) The lot depth shall accommodate all require site elements including utilities, landscaping, and parking.

(6) A townhouse shall have a maximum of three (3) floors in any zoning district.

(c) **Zero Lot Line**. The following requirements supersede any zoning district setbacks to the extent of any inconsistency:

(1) A zero lot line may only be located on an interior side property line.

(2) The zero lot line for each lot shall be denoted on the subdivision plat.

(3) For zero lot line subdivisions, a minimum five-foot wide maintenance easement shall be provided through deed restrictions on the lot adjacent to the zero lot line. This easement shall be kept free of permanent obstructions such as tool sheds or fences without a gate. When filing an application for a building permit for a zero lot line development, the subdivider shall provide the city with two (2) copies of deed restrictions establishing the maintenance easements. One (1) copy of these deed restrictions shall be recorded by the applicant prior to issuance of the building permit. Along with the required building permit filing fees, an additional fee shall be provided by the subdivider to cover the recording costs of these deed restrictions. The following notation shall appear on the plat:

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"Five-Foot wide maintenance easements are established within the lots adjacent to all nonattached zero lot lines. Such easements shall extend for the depth of the lot and are included in the deed restrictions for all affected properties."

(4) Dwelling units shall be constructed on the zero lot line on one (1) side of the lot and a side setback shall be provided on the other side of the said lot subject to the following conditions:

a. The minimum width of the side setback opposite the zero lot line shall be ten (10) feet.

b. A zero setback shall not be permitted when the zero lot line abuts a non-zero lot line development, in which case, a minimum side setback of five (5) feet shall be required.

c. There shall be no openings in any exterior wall located upon or oriented towards the zero side yard of the subject property. Exception: an alcove or atrium with doors or windows may be recessed into the dwelling structure if such recessed area is separated from the zero side yard by means of a solid wall not less than eight (8) feet in height. Said wall shall be constructed of the same material as exterior walls of the unit.

(5) The zero-lot line for an existing legally permitted zero-lot line residence may be maintained on any addition to the residence, so long as the maintenance easement requirement indicated above is maintained.

(d) Live/Work Dwellings

(1) *Applicability*

a. This subsection applies to any live/work dwelling.

b. A live/work dwelling may occupy a building originally designed for industrial or commercial occupancy.

(2) *Uses.* A live-work dwelling shall include 1 dwelling unit, and any of the following non-residential uses (asterisk [*] means limited to 1,500 sf, and all non-residential uses are limited to 1,500 sf if that use is included):

a. Manufacturing, Artisan;

b. Office;

c. General Personal Services*;

d. Maintenance and Repair Services*;

e. General Retail*;

f. Personal Instructional Services and Display;

g. Clinic (Dental or Medical); or

h. Studio

(3) *Dwelling Units*. The total number of dwelling units on the subject property shall not exceed the maximum number of dwelling units permitted by the zoning district.

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(4) *Applicability of Parking or Amenity Space Standards*. The conversion to a Live/Work Dwelling of a building or part of a building that was originally designed for non-residential occupancy is not subject to the requirements for off-street parking or the amenity space requirements for new residential dwelling units contained in the applicable zoning district or districts and in Article 3.

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24.6.18 Restaurants

This section applies to any restaurant serving alcohol in a R-O zoning district.

(a) Establishments serving alcohol shall not locate within three hundred (300) feet of any of the following (measurement is made from the front door of the establishment serving alcohol to the nearest and in a direct line across intersections wherever they occur and consistent with measurement methodology per Texas Alcoholic Beverage Commission adoption):

- **(1)** property line (by shortest route) to the front door of the church, public school, entrance to the public park, front door of the residential structure or zoning district boundary church,
- **(2)** public school,
- **(3)** public park,
- **(4)** residential structure, or
- **(5)** residential zoning district.

(b) Property lighting shall screen to avoid adverse impact on adjacent residential neighborhoods.

(c) An opaque fence or wall greater than seven (7) feet in height is required along any side or rear property lines which abut or adjoin property containing a residential structure or residential zoning district. Apartment complexes, residential condominiums or residential townhomes are similarly screened irrespective of their zoning district location.

(d) Establishments must make provisions to minimize litter, and to keep it from blowing onto adjacent streets and properties.

(e) Signs shall comply with the City's Sign Ordinance and TABC rule or regulation.

(f) There shall be no ground vibrations created or sustained on the site which are perceptible without instruments at any point on any property adjoining the subject property.

(g) At all times the restaurant is open to the public for business, it shall continually maintain and serve food from its full service menu.

(h) The restaurant shall not exceed the "Occupant Load" established in the Certificate of Occupancy.

(i) The restaurant shall, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges.

(j) The restaurant shall undergo an annual Fire Inspection.

(k) All permits, licenses, certifications, and inspections required by the codes and ordinances of the City of Laredo shall be kept up to date and current including but not limited to:

- **(1)** Food Manager License (annual)
- **(2)** Food Handler's Permit (annual)

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(3) Certificate of Occupancy with Occupant Load. Occupant Load being the approved capacity of a building or portion thereof.

24.6.19 Retail

(a) All retail businesses, service or processing shall be conducted wholly within a completely enclosed building in the B-1, B-3, AE or CBD district, except:

(1) the sale of automotive fuel, lubricants and fluids for gasoline or diesel fuel sales, and

(2) the sale of goods associated with a plant nursery, or

(3) sidewalk cafes (Section 24.6.20), or

(4) sidewalk displays (Section 24.6.21), or

(5) as approved pursuant to a conditional use permit.

(b) **Production for Retail on Premises Only**. In the CBD districts, all products produced on the premises shall be primarily sold at retail on the premises where produced, except for the work of skilled craftsmen or artisans.

24.6.20 Sexually Oriented Businesses

See Chapter 18A of the Laredo Code.

24.6.21 Sidewalk Cafes

(a) **Applicability.** This section applies to sidewalk cafes. A restaurant owner must obtain a "Sidewalk Café License" from the Building Services Department to serve food or beverages to their patrons within the sidewalk adjoining their restaurant. It is unlawful for any person to place any furniture (including tables, chairs or any obstruction) within the public right-of-way (including sidewalks).

(b) **Sidewalk**

(1) A Sidewalk Café is allowed on a sidewalk with a minimum width of eight (8) feet from the building façade to the back of curb.

(2) A clear pedestrian path of at least four (4) feet is required, along with a pedestrian path of at least three (3) feet around obstructions such as trees and parking meters.

(3) No portion of the sidewalk shall be elevated in the style of a deck.

(c) **Location**

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(1) The Sidewalk Café must be directly in front of a restaurant in which food, prepared and cooked in the restaurant, is offered for sale and for immediate consumption.

(2) The area designated for the Sidewalk Café shall not block the restaurant entrance or other entrances, exits, or driveways.

(3) The Sidewalk Café's boundaries shall not enclose parking meters, fire hydrants or any other items that must remain accessible to the public or to the City for municipal purposes or emergency services.

(4) No portion of the Sidewalk Café Area may expand to include sidewalks fronting neighboring businesses, residences, or empty lots.

(d) Operations and Site Features

(1) Preparation, cooking, storage, cooling, or refrigeration of food or food service equipment is not allowed in the sidewalk.

(2) All areas surrounding the Sidewalk Café shall be kept in a clean and orderly condition. The restaurant owner shall insure that all wrappings, litter, debris, and food are promptly removed from the area and discarded in appropriate containers. Daily sanitary cleaning of the Sidewalk Café is required, and the sidewalks shall be washed down on a daily basis.

(3) Sidewalk dining tables and chairs shall be placed along the building façade and never along the curbside of the sidewalk.

(4) The arrangement and number of tables and chairs within the Café Area of the Sidewalk Café shall reflect the approved Site Plan and shall not be substantially changed, altered, added to or reduced unless approved by the Building Official pursuant to a Sidewalk Café License Amendment.

(5) Tables and chairs shall be set up and maintained in a manner ready for access and use by patrons during hours of operation of the restaurant,.

(6) The capacity of the Sidewalk Café shall not exceed the approved seating capacity number on the Sidewalk Café License. At no time may the Sidewalk Café be used more than the approved seating capacity to allow for standing room patrons.

(7) No more than one (1) table and two (2) chairs are allowed per 15 (fifteen) square feet. If space allows, the number of chairs may increase to four (4) per freestanding table if the required four (4) foot clear pedestrian path is maintained for compliance with ADA requirements and any other codes and local ordinances. The capacity of the Sidewalk Café equals one person per approved chair.

(8) Permanent structures in Sidewalk Cafés are prohibited. No furniture, umbrellas, or other sidewalk elements shall be attached permanently to the sidewalk or to any tree, post, sign, or other public fixture.

(9) Umbrellas and any type of temporary overhead structure shall not interfere with street lights, traffic lights, signage, overhead utility lines, trees or other overhead

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structure. These structures shall be located at least seven (7) feet above the sidewalk.

(10) Furniture and other sidewalk elements for Sidewalk Cafés except for approved planters shall be removed from the sidewalk at the close of each business day.

(11) Lighting shall conform to the Historic Urban Design Guidelines. Flashing lights, animated lights, chase lights, strobe lights, high intensity lights or spotlights are not allowed.

(e) **Enclosures.** Any enclosure (such as a railing, perimeter fencing, ropes, chains or the like) of the Café Area from the remainder of the public way is subject to the following criteria:

(1) Enclosures shall comply with the Sidewalk Café's Site Plan.

(2) The Sidewalk Café entrance shall not have an Enclosure and that entrance shall remain unobstructed.

(3) The Enclosure shall be at least 24 inches and no more than 36 inches in height.

(4) The Enclosure shall not collapse or fall over due to wind or incidental contact with patrons or pedestrians.

(5) The Enclosure shall be maintained in place during operating hours. No Enclosure may be stabilized by bolting, nailing, gluing or other permanently attachment it to the sidewalk.

(6) The Enclosure design must leave at least four (4) feet of clear and unobstructed Sidewalk space to allow for pedestrian passage.

(f) **Landscaping**. To promote the City of Laredo's objective of developing an attractive streetscape, the following standards apply to Sidewalk Cafés within the AE and CBD District:

(1) *Location and Size*, The location and size of self-supporting or floor planter boxes are determined during the Sidewalk Café License approval process or through a Sidewalk Café License Amendment. Planter boxes shall not extend over the permitted seating area.

(2) *Self-Supporting or Floor Planter Boxes.* Self-supporting or floor planter boxes:

a. May be used as temporary landscape features, and

b. May include small trees and shrubs, and

c. May be used to distinguish the corners of the Sidewalk Café boundary or placed on the curbside area immediately adjacent to the Sidewalk Café area, and

d. shall not extend (including the the box or plant material) into the required four (4) foot clear pedestrian path.

(3) *Attached Planter Boxes*. Up to 50% of the top of any enclosure may be covered with planter boxes. Planter boxes must be securely fastened to the fence or railing. No planter box shall extend into the required four (4) foot clear pedestrian path.

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(4) *Large Planters*. If large planters are approved, an exception may be made to allow planters to remain in place per an approved Site Plan.

(5) *Maintenance*

a. All planters and plant material shall be maintained throughout the entire time the Sidewalk Café or planters are present on the public right-of-way.

b. Dead, dying, or unhealthy material in any planter box shall be replaced with healthy material.

(g) Sidewalk Café License

(1) Applicability. This section applies to any application for a Sidewalk Café License or Sidewalk Café License Amendment. Sidewalk Café Licenses are only issued to restaurant owners with a valid food products establishment license pursuant to Chapter 13 of the Laredo Code.

(2) Initiation.

a. Sidewalk Café applications are submitted to the Building Services Department for administrative review. The Sidewalk Café application form is provided by the Building Service Department and shall require:

1. Name of restaurant, physical address of restaurant, name of owner of restaurant (hereinafter also referred to as "applicant"), address of the applicant, phone number of the restaurant and the phone number of the applicant.

2. Property owner name, address, and phone number if different from applicant. If the property owner is not the applicant, the application must include an affidavit from the property owner authorizing the applicant or other representative of the property owner to act on the property owner's behalf.

3. Copies of all relevant state and local permits and licenses (including health department permits/licenses, sales tax certificate, fire permits, certificate of occupancy, TABC licenses (if applicable) and current tax certificate showing City taxes are paid and up to date.).

4. A copy of the restaurant owner's current insurance certificate (general liability) which covers the café area naming the City of Laredo as an additional insured.

5. A Site Plan drawn to scale (1/8"=1'-0"), preferably on 8 ½ x 11 inch paper; and that includes:

a. A north arrow;

b. Property line location;

c. The sidewalk layout and dimensions from street corner to street corner, the layout of the area to be used for the Sidewalk Café (sidewalk café area or café area) and

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adjacent private properties, to include the sidewalk width remaining for clear path of travel;

d. The size and dimensions of each item of furniture and planter boxes, the number of tables, chairs, umbrellas, trash receptacles, planter boxes and Enclosures or other items used to delineate the area used for the Sidewalk Café;

e. Location of doorways, fire hydrants, parking meters, bus shelters, sidewalk benches, trees, and any other fixture, structure, or obstruction existing within the area used for the Sidewalk Café.

6. Photographs attached to the site plan which:

a. Are clear and accurate representations of the site,

b. Depict the entrance to the restaurant.

c. Depict the proposed site location for the Sidewalk Café and the proposed Sidewalk Café's relationship to the surrounding public right-of-way, and

d. Depict each proposed furniture and outdoor items (planter boxes /trash receptacle /umbrellas, Enclosures, etc.).

b. *Fees.*

1. The fee for a Sidewalk Café License is $50 for the first year and $100 for each subsequent year.

2. A Sidewalk Café License may be transferred to a new owner of the restaurant for a $25 fee.

3. The fee for review and approval of a Sidewalk Café shall be prorated as of the date of issuance of the license (for example, the fee for a license issued on March 1 of any given year is calculated by dividing the license fee by 12 months multiplied by the number of months remaining until the date of expiration of the license (December 31)).

(3) *Completeness*. See Section 24.5.3(b). The Building Services Department will review the application for completeness in lieu of the Director.

(4) *Notice*. The applicant shall provide written notice to each property owner and tenant on each side of the restaurant and directly across the street from the restaurant of a Sidewalk Café License application. During the review process the applicant shall submit copies of the notice given to each abutting landowner and tenant of the restaurant owner's Sidewalk Café application.

(5) *Decision*. If all the criteria of this Section are met, the Building Office shall approve and issue a Sidewalk Café License.

(6) *Approval Criteria*. The application shall comply with all applicable requirements of this section.

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(7) *Appeals*

a. The authority to grant the use of the right-of-way in the AE and CBD Districts for a private purpose is a non-delegable function of the City Council and the limitations are established in this UDC. The City has a compelling state interest in the regulation of public rights-of-way and therefore, there shall be no waiver or variance to any of the provisions of this Section.

b. An Applicant whose Sidewalk Café License application has been denied may petition, in writing, the Building Official to reconsider the basis for their denial of a Sidewalk Café License within fifteen (15) calendar days of the Applicants notice of denial of a Sidewalk Café License.

c. Failure to submit a timely written petition for reconsideration shall be deemed to be a waiver of any further right to administrative reconsideration or review of the denial.

d. In its petition, the Applicant must indicate the provisions of the denial objected to, the reasons for the objection(s), any facts that are contested, the evidence that supports the Applicant's view of the facts, any alternative terms that the Applicant would accept.

e. Within thirty (30) calendar days a reconsideration petition submittal, the Building Official shall review the petition, and shall either:

1. grant the petition;

2. deny the petition; or

3. grant the petition in part and deny it in part.

f. Any Applicant whose reconsideration petition by the Building Official has not been granted in its entirety and who remains adversely affected by the Building Official's decision, may appeal the decision to the City Council by filing a written appeal with the City Manager, specifying the reasons, within fifteen (15) days of the time the decision is issued. City Council hears the matter within sixty (60) days.

(8) *Scope of Approval*

a. The Sidewalk Café Enclosure, furniture and planter boxes may be placed on the public right- of-way once the Sidewalk Café License is issued, and shall be removed on the expiration of the License. Any operating Sidewalk Café continuing to keep the Enclosure or furniture on the public way when it is closed for business or after its License has expired, are subject to citation and the Enclosure, furniture, planter boxes or other equipment may be removed by the City.

b. Each Sidewalk Café License issued shall contain:

1. the name of the holder of the license (restaurant owner),

2. the address of the restaurant engaged in the Sidewalk Café,

3. the telephone number of the restaurant,

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4. the number of tables and chairs allowed in the Café Area,

5. the capacity of the Café Area, whether the Café Area has an Enclosure and,

6. a copy of the approved Site Plan.

c. Every Sidewalk Café License expires one year after it is issued.

(9) *Record keeping*. The Sidewalk Café License shall be conspicuously displayed on the exterior wall or window of the main entrance of the Sidewalk Café during all hours of operation. The Café Area of the Sidewalk Café shall not be modified or altered unless approved by the Building Official by a Sidewalk Café License Amendment.

(h) Enforcement

(1) The Building Official shall suspend a Sidewalk Café License upon the issuance of any citation for the violation of any of the provisions of this Section until the violation is remedied or the Building Official or the Municipal Court makes a finding that there was no violation.

(2) The Building Official shall revoke the Sidewalk Café License upon a guilty finding or plea of guilty or no contest by the Municipal Court during any license year of three or more violations of any of the provisions of this Section.

(3) A Sidewalk Café License shall not be issued for the remainder of any license year nor the next license year to any restaurant owner who is found by the Municipal Court to have violated the provisions of this section more than six (6) times during a license year (habitual violator).

24.6.22 Sidewalk Displays

(a) Generally. Sidewalk displays within the AE and CBD Zoning Districts are defined as a use located on a public sidewalk, within a public right-of-way or easement that is associated with a retail use and consists of available displayed goods for public purchase. A business may display or sell its regularly stocked items directly in front of the business during any hours the business is open to the public without a license, as per City of Laredo Code of Ordinances, Chapter 28, Article V, Section 28-101(b.) . The minimum parking requirements (section 24.3.7) of this Chapter are waived if the conditions of this Section are met.

(b) Sidewalk Path. A clear path of at least 4 feet of sidewalk running parallel to and fronting the business shall remain free and clear of any obstructions to accommodate pedestrian traffic however, all American with Disabilities Act (ADA), Fire Code, and Health and Safety Code requirements shall remain in effect. If there is a conflict with any of the provisions of this Section the more restrictive provision applies.

(c) Placement of Goods. All goods for sale (merchandise) must be placed on display tables, racks, or alternative modes of display. Alternative modes of display are approved by the Building Official if the alternative display is sturdy and covered or skirted with cloth from the floor/ground to the display surface. Merchandise shall not be placed directly

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upon the ground. If located in an Historic District, all display tables, racks, and alternative modes of display must conform to the Historic Urban Design Guidelines.

(d) **Special events**. Special event sales are allowable by permit from the City and legally permitted in accordance with Chapter 28, Article V, Section 28-107)Vending Under Special Event Vendor's Permit) of the City of Laredo Code of Ordinances. The Historic Urban Design Guidelines regarding display of items for sale shall also apply.

24.6.23 Signs

Purpose. *This Section provides standards for all private signs. These standards are intended to be the minimum necessary and least burdensome to accomplish the purposes stated in this section. The general objectives of these standards are to promote health, safety, welfare, convenience, consistent enforcement, and enjoyment of the public, while ensuring equal treatment to:*

- ***Safety****. Promote the safety of persons and property by providing that signs not create a hazard due to collapse, fire collision, decay or abandonment, not obstruct firefighting or police surveillance, and not create traffic hazards; not confuse or distract motorists by impairing the driver's ability to read traffic signs, pedestrians, obstacles, or other vehicles.*
- ***Communications efficiency****. Promote the efficient transfer of information in sign messages, not arbitrarily denying the use of the sight lines from the public rights-of-way, and avoiding clutter so that persons exposed to signs are not overwhelmed by the number of messages presented, and are able to exercise freedom of choice to observe or ignore messages according to the observer's purpose.*
- ***Landscape quality and preservation****. Protect the public welfare and to enhance the appearance and economic value of the cityscape, by providing that signs not interfere with scenic views, not create a nuisance to persons using the public rights-of-way, not create a nuisance to adjacent and contiguous property, and not pose a detriment to land or property values.*

(a) **Applicability.**

(1) *Generally.* This Section applies to private signs in the City of Laredo. The requirements and regulations of this Section apply in the city and its ETJ. All signs must also conform to other requirements and regulations as mentioned in this Section, including compliance with square footage allotment in subsection (g) of this Section.

(2) *Signs Regulated***.** All new signs and sign structures, unless exempt, shall comply with this Section. However, all signs and sign structures existing prior to the adoption of this ordinance must comply with the following provisions of this Section.

a. Illegal signs (subsection (b)).

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b. Non-conforming signs (subsection (s)).

c. Encroachments within public right-of-way (subsection (m)(1)).

d. Existing sign encroachment (subsection (m)(2)).

e. Removal of encroachment constituting obstructions (subsection (m)(3)).

f. Unsafe signs declared nuisance; abatement (subsection (q)(3)).

(3) *Exemptions*. This Section does not regulate:

a. building design;

b. official traffic or government signs;

c. the copy or message of signs;

d. signs not intended to be viewed from a public right-of-away;

e. window displays;

f. flags;

g. gravestones;

h. plaques;

i. the display of street numbers; or

j. any display not defined as a sign.

(4) **Signs Permits.**

a. Subsection (g) indicates whether a sign requires a permit:

b. The following types of signs are exempt from permit requirements, but must comply with all regulations of this section:

1. Signs erected by a government agency in the public right-of-way or public property;

2. Signs or lettering on governmental buses and shelters, public/private school buses, taxis, or any vehicles operating during the normal course of business. This does not apply to portable or vehicle signs or other signs which are parked or located for the primary purpose of displaying the sign;

3. Plaques;

4. Attached signs less than three (3) square feet;

5. Incidental signs;

6. Temporary private signs;

7. Flags.

(5) First Amendment Rights.

a. This section shall not be interpreted, nor enforced, in any manner to violate First Amendment Rights.

b. Any sign allowed under this section may contain, in lieu of any other copy, any otherwise lawful message if that sign otherwise complies with all other provisions of this Section.

(b) **Illegal Signs.** The following signs are prohibited:

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(1) *Violations.* Signs that violate any provision of this section, unless a variance or waiver is lawfully granted or to the extent that the Planning Director determines that the applicable provision violates state or federal law.

(2) *Abandoned signs*.

(3) *Fence signs in or adjacent to and facing residential zoning districts*. Any sign painted on a fence, railing or wall which is not a structural part of the building on property located in or adjacent to, and facing a residential zoning district, whether or not on the property line.

(4) *Portable and vehicle signs*. No person shall display any sign attached to a vehicle, trailer, skid, or similar mobile structure, where the primary use of that structure is to provide a base or constitute the sign itself. No person shall park any vehicles with a vehicle sign in the same location or vicinity at frequent or extended periods of time, where the apparent intent as determined by the city is to use the vehicle and attached vehicle as signs. It is prima facie evidence that a vehicle is used as a sign if the vehicle is parked at the same location in an area visible to a public right-of-way for a continuous period exceeding seventy-two (72) hours.

(5) *Sidewalk*. Any sign, attached or painted on any sidewalk, curb, gutter or street.

(6) *Signs constituting a traffic hazard*. Any sign:

a. erected or maintained in any visibility triangle, or in such other location that obstructs free and clear vision of vehicular traffic of adjacent streets, roadways, sidewalks, other public rights-of-way, or any authorized traffic sign, signal or device, or

b. which, by reason of position, shape, color, degree, manner or intensity of illumination, interferes with vehicular or pedestrian traffic, or

c. which contains copy that would mislead or confuse traffic.

(7) *Signs in or over right-of-way*. Any sign located, in whole or in part, in or over any public right-of-way.

(8) *Sign on tree, pole, snipe signs etc*. Any sign attached to or painted upon any tree or public utility pole or structure other than the owner of the tree, utility pole or structure.

(9) *Signs omitted from section or lacking permit*. Any sign which is not expressly permitted by this Section or any sign which requires a permit for which no permit is obtained.

(c) Measurement of sign area and height.

(1) *All signs*. For signs in the shape of a square, rectangle, circle, or similar standard geometric shape, the area shall be calculated by using the standard mathematical formula (i.e., [square equals] height multiplied by width, [circle equals] 3.14 multiplied by radius squared, etc.), the dimensions of which shall be determined by enclosing the extreme outermost limits of the sign copy utilized. The square footage of a sign, made up of letters, words or symbols within a frame or on a banner shall be determined from the outside edge of the frame or banner itself.

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Double faced signs are calculated as the area of one side only. Three (3) dimensional or multifaceted signs are calculated as the maximum area visible from any single direction at any point in time.

(2) *Wall signs with multiple elements*

a. Regardless of the spacing between letters, letters forming a word or name are considered a single sign.

b. When two (2) or more separate items in a sign, such as a word or logo, are separated horizontally or vertically by less than the width or height of the largest item, the items are considered a single sign and the area is determined by measuring the area enclosing the sign elements with straight, intersecting lines.

c. When two (2) or more separate items in a sign, such as a word or logo, are separated horizontally or vertically by more than the width or height of the largest item, the items are considered a separate sign and the area of each item is determined individually.

(3) *Structural supports*. Structural supports bearing no sign copy are not included in sign area if they are not constructed in an irregular manner that draws attention to the sign copy. Structural supports are included in the measurement of the height of a sign.

(4) *Height*. The height of all signs is measured from the top edge of the sign and/or support structure to the average finished grade below the sign and/or support structure, unless otherwise noted in this Section. If a sign is located on a mount, berm, or other raised area for the sole purpose of increasing the height of the sign, the height of the mound, berm, or other raised area is included in the height of the sign where it exceeds three (3) feet. Sign height is measured from the curb grade at the property line. Any freestanding signs directly adjacent to an elevated section of a freeway, expressway, arterial, or collector and within 100 feet of the freeway, expressway, arterial or collector increases the maximum allowable vertical height by one (1) foot for each foot of roadway elevation.

(d) Sign Specifications, Design and Other Requirements. These requirements and standards apply to all signs located in the city of Laredo.

(1) *Compliance with other codes and ordinances*. If any portion of this Section is found to conflict with any other provision of any zoning, building, fire, safety or health ordinances adopted by the city, the provision which establishes the higher standard applies. All signs shall meet the standards of the adopted city building codes.

(2) *Visibility*. All signs shall observe all visibility requirements. Signs shall not be placed within visibility/site triangles, corner clips, easements as defined in the city's thoroughfare plan, engineering department standard design guide and the traffic department access management policy as they currently exists or as amended. Signs with flashing, intermittent or moving lights are prohibited within fifty (50) feet of an intersection.

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(3) *Identification marking required*. All signs that require the issuance of a permit after adoption of this Section shall have attached, written, or painted in a weatherproof manner and in a conspicuous place, the name and telephone number of the licensee who erected the sign.

(4) *Assumed wind load for design* Structural members in signs must withstand one hundred five (105) MPH, three (3) second wind gusts, or as found in the latest adopted International Building Code. All signs must be certified by a structural engineer, authorized and licensed to do business in the state of Texas.

(5) *Illumination*.[4]

a. Signs that are illuminated shall be designed so that any external illumination is shielded and no direct light is cast into residential areas or public streets.

b. External lighting devices are permitted if they do not extend more than eight (8) feet beyond the sign structure and are attached so that illumination is directed upon the face of the sign and does not reflect directly into adjoining property or public streets.

c. Signs shall not be illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance.

d. No signs shall blink, flash or include animation by lighting, in any fashion that would cause them to have the appearance of traffic safety signs and lights, or municipal vehicle warnings, from a distance.

e. No sign, other than a permitted animated sign or an electronic message display shall be illuminated, in whole or part, where the illumination is intermittent or varies in color or intensity from time to time.

f. Searchlights are prohibited.

g. Unless otherwise noted, all lighting of signs shall be indirect or internally illuminated lighting as defined herein, and all floodlights shall be shielded.

h. Artificial lighting of any type used to illuminate buildings, structures, outdoor sales areas or outdoor storage areas shall be shielded.

i. Glare producing surfaces on signs are not allowed.

j. Lights which are part of or illuminate a sign must be shielded, directed and positioned to prevent beams or rays of light from being directed at any portion of the travel ways of a city roadway or any adjacent residential use.

k. Lights may not be of such intensity or brilliance as to cause vision impairment of a driver of any motor vehicle on a city roadway or otherwise interfere with the driver's operation of a motor vehicle and

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may not obscure or interfere with the effectiveness of an official traffic sign device or signal.

l. Naturally energized or electronically energized (including flashing or illusionary movement) signs are prohibited.

(6) *Multiple signs on a property or building*. The permitting of a sign on a property or building does not preclude the permitting of other types of signs on a property or building, unless the signs are expressly prohibited, or additional signs will exceed allowable square footage per sign type. However, if a freestanding multi-tenant sign or attached multi-tenant sign is used, another freestanding sign is allowed only on another platted lot within the development. Only one (1) freestanding sign is allowed per property per street frontage.

[Note: For state standards, see V.T.C.A. Health and Safety Code, § 361.321-322 and the rural road sign control provisions of V.T.C.A. Transportation Code, § 394.002 et. seq.]

(7) *Obstruction to doors, windows or fire escapes*. Signs shall not prevent free ingress to or egress from any door, window fire escape or other area intended for human travel, or attach to a stand pipe or fire escape. No sign shall block, interfere, or otherwise hinder pedestrian or vehicular traffic on a public sidewalk, a public thoroughfare, a fire lane easement or a driveway required to access parking.

(8) *Odor, sound or visible matter emitting signs*. No sign shall emit sound, odor, or visible matter to cause a distraction to persons within a public right-of-way.

(e) Neglected and Abandoned Signs.

(1) *Neglected signs*. Pursuant to the Texas Health and Safety Code, Chapter 342, as amended, a sign that is dilapidate, deteriorated, unsafe, unsecured, and/or is a hazard to the health or safety of the public or is abandoned, is hereby declared a nuisance. The nuisance may be abated by repair rehabilitation, demolition, or removal in accordance with these procedures as provided by law.

(2) *Notification*

a. Upon written notification by the building official, the owner, agent or person having beneficial use of the land, building or structure upon which the sign is located shall remove any abandoned sign from the property and repair or remove an neglected signs. These actions shall be completed within ten (10) days after written notification is received. The notification shall further state that if the sign is not removed or repaired, a citation may be issued and the city may resort to any civil remedy available to remove or repair the sign-up to and including impoundment.

b. If any sign is determined to present an immediate danger to public health, safety or welfare, the city shall remove it immediately. Within ten (10) days of the removal of the sign, the building official shall notify the owner of the property on which the sign was located of the reasons for the removal of the sign.

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(3) *Compliance*. It is unlawful for any person, firm, entity or corporation receiving written notification to fail to comply with the direction of the notice. In the event of failure to comply with the notice provided under this Section, the building official may cause the removal and impoundment of the sign. Any associated expenses are the responsibility of the owner, agent, or person having beneficial use of the land, building, or structure upon which the sign was located.

(f) Special Event Signs

(1) *Applicability*. This subsection applies to special events. Special events are generally defined as a festivals, fairs, tournaments, or similar happenings.

(2) *Site Plan*. Banners, stake signs, inflatable device signs, or other apparatuses may not be erected at a special event until the building official approves a site plan. The site plan shall illustrate the location of banners, stake signs, inflatable device signs, or other apparatus used for a special event.

(3) *Timing*. Signs located at the site of a special event shall be erected no earlier than seven (7) days prior to the event and removed no later than twenty-four (24) hours after the conclusion of the event.

(4) *Certificate required*. A temporary sign certificate is required for a temporary special sign event. The certificate allows the holder to display temporary event signs on the lot where the event is to occur. The certificate is valid for up to 10 days. The certificate can be issued for up to four (4) times in one (1) calendar year.

(g) Permitted Sign Dimensions – Dimensional Tables. Sign dimensions are limited to the specifications set out below:

(1) *Permitted sign dimensions – Freestanding*

Table 6.22-1 Permitted Sign Dimensions – Freestanding Signs

Sign Type	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2
Area (*max-sf*)											
In general, unless noted below	Y	72	12	12	12	30	40	72	200	200	200
Changeable Copy	Y	15	6[n]	6[n]	6[n]	6	32	32	32	32	32
Incidental	N	4	4	4	4	4	8[b]	8[b]	8[b]	32[b]	32[b]
Electronic Message Display	Y	72	72[n]	72[n]	72[n]	72	40	100	150	150	150
CEVMS	Y	72	72[n]	72[n]	72[n]	72	40	CUP	200[a]	200[a]	200[a]
Multi-Tenant	Y	100	--	--	--	40	100	150	400	500	500
Height & Setback (*ft*)											
Height (*max*)		50	5	5	5	8	15	15	50	50	50
Setback (*min*)		10	5	5	5	5	5	2	10	10	10

Legend:

Y Permit required

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a 100 square feet for the first 50 feet of frontage plus one (1) foot per linear foot of lot frontage up to a maximum of 200 square feet.
b Per driveway curb cut.
(blank cell) not permitted in this zoning district.
n Permitted only for non-residential uses in the district.

(2) Permitted sign dimensions – Attached

Table 6.22-2 Permitted Sign Dimensions – Attached Signs

	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2	Time Limit (Days)
Area (*max-sf*)												
In general, unless noted below	Y	72	12[n]	12[n]	12[n]	40	60	100[a]	200[a]	350[a]	350[a]	none
Awning	Y	72				30	40	72	100	100	100	none
Canopy	Y	50	12[n]	12[n]	12[n]	30	40	72	100	100	100	none
Changeable Copy	Y	15	6[n]	6[n]		6	32	32	32	32	32	none
Incidental (cumulative area)	N	36	12	12	12	12	12	12	12	12	12	none
Electronic Message Display	Y		12[n]	12[n]	12[n]		60	150	200	200	200	none
CEVMS	Y		12[n]	12[n]	12[n]		60	60	150	200	200	none
Projecting	Y							80				none
Roof	Y							100				none
Multi-Tenant	Y	100				40	100	150	400	500	500	none
Beacon	Y	∞					∞	∞	∞	∞	∞	30/year
Banner	Y	72				40	50	100	200	300	300	none
Projections								3				
Height (*max-ft*)												
Pull down banner	Y						8		8	8	8	100 days / twice a year

Legend:

Y Permit required
a Maximum of 5% of the total wall area facing a public or private street—whichever is greater.
∞ No limit
(blank cell) not permitted in this zoning district.
n Permitted only for non-residential uses in the district.

(3) Permitted sign dimensions – Historic - Freestanding

Table 6.22-3 Permitted Sign Dimensions – Historic Freestanding Signs

Sign Type	Permit	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2
Area (*max-sf*)											
In general, unless noted below	Y	72	12	12	12	40	60	72[a]	200[a]	300	300

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Sign Type	Permit	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2
Changeable Copy	Y							32	32		
Incidental	N	12	12	12	12	12	12	12	12	12	12
Electronic Message Display											
CEVMS	Y	72	72[n]	72[n]	72[n]	72	40	CUP	200[a]	200[a]	200[a]
Monument	Y	60	12	12	12	12	50	60	90	90	90
Projecting	Y							30			
Multi-Tenant	Y	100	--	--	--	40	100	150	400	500	500
Height & Setback (*ft*)											
Height (*max*)		50	5	5	5	8	15	15	50	50	50
Setback (*min*)		10	5	5	5	5		2	10	10	10

Legend:

Y Permit required
a Maximum of 3% of the total wall area fronting a public or private street—whichever is greater.
b Per driveway curb cut.
(blank cell) not permitted in this zoning district.
n Permitted only for non-residential uses in the district.

(4) Permitted sign dimensions – Historic – Attached.

Table 6.22-4 Permitted Sign Dimensions – Historic Attached Signs

Sign Type	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1,B-3	CBD	B-4	M-1	M-2	Time Limit (Days)
Area (*max-sf*)												
In general, unless noted below	Y	72	12[n]	12[n]	12[n]	40	60	72[a]	200[a]	300	300	none
Awning	Y	72				30	40	50	100	100	100	none
Canopy	Y	50	12[n]	12[n]	12[n]	30	40	50	100	100	100	none
Changeable Copy	Y							32	32			none
Incidental (cumulative area)	N	36	12	12	12	12	12	12	12	12	12	none
Electronic Message Display												
CEVMS												
Projecting	Y							30				none
Roof												
Multi-Tenant	Y	90					90	140	300	300	300	none
Beacon												
Banner	Y	72					50	100	200	300	300	100 days twice a year
Projections	Y							3				none
Window	Y	b					b	b	b	b	b	none
Setback (*min-ft*)												

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Sign Type	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1,B-3	CBD	B-4	M-1	M-2	Time Limit (Days)
Any sign (*min-ft*)		10	5	5	5	5	5	0	10	10	10	100 days / twice a year

Legend:

Y	Permit required
a	Maximum or not more than three (3) percent of the total wall area fronting a public or private street—whichever is greater.
b	8 sf or 20% of the window on which the sign is to be placed, whichever is less.
	(blank cell) not permitted in this zoning district.
n	Permitted only for non-residential uses in the district.
Note	Signs projecting over the sidewalk within CBD shall have a minimum clearance of 8 ft.

(5) Miscellaneous Signs

Table 6.22-5 Permitted Sign Dimensions – Miscellaneous Signs

Permit Required	Sign Type	Area (max-sf) AG, R-S, R-1, R-1A Districts	Area (max-sf) Non-Residential Uses in AG,R-S, R-1, R-1A	Area (max-sf) All Other Districts	Height (ft)
Y	Incidental Signs (including feather banners) (cumulative area for all signs)	65	300	300	15
Y	Monument Sign (Individual)		130	130	16
Y	Subdivision Entrance Sign	64	64	64	n/a
Y	Under Awning Sign	4	4	4	n/a

Legend:

n/a	not applicable
	(blank cell) not permitted in this zoning district.

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(h) Billboards

(1) *Permitted Dimensions.* Billboard dimensions shall comply with Table 6.22-6, below.

(2) *Certificate of nonconformance*. The company displaying the billboard shall apply for a certificate of nonconformance providing ownership, size, height, year built, emergency contact, within 18 months of adoption of this Section.

(3) *Relocation*. If a billboard is condemned by eminent domain authority of the City of Laredo or State of Texas within the city limits, the billboard owner may apply for a sign permit to relocate the billboard to the remaining tract or an adjacent tract if the new location meets the following conditions:

a. A new sign permit application is approved and the proposed sign structure meets the current requirements of this section;

b. The proposed location meets the current zoning, height and setback requirements for billboards;

c. The proposed location is at least 500 feet from another billboard as measured along the corridor;

d. If the sign was a legal non-conforming sign, the degree of non-conformity is not increased.

(4) *Additional Height for Visibility.* A billboard that is obstructed due to roadway construction (including overpasses, noise barrier walls, or grade changes of roadways) may be reconstructed to a height clearly visible from the roadway grade consistent with the then-current clearance restrictions.

(5) *Abandonment*. The nonconforming billboard is considered abandoned if the sign does not display a message for 120 consecutive days.

(6) *Permits on state regulated highways*. If an application for billboard is submitted on property abutting a state regulated highway as defined by the Highway Beautification Program or Rural Roads Act, a sign permit is required to apply for a permit with the State of Texas. The Planning Director will not issue a sign permit for a billboard until the license is validly issued by the State of Texas. If the property is not platted in conformance with this Chapter, an approved application will serve as authorization for a specified location. However, the platting process must be initiated for the specific location and must be completed prior to the issuance of a sign permit. If the work authorized by a sign permit issued under this section does not commence within 365 days after the date of issuance, the permit becomes null and void.

(7) *Relocation Permit Issued by State of Texas*. If a property owner secures a relocation permit from the Texas Department of Transportation to relocate a billboard, the applicant may approve for a sign permit for the proposed location.

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Table 6.22-6 Permitted Sign Dimensions – Billboards

Roadway Classification	**Districts**				
Sign Area (*max-sf*)	**B-1, B-3**	**CBD, AE**	**B-4**	**M-1**	**M-2**
Freeway (1, 4, 6)		672	672	672	672
Expressway (2, 4, 6)		672	672	672	672
Industrial Collector (3, 5, 6)	72•		242	382	382
Major Arterial (3, 5, 6)	72•		242	382	382
Modified Major Arterial (3, 5, 6)	72•		242	382	382
Setback From Property Line (*min-ft*)		10	10	10	10
Illumination Allowed		Y	Y	Y	Y
Spacing for Digital Signs (*min-ft*) (6)	1,500	1,500	1,500	1,500	1,500
Allowance For Cut-Outs (*max-as percentage of sign face*)		20	20	20	20
Distance from Sign Face for Projecting Signs (*max-inches*)		42	42	42	42

Legend:

1. Minimum spacing between billboards: 1,500 feet as measured *along* corridor.
2. Minimum spacing between billboards:
   A. 1,000 feet measured along the corridor
   B. 250 radial feet measured from sign pole to sign pole (intersecting roadway)
3. Minimum spacing between billboards:
   A. 1,000 feet measured along *and across* the corridor
   B. 250 radial feet measured from sign pole to sign pole (intersecting roadway)
4. Maximum clearance. 35 feet from highway grade; 50 feet at overpass.
5. Maximum clearance 35 feet from street grade, 72 square foot signs on major arterials: 12 feet at overpasses.
6. Spacing is measured along and/or across (radial) from another digital sign *facing the same direction* .

- Dimensions applicable to replacement and relocated signs only. No additional signs are authorized in B-1 or B-3.

(i) Construction and Maintenance

(1) All signs shall be constructed and maintained in accordance with the requirements of International Building Code, and the National Electric Code as adopted by the city of Laredo.

(2) Except for temporary signs and sidewalk signs conforming in all respects with the requirements of this Section, all signs shall be constructed of permanent materials and shall be attached to the ground, a building, or another structure by direct attachment to a wall, frame or structure.

(3) All pole signs (i.e., freestanding signs) shall be enclosed by material designed to prevent rust. Sign should appear as a solid mass or base, such as a cylinder, block, rectangle or square. Poles shall be covered from undisturbed natural ground level to the highest portion of the sign.

(4) All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Planning Director may order the repair or removal of any sign which is defective, damaged, or substantially deteriorated as defined in the building code. A permit is not required for routine maintenance.

(j) Overlay Districts

(1) *Generally***.** Architectural, historic, or scenic areas as defined by this Chapter may include requirements for signs subject to the provisions included in this Section. The overlay districts may include more or less restrictive standards for billboards. In the event of a conflict between a specific overlay district requirement and other provisions of this Section, the most restrictive applies.

(2) *Historic Districts.* For the purpose of establishing, enhancing, preserving and developing the historical character and quality of the historic districts, no sign shall be erected, altered, restored, or moved within that district until an application is submitted to and approved by the historic district/landmark board.

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No sign shall obstruct any architectural feature which is of importance to the property's historical quality or character as determined by the historic district/landmark board.

(k) Signs Permitted in residential zoning districts. Signs are allowed as follows in residential zoning districts. [5]

(1) Up to two (2) subdivision entrance signs or per entrance to an apartment or condominium complex. The total surface area of the two (2) signs shall not exceed 64 square feet.

(2) Signs located on kiosks shall not exceed thirty-two (32) square feet around the perimeter of kiosk and must comply with the sign restrictions on intersections.

(3) Temporary signs, including banners, shall not exceed 12 square feet and may be used for up to 120 cumulative days in a calendar year. Those signs require permits and must be installed in accordance with building and electrical codes.

(l) Signs Permitted in All Other Zones.

(1) Where a premise is on a corner, or has more than one (1) street frontage, one additional freestanding sign or an electronic/color video display is allowed on each additional frontage. These signs shall not exceed the allowed square footage on the primary street frontage.

(2) Projecting signs:

a. Are permitted on any wall;

b. Shall not exceed the square footage allowed for the wall area;

c. shall not project beyond the property line; and

d. shall maintain a clearance of 8 feet over pedestrian areas and 14 feet over vehicular ways.

(3) Roof signs shall be constructed to conceal all structure and fastenings. Application must include load calculations for roof support from a state of Texas licensed engineer. The height of the roof sign shall not exceed 20% of the total height of the building of which it is attached.

(4) One (1) under canopy sign for each separate occupancy, or separate entrance, shall not exceed 8 square feet in sign area. Under canopy signs must have a minimum clearance of 8 feet.

(5) Signs attached to kiosks shall not exceed 500 square feet around the kiosk, and must comply with the sign restrictions in intersections.

(6) One monument sign per street egress and ingress shall not exceed 50 square feet or 10 feet tall, and must comply with the sign restrictions on intersections.

(7) Bench signs shall not exceed 6 square feet.

(m) Encroachment

(1) *Public Right-of-Way or Easements*

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a. No person or legal entity shall display a sign upon any public property, or within the right-of-way of a public use easement except signs installed by an authorized government agency, or as provided for in this Section.

b. No sign with a clearance of less than 16 feet shall project into a public right-of-way.

c. The Building Official may authorize, under specific guidelines published by the Building Division, temporary signs which encroach into the public right-of-way. Temporary cloth signs which extend over a public street shall have a clearance of 16 feet.

(2) *Existing Sign Encroachments*

a. *Requirements*. The owner of any existing sign which encroaches into the public right-of-way shall apply for and execute an encroachment agreement with the city and furnish public liability insurance coverage with a minimum of one million dollars ($1,000,000.00) within three (3) months from the effective date of this Section. Any encroaching sign that is not subject to a valid encroachment agreement within the time stated above is an illegal sign and subject to removal at any time.

b. *Inspection*. Encroaching signs are subject to an annual inspection by a Texas licensed electrical sign company who shall inspect the sign, certify compliance with this section, and apply for an annual renewal license.

(3) *Signs in any Easement*.

a. No part of a sign shall encroach into any easement (utility, drainage, etc.), unless the property owner demonstrates to the city engineer and/or franchise utility company that there is no other viable location for a sign other than a utility easement.

b. An encroachment requires written approval from the city engineer and franchise utility company, and the property owner shall provide a letter to the city releasing the city of any liability for repair or replacement of a sign damaged by work occurring within the utility easement.

(4) *Removal of Encroachment Constituting Obstruction*. Any sign encroachment that does not meet the requirements of this code or the building code is an obstruction into that right-of-way. The building official shall notify in writing the record owner of that sign, or record owner of that property, upon which that sign is located to correct the violation or to remove the obstruction within 30 days. If that time period expires and the violation is not corrected, the city may abate the obstruction and affix a lien against the property for the cost involved.

(n) Sign Permits

(1) *Applicability*

a. *Sign permit or authorization required*. No sign, other than those signs allowed without a permit by this Section, shall be erected, placed,

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attached, secured, altered or displayed to/on the ground of any building or any structure until the building official issues a sign permit. An application for a sign permit or authorization may be obtained from the city's building development services department.

b. *Permits Required for Alteration*. Except as provided, no person or business firm, acting either as principal or agent, shall alter, change the face, lettering, or by any other means, re-face any sign (except for signs with temporary messages made from interchangeable characters attached to tracks or grooves on the sign board, electronic message display or changeable electronic variable message sign), either by changing the message or by renovating an existing message, or shall erect any sign or sign structure until a sign permit for that work is issued.

c. *To Whom Issued*. No sign permit for the installation or erection of any sign shall be issued to any person other than those licensed and insured in the city, unless otherwise specified, in accordance with this Section. Signs that require authorization in this Section are not required to be installed or erected by a licensed or insured person.

d. *Not to Issue for Prohibited Locations*. No sign permit shall be issued for any sign that is prohibited in the applicable zoning district or that is not platted in conformance with the City's subdivision regulations.

e. *Fees*. The sign permit fee shall be applied towards each sign that requires authorization. The sign permit fee is prescribed in Article 12 of this Chapter. The sign permit fee for a sign erected without issuance of a sign permit prior to installation is twice the cost of the standard fee for that type of sign. If this Section requires engineering, no sign permit shall be issued unless the sign structure is certified by a Texas Licensed Engineer.

f. *Interpretation and Administration*. The building official shall interpret and administer this Section. The building official may revoke any permit for a sign issued in error. See section 24.5.37 for appeals from orders, decisions, or determinations of the building official in the administration of this Section.

(2) *Initiation***.** An applicant for a sign permit shall file a written application with the building official. The application shall be made on forms prescribed by the building development services director. A separate application is required for each sign.

(3) *Scope*

a. Sign permit(s) will only be issued to licensed registered sign operators.

b. All electrical, animated, illuminated, or other electrical signs permits shall be issued only to registered electrical contractors or electrical sign contractors certified through the State of Texas department of licensing and regulations.

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c. Signs that fail to comply with all applicable requirements of this section and Article 12 are subject to denial or subsequent cancellation of the sign permit.

d. All signs taller than 25 feet or with an area greater than 310 square feet must have a State of Texas professional engineer seal certifying a design based on ultimate design wind speeds noted in most the recent adopted International Building Code.

(4) *Decision*.

a. The building official shall approve, deny or refer the application back to the applicant in any instance where insufficient information has been furnished within 15 working days of the date of the application,. The permit must be displayed on site during construction. In all applications where a matter of interpretation arises, the more specific definition or higher standard prevails. The failure of the building official to act within that time period is not construed as approval of the application, but will entitle the applicant to pursue a writ of mandamus in a court of competent jurisdiction.

b. The administrator may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application. The administrator may cancel a sign permit for any suspected violation of this code, the conditions of the permit, and/or other applicable law.

(5) *Criteria for Approval*

a. A sign permit will be issued if a proposed sign conforms to all city ordinances. Incorrect information on an application is grounds for denial or revocation of a sign permit.

b. The building official shall deny an application if it does not comply with the requirements of this section. A denial and the reasons for the denial shall be noted on the application (i.e., citing code sections and interpretation of possible nonconformity). The applicant shall be notified of the denial in person, or by notice mailed to the applicant at the address shown on the application or the last known address.

(6) *Permit Duration*. If the work authorized by a permit issued under this section does not commence within 180 days after the date of issuance, the permit becomes null and void unless otherwise noted in this Section. If the work authorized by a permit issued under this ordinance commences but is not completed within 30 days after the date of commencement, the permit becomes null and void and any portion of the sign erected must be removed and the site restored to the condition existing prior to the commencement of the work. The building official shall grant an extension of the permit period if the applicant shows good cause outside of the applicant's reasonable control for the delay in completion of the work, and the applicant pays a new permit fee.

(o) Unified Development Sign Plan

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(1) *Applicability.* A unified development sign plan is required for:

a. Developments of over one (1) acre, and

b. Prior to the issuance of a sign permit, or as otherwise required in this Section, to determine overall sign locations on a property, the relationship of the signs to surrounding existing, proposed, and future improvements, and to determine consistency and uniformity among buildings and signs.

(2) *Submittal*

a. For nonresidential and multifamily developments, the unified development sign plan shall be submitted to the city for review with a concept plan, preliminary site plan, or site plan of the property. For single-family and two-family developments, the sign coordination plan shall be submitted to the city for review with a concept plan, preliminary plat, or final plat of the property.

b. Unified development sign plans shall be submitted to the building development services department in digital format (i.e., pdf, shapefile, or CAD file for review with the application for a building permit for the initial development of property or properties to be affected.

(3) *Approval*. The building official shall approve, approve with conditions, or deny a unified development sign plan using the same procedures as those that apply to a sign permit.

(p) **Inspection.** The building official may inspect all signs prior to and upon completion of the sign installation. The purpose of the inspection is to ensure that the sign is constructed in accordance with this Section, other applicable ordinances, and the applicable permits. Any person installing, structurally altering, or relocating a sign for which a permit is issued shall notify the building official upon completion of the work. The contractor shall contact the building official, or the building development services department, for a required inspection at least 24 hours prior to the required inspection.

(q) **Enforcement.** This section is enforced as provided in Article 8, except as provided below:

(1) *Removal and Impoundment of Prohibited Signs*

a. The city council hereby declares that any sign which is unlawfully placed or existing in the right-of-way, a city park or city property, in violation of setback requirements, or in violation of any other provision of this Section and/or any other ordinance constitutes a public nuisance.

b. The following signs are subject to removal by the city under this section: bench signs and portable signs, unlawfully placed signs or signs existing in the public rights-of-way, signs in violation of the setback requirements, and/or signs in violation of any other provision of this chapter or any other ordinance. Upon discovery and inspection of any unlawful sign by the city, the sign shall be tagged for immediate removal. Notice shall be given to the occupant of the property by posting such notice on the front entryway of the building if such building exists where the sign is located

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and on the sign. The notice shall advise of the opportunity to contest the unlawful nature of the sign by contacting a designated city official. If the sign continues to be unlawfully in place after 72 hours, the city may remove the sign. The sign will be placed at a city sponsored storage facility.

c. Any sign that is removed as a violation of this code is stored until claimed by the rightful owner or person who has the immediate right to possession of that sign, or until disposed of as provided below. A fee of $3.00 per day is charged for that storage. The city shall have a lien against those signs until all charges for removal, impoundment, and storage are paid. All signs stored by the city that remain unclaimed for 30 days by the owner or person with immediate right to possession is subject to disposal.

(2) *Removal of Signs by the Building Official*

a. If upon inspection an building official finds that a sign is abandoned or structurally, materially, or electrically defective, or in any way endangers the public, the building official shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within 30 days of the date of the order.

b. The building official may cause the removal of an illegal sign in case of emergency, as well as signs placed on city owned property, or rights-of-way without notice. Signs removed in this manner must present a hazard to the public safety as defined in the local building or traffic codes. The building official may also cause the removal of signs for failure to comply with the written orders or removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work, the date in which it was performed, and a demand of payment towards the costs as certified by the administrator. The building official may impound the sign as provided in subsection (1) above.

c. The owner of the property upon which the sign is located is presumed to be the owner of all signs on the property unless facts to the contrary are brought to the attention of the building official (e.g., in the case of a leased sign). For purposes of removal, the definition of "sign" includes all sign embellishments and structures designed specifically to support the sign.

(3) *Unsafe Signs Declared Nuisances, Abatement*

a. *Applicability.* Any sign or sign structure that is structurally unsafe and any electrical system or equipment regulated by this Section that is unsafe or that constitutes a fire or health hazard, unsanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Any use of a sign or sign structure, an electrical system, or equipment regulated by this chapter constituting a hazard to safety, health or public welfare by

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reason of improper installation, inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, and/or abandonment is hereby declared an unsafe use. Any unsafe sign, sign structure, or equipment is declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal (i.e., when permitted by this and other city codes).

b. *Exception*. When done in compliance with this Section and other applicable laws, ordinances, and regulations the nuisance may be abated by repair, rehabilitation, or removal and replacement.

c. *Notice of Violation.* If the building official determines that any sign is not properly maintained, is unsafe or insecure, or has otherwise been constructed, erected, and/or maintained in violation of the provisions of this Section, the official shall give written notice to the sign's permittee or owner stating:

1. The registration number (if available), location, business name of the sign, and sufficient identification of such sign;

2. A statement that the building official has found the sign in violation of this Section or other laws, together with a general description of the violation;

3. The amount of time required to bring the sign into accordance with this Section or any other law, not to exceed 10 days.

d. *Remedies Cumulative.* In addition to the above, the building official may issue citations or pursue any other administrative or legal remedy to abate any sign which is in violation of this code or any other law.

e. *Dangerous Signs.* In lieu of any provision of this subsection, the building official may cause any sign which is dangerous to persons or property to be removed summarily and without notice.

f. *Damaged Signs.* The owner of all buildings or structures damaged by deterioration or by fire shall notify the building official and the building development services director in writing at the earliest possible opportunity, but no later than 10 business days after the date of the damage. The building official shall, at the earliest possible opportunity but no later than 10 business days, inspect the buildings or structures and all unsafe signs, sign structures, and/or wiring or electrical equipment that shall be repaired or replaced. If the building official learns of the damage, the building official shall conduct an inspection at the earliest possible opportunity but no later than 10 business days.

g. *Covered or Concealed Work.* Any work covered or concealed without inspection is considered evidence of an unsafe sign or sign structure. Unsafe structures remain in compliance with this Section every day until the work is inspected and approved. Inspections are not permitted until a valid active permit is obtained in accordance with this Section.

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(4) *Penalties.* See section 24.8.7 (Penalties). The Building Official may cancel the registration of any sign contractor who repeatedly violates this Section. Conviction in court, whether appealed or not, on two (2) violations over twelve (12) consecutive months constitutes evidence of repeated violation. Any repeated violation cancels the license or registration, any renewal of the sign contractor's license or registration. This cancellation applies tor anyone operating in concert with the sign contractor. The cancellation applies to the remainder of the annual registration or until all violations are corrected. Upon correction of violations, the sign contractor may renew the license or registration upon furnishing the required bond.

(r) License requirements

(1) *Applicability*

a. All sign operators shall obtain a license from the City of Laredo. The license may apply to either one (1) individual, or one (1) company. A license holder supplying a license for a sole proprietorship, joint venture, limited liability corporation, or other legal entity shall not supply that license to any other person, sole proprietorship, joint venture, limited liability corporation, or other legal entity.

b. Except signs which require authorization in this Section and all signs for which a permit is not required, no person shall install, erect, or maintain any sign, or contract for that service, until that person has applied to the building official for a contractor registration to install, erect and/or maintain signs and until the license or registration is approved and issued. The building official shall approve or deny an application for a license and registration within 30 days of the city's receipt of the application.

c. All electrical sign work must be performed by an electrical contractor or electrical sign contractor as licensed and registered with the Texas Department of Licensing and Regulation. All electrical contractors and electrical sign contractors must comply with all regulations of the Texas Department of Licensing and Regulation.

d. All persons engaged in the business of erecting, installing, servicing and/or maintaining billboards shall be licensed by the Texas Department of Transportation.

e. All company vehicles must have the state electrical sign contractor license number on each side of the vehicle in a minimum of two inch (2") tall letters and number (TDL #) as required by state regulations.

(2) *Evaluation.* The building official shall evaluate, authorize, or deny as a part of the permit the person assigned to install, erect, maintain, repair and/or alter a sign. The authorization is based on the building official's evaluation of the direct experience of the person specified for the sign work. This evaluation is not

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required to install a nonelectrical sign that does not exceed 32 square feet and a height of seven (7) feet above grade, and has no illumination.

(3) *Insurance requirements*. All licensed sign operators shall purchase and maintain, at their expense, adequate insurance coverage. Certificates of insurance shall be provided to the city on March 15 of each year for which licensing is sought, or at the request of the building official. Liability insurance coverage policy limits must be in a minimum range of one million dollars ($1,000,000.00), must name the City of Laredo as a lien holder, and must have a waiver of subrogation. In addition, all insurance policies shall be endorsed to the effect that the city of Laredo will receive at least 60 days' notice prior to cancellation, non-renewal or material change which meets or exceeds the following limits:

a. Workers compensation insurance at statutory limits, including employers liability coverage with minimum limits of $100,000 for each occurrence or accident; and

b. Comprehensive general liability at $300,000 general aggregate for bodily injury and property damage. Any subcontractor(s) hired by a contractor shall maintain insurance coverage equal to that required of the contractor. The contractor shall assure compliance with this provision.

(s) Nonconforming Signs

Purpose. L*oss of nonconforming status is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this Section. It is the intent, therefore, to administer this Section to realize the removal of illegal non-conforming signs, and to avoid any unreasonable invasion of established private property rights.*

(1) *Assignment of status.* This Section encourages eventual elimination of signs that, as a result of the adoption of this Section, become nonconforming. Existing signs which do not conform to the specific provisions of this section "legal nonconforming" if:

a. The building official determines those signs are properly maintained and do not in any way endanger the public; and

b. The sign was installed in conformance with a valid permit or variance, or complied with all applicable laws on the date of adoption of this Section.

(2) *Continuation and Restrictions*. A legal non-conforming sign may continue in good condition, but shall not be:

a. Replaced by another non-conforming sign;

b. Structurally altered to prolong the life of the sign;

c. Expanded;

d. Reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50% of the estimated replacement cost;

e. Relocated, unless caused by government action, and the location is approved by the building development services department.

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(3) *Alterations.* If a permit is issued, a non-conforming sign may be altered under the following instances:

a. Must submit engineer sealed drawing for changes and pole support.

b. Must not increase level of non-conformity. Non-conforming signs shall not:

1. Increase in square footage.
2. Convert to digital/CEVMS sign.
3. Convert to electrical/illuminated sign.
4. Increase height (if outside of allowable).

c. Must not be located in a sight visibility triangle.

(4) *Maintenance and repair of non-conforming signs*.

a. The legal non-conforming sign is subject to all requirements of this Chapter regarding safety, maintenance, and repair. However, if the sign suffers more than 50% damage or deterioration, as based on appraisal, it must be brought into conformance with this Section or removed.

b. All signs shall be properly maintained. Exposed surfaces shall be clean and painted as required. Defective parts shall be replaced.

(5) *Repair or removal of nonconforming signs*. If these conditions are not met, and the sign is not designated a legal non-conforming sign, the sign must be brought into compliance with this ordinance or be removed. The building official may order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

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24.6.24 Telecommunications Facilities

(a) **Applicability**. This section applies to any antenna, communication tower, or telecommunications facility (referred to collectively in this section as "Facility").

(b) **Application Procedures.** An application for a site plan or conditional use permit shall include all information required by Article 12. The City shall render any decision on an application consistent with any time limits, findings of fact and conclusions of law, or any other applicable requirement of Texas Local Government Code chapter 284, 47 U.S.C. Section 332(c)(7), Texas Utility Code, the requirements for facility modifications under 47 U.S.C. Section 1455(a) and any regulations adopted to implement those laws.

(c) **Factors to be Considered in Issuance of Conditional Use Permit.** The following applies to any Facility that requires a conditional use permit as designated in the Use Table (Section 24.2.17):

(1) Prior to approving a conditional use permit, the Planning and Zoning Commission shall make findings concerning the following:

a. Proposed tower height;

b. Tower proximity to residential structures and residential district boundaries;

c. Nature of uses on adjacent and nearby properties;

d. Surrounding topography;

e. Surrounding tree coverage and foliage;

f. Tower design, particularly to design characteristics that reduce or eliminate visual obtrusiveness. This may include fencing and screening;

g. Access;

h. Availability of existing towers, other structures, or alternative technologies not requiring the use of towers or structures.

(2) The Planning and Zoning Commission may impose conditions necessary to minimize any adverse effect of the proposed tower on adjoining properties.

(d) Design Standards

(1) *Existing Towers, Other Structures, or Alternative Technology*. No new tower is permitted unless no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna, or

a. Existing towers or structures are not located within the geographic area which meet applicant's engineering requirements, or

b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements, or

c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment, or

d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna, or

e. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable, or

f. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable.

(2) *Setbacks*. The following setback requirements apply to all towers

a. Towers must set back at least 75% of the tower's height from any adjoining lot line.

b. Guys and accessory buildings must comply with the minimum zoning district setback requirements.

(3) *Separation from off-site uses/designated areas*

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a. Tower separation is measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 6.23-1, except as otherwise provided in Table 6.23-1.

b. Separation requirements for towers shall comply with the minimum standards established in Table 6.23-1.

Table 6.23-1 Telecommunication Facilities Separation Distances

Off-site Zoning District	Separation Distance[1]
R-S, R-1 and R-1A districts	200 feet or 300% height of tower, whichever is greater.
R-1B, RSM, R-2, R-3 districts	100 feet or 100% height of tower, whichever is greater.
Non-residentially zoned lands or non- residential uses	None; only setbacks apply

[1] Separation measured from tower base.

(4) *Separation distance between towers*. Separation distances between towers apply to and are measured between the proposed tower and preexisting towers. The separation distances are measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) follow those in Table 6.23-2.

Table 6.23-2 Separation Distance Between Towers

Tower Types	Lattice	Guyed	Monopole 75 ft in Height or Greater	Monopole Less than 75 ft in Height
Lattice	5000′	5000′	1500′	750′
Guyed	5000′	5000′	1500′	750′
Monopole 75 ft in Height or Greater	1500′	1500′	1500′	750′
Monopole Less than 75 ft in Height	750′	750′	750′	750′

(5) *Security fencing*. Security fencing more than six feet tall shall enclose towers. This fencing is equipped with an appropriate anti-climbing device.

(6) *Landscaping*. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent.

(7) *Buildings or Other Equipment Storage*

a. *Antennas Mounted on Structures or Rooftops*. The equipment cabinet or structure used in association with antennas shall comply with the following:

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1. A safety report from a structural engineer establishing the structural integrity of the principal support structure.
2. Equipment storage buildings or cabinets shall comply with all applicable building codes.

b. *Antennas Mounted on Utility Poles or Light Poles*. These antennas are subject to any franchises required by law. The equipment cabinet or structure used in association with these antennas shall locate within designated easements or within the public right-of-way as provided in any franchise agreement. No equipment cabinet or structure shall interfere with pedestrian or vehicular circulation and visibility.

c. *Antennas Located on Towers*. The related unmanned equipment structure shall comply with the minimum yard requirements of the applicable zoning district.

(e) Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous 12 month period is considered abandoned. The owner shall remove the antenna or tower within 90 days of receipt of notice from the City of Laredo of the abandonment. Failure to remove an abandoned antenna or tower within 90 days is grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, this provision does not become effective until all users cease using the tower.

24.6.25 Temporary Structures and Uses

(a) Applicability

(1) This section applies to the following temporary uses of limited duration:

a. special events;

b. garage sales;

c. seasonal sales;

d. private premises vendor permits; and

e. parades.

Note: garage sales are subject to Chapter 18, Article III of the Laredo Code.

(2) The uses referenced in subsection (1) shall comply with the standards in this section and shall discontinue upon the expiration of a set time period. The time period is established in the Laredo Code or as a condition of site plan approval.

(b) Generally Temporary uses and special events shall not involve the construction or alteration of any permanent building or structure.

(c) Approval Procedure. Any use listed in this section requires a site plan approved by the Planning Director (see Section 24.5.34).

(d) General Standards for All Temporary Structures and Uses. All temporary uses or structures shall meet the following general requirements, unless otherwise specified in this Chapter:

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(1) The temporary use or structure shall not be detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare.

(2) The temporary use shall comply with all applicable general and specific regulations of this Section, unless otherwise expressly stated.

(3) Permanent alterations to the site are prohibited.

(4) All temporary signs associated with the temporary use or structure shall be properly permitted and removed when the activity ends or permit expires, whichever occurs first.

(5) The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.

(6) The temporary use regulations of this section do not exempt the applicant or operator from any other required permits, such as health or building permits.

(7) If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic circulation as required that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers, 100-year floodplains, river protection setbacks, and required landscaping. At the conclusion of the temporary use or at expiration of the permit, whichever occurs first, all disturbed areas of the site shall be restored or improved to the condition that existed prior to the use.

(8) If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability.

(9) Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property, shall be anchored, and meet applicable building and fire code requirements.

(10) Off-street parking shall be adequate to accommodate the proposed temporary use.

24.6.26 Used Vehicle Sales and Repair

(a) Applicability. This section applies to the following uses:

(1) Aircraft Repair;

(2) Auto Repair, Heavy;

(3) Auto Repair, Minor;

(4) Automobile or Vehicle Sales; and

(5) Heavy Equipment Sales and Service.

(b) Generally

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(1) Outside storage or display of products is not allowed. This subsection does not apply to vehicles that are currently offered for sale by the establishment.

(2) Repair or installation work must be conducted inside a building.

(3) Service bays shall not face a public street. Service bays that face a residential zoning district shall be screened in accordance to the Landscaping standards of this Chapter.

(4) Service bays facing a public street or a residential zoning district shall be screened to a height of at least six feet as viewed from the facing public street or facing residential property line.

(5) Wash bays and vacuum bays facing a public street or a residential zoning district shall be screened in accordance to the landscaping standards of this Chapter (Section 24.3.6).

(c) Rental Vehicles

(1) The types of vehicles for rent are limited to passenger cars and/or ¾ ton pick-up trucks.

(2) No more than 20 parking spaces shall be reserved for rental vehicles.

24.6.27 Building & Building Regulations

The Codes and Standards adopted herein shall govern the design and construction of all structures within the City of Laredo. Sections of adopted codes which have been deleted, modified or amended by separate ordinance shall be fully incorporated into the provisions of the adopted codes.

(a) Standard Building Code™

There is hereby adopted by the City Council the 2021 edition of the Standard Building Code™, promulgated by the Southern Building Code Congress, and the whole thereof, and the following:

Appendices attached thereto: A, "Weights of Building Materials"; C, "One an Two Family Dwellings"; D, "Standards for Demolition"; E "Energy Conservation"; F, "Recommended Guide for the Establishment of a Fire District"; H, "Manufactured Homes Tie Down Standards"; and N, "Noise Attenuation Performance Standards for Structures located with Airport Noise Specific Use Zoning Overlay Districts affected by Excessive Aircraft Noise", save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(b) National Electrical Code™

(1) The National Electrical Code™, 2020 edition, providing rules and regulations and requirements for the installation of electrical wiring and apparatus, is hereby adopted as a standard for the installation of all electrical wiring and apparatus and fixtures, except as otherwise specifically provided in this chapter, and a copy of the same is made a part of this chapter, as fully as though copied

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herein in full; however, should there be any conflict between the provisions of this chapter and the National Electrical Code™, the provisions of this chapter shall govern and control, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(2) The "Meter Installation Standard" (with its latest revisions and additions) of the franchised power and light company are hereby adopted as a standard for the installation of meters and metering devices, auxiliaries and appurtenances, and a copy of the same is attached hereto, incorporated herein and made a part of this chapter as fully and to the same extent as though copied herein in full.

(3) It is provided however, that the provisions of this chapter shall not apply to installations used by electricity supply, or communication agencies in the generation, transmission or distribution of electricity, or the operation of signal or transmission of intelligence by such an agency, or on public thoroughfares or easements; provided, however, that, such agencies excepted are operating under a valid franchise from the city.

(4) The various departments and buildings of the city and school district shall be subject to the provisions of this chapter insofar as the same may be applicable.

(c) Standard Plumbing Code™

(1) There is hereby adopted by and for the city the Standard Plumbing Code™, 1994 edition, as recommended by the Southern Building Code Congress, which code is published in loose-leaf form, three (3) certified copies of which code are filed of record in the office of the City Secretary, and the adoption of said code includes Appendices A, B, C, D, E, F, G, I, J, and K, and all made a part of this Chapter save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(d) Standard Gas Code™

(1) There is hereby adopted by and for the city the Standard Gas Code™, 2021 edition promulgated by the Southern Standard Building Code Congress, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(e) Standard Mechanical Code™

(1) There is hereby adopted by the City Council the 2021 edition of the Standard Mechanical Code™, promulgated by the Southern Building Code Congress, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(f) Standard Housing Code™

(1) There is hereby adopted by the City Council the Standard Housing Code 2021 edition save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(g) Standard Amusement Device Code™

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(1) There is hereby adopted by the City Council the Standard Amusement Device Code™, 1985 edition, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(h) Standard Swimming Pool Code ™

(1) There is hereby adopted by the City Council the Standard Swimming Pool Code™, 2018 edition, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(i) Standard Unsafe Building Abatement Code™

(1) There is hereby adopted by the City Council the Standard Unsafe Building Abatement Code™, 1985 edition, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(j) SBCCI Standard for Existing High Rise Buildings SSTD 3-84

(k) SBCCI Standard for Flood Plain Management SSTD 4-89

(l) SBCCI Standard for Soil Expansion SSTD 7-86

24.6.28 Building and Mechanical Permits

It shall be unlawful for an owner to use or permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a permit or permits shall have been issued by the Building Official or his designee. It shall be the duty of the Building Official or his designee to issue a permit, provided he is satisfied that the structure, building or premises and the proposed use thereof conforms with all the requirements of this code. No permit for excavation, construction or reconstruction shall be issued by the Building Official unless the plans, specifications and the intended use conform to the provisions of this code.

24.6.29 Application and Issuance of Building and Mechanical Permits

(a) The following shall apply in the application and issuance of building permits:

(1) Written application shall be made for a building permit for the construction of a new building or the alteration or modification of an existing building. Said permit shall be issued within 2l days after a written request for the same has been made to the Building Official or his agent, provided such construction or alteration is in conformity with the provisions of adopted codes. If not approved, the permit shall be denied within 2l days with reasons given.

(2) Every application for a building permit shall be accompanied by a site plan in duplicate, and such other plans as may be necessary to show the location and type of buildings to be erected or alterations or modifications to be made.

(b) Site Plan Requirements.

(1) A diagram indicating the location of the lot, the street providing access to the lot and the exact location of the lot in relation to the nearest cross street. Each lot shall

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have either direct access to a public street, or access by a private driveway easement which shall be a minimum of twenty (20) feet in width, and not longer than one hundred and fifty (150) feet in depth. The situation in which access is provided by private easement is applicable only to existing lots of record.

(2) The legal description of the property.

(3) The actual dimensions of the lot, the yard and other open space dimensions thereof, and the location and size of any existing structure thereon.

(4) The location and size of the proposed structure, and/or the proposed enlargement of the existing structure.

(5) Any other information which in the judgment of the Building Official may be necessary to provide for the enforcement of this code, including but not limited to, evidence of ownership or interest in the property, evidence of a lot of record, availability of public water supply and wastewater collection, surveys, and soil tests.

(6) Each property owner or authorized agent shall be required to attest to the correctness of the statements and data furnished with the application.

(7) The Building Official shall not issue a building permit for any application requiring approval of the City Council, the Planning and Zoning Commission, the Zoning Board of Adjustment, the Building Standards Board, or the Historic District/Landmark Board until he has been authorized to do so.

24.6.30 Expiration of Building and Mechanical Permits

The building or mechanical permit shall expire twelve months from the date of issuance in accordance with the provisions of the adopted code.

24.6.31 Certificate of Occupancy and Temporary Certificate of Occupancy

(1) A Certificate of Occupancy permits full use of an entire building or structure when it is intended for a single, specific occupancy or use. No new building shall be occupied, nor any changes be made to the occupancy, use, or nature of a building or any part thereof, until the building official issues a Certificate of Occupancy. The certificate shall only be issued after the building has passed all required inspections, complies with all applicable codes, laws, and ordinances, has been approved by the building official, and the required fee has been paid by the applicant.

(2) A Certificate of Occupancy for an existing building shall be obtained by submitting an application to the building official, along with the necessary information and documentation to verify compliance with the technical codes for the intended use. If deemed necessary by the building official, detailed drawings, a general inspection, or both may be required. If, after review and inspection, the building is

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found to comply with all applicable technical codes, laws, and ordinances for the proposed occupancy, and the established fee has been paid, a Certificate of Occupancy shall be issued.

(3) A Temporary Certificate of Occupancy (TCO) shall be issued to permit temporary occupancy of an incomplete building valid for 30 days, provided the established fee has been paid and the building has successfully passed all required life safety and essential service system inspections:

1. For residential: Electrical final, mechanical final, plumbing final, building final, and fire final.

2. For Commercial: Engineering final, electrical final, mechanical final, plumbing final, building final and fire final.

(4) An extension TCO may be granted for an additional thirty (30) days upon with written request for extension and upon payment of the established fee

24.6.32 Record of Building Permits and Certificates of Occupancy

The Building Official shall maintain a record of all building permits and certificates of occupancy and copies shall be furnished upon request to any person.

24.6.33 Compliance of Plans, Permits and Certificates

Building permits or certificates of occupancy issued on the basis of plans and applications approved by the Building Official authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be punishable as provided herein.

24.6.34 Expedited Plan Review

(a) Purpose: The purpose of Expedited Plan Review (EPR) is to streamline the administrative processes associated with the issuance of construction permits consistent with code compliance requirements and fiscal accountability, assigning priority review to those general contractors participating in the program.

(b) Eligibility: Construction professionals utilizing EPR acknowledge that the processes and procedures outlined herein are the key to successful implementation and agree to strict compliance with these procedures. Utilization of EPR does not abrogate the responsibility of the contractor to provide complete and accurate plans, to utilize licensed and/or bonded subcontractors, or of the city to enforce the requirements of adopted codes. Misrepresentation or fraudulent applications shall void permits and bar contractor participation in the future. General contractors only.

(c) Plan Submittals:

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(1) Standardized Pre-filed: Standardized plans may be pre-filed. Plans should be identified by general contractor name, standardized reference identification, and should include elevations, curb cut requests, foundation and framing information, construction valuation, plumbing and electrical wiring details and fixture cost take-offs. Subcontractor information including name, address, bond and license information shall be submitted with standardized plan, or individually with permit applications. No permit may be issued to any general contractor for electrical, plumbing, or HVAC work unless such contractors are duly licensed and/or bonded by the City of Laredo. Permit applications for approved standardized construction projects may be submitted singly or in batch form with individual site plans and exceptions to standardized plans, if any. The application shall include contractor name, signed or initialed by the owner or authorized agent, plan identification, street address and number, legal lot, block and subdivision information, and standardized fee calculation for all fees, including tap, building, plumbing, electrical, HVAC, plan check, curb cut, water availability, meter installation fees, and water deposit (see example). Standardized pre-filed plans for which provisional electrical service is requested shall include an affidavit signed by the general contractor and the electrical contractor acknowledging their agreement with the terms of provisional electrical service, and shall include payment of a reinspection fee.

(2) Non-standardized or customized: Two complete sets of construction drawings shall be submitted to include site plans, curb cut requests, elevations, foundation and framing information, construction valuation, plumbing and electrical wiring details and fixture cost take-offs. Complete subcontractor information including name, address, bond and license information shall be submitted with permit applications. One shall be maintained in the file and one shall be returned to the contractor stamped

"Reviewed for Compliance - APPROVED". The application shall include contractor name, signed or initialed by the owner or authorized agent, plan identification, street address and number, legal lot, block and subdivision information, and standardized fee calculation for ALL fees, including tap, building, plumbing, electrical, HVAC, plan check, curb cut, water availability, meter installation fees, and water deposit (see example). Provisional electrical service is not authorized for customized projects.

(d) Plan review:

(1) Standardized Pre-filed: Curbs cut and water/wastewater requests shall be forwarded to the appropriate department by the Plan Review Section. Fee payments for pre-filed plans shall be sent to the Collections Department or deposited directly with the city's depository bank.

(2) Non-standardized or customized: Curbs cut and water/wastewater requests shall be forwarded to the appropriate department by the Plan Review Section. Fee payments for customized plans shall be remitted to the Collections Department. Fee

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adjustments, if any, shall be requested in writing through the Collections Department.

(e) Permit Issuance:

(1) Standardized Pre-filed: A Combined Permit shall be issued electronically or by fax to the general contractor for building, plumbing, electrical and HVAC work using licensed and/or bonded contractors once fee verification is received. Where possible curb cut permits shall be issued simultaneously with the combined permit. No permit may be issued unless water and wastewater service is available to the property or is otherwise approved by the Public Utilities Department, or the Health Department where septic systems are authorized. Meter installation schedules must be coordinated with the Collections Department by the general contractor.

(2) Non-standardized or customized: A Combined Permit shall be issued electronically or by fax to the general contractor for building, plumbing, electrical and HVAC work utilizing licensed and/or bonded contractors, once fee verification is received. The Combined permit may be issued with conditions which shall be noted on the plans and on the face of the permit. Where possible curb cut permits shall be issued simultaneously with the combined permit. No permit may be issued unless water and wastewater service is available to the property or is otherwise approved by the Public Utilities Department, or the Health Department where septic systems are authorized. Meter installation schedules must be coordinated with the Collections Department by the general contractor.

(f) Inspections: All requests for inspections shall be submitted to the Building Official or his designee by the general contractor not later than the day before inspection is necessary. The general contractor or his agent shall be present during the inspections. A copy of inspection reports shall be delivered in person at the site or by fax to the general contractor who shall be responsible for advising subcontractors of any remedial actions which may be required. A complete set of stamped "approved" plans shall be at the site during inspections. All general contractors shall see that trash and debris is properly contained during construction. Provisional electrical service may be approved by the electrical inspector for a period of time not to exceed thirty (30) days. Provisional service shall be discontinued without notice to any contractor if a Certificate of Occupancy has not been issued before the expiration of the thirty-day period. Certificates of Occupancy and/or final electrical service shall not be authorized at any location which has not been cleared of debris. No re-inspection fees shall be charged, but re-inspection shall not be made earlier than three days following the time of the original inspection. A second occurrence at the same site shall delay re-inspection for an additional five days.

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24.6.35 Electrical Permit - Required

(a) It shall be unlawful for any person except electric utility operating under franchise to hereafter commence the construction, installation or alteration of any electrical work, either outside or inside of any building, without first making application in writing on forms furnished by the city to the inspector for a permit for such construction, installation or alteration of wiring. A permit issued under this section shall expire ninety (90) days after issuance if the work authorized thereby has not commenced within that time or thirty (30) days after suspension or abandonment of the work authorized thereby. All temporary electric service poles used in a project shall be removed upon expiration of the permit issued for the project or within one year.

24.6.36 Working Not Required Permit

(a) No electrical permit shall be required for the making of minor repairs or maintenance work, the connection of portable electrical equipment or lamps to permanently installed receptacles. No permit shall be required of an established refrigeration firm or organization for the replacing of a refrigerator motor or controls that are a part of the refrigeration system.

24.6.37 Application and Permit Issuance

(a) The application for the electrical permit required by this article shall contain a description by street and number; or by street, lot and block number, as may be necessary to locate the same; and shall be accompanied fees provided for in this code and a diagram or plan showing the character or kind of work to be done and the manner in which the electrical installation is to be made.

(b) The Building Official or his designee shall issue a permit for the construction, installation, or alteration of any electrical work master electricians licensed by the city.

(c) The electrical building permit issued by the office of the Building Official must be displayed on the premises where it is visible to the public.

24.6.38 Electrical Inspections

(a) A rough-in inspection is required on all completed wiring systems before the same shall be allowed to be concealed from view. All wiring devices, circuit breaker panels, and all Final connection to equipment shall be permanently installed before final inspection and acceptance except the lighting or other fixtures themselves; and separate permits shall be required for any alteration or changes thereafter, provided however, that provisional service may be approved by the electrical inspector for the purpose of testing equipment subject to the following:

(1) Commercial Projects. Provisional electrical service for each commercial project may be approved for a period not to exceed thirty (30) days, provided however:

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a. Electrical service shall be terminated without notice to any contractor following the expiration of the thirty (30) day period unless a Final Electrical Inspection is issued.

b. Where provisional service was granted and subsequently terminated for failure to secure final inspection, an additional inspection shall be required for reconnection. An electrical contractor who has had electrical service terminated for failure to secure Final Inspection on two occasions shall be ineligible to apply for provisional service for a period of not less than six months.

c. A request for the extension of provisional service beyond the thirty (30) day period shall not be granted except in the case where escalators/elevators require testing, special refrigeration problems exist, or where unusual circumstances affect electrical or other subcontractors. The request for extension shall be submitted in writing jointly by the electrical and general contractor, and shall specify the reasons for the request.

(2) Residential Projects. Provisional Electrical service for each residential project participating in Pre-filed Expedited Plan Review may be approved for a period not to exceed thirty (30) days, provided however:

a. Electrical service shall be terminated without notice to any contractor following the expiration of the thirty (30) day period unless a Final Electrical Inspection is issued.

b. Where provisional service was granted and subsequently terminated for failure to secure final inspection, an additional inspection shall be required for reconnection. A general contractor who has had electrical service terminated for failure to secure Final Inspection shall be ineligible to continue participation in EPR for a period of not less than six months.

c. No extensions of provisional service beyond the thirty (30) day period shall be granted.

(3) Eligibility/Participation.

a. Electrical work has been completed in conformance with the National Electrical Code, as it may be amended from time to time, and approved by the Electrical Inspector.

b. Service panels have been installed in accordance with the requirements of the electric

c. service provider and the Electrical Inspector.

d. The permit includes a re-inspection fee of $20.00.

e. All requests for inspection were called in timely.

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f. All deficiencies noted by the electrical inspector were corrected.

g. All calls for inspection shall be made by the licensed electrical contractor who shall provide his name, license number and the type of inspection requested at the time the call is made.

(b) Any person having charge of the construction, alteration, or repair of buildings, who covers or conceals or causes to be concealed or covered, any wiring for which an electrical permit has been issued or required before such wiring has been inspected and approved without having officially notified the office of the Building Official at least twenty-four (24) hours previously (Saturday afternoons and Sundays and Holidays not included), shall be subject to penalties provided in adopted codes, as they may be amended from time to time.

24.6.39 Service Connection and Reconnection

(a) Whenever the service entrance conductors or interior wiring in a building does not meet requirements of this chapter and has been so declared by the electrical inspector, new service shall be denied until the entire wiring has been made to comply with this chapter. No new service shall be extended unless water and wastewater service has been approved by the City of Laredo.

24.6.40 Appeals

(a) Any person or corporation aggrieved by the decision of the electrical inspector may appeal the matter to the Board of Electrical Examiners by filing a written appeal with the Building Official. The Board of Electrical examiners shall hear the appeal following notice to the parties as soon as practicable, but in no event later than 30 days following the date on which the appeal is filed.

24.6.41 Responsibility for Safe Work

(a) The provisions of this chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating or installing any electrical wiring, apparatus, and fixtures, or in installing meters, metering devices, auxiliaries or appurtenances for damage to any one injured or damaged by any defect therein, nor shall the city be held liable for any damages or injuries suffered by any person or property as a result of the enforcement of the provisions and regulations of this chapter, or from any defects in the materials which may be installed or the work which may be done under the provisions hereof, and for which a certificate of inspection has been issued by an electrical inspector.

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24.6.42 Registration and Examination of Electricians Required

(a) Each person desiring to engage in the occupation of master electrician, limited master electrician, maintenance or journeyman electrician shall be examined in accord with the directions of the electrical examining board, and following payment of the registration fee prescribed in Appendix C, shall be registered in accordance with the provisions of this article. Apprentice electricians shall be required to pay registration fees. The requirements for licensing shall be as follows:

(1) Master electrician. An applicant for a certificate of registration as master electrician shall file with the application an affidavit setting forth that such applicant is not less than twenty-one (21) years of age and has had not less than five (5) years experience as a journeyman electrician in the installation and repair of electrical equipment and conductors in residential, commercial or industrial wiring, or equally qualifying experience.

(2) Limited master electrician (sign or elevator). If an applicant desires to do work in the electrical sign or electrical elevator installation, repair and maintenance and obtain a certificate of registration as a limited master electrician for such work, he shall pass a special examination on the same basis as that given to a master electrician but with diagrams and a set of questions applicable to his particular classification.

(3) Maintenance electrician. An applicant for registration as maintenance electrician shall file with the application an affidavit setting forth that he is not less than twenty-one (21) years of age and has not less than two (2) years experience in building electrical maintenance under competent supervision. The applicant shall file with his application a letter bearing the signature of the person by whom he is regularly employed and the address of the place of his employment and, unless exempt as hereinafter provided, shall take such examination as herein prescribed, o shall state that he intends to work under this classification and will furnish the letter described above when so employed and will notify the electrical inspector of each employment during the life of his license.

(4) Journeyman electrician. Applicants for registration as journeyman electrician shall file with the application an affidavit, setting forth that he is not less than eighteen (18) years of age and that he has not had less than three (3) years experience as an electrician's helper or apprentice electrician. An applicant shall be examined in the field of work in which he proposes to engage. An applicant shall make in his application affidavit, a statement that he will engage only in the employ of a registered master electrician, and shall perform all installations, alterations and repair of electrical wiring, fixtures and equipment in accordance with this chapter, and that he will not independently engage in the business of contracting such electrical work.

(5) Apprentice electrician. An application filed for registration as apprentice electrician shall state the age of the applicant and the intent that he is engaging in the learning of and assisting in the installation, maintenance or repair of electrical wiring, fixtures and equipment working directly under the supervision of a person holding a registered certificate.

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(6) Education credited as experience. A certification of graduation from or an affidavit of attendance at a recognized technical school or college shall be credited year for year to satisfy the experience requirements for any time required in excess of one year; provided that, the courses covered shall have been on the installation and repair of electrical conductors and equipment and taught by some person holding a certificate or registration under this chapter for a technical school, or that the education consist of attendance in an engineering college.

(b) Any person already holding a license as master electrician, or renewal thereof, in accordance with the provisions of this and related codes, as they may be amended from time to time, shall display the same in a conspicuous place in the place of business of such person.

(c) Suspension of License.

Following notice and hearing before the Electrical Examining Board, a license may be revoked or suspended for a period of not less than three months nor more than twelve months where an affirmative finding of the following is made:

(1) Fraud or misrepresentation in obtaining a license or permit.
(2) Failure to provide supervision of unlicensed employees
(3) Failure to perform work in conformance with the conditions of a valid permit
(4) Failure to obtain a permit.
(5) Failure to secure inspections.
(6) Fraud or misrepresentation in the performance of services rendered or contracted.

Suspension or revocation of license shall be appealable to the City Council.

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24.6.43 Electrician Bond

(a) Each person applying for a certificate of registration as master electrician, as required by this article, before being granted a certificate, shall make and execute and deliver to the electrical inspector, a bond in the sum of two thousand dollars ($2,000) payable to the city. Such bond shall be executed by each applicant and be a recognized and responsible surety company authorized to do surety business in the state.

24.6.44 Approved Wiring Methods Reserved

24.6.45 Other Trades Performing Electrical Work Reserved

24.6.46 Plumbing Permit & Regulations

24.6.47 Class B Air-Conditioning Contractor License Required

(a) Except as provided by Article 8861 V.T.C.S., no person shall install, alter, or repair any heating, ventilating, air-conditioning or refrigeration system or systems of twenty-five tons or less (or on heating systems of less than 1.5 BTU's of heating capacity, or any part thereof, or obtain any permit to do such work without an active and valid license issued by the City

of Laredo, authorizing the performance of such work by the licensee, or employees of the licensee working under the direction and supervision of licensee.

(b) The applicant for a Class B Air-Conditioning Contractors license shall be not less than twenty-one years of age, with not less than three years of practical experience in the installation, repair, or alteration of heating, ventilating and air-conditioning systems. A degree in air-conditioning or mechanical engineering from an accredited college may be substituted for two years of experience.

(c) Application for licensing shall be made in the manner and on a form approved by the City of Laredo, subject to such fees as may be approved from time to time by the City Council. The license shall be valid for either one individual or one company. A license holder supplying his license for a sole proprietorship, joint venture, limited liability corporation, or other legal entity shall not supply that license to any other sole proprietorship, joint venture, limited liability corporation, or other legal entity.

(d) All persons licensed by the City of Laredo shall be required to pass a written test administered by the City of Laredo with a passing score of not less than 70%. Applicants who fail to pass the test shall not be eligible for reexamination for 90 days. Examination shall not be required to reinstate an expired license during 90 days following the date of expiration of such license.

(e) Suspension of license. Following notice and hearing before the Air-Conditioning Board, a license may be revoked or suspended for a period of not less than three months nor more than twelve months where an affirmative finding of the following is made:

1. Fraud or misrepresentation in obtaining a license or permit.
2. Failure to provide supervision of unlicensed employees
3. Failure to perform work in conformance with the conditions of a valid permit.
4. Failure to obtain a permit.
5. Failure to secure inspections.
6. Fraud or misrepresentation in the performance of services rendered or contracted.

Suspension or revocation of license shall be appealable to the City Council.

(f) Insurance. All licensed Class B air-conditioning contractors shall maintain, at his own expense, insurance coverage which requires written advance notice to the Building Official of not less than thirty (30) days of cancellation or material change in coverage and which meets or exceeds the following policy limits:

Comprehensive general liability $100,000 for death and bodily injury per occurrence $100,00 for property damage per occurrence.

The insurance shall be written by a carrier listed with a rating of A or A+ in the last published edition of *Best's Insurance Reports - Property Casualty Volume* (A.M. Best Company, Oldwich, N.J. 08858). Failure to maintain insurance prescribed by this code shall result in the automatic revocation of license.

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(g) Advertising. No person, partnership, firm, or corporation shall display a sign or advertise authorized heating, ventilating, or air-conditioning services unless licensed pursuant to V.T.C.S. 8861 or this code.

(h) All automobiles and trucks utilized in the work of installing altering, or repairing an air-conditioning system or systems, shall bear the name of the person, firm or company engaged in such business in legible letters of contrasting color and not less than two inches in height, and shall include the city license number (L.A.C.L.).

(i) The records of licensed contractors shall be available for inspection by authorized personnel of the City of Laredo during regular business hours.

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Article 7 Nonconformities

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Article 7 Nonconformities

Purpose: Applying new regulations to existing development can create situations where existing lot dimensions, development density or intensity, land uses, buildings, structures, landscaping, parking areas, signs, or other conditions do not strictly comply with the new requirements. This Article protects and regulates nonconforming uses, buildings, structures, and lots (referred to collectively as "nonconformities"), and specifies the circumstances and conditions under which those nonconformities may continue. The City finds that nonconformities that adversely affect the orderly development and value of other property in the neighborhood or district should not continue unless restricted. At the same time, reinvestment in some properties that do not strictly comply with current regulations can maintain existing neighborhood assets and economic growth, and is allowed with appropriate conditions. For existing lots or development (including uses, buildings, structures, and signs) that are "legally nonconforming," this Article sets out fair rules for whether, when, and how the regulations of this UDC apply.

24.7.1 Generally

(a) Applicability

(1) This Article applies to any nonconformity. A "nonconformity" means any of the following on the effective date:

- **a.** nonconforming use (Section 24.7.2),
- **b.** nonconforming structure (Section 24.7.3),
- **c.** nonconforming lot (Section 24.7.4),
- **d.** nonconforming site improvement (Section 24.7.5), or
- **e.** application or project in progress (Section 24.7.6).

(2) For purpose of this Article, the "effective date" means the effective date of this Chapter, any amendment to this Chapter, or any annexation of territory, that creates a nonconformity.

(3) Table 7.1-1 summarizes the permissible changes and activities for nonconformities as provided in this Article.

(b) Continuation of Nonconformities. Except provided below, the lawful use of a building or structure existing at the time of the adoption of this Chapter may continue, even if the existing use, building, or structure does not conform to the provisions of this Chapter for the district where it is located.

(c) Removal of Building or Structure. If a nonconforming use, building or structure is removed from a lot, the nonconformity terminates. Any use, building or structure established or constructed after that time shall comply with the provisions of this Chapter in effect at that time.

(d) Replacing Damaged Building or Structure. A non-conforming building or structure or group of non-conforming buildings or structures, which is damaged by fire, flood,

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explosion, earthquake, war, or riot, may be reconstructed or replaced subject to this Section and used as before if:

(1) the application for a permit is submitted within 12 months of the disaster,

(2) the area restored does not exceed the square footage of the area as it existed before the disaster, and

(3) demolition is not required by .

(e) Public Services. Pursuant to Texas Local Government Code § 211.013(b), this Chapter (including subsections (c) and (d) above) does not require the removal or destruction of property that exists as of the effective date that is actually and necessarily used in a public service business. A "public service business" means a public utility or a business of like character.

(f) Annexation. The use of land after the City annexes territory is subject to Texas Local Government Code § 43.002.

(g) Applications. The city will not process applications if there is nonconformity, unless:

(1) The application brings the property into conformity with this Chapter; or

(2) The application is otherwise permitted by this Chapter.

Table 7.1-1 Legal Nonconformities

P = permitted, but not subject to zoning district dimensional standards; x = not permitted; S = allowed with site plan referred to the Planning and Zoning Commission with conditions, and not subject to zoning district dimensional standards; **D** = permitted, but subject to zoning district dimensional standards, zoning standards and any applicable supplemental use regulation (see Art. 6); **B** = subject to building design standards of Art. 3 (Section 24.3.4)

	Legal Nonconforming Use	Legal Nonconforming Structure	Legal Nonconforming Lots	Legal Nonconforming Site Improvements
Change of use (see Use Chart (§ 24.2.17))				
To a conforming use	P	P	P	P
To a nonconforming use defined as the same use[1] in Article 10 (inside structure only)	P	P	P	P
To another nonconforming use that would occur outside of a structure (*example: a storage yard where all activity would occur outside of a structure)*	x	x	x	x
Addition of nonconforming use	x	x	x	x
Single-family detached dwelling (AG, R-S, R-1, R-1A districts)	n/a	n/a	P	n/a
Any use permitted in district (B-4, M-1, M-2 districts)	n/a	n/a	P	n/a
Maintenance				
Structural alteration which do not expand	x	D	D	D
Repairs / alterations to maintain in sound condition	P	P	P	P
Expansion / Enlargement				
Within same or accessory structures or parking areas	P	P	P	P
Nonconforming use prohibited in district	x	x	x	x

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Nonconforming use designated as conditional use	S	S	S	S
By 20% of building floor area (see 24.7.3(c))	n/a	D	n/a	n/a
Reorientation of façade	n/a	B	n/a	n/a
> 1,000 sf or 25% with nonconforming site permit	n/a	P	n/a	P

[1] To determine whether a use is the same use: (1) refer to the Use Table (Section 24.2.16) and how the use is defined in Article 10, or (2) if the use is unlisted or not defined in Article 10, refer to the rules of interpretation for use not listed in Section 24.2.16(a).

24.7.2 Nonconforming Uses

(a) **Applicability**. This section applies to any "**nonconforming use**," defined as a use which lawfully occupies a building or land on the effective date and which:

(1) Is no longer permitted in the applicable zoning district, or as a result of annexation, or

(2) Would require a conditional use permit in the applicable zoning district.

(b) **Generally**. No existing building, structure or premises devoted to a use not permitted by this Chapter shall be enlarged or structurally altered unless required by law or court order, except as provided below or as provided in Table 7.1-1 above.

(c) **Discontinuance of a Use**. A building, structure, lot or parcel where a non-conforming use is discontinued for at least 1 year, regardless of the intent of the owner or occupant of the premises, may not be occupied by a non-conforming use after that time.

(d) **Change in Nonconforming Uses**

(1) A nonconforming use may change to a conforming use. After a nonconforming use changes to a conforming use, it may not change back to a nonconforming use.

(2) A nonconforming use conducted in a structure may change to another use within the same definition if it is not relocated or expanded. To determine whether a use falls within the same definition, refer to footnote 1 of Table 7.1-1 above.

(3) A nonconforming use not conducted in a structure, or one in which a structure is incidental to the use of the land, shall not change to any other nonconforming use.

(4) A nonconforming use of any classification shall not be added where there is already an existing nonconforming use.

(e) **Expansion or Enlargement of Nonconforming Uses**. A nonconforming use may be extended only within the premises on which the nonconforming use was located on the effective date. "Premises" means the building in which the use is being carried on and the accessory buildings, appurtenances, driveways, parking and loading spaces.

(f) **Special Use**. A use that is nonconforming only because it requires a special use permit, and is permitted as a permitted use in the applicable district, may continue as a permitted use, and:

(1) May be structurally altered within its existing footprint, and

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(2) May change to another use subject to subsection (d) above without a special use permit, and

(3) May expand or enlarge outside of the areas allowed in subsection (e) above, subject to a special use permit.

24.7.3 Nonconforming Structures

(a) **Applicability**. This section applies to any "nonconforming structure." A "nonconforming structure" means a building or structure that:

(1) lawfully exists on the effective date of this Chapter or any amendment to this chapter that would cause the building or structure not to comply with this Chapter, and

(2) does not conform to all of the regulations of the zoning district in which it is located.

(b) **Continuance of Nonconforming Structures**. Except as provided below, any nonconforming structure may be occupied and operated and maintained in a state of good repair.

(c) **Expansion**

(1) A non-conforming structure on a lot may expand one time by as much as 20% of the building square footage if:

a. the expansion does not encroach on required setbacks,

b. paved parking, sidewalks, and landscaping, as required by this code is provided, and

c. the non-conforming building or structure is screened and buffered from adjacent uses and zones as determined by Section 24.3.6 (Landscaping & Tree Preservation) of this Chapter.

(2) The non-conforming structure may expand by 20% of the building square footage only once as authorized by the Building Official.

(3) The expansion shall conform to all zoning district and development standards of this Chapter, and shall not create a new nonconformity.

(d) **Nonconforming Building Design**

(1) *Generally*

a. This subsection applies to any building that is nonconforming as to the building design standards established in applicable zoning district (Article 2) or in Article 3.

b. Existing nonconforming buildings are not required to meet building design requirements unless the facade is reoriented.

(2) *Additions to Existing Buildings.* Additions to existing buildings that do not comply with the building design standards may match the foundations, porch depth, and finished floor elevations of the existing building.

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24.7.4 Nonconforming Lots

(a) **Applicability.** This section applies to any nonconforming lot. A "nonconforming lot" is a lot of record that, on the effective date of this Chapter or any ordinance that amends this Chapter, is:

(1) Not in compliance with the minimum or maximum lot area, frontage, lot width, or other dimensional standards for lots established after the lot was created, and

(2) lawfully existing and of record, and

(3) held in separate and different ownership from any lot immediately adjoining and having continuous frontage.

(b) **Agriculture and Residential Districts**. In the AG, R-S, R-1 and R-1A districts, a nonconforming lot may be used as the building site for one (1) single-family detached dwelling.

(c) **Commercial and Industrial District**. In the B-4, M-1 and M-2 districts, a nonconforming lot may be used as the building site for any use permitted in the district.

24.7.5 Nonconforming Site Improvements

(a) **Applicability**. This section applies to any nonconforming site improvement.

(1) A "Nonconforming Site Improvement" is a situation that occurs when, on the effective date:

a. an existing site improvement on a lot (including but not limited to parking areas, storm drainage facilities, sidewalks and landscaping) no longer conforms to the applicable regulations of this Chapter, or

b. the lot does not include site improvements required by of this Chapter for any existing use, building or structure on the lot.

(2) This section does not apply to one-time repairs and renovations of less than 10% of the structural value of a structure or site improvements.

(b) **Generally.** On lots with nonconforming site improvements, additions to, or exterior repairs or alterations of any building, structure or site improvement that increases the square footage by greater than 1,000 square feet or 25% (whichever is greater) are not allowed, unless:

(1) the nonconforming site improvements are brought into complete conformity with the regulations applicable to the use, building, structure or zoning district, or

(2) the activity is authorized by a nonconforming site permit.

(c) **Nonconforming Site Permit.** When an addition to, or repairs or alterations to, any structure or site improvement is proposed on a lot with a nonconforming site improvement, the Planning Director may approve a site plan (see Article 5) allowing the addition, repairs or renovation if:

(1) The nonconforming site improvement(s) is the only nonconformity pertaining to the property; and

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(2) Compliance with the site improvement requirements applicable to the zoning district in which the property is located is not reasonably possible. Mere financial hardship does not constitute grounds for finding that compliance with the site improvement requirements are not reasonably possible; and

(3) The property can be developed as proposed without any significant adverse impact on surrounding properties or the public health or safety; and

(4) If needed, the owner commits to other site design measures to reduce negative impacts associated with the nonconformity or to accomplish the purpose of the required site improvement.

24.7.6 Applications and Projects in Progress

Applicability. Applications and permits are subject to Texas Local Government Code, Chapter 245.

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Article 8 Enforcement

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Article 8 Enforcement

Division 1 General Enforcement Procedures

24.8.1 Generally

(a) This Article establishes procedures the City uses to ensure compliance with the provisions of this Code and obtain corrections for violations. It also institutes the remedies and penalties that apply to Code violations.

(b) Within the terms of the Municipal Annexation Act, the City of Laredo shall enjoin in the District Court any violation of a subdivision and platting provision of this Chapter in the area outside the corporate limits of the City, but within its extraterritorial jurisdiction. (As amended 8/21/89, Ordinance # 89-0-154)

(c) For any violation not encompassed by this Article, the Planning Director may issue a citation in Municipal Court stating the alleged violation, the date of the violation, and the section of the code violated. Each day during which any violation of this Section occurs or continues is a separate offense and upon conviction is punishable as provided in this Chapter.

24.8.2 Violations

(a) **Generally**. Any of the following violate this Code and are subject to the remedies and penalties provided for in this Article.

(1) *Buildings or Structures*. To erect, construct, reconstruct, alter, repair, convert, or maintain a building or structure in a manner inconsistent with the requirements of this Chapter or a condition of approval.

(2) *Use of Land*. To use any land or premises in a manner inconsistent with the requirements of this Chapter or a condition of approval.

(3) *Establish Use, Structure, or Sign Without Permit or Approval***.** To establish or place any use, structure, or sign upon land that is subject to this Code without all of the approvals required by this Code.

(4) *Development or Subdivision Without Permit or Approval*. To engage in any subdividing, development, construction, remodeling, or other activity of any nature upon land that is subject to this Code without all of the approvals required by this Code.

(5) *Development, Subdivision, Use, or Sign Inconsistent with Permit*. To engage in any development, use, construction, remodeling, or other activity of any nature in any way inconsistent with the terms and conditions of any permit, approval, certificate, or other form of authorization required to engage in those activities.

(6) *Development, Subdivision, Use, or Sign Inconsistent with Conditions of Approval*. To violate, by act or omission, any term, condition, or qualification placed by a decision-making body upon any permit or other form of authorization.

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(7) *Development, Subdivision, Or Sign Inconsistent with this Code.* To erect, construct, reconstruct, remodel, alter, maintain, move, or use any building, structure, or sign, or to engage in development or subdivision of any land in violation of any zoning, subdivision, sign, or other regulation of this Code.

(8) *Making Lots or Setbacks Nonconforming*. To reduce or diminish any lot area so that the lot size, setbacks, or open spaces are smaller than prescribed by this Code.

(9) *Increasing Intensity or Density of Use*. To increase the intensity or density of use of any land or structure, except in accordance with the procedural requirements and substantive standards of this Code.

(10) *Removing or Defacing Required Notice.* To remove, deface, obscure, or otherwise interfere with any notice required by this Code.

(11) *Failure to Remove Signs.* To fail to remove any sign installed, created, erected, or maintained in violation of this Code or for which the sign permit expired.

(12) *Miscellaneous.* Any other action, or failure to act, that does not comply with a requirement of this Chapter or a lawful condition of approval.

24.8.3 Responsible Persons

(a) Any person who violates this Code is subject to the remedies and penalties expressed in this Article.

(b) Property owners shall inform all persons leasing or renting their property of the requirements set forth in this Chapter and any conditions of approval. However, any person renting or leasing a sign is not absolved of the responsibility to know and conform to the requirements of this Section.

(c) If a person causing a zoning violation is a renter, lessor, or contractor, the Zoning Enforcement Officer may notify the owner and the renter, lessor, or contractor of the violation. The owner shall ensure that the renter, lessor, or contractor are aware of the zoning violation and is ultimately responsible to ensure that the violations are corrected.

24.8.4 Enforcement Responsibility

The Zoning Enforcement Officer holds primary responsibility for enforcing all provisions of this Code. Other officers of the City, designated by the Building Official, share responsibility for enforcing provisions of this Code.

24.8.5 Enforcement Procedures

(a) **Remedies and Enforcement Powers.** The City has the following remedies and enforcement powers.

(b) **Generally**. If Section 24.8.2 applies, the City may institute any appropriate action or proceedings:

(1) to prevent any unlawful erection, maintenance, or use,

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(2) to restrain, correct, or abate the violation,

(3) to prevent the occupancy of a building, structure or land, or

(4) to prevent any illegal act, conduct, business or use in or about the premises.

(c) Notice of Violation

(1) When any building or use is erected, constructed, built, reconstructed, altered or maintained in violation of this Chapter, the property owner, other responsible party, property owner, lessee, management and/or tenant shall be served with a written notice that states the violation and requires compliance with this Chapter no more than ten (10) days from service.

(2) The notice may be served in person or by depositing the same as certified in the United States Postal Service addressed to the property owner at the owner's address (i.e., as shown on the most current tax roll of the city), or the tenant (i.e., as shown on the utility billing records of the city). If the municipality mails the notice to the property owner and the U.S. Postal Office returns it as "refused" or "unclaimed," the validity of the notice is not affected, and the notice is considered delivered.

(d) Withhold Permit.

(1) The City may deny or withhold all permits, certificates, or other forms of authorization on any land or structure or improvements after determining there is an uncorrected violation of a Code provision or of a condition or qualification of a permit, certificate, approval, or other authorization previously granted by the City. This enforcement provision applies regardless of whether the current owner or applicant is responsible for the violation in question.

(2) The City may deny or withhold all permits, certificates, or other forms of authorization on any land, structure, or improvements owned or being developed by a person who owns, developed, or otherwise caused an uncorrected violation of a Code provision or of a condition or qualification of a permit, certificate, approval, or other authorization previously granted by the City. This provision applies regardless of whether the property for which the permit or other approval is sought is the property in violation.

(3) If a subdivision plat is approved, the Building Official shall not issue a certificate of occupancy until all improvements are accepted by the City in writing and the approved plat is recorded.

(e) **Permits Approved with Conditions**. Instead of withholding or denying a permit or other authorization, the City may grant authorization subject to a corrected violation condition.

(f) **Revoke Permits**. Any development permit or other form of authorization required in this Chapter may be revoked, including revocation of a certificate of occupancy pursuant to Section 18-25 of the Laredo Code.

(g) **Stop Work.** With or without revoking permits, the City may stop work on any building or structure on any land on which there is an uncorrected violation of Code provision or

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of a permit or other form of authorization issued, in accordance with its power to stop work under its building codes.

(h) **Injunctive Relief**. The City may seek an injunction or other equitable relief in court to stop any violation of this Code or of a permit, certificate, or other form of authorization granted.

(i) **Abatement**. The City may seek a court order in the nature of mandamus, abatement, injunction, or other action or proceeding to abate or remove a violation or otherwise to restore the premises in question to the condition in which they existed prior to the violation.

(j) **Civil Action and Administrative Adjudication**. The City may enforce the provisions of this Code through civil action.

(1) Civil action, as per state law; and

(2) Administrative adjudication under Municipal Court Chapter, Article IX, as amended, and Texas Local Government Code Chapter 54, Subchapter C, as amended.

(k) **Withhold Public Services**

(1) The City may withhold any public services until all rules, regulations, and requirements of the subdivision regulations have been met.

(2) Unless a plan, plat or replat is approved in the manner and by the authorities provided for in this Chapter, it is unlawful within the area covered by the plan, plat, or replat for any officials representing the City to serve or connect that land to any public utility owned, controlled or distributed by the City for the use of the owners or purchasers of the plat or plan.

(l) **Other Remedies**. The City may have other remedies provided by law for zoning, subdivision, sign, or related Code provision violations.

(m) **Other Powers**. In addition to the enforcement powers specified in this Article, the City may exercise any and all enforcement powers granted by law.

(n) **Continuation**. Nothing in this Code prohibits the continuation of previous enforcement actions undertaken by the City by previous and valid ordinances and laws.

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24.8.6 Cumulative Remedies

The remedies and enforcement powers established in this Article are cumulative and the City may exercise them in any order or combination at any time.

24.8.7 Penalties

Any person or corporation who violates any of the Code provisions or fails to comply with any of the requirements, or who builds or alters any building or use in violation of any detailed statement or plan submitted and approved are guilty of a class C misdemeanor punishable under this section.

(a) The owner or owners or tenant of any building or premises or part, where anything in violation of this Code exists, and any architect, builder, contractor, agent, person, or corporation employed in connection and who may have assisted in the commission of any Code violation are guilty of a separate offense punishable under this section.

(b) A person who violates any provision of this Article by performing a prohibited act or by failing to perform an act required is guilty of a class C misdemeanor. Each day on which a violation exists or continues to exist is a separate offense.

(c) If the definition of an offense under this Article does not prescribe a culpable mental state, then a culpable mental state is not required. This offense is punishable by a fine no more than $500). Although not required, if a culpable mental state is alleged in the charge of the offense and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, this offense is punishable by a fine no more than $2,000.

(d) If the definition of an offense under this Article prescribes a culpable mental state and the offense governs fire safety, zoning, or public health and sanitation, including dumping of refuse, then a culpable mental state is required and the offense is punishable by a fine no more than $2,000.

(e) Any person who violates any of the subdivision and platting regulations of this Chapter is guilty of a class C misdemeanor and, upon conviction by the Municipal Court of the City of Laredo, shall be fined up to $500. Each day the violation continues is a separate offense. Prosecution or conviction under this provision does not bar any other remedy or relief for violations of this Chapter. (Amended 4-7-98, Ordinance # 98-0-091)

24.8.8 Enforcement of Conditional Use Permit

(a) **Applicability**. This section applies to the enforcement of any conditional use permit or conditional use permit conditions.

(b) **Inspection.** The Planning Director, Building Official or Fire Official (referred to collectively below as "**Official**") may conduct an inspection to determine compliance with this chapter or any of any additional express conditions of the conditional use permit. If a violation or failure to fulfill or comply with a condition are found, the suspension/revocation procedures are as set out below.

(c) **Warning**

(1) An Official shall, upon discovery of non-compliance, issue a written warning that grants a grace period of at least 10 working days. During this time, the use may be brought into compliance.

(2) The requirement for the issuance of a written warning and grace period does not apply to:

a. A citation issued as a result of a violation of the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load, or

b. The failure to maintain all exit accesses, exits or exit discharges free from obstruction or impediment to full instant use in the case of fire or other

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emergency during all hours of operation. That citation/s shall be filed for prosecution.

(d) **Citation**. If non-compliance persists after the conclusion of the warning grace period, a Building Official or Fire Official shall issue a written citation.

(e) **First Suspension for Violation of this Chapter or Condition of Approval**. If a citation results in a court having jurisdiction or a jury finding the holder of the Certificate of Occupancy guilty of a violation of this Chapter or a condition of permit approval, or if a holder of a Certificate of Occupancy pleads guilty or no contest, the Certificate of Occupancy will be suspended for a period of time necessary to remedy the violation and for at least 24 hours, as follows:

(1) The Official shall notify the Planning Director, in writing, of the result of the prosecution of the citation as soon as practical.

(2) The Planning Director shall, within 48 hour notice of the court's determination (or as soon after that as is practical) issue the permit holder written notification of the Certificate of Occupancy's official suspension.

(3) The Certificate of Occupancy holder shall suspend all business operations in accordance with the notice.

(4) The Certificate of Occupancy holder shall not resume operation until the violation is corrected and the establishment is inspected. The Planning Director shall issue a "Notice of Termination of Suspension" upon finding that all issues relevant to the suspension are complied with and the suspension period has run. The Planning Director shall issue the notice without unreasonable delay.

(f) **Second Suspension for Violation of this Chapter or Condition of Approval**. Upon the second conviction of a violation within any 12 month period of this Chapter or a condition of permit approval, the Certificate of Occupancy will be suspended for a period of time necessary to remedy the violation but for at least 72 hours. This provision shall be implemented in the same manner as set forth above in subsections (b) – (e) above.

(g) **Revocation for Violation of this Chapter or Condition of Approval**. Upon the second conviction of a violation of this Chapter or a condition of permit approval within any 12 month period, and subject to the revocation/suspension procedures set forth in subsections (b) – (e) above, the Certificate of Occupancy will be revoked and the City shall proceed with revocation of the conditional use permit.

(1) The Planning Director shall notify the holder of the Certificate of Occupancy of the official revocation of the Certificate of Occupancy and conditional use permit. The Certificate of Occupancy holder shall suspend all business operations which are inconsistent with and in violation of the zoning district in which the business is located.

(2) Once the Certificate of Occupancy holder is notified of the revocation, the permit holder may petition the City Council for reinstatement of the conditional use permit. The reinstatement shall be processed and proceed in the same manner as a new application for a conditional use permit. If the conditional use permit is

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reinstated, the applicant may apply for a new Certificate of Occupancy with all required fees and documentation.

(h) **Multiple Violations on Same Day**. For purposes of subsections (c) – (g) above, a finding of guilt on more than one citation issued on the same day for the same location counts as only one violation.

(i) **Appeal of Conviction**. If the Certificate of Occupancy holder appeals a conviction, any suspension or revocation is abated until the completion of the appeals process.

(j) **Effect of Other Violations (Habitual Offenses)**. This section applies to violations of any violation of the Laredo Code, including other chapters of the Laredo Code unrelated to this chapter and violations of this chapter.

(1) Twelve (12) violations of Laredo Code which result in an adjudication of guilt (by trial to the court, by jury or by entering a plea of guilt) during any 12 month period results in revocation of the Certificate of Occupancy. The Certificate of Occupancy holder may petition for reinstatement (see subsection (g)(2) above).

(2) If the 12 citations issued during any 12 month period result in a court having jurisdiction, a jury finding the Certificate of Occupancy holder guilty of each violation, or a guilty plea by the Certificate of Occupancy holder to violations, the City of Laredo shall consider the Certificate of Occupancy revoked.

(3) The Planning Director shall then issue the holder written notification of the official revocation and revocation of the conditional use permit, and the Certificate of Occupancy holder shall suspend all business operations which are inconsistent with and in violation of the zoning district in which the use is located.

(4) Once the holder of the Certificate of Occupancy is notified of the revocation, the permit holder may petition the City Council for reinstatement of the conditional use permit. The reinstatement shall be processed and proceed in the same manner as a new application for a conditional use permit inclusive of all required fees and documentation.

(5) If the Certificate of Occupancy holder appeals any of the convictions, the revocation will be abated until completion of the appeals process.

Division 2 Stormwater Management Enforcement

24.8.9 Applicability

(a) This Division applies to the enforcement of the stormwater management standards (section 24.4.5).

(b) Actions taken under this Division (including any warning notice, notice of violation, emergency cease and desist order, show cause hearing, compliance order, remediation, abatement, and/or restoration order, or stop work order) do not preclude, and are not a prerequisite for, taking any other action against a violator.

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24.8.10 Administrative Enforcement Remedies

(a) Warning Notice

(1) City Engineer may serve a written Warning Notice upon any person found to have violated, or continues to violate, any provision of the stormwater management standards or any order issued pursuant to this Division.

(2) The Warning shall specify the particular violation believed to have occurred and request the discharger to immediately investigate the matter and to seek a resolution where any offending discharge will cease.

(3) Investigation and/or resolution of the matter in response to the Warning Notice does not relieve the alleged violator of liability for any violations occurring before or after receipt of the Warning Notice.

(b) Notification of Violation

(1) If the City Engineer finds that any person has violated, or continues to violate, any provision of the stormwater management standards, or any order issued under this Division, the City Engineer may serve upon that person a written Notice of Violation.

(2) Within 10 calendar days of the receipt of this notice, the alleged violator shall submit an explanation of the violation and a plan for the satisfactory correction and prevention of recurrence (to include specific required actions) to the City Engineer.

(3) If the alleged violator denies that any violation occurred and/or contends that no corrective action is necessary, an explanation of the basis of any denial or contention shall be submitted to the City Engineer within 10 calendar days of receipt of the notice.

(4) Submission of an explanation and/or plan does not relieve the alleged violator of liability for any violations occurring before or after receipt of the Notice of Violation (NOV).

(c) Consent Orders. The City Engineer may enter into Consent Orders, assurances of voluntary compliance, or similar documents establishing an agreement with any person responsible for noncompliance with any provision in the stormwater management standards or any order issued under this Division. Those documents:

(1) may include specific actions to be taken by the person to correct the noncompliance within a time period specified by the document, and

(2) have the same force and effect as the administrative orders issued pursuant to subsections (e), (f), and (g) of this section and are judicially enforceable.

(d) Show Cause Hearing

(1) The City Engineer may order any person who has violated, or continues to violate, any provision of the stormwater management standards, or any order issued under this Division, to appear before the City Engineer and show cause why a proposed enforcement action should not be taken.

(2) Notice shall be served on the alleged violator as follows:

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a. The notice shall specify the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the alleged violator show cause why the proposed enforcement action should not be taken.

b. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least 10 calendar days prior to the hearing.

c. The notice may be served on any authorized representative of the alleged violator.

(3) The hearing shall be conducted pursuant to the rights and procedures specified in section 24.8.11(a).

(e) Compliance Orders

(1) If the City Engineer finds that any person has violated, continues to violate, or threatens to violate, any provision of the stormwater management standards, or any order issued under this Division, the City Engineer may issue an order to the violator directing compliance within a specified time limit, prior to commencement or continuance of operation, or immediately.

(2) Compliance orders may also contain other requirements to address the noncompliance, including additional self- monitoring, and management practices designed to minimize the amount of pollutants discharged to the MS4 and waters of the United States.

(3) A compliance order may not extend the deadline for compliance established by a state or federal standard or requirement, nor does a compliance order relieve the person of liability for any violation, including any continuing violation.

(f) Remediation, Abatement, and Restoration Orders

(1) If the City Engineer finds that a person has violated, or continues to violate, any provision of the stormwater management standards, or any order issued under this Division, and that the violation adversely affects MS4, or the waters of the United States, the City Engineer may issue an order to the violator directing them to undertake and implement any appropriate action to remediate and/or abate any adverse effects of the violation upon the MS4, or the waters of the United States, and/or to restore any part of the MS4, or the waters of the United States.

(2) The remedial, abatement, and restoration actions may include, but are not limited to:

a. monitoring, assessment, and evaluation of the adverse effects and determination of the appropriate remedial, abatement, and/or restoration action;

b. confinement, removal, cleanup, treatment, and disposal of any discharged or released pollution or contamination;

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c. prevention, minimization, and/or mitigation of any damage to the public health, welfare, or the environment that may result from the violation;

d. and restoration or replacement of City property or natural resources damaged by the violation.

(3) The order may direct that the remediation, abatement, and/or restoration be accomplished on a specified compliance schedule and/or completed within a specified period of time.

(g) Emergency Cease and Desist Orders

(1) If the City Engineer finds that any person has violated, continues to violate, or threatens to violate, any provision of the stormwater management standards, or any order issued under this Division, or that the person's past violations are likely to recur, and that the person's violation(s), or threatened violation(s), have caused or contributed to an actual or threatened discharge to the MS4 or waters of the United States which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the City Engineer may issue an order to the violator directing it to immediately cease and desist all of those violations.

(2) The cease and desist order may direct the violator to:

a. Immediately comply with all requirements of the stormwater management standards; and

b. Take any appropriate preventive action needed to properly address a continuing or threatened violation, including immediately halting operations and/or terminating the discharge.

(3) Any person notified of an emergency order directed to it under this Subsection shall immediately comply and stop or eliminate its endangering discharge. If a discharger's fails to immediately comply voluntarily with the emergency order, the City Engineer may take any steps as deemed necessary to prevent or minimize harm to the MS4 or waters of the United States, including immediate termination of a facility's water supply, sewer connection, or other municipal utility services.

(4) The City Engineer may allow the person to commence or recommence its discharge when it has demonstrated to the satisfaction of the City Engineer that the period of endangerment has passed, unless further termination proceedings are initiated against the discharger under the stormwater management standards.

(5) A person responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measures taken to prevent any future occurrence, to the City Engineer within 10 calendar days of receipt of the emergency order.

(h) Stop Work Orders

(1) If the City Engineer finds that any operator of a construction site has violated, threatens to violate, or continues to violate, any provision of the stormwater

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management standards, or any order issued under this Division, the City Engineer may issue a Stop Work Order to the operator.

(2) A copy of the Stop Work Order shall be posted at the construction site and distributed to all City departments and divisions whose decisions affect any activity at the site.

(3) Unless express written exception is made by the City Engineer, the Stop Work order prohibits any further construction activity, or any commencement of construction activity, at the site and bars any further inspection or approval by the City associated with a building permit, grading permit, or any other City approval necessary to commence or continue construction or to assume occupancy at the site.

24.8.11 Right to Reconsideration Hearing and Appeal

(a) Reconsideration and Hearing

(1) Any person subject to a Compliance Order under 24.8.10(e), a Remediation, Abatement, or Restoration Order under 24.8.10(e), an Emergency Cease and Desist Order under 24.8.10(g), or a Stop Work Order under 24.8.10(h), may petition the City Engineer to reconsider the basis for their order within 15 calendar days of the affected person's notice of issuance of the order.

(2) Failure to submit a timely written petition for reconsideration waives any further right to administrative reconsideration or review of the order.

(3) In its petition, the petitioning party must indicate the provisions of the order objected to, the reasons for the objection(s), any facts that are contested, the evidence that supports the petitioner's view of the facts, any alternative terms of an order that the petitioner would accept, and whether the petitioning party requests a hearing on its petition.

(4) The effect of any Compliance Order under 24.8.10(e), a Remediation, Abatement, or Restoration Order under 24.8.10(e), and any Stop Work Order under 24.8.10(h) is stayed pending the City Engineer's reconsideration of the petition, and any hearing on the petition, unless the City Engineer expressly makes a written determination to the contrary. The effectiveness of any Emergency Cease and Desist Order under 24.59.8.7 is not stayed pending the City Engineer's reconsideration, or any hearing on the petition, unless the City Engineer expressly and in writing stays the emergency order.

(5) Within 30 calendar days of the submittal of a petition for reconsideration, the City Engineer shall either:

a. grant the petition and withdraw or modify the order accordingly;

b. deny the petition, without hearing if no material issue of fact is raised; or

c. if a hearing is requested and a material issue of fact is raised, set a hearing on the petition.

(6) Written notice of any hearing set by the City Engineer pursuant to 24.8.11(a)(5)c shall be served on the petitioning party personally or by registered or certified

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mail (return receipt requested) at least 10 calendar days prior to the hearing. The notice may be served on any authorized representative of the petitioning party.

(7) The City Engineer may conduct the hearing and take evidence, or may designate any employee of the City or any specially designated attorney or engineer to:

a. issue in the name of the City notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in the hearing;

b. take evidence; and

c. transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the City Engineer for action.

(8) At any hearing held pursuant to this subsection, testimony is taken under oath and recorded. Any party is entitled to present their case or defense by oral or documentary evidence and to conduct any cross-examination required for a full and true disclosure of the facts. A transcript will be made available to any party to the hearing upon payment of the usual charges for public records.

(9) After the City Engineer reviews the evidence, they shall either:

a. grant the petition;

b. deny the petition; or

c. grant the petition in part and deny it in part.

(10) The City Engineer may modify its order as appropriate based upon the evidence and arguments presented at the hearing and its action on the petition, and issue further orders and directives as are necessary and appropriate.

(b) Appeal. Any person whose petition for reconsideration by the City Engineer is not granted in its entirety and who remains adversely affected by the City Engineer's order, or who is subject to an order of the City Engineer issued following a Show Cause Hearing under 24.8.10(d), may challenge the final action of the City Engineer in an appropriate court of competent jurisdiction.

24.8.12 Judicial Enforcement Remedies

(a) Civil Remedies

(1) If it appears that a person has violated, or continues to violate, any provision of the stormwater management standards that relates to the following, the City may obtain the remedies provided in subsection 24.8.12(a)(3) through 24.8.12(a)(4) below:

a. the preservation of public safety, relating to the materials or methods used in construction of any structure or improvement of real property;

b. the preservation of public health or to the fire safety of a building or other structure or improvement;

c. the establishment of criteria for land subdivision or construction of buildings, including street design;

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d. dangerously damaged or deteriorated structures or improvements;

e. conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents; or

f. point source effluent limitations or the discharge of a pollutant, other than from a non-point source, into the MS4.

(2) The City may invoke Sections 54.011 - 54.017 of the Texas Local Government Code and petition the State district court or the county court-at-law of Webb County, through the City Attorney, for either the injunctive relief specified 24.8.12(a)(3) or the civil penalties specified in subsection 24.8.12(a)(4) below, or both the specified injunctive relief and civil penalties.

(3) Pursuant to Section 54.016 of the Texas Local Government Code, the City may obtain against the owner or the operator of a facility a temporary or permanent injunction, as appropriate, that:

a. prohibits any conduct that violates any provision of the stormwater management standards that relates to any matter specified in subsection 24.8.12(a)(1) above; or

b. compels the specific performance of any action that is necessary to comply with any provision of the stormwater management standards that relates to any matter specified in subsection 24.8.12(a)(1) above.

(4) Pursuant to Section 54.017 of the Texas Local Government Code, the City may recover a civil penalty of not more than $1,000 per day for each violation of any provision of the stormwater management standards that relates to any matter specified in subsection 24.8.12(a)(1) above, and a civil penalty of not more than $5,000 per day for each violation of any provision of the stormwater management standards that relates to any matter specified in subsection 24.8.12(a)(1) above, if the City proves that:

a. the defendant was actually notified of the provisions of the stormwater management standards; and

b. after the defendant received notice of the stormwater management standards, the defendant committed acts in violation of the stormwater management standards or failed to take action necessary for compliance with the stormwater management standards.

(b) Criminal Penalties

(1) Any person who violates any provision of the stormwater management standards, or any order issued under this Division, is strictly liable for that violation, regardless of the presence or absence of a culpable mental state. That person is subject, upon conviction, to a fine of up to $2,000 per violation, per day.

(2) Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to the stormwater management standards, or any order issued under this Division, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method

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required under the stormwater management standards is subject to, upon conviction, a fine of up to $2,000 per violation, per day.

(3) In determining the amount of any fine imposed under this subsection, the court shall take into account all relevant circumstances, including, but not limited to:

a. the extent of harm caused by the violation,

b. the magnitude and duration of the violation,

c. any economic benefit gained through the violation,

d. corrective actions by the violator,

e. the compliance history of the violator,

f. the knowledge, intent, negligence, or other state of mind of the violator, and

g. any other factor as justice requires.

(c) Civil Suit Under Texas Water Code

(1) If it appears that a violation or threat of violation of any provision of Section 26.121 of the Texas Water Code, or any rule, permit, or order of the Texas Natural Resource Conservation Commission, has occurred or is occurring within the jurisdiction of the City of Laredo or its extraterritorial jurisdiction, the City may institute a suit in a state district court through its City Attorney for the injunctive relief or civil penalties or authorized in Subsection (a) of Section 26.123 of the Texas Water Code, against the person who committed or is committing or threatening to commit the violation.

(2) This power is exercised pursuant to Section 26.121 of the Texas Water Code.

(3) In any suit brought by the City under this section, the Texas Natural Resource Conservation Commission is a necessary and indispensable party.

(d) Remedies Nonexclusive

(1) The remedies provided for in this Division are not exclusive of any other remedies that the City may have under state or federal law or other City ordinances. The City may take any, all, or any combination of these actions against a violator. The City is empowered to take more than one enforcement action against any violator.

(2) These actions may be taken concurrently.

24.8.13 Supplemental Enforcement Action

(a) Performance and Maintenance Bonds

(1) The City Engineer may, by written notice, order any owner or operator of a source of storm water discharge associated with construction or industrial activity to file a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the City Engineer to be necessary to achieve consistent compliance with the stormwater management standards, any order issued under this Division, any required best management practice (BMP), and/or any SWPPP provision, and/or to achieve final stabilization of the site.

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(2) The City may deny approval of any building permit, grading permit, subdivision plat, site development plan, or any other City permit or approval necessary to commence or continue construction or any industrial activity at the site, or to assume occupancy, until the performance or maintenance bond is filed.

(b) Liability Insurance. The City Engineer may, by written notice, order any owner or operator of a source of storm water discharge associated with construction or industrial activity to submit proof that it has obtained liability insurance, or other financial assurance, in an amount not to exceed a value determined by the City Engineer, that is sufficient to remediate, restore, and abate any damage to the MS4, the waters of the United States, or any other aspect of the environment that is caused by the discharge.

(c) Public Nuisances

(1) A violation of any provision of the stormwater management standards, or any order issued under this Division, is declared a public nuisance and shall be corrected or abated as directed by the City Engineer.

(2) Any person(s) creating a public nuisance is subject to the provisions of the Nuisance Ordinance of the Code of the City of Laredo, including requirements to reimburse the City for any costs incurred in removing, abating, or remedying the nuisance.

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Article 9 Agencies

24.9.1 Generally

This Article introduces and establishes agencies, describes their composition, and summarizes their authority.

24.9.2 Planning Department

The Planning Department serves as an administrative and staff agency responsible to the Mayor and City Council, to the Planning and Zoning Commission, and to the Zoning Board of Adjustment. The Planning Department and the Planning Director have authority for processing proposals to change the text and map of this title and for processing master zoning plan applications, site plan approval applications, applications for special permits and Zoning Board of Adjustment applications.

24.9.3 Zoning Enforcement Officer

The Zoning Enforcement Officer has duties and responsibilities to enforce zoning violations. These duties and responsibilities include:

(a) Investigating complaints about violations of this Chapter.

(b) Written notification to the person responsible for zoning violation(s), ordering the necessary action to correct violations, and will:

- **(1)** Order discontinuance of illegal uses of land, buildings, or structures.
- **(2)** Order removal of illegal buildings or structures or illegal additions or structural additions.
- **(3)** Order discontinuance of any illegal work.

(c) Any other action authorized by this Code to ensure compliance with or to prevent violation(s).

24.9.4 Historic Preservation Officer

(a) The Historic Preservation Officer demonstrates an interest, competence, or knowledge in historic preservation.

(b) The Planning Director appoints the historic preservation officer.

(c) The Historic Preservation Officer facilitates the administration of the Historic District Landmark Board and requirements related to Historic District and Landmark requirements.

24.9.5 Planning Director

(a) **Appointment**. See Section 9.01 of the City Charter.

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(b) **Powers and Duties.** The Planning Director has the following duties and responsibilities:

(1) To advise the City Manager on any matter affecting the physical development of the City.

(2) To formulate and recommend to the City Manager a comprehensive plan and modifications.

(3) To review and make recommendations regarding proposed Council action implementing the comprehensive plan.

(4) To participate in capital program preparations and revisions.

(5) To advise the City Planning and Zoning Commission in the exercise of its responsibilities and to provide necessary staff assistance.

(6) To keep the official zoning map current, by entering any changes which the City Council may order by amendments to the Zoning Ordinance and Map.

24.9.6 Planning and Zoning Commission

(a) **Creation, Membership, Qualifications, Officers Forfeiture of Office**.

(1) The City establishes a Planning and Zoning Commission consisting of nine (9) members appointed by the City Council and Mayor for terms of four (4) years from among the qualified voters of the city. The Mayor and City Council appoints one (1) member each. Members of the commission will hold no other city office. The commission makes recommendations to the City Manager and the City Council on all matters affecting the zoning ordinance and zoning map of the city, are consulted on the comprehensive plan and implementation, and may exercise all other responsibilities provided by law.

(2) Planning and Zoning Commission members are resident citizens and qualified voters of the city. Planning and Zoning commissioners' terms run concurrently with the four-year term of the appointing councilman or the Mayor. A commissioner may be reappointed. However, no person will serve as a Planning and Zoning commissioner for more than two four-year terms of office, or eight (8) consecutive years. This provision does not preclude the reappointment of persons appointed to serve out an unexpired term.

(3) Commissioners appointed to replace resignations will serve the unexpired term of the resigned commissioner. All Planning and Zoning Commission members will remain in office until new appointments are made.

(4) Appointments to any vacancy in the Planning and Zoning Commission are made by the councilman or the Mayor who made the previous appointment. The councilman or the Mayor will appoint and fill vacancies within thirty (30) days.

(5) The Planning and Zoning Commission elects a chairman and vice-chairman to serve a one (1) year term during a scheduled hearing with a quorum present. Elections occur at the first regular Planning and Zoning meeting every October.

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Upon resignation of any officer, the commission elects a replacement from the commission to fill the unexpired term.

(6) A Planning and Zoning commissioner forfeits the office of Planning and Zoning commissioner if the commissioner:

a. Accepts any elected or paid city office; or

b. No longer resides within the city limits;

c. Fails to attend three (3) consecutive regular meetings without excuse from the commission.

d. Is absent for more than twenty-five percent (25%) of regular meetings, with or without excuse, during a term year.

e. Willfully, intentionally and knowingly violates any standard of conduct adopted by the commission.

(b) **Compensation**. Planning and Zoning Commission members serve without pay but may be reimbursed for business expenses incurred in relation to commission business and approved by the commission and approved by the City Manager.

(c) **Duties and Powers.** The Planning and Zoning Commission has the following powers and responsibilities:

(1) To send a recommendation to the City Council to make and amend a comprehensive plan for the City's development. Before plan adoption, the Commission or City Council shall hold at least one (1) public hearing after ten (10) -day notice published in a daily newspaper of general circulation printed in the city. Plan adoption is by resolution.

(2) To recommend to the City Council alternative zoning plans for the city and approval or disapproval of proposed changes in the zoning plan.

(3) To recommend certain special permits for specific land uses that may not be adequately regulated by zoning.

(4) To exercise control over platting, replatting or subdividing land within the corporate limits of the city and within area of extraterritorial jurisdiction to effectively control all applications for platting, replatting or subdividing of land, with plats and maps required by law.

(5) To act with and assist the City Council in formulating and executing proper plans for municipal development.

(6) To make recommendations to the City Council concerning financial procurement and other aid from the state and federal governments when aid is necessary to the achievement of the commission's planning and objectives.

(7) Subject to City Council approval, to make rules and regulations and adopts bylaws for its own government.

(d) **Meetings and Quorum**. The commission will designate times and places for meetings. A majority of the commission constitutes a quorum for business transactions. If a vacancy exists, that vacancy does not count towards determining a quorum.

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24.9.7 Zoning Board of Adjustment

A board of adjustment is established in accordance with the provisions of Texas Local Government Code § 211.008 et seq., regarding the zoning of cities and powers and duties.

(a) **Organization**.

(1) A Zoning Board of Adjustment consists of 9 members. The Mayor and council members each nominate one member.

(2) Zoning Board of Adjustment hearings are public.

(3) The Board elects a Chairperson and Vice-Chairperson.

(4) A quorum is formed by at least 5 members. The quorum acts by motion in which at least a three-fourths (3/4) majority (rounding up) of members present are required to reverse an administrative decision or to grant a variance.

(5) The Board may call upon the employees of the Building Department, for assistance in the performance of the administrative duties of the Board.

(6) The Board establishes policies and guidelines that assist in making its determination.

(7) No Board member abstains from voting unless there is a conflict of interest, including the Chairperson, and four (4) members constitute a quorum.

(8) In the absence or disability of a Board member, an alternate serves in the same capacity and with the same duties and responsibilities as a member.

(9) A Board member may be removed for cause on a written charge after a public hearing. An alternate is subject to removal on the same basis as a Board member.

(b) **Responsibilities**. The Zoning Board of Adjustment have the following duties, responsibilities, and authority:

(1) *Administrative Appeals*. To hear and decide appeals where it is alleged that there is an error in any order, requirement, or zoning use interpretation by the Building Official, or other city officer.

(2) *Substantive Appeals*. To hear appeals to grant special variances in the following instances:

a. Varying the building set-back, height, distance and area requirements in peculiar and unusual circumstances which would prevent the reasonable use of the land.

(3) The Board has no authority to grant variances to specifications in the Standard Technical Specification Manual.

24.9.8 Historic District / Landmark Board

(a) **Establishment**. The historic district/landmark board is established. This board consists of nine (9) citizen members appointed by the City Council and Mayor for terms of four (4) years from among the qualified voters of the city. The Mayor and City Council appoints one (1) member each who is:

(1) A resident of the city; and

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(2) A person with demonstrated interested, competence, or knowledge of historic preservation; and

(3) A professional member of one of the following disciplines: architecture, history, architectural history, planning, archaeology, urban planning, American Studies, American civilization, cultural geography, cultural anthropology; or

(4) A professional member of other associated disciplines: real estate, construction, banking, or engineering, etc.

(b) Terms of office.

(1) Board member terms run concurrently with the four-year term of the appointing councilman or the Mayor. A board member may be reappointed; however, no person serves as a board member for more than two (2) four-year terms of office, or eight (8) consecutive years.

(2) Board members named to replace resigning members or members who have forfeited their office under the conditions enumerated in subsection (d) of this section are appointed for the unexpired term of the resigned or forfeited member. If the chairman resigns, the board members elect a replacement from among their membership to fill the unexpired term.

(c) Forfeiture of office. A member of the board forfeit their office if they:

(1) Accept any elected or paid city office; or

(2) No longer reside within the city limits of the city; or

(3) Fail to attend three (3) scheduled meetings without being excused by vote of the majority of the members present, or is absent for more than twenty-five percent (25%) of regular meetings, with or without excuse, during a term year.

(d) Powers and Duties. The Historic District/Landmark Board meets regularly, at a time and place established by the Board, where meetings are open to the public.

(1) The historic district/landmark board makes recommendations to the City Council, Planning and Zoning Commission, City Manager and city departments concerning the adoption of policies, the sources of funds, and designation of districts and landmarks that may further the City's preservation effort.

(2) The board monitors and reports any actions affecting any Recorded Texas Historic Landmark, National Register Property, or archaeological landmark within the vicinity of the city to the Texas Historical Commission.

24.9.9 Standard Technical Specifications Manual Committee

(a) Organization.

(1) A Standard Technical Specification Manual committee consists of eleven (11) members. The committee is made up of the Planning Director, the City Engineer, the Director of Utilities, the Environment Services Director, Traffic Safety Director, and six (6) representatives from the development community appointed by the Laredo Builders Association. The committee elects a

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chairperson and vice-chairperson. The committee acts by consensus. In the event no consensus can be reached, the point of debate will proceed to City Council with a recommendation from dissenting positions for action.

(2) The committee establishes policies and guidelines that assist in making its recommendations.

(3) In the absence or disability of a committee member, an alternate serves in the same capacity, and with the same duties and responsibilities as a member.

(b) **Powers and Duties**. The committee has the following duties, responsibilities, and authority:

(1) *Review.* The committee shall, on an annual or as-needed basis, review the Standard Technical Specification Manual. If no revisions are proposed, the chairman of the committee prepares correspondence to the City Manager, Mayor, and City Council members. In the event revisions to the manual are proposed, or dissention exists within the committee on one (1) or more issues, recommendations are forwarded to the City Council for manual revision consideration.

(2) *Administrative appeals.* To hear and decide appeals where it is alleged that there is an error in any order, requirement, or interpretation of the Standard Technical Specification Manual by any city officer. Interpretations are incorporated into division D, section 810, of the Standard Technical Specification Manual.

(3) *Appeals for variance.* The committee does not hear appeals for variances to the Standard Technical Specification Manual.

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Article 10 Definitions

24.10.1 General Rules of Interpretation

(a) **Authority to Interpret**. The Planning Director, in consultation with the City Attorney, has the authority to interpret any provision of this Chapter. This interpretation is appealable to the Board of Adjustment.

(b) **Rules of Interpretation**.

(1) Specific provisions control over general provisions.

(2) If a conflict exists between different provision of this Chapter, the most restrictive standard applies.

(3) If there are multiple interpretations of this Chapter because the meaning of a provision is unclear, these restrictive interpretation applies.

(4) Any reference to a number in this Chapter includes a fraction of that number, unless otherwise provided.

(5) Any reference to a building, structure, tract, block, or lot, includes any portion or portions of those features, unless otherwise indicated.

(6) The present tense includes the future, the singular includes the plural and the plural includes the singular.

(7) The words "shall," 'required" or "will" are mandatory and the words "may" or "should" are permissive.

(8) The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

(9) "Includes" means "includes but not limited to," unless otherwise indicated.

(10) Unless otherwise provided, reference to a building, structure, time period includes part of the thing referenced. (*For example: a reference to "building" includes part of a building, and a reference to "day" includes part of a day.*)

(11) A reference to an official includes a designee of that official. (For example: a reference to the city manager includes any designee of the city manager – i.e., "city manager" means "city manager or his/her designee".)

(12) The headings of the several sections or articles of this Chapter are inserted for convenience only and do not have any operative effect and do not control or affect the meaning or construction of any of the provisions of this Chapter.

24.10.2 Definitions

(a) **Words and Terms Defined**. For purposes of this Chapter, the following words, terms and phrases have the meanings assigned below. Words not specifically defined below are interpreted as having the meaning of general usage.

"A"

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Abut: Having property lines in common; to adjoin at an end; to be contiguous.

Access point: A driveway, median opening or street connection to a public street.

Access Street: any public street within a subdivision or along the boundaries of a subdivision which would serve any properties outside the plat boundaries or provide a connection directly with a collector street.

Accessory Building or **Accessory Structure**: Any detached building that is smaller than and separate from the main building of the lot.

Accessory Dwelling Unit: A secondary, independent living facility located in, or on the same lot as, a single-family residence.

Accessory Use: A use customarily incidental and subordinate to the principal use and located upon the same site as the principal use.

Accessway: a public street, private street, or private easement filed of record, where pedestrians and vehicles have lawful and usable ingress and egress to a property line.

Adult Bookstore: See Section 18A-2 of the Laredo Code.

Adult Day Care: A licensed or accredited facility that provides counseling, recreation, food, or any or all of these services to four or more elderly or handicapped persons who are not related by blood, adoption, or marriage.

Adult Day Health Care Facility: a facility that provides health care or physical therapy or both and that may also provide adult day-care services on a daily or regular basis but not overnight to four or more elderly or handicapped persons who are not related by blood, marriage, or adoption to the owner of the facility; and which requires state licensing or accreditation. (Amended 4/6/92, Ord. No. 92-0-076)

Adult Entertainment: see "Sexually Oriented Business."

Adverse Impact: any deleterious effect on wetlands, including their quality, quantity, surface area, species composition, aesthetics, or usefulness for human health, welfare, safety or property, to biological productivity, diversity, or stability or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation.

Agricultural Sales: The selling of agricultural products and supplies like feed, hay, grain, crops, and hides for off-premise consumption

Agriculture Sales and Service: The sale of farm supplies, including heavy machinery, feed, grain, fertilizers, pesticides and similar goods. This includes incidental storage.

Agricultural Use: any activity related to the cultivation of the soil, the production of crops for human food, animal feed or planting seed or for the production of fibers; floriculture, viticulture or horticulture; the raising or keeping of livestock; the planting of cover crops or the leaving land idle for the purpose of participating in any governmental program or recognized, normal crop rotation or livestock rotation procedure. A residential unit and related outbuildings located wholly on a tract of land used solely for one or more of the purposes described in the preceding sentence shall be deemed an agricultural use.

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Air Installation Compatible Use Zone: those land areas upon which limited control is required with respect to land uses that may obstruct airspace because found generally compatible with airport operations, posing no health or safety hazard for aircraft operations.

Aircraft Repair: An area used for mechanical and body work, straightening of body parts, body repairs, battery rebuilding, painting, and welding of aircraft not in operating condition. Outdoor work on aircraft/aircraft components involving noise, glare, fumes, smoke, or other characteristics are permitted.

Airport Elevation: the highest point airport usable landing area measured in feet above mean sea level.

Airport Hazard: any structure or object of natural growth located in the vicinity of the airport which obstructs the airspace required for the flight of aircraft or airport operations.

Airport Obstruction: any structure or object of natural growth or use of land which would exceed the federal obstruction standards established in 14 CFR sections 77.21, 77.23, 77.25 and 77.28, or which obstructs the airspace required for flight of aircraft in landing or take-off, or is otherwise hazardous to airport operations.

Airport: Any area of land or water which is used or intended for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including all necessary runways, taxiways, aircraft storage and tie-down areas, hangers, public terminal buildings and parking, helicopter pads, support activities such as airport operations and air traffic control, and other necessary buildings and open spaces. This definition includes the Laredo International Airport.

Airspace Height: the height limits established in this chapter, to be measured in feet above mean sea level.

Alcohol Sales: An establishment engaged in the sale of alcoholic beverages for off-premises consumption.

Alley: A minor public right-of-way which affords only a secondary means of access to abutting property.

Alluvial Fan Flooding: flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Alternative tower structure: any man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Amusement Redemption Machine Establishment: a business, organization, or institution which provides patrons access to amusement redemption machines, excluding a bar with five (5) or fewer machines.

Amusement Redemption Machine: an amusement redemption machine is a skill or pleasure coin- operated machine that is designed, made, and adapted solely for bona fide amusement

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purposes, and that by operation of chance or a combination of skill and chance affords the user, in addition to any right of replay, an opportunity to receive exclusively non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items. An amusement redemption machine does not include: 1) a machine that awards the user non-cash merchandise prizes, toys, or novelties solely and directly form the machine, including claw, crane, or similar machines, nor; 2) a machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit, or drop a ball or other physical object into the machine or a part thereof, including basketball, skeeball, golf, bowling, pusher, or similar machines.

Animal Hospital (Indoor): Any part of a building designed or used to care for or observe animals under medical treatment. The treatment of animals occurs entirely inside the principal building and not in ancillary or accessory buildings. This use does not include outside kennels.

Animal Hospital (Outdoor): A facility designed or used to care for or observe large animals under medical treatment. The treatment of animals occurs inside the principal building or outside on premises. Examples of large animals include horses, cows, chickens, mules, pigs, and other livestock animals.

Antenna: An exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

Antique Store: a retail store located within an enclosed structure which sells objects, art, handicrafts, furniture, glassware, guns, linens or other items fabricated more than fifty years earlier which have unique artistic or historical merit.

Apartment Building: a building under the ownership of a single person or entity containing three (3) or more separate living units for rental or lease, with facilities for living, sleeping, cooking and eating.

Apartment garage: a dwelling unit with facilities for living, sleeping, cooking, and eating designed or constructed as part of a facility designed primarily to house or store motor vehicles or machinery.

Apartment: a dwelling unit designed to be rented as a part of an apartment house or attached to a single-family dwelling.

Apex: a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

API: the American Petroleum Institute.

Appeal: a request for a review of the City Engineer's interpretation of any provisions of the storm water management code.

Applicant: any person, firm, or governmental agency who executes the necessary forms to procure official approval of a project or a permit to carry out construction of a project.

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Appurtenant Structure: a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Aquaponics: the integration of aquaculture with hydroponics, in which the waste products from fish are treated and then used to fertilize hydroponically growing plants.

Architectural, historic, or scenic area: an area that contains unique architectural, historic, or scenic characteristics that require special regulations to ensure that signs displayed within the area enhance its visual character and are compatible with it.

Area of Future Conditions Flood Hazard: the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

Area of Shallow Flooding: a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard: is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

Art establishment: an establishment primarily dedicated to the creation, dissemination, teaching or practice of art, its display, exhibition, storage, or offer for sale, and includes but is not limited to antique shops, art galleries, artist live/work spaces, art studios, art supplies stores, bookstores, libraries theaters, art museums, and schools of music, art, culinary arts or dance, but does not include sexually oriented businesses. (Added 7/6/10, Ord. No. 2010-0-084)

Art gallery: an art establishment dedicated to the promotion and sale of art, open to the public, with standard business hours for more than four (4) days per week. (Added 7/6/10, Ord. No. 2010-0-084)

Art studio: an art establishment used by an artist exclusively for the creation, production, rehearsing, or performance of art, and/or from where art may be promoted, sold or offered. (Added 7/6/10, Ord. No. 2010-0-084)

Art, artwork or work of art: any work product of an artist, including all forms of performing arts, literary arts, and plastic or visual arts, conceived in any medium, material, modeling, music, theater, tattooing, literature, painting, printing, drawing, engraving, frescos, stained glass, mosaics, mobiles, tapestries, carving, sculpture, murals, fashion design, jewelry design, photography, film, video, digital imaging, bas- relief, high relief, fountains, kinetics, culinary arts, and collages. (Added 7/6/10, Ord. No. 2010-0- 084)

Arterial: any existing or proposed street identified as such on the adopted Major Thoroughfare Plan of the City of Laredo.

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Artist live/work space: an art studio in which an artist is allowed to reside. (Added 7/6/10, Ord. No. 2010-0-084)

Artist: a person regularly engaged in and who derives a substantial portion of his/her annual income from the creation of art, either written, composed, produced or otherwise executed. (Added 7/6/10, Ord. No. 2010-0-084)

As-built Plan: a set of engineering or site drawings that delineate the specific permitted storm water infrastructure as actually constructed.

Auto and Truck Repair: An area used for mechanical and body work on motor vehicles including straightening of body parts, body repairs, battery rebuilding, painting, welding, short term storage of automobiles not in operating condition, outdoor work on vehicles, or other work that may involve noise, glare, fumes, smoke, or similar impacts.

Auto Repair, Minor: An Auto and Truck Repair use that offers only general maintenance activities including replacement of filters, fluids, light bulbs, belts, fuses, oil, and tires, emissions testing, and similar activities.

Automated Teller Machine (ATM): A stand alone automated teller machine, which handles monetary transactions and performs financial services, that is at a location separate from a controlling financial institution.

Automobile or Vehicle Sales: A facility for the sale or rental of automobiles, motorcycles, ATVs, boats, or recreational vehicles. This includes incidental vehicular services and repairs.

Automotive Repairs: the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting and steam cleaning of vehicles.

Automotive sales: the sale, rental, or display of passenger cars and light trucks.

Automotive wrecking and salvage: See "junkyard."

Automotive, Mobile Home, Travel Trailer and Farm Implement Sales: The sale or rental of new and used motor vehicles, mobile homes, travel trailers or farm implements, but not including repair work, except incidental warranty repair of same, to be displayed and sold on the premises.

Auxiliary Lane: A lane striped for use as a speed-change lane allowing for safe merging into through traffic or to leave through traffic.

Awning: a projection, shelter or structure of canvas, metal, wood, or other similar material approved by the building official that extends above a window, door, patio, or deck as protection from the weather. An awning requires the issuance of a building permit.

A-Zones: are found on all Flood Hazard Boundary Maps (FHBMs), Flood Insurance Rate Maps (FIRMs), and Flood Boundary and Floodway Maps (FBFMs). An A-Zone is an area that would be flooded by the Base Flood,, and is the same as a Special Flood Hazard Area (SFHA) or a 100-year floodplain. These areas may be unnumbered as AE, AH, or AO Zones. Numbered A-Zones indicate an area's risk to flooding.

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Backwater Effect: The rise in water surface elevation caused by some obstruction such as a narrow bridge opening, buildings, or fill material that limits the area through which the water must flow. Also referred to as "heading up."

Bail Bond Services: A business that engages in the sale or issuance of bail bonds or other financial transfers for the purpose of securing the release from jail of an accused defendant pending trial.

Bar: An establishment whose primary business is the serving of alcoholic beverages for public consumption on the premises whether or not entertainment, dancing, or food items are also provided. For purposes of this definition, "primary business" means the establishment derives in excess of fifty percent (50%) of its gross revenue on a quarterly basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code (as amended), for on-premise consumption. This definition does not include bona fide restaurants, hotels, motels, or sports related facilities such as golf courses, bowling alleys or sports arenas, or the serving of alcoholic beverages at publicly or privately sponsored events such as weddings, public celebrations, quinceañeras or the like. Examples include taverns, saloons, cantinas, night clubs, or billiard parlors. (Amended 2/4/13, Ord. No. 2013-O-005)

Base Flood Elevation (BFE): The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year: also called the Base Flood.

Base Flood: the flood having a 1 percent chance of being equaled or exceeded in any given year.

Base Floodplain: The floodplain that would be inundated by a one-percent chance (100-year) flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Bed and Breakfast: An owner-occupied detached single family dwelling which provides tourist lodging services. The dwelling is managed and owned by the owner-occupant and not more than one other person is employed by the owner on the premises except members of the immediate family of the owner/manager who also live on the premises. The owner/operator is required to maintain a current guest register to include names, addresses, fees collected and dates of occupancy, and must provide proof of the collection and payment of state and local Hotel/Motel Occupancy Tax to the City upon request. A bed and breakfast has less than six (6) guest rooms for temporary occupancy by tourists. Individual guest rooms have no cooking facilities. Any dwelling with more than six (6) rooms is considered a hotel and is required to comply with the zoning provisions for such uses. The exterior of the premises used for a bed and breakfast are indistinguishable from any other single family dwellings of like design and character.

Best Management Practices or "BMP": schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of

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waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Block: an identified tract or parcel of land surrounded by a street or streets, and other physical features which may be further subdivided into individual lots or reserves.

Board: the Zoning Board of Adjustment as authorized by Article IX, Section 9.05, of the Charter of the City of Laredo, l98l and 211.008 Tex. Loc. Govt. Code.

Breakaway Wall: means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Buffering: the planting of trees and/or shrubs, designed to minimize the transmission of unwanted noise, light, vibration, dust, traffic or activity from one property to adjoining public or private properties.

B-U-G ratings: A luminaire classification system with ratings for backlight (B), uplight (U), and glare (G). The **backlight** component of the rating system takes into account the amount of light in the BL, BM, BH and BVH zones depicted in Figure 10.2-1 below. The **uplight** component takes into account the amount of light in the UH and UL zones. The **glare** component takes into account the amount of light in the FH, FVH, BH and BVH zones.

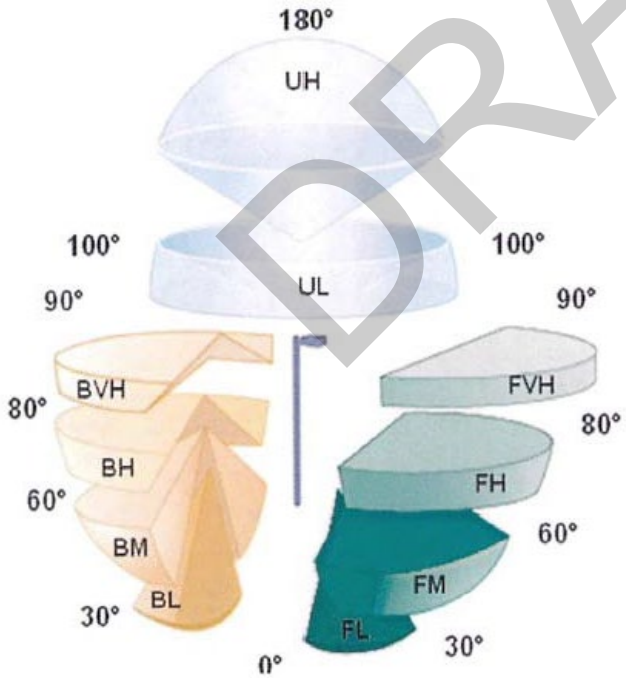

Figure 10.2-1 Components of B-U-G Ratings

Buildable Width: The width of that part of a lot not included within the set-backs herein required.

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Building Line: See setback line.

Building Materials Sales and Storage: Retailing, wholesaling or rental of building supplies or construction equipment. This classification includes retail lumber yards, retail and wholesale sales of other building material (such as concrete, masonry, plumbing and heating units), home improvement sales and services, tool and equipment sales or rental establishments. This does not include establishments with construction, assembly, concrete missing or block manufacturing occurring on premise.

Building: See structure. Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, or property.

Building, Accessory: A subordinate building detached from, but located on the same lot as the principal building the use of which is incidental and accessory to that of the main building.

Building Permit Application: an application submitted to the Building Official under the provisions of the Southern Standard Building Code, as amended, for new construction and remodeling which includes exterior remodeling which increases the exterior dimensions of any structure; which includes the replacement of 51% of an existing roof; the construction of a masonry wall or fence exceeding thirty inches in height measured from natural grade; the enclosure of an existing canopy, carport, porte-cochere; or the construction of decking which exceeds thirty inches from natural grade.

Building Plane, Front: the building plane that lies closest to the front property line.

Building Plane: any vertical surface, projection to a vertical plane of an inclined or curved surface, or wall of a structure that, when viewed in elevation, incorporates no overhangs, offsets, projections, decks, ramadas, loggias, or similar architectural features.

Buildings or Home Services: An establishment providing carpet cleaning, carpentry, roofing, exterminating, glazing, janitorial services, electrical repair, plumbing, heating and air conditioning, upholstery, painting and paper hanging, sign painting, packing and crating, landscaping, and locksmith services.

Building Services Director: The head of the Building Services Department and/or their designee.

Business College / Technical or Trade School: A nonacademic establishment offering courses such as trade schools, secretarial, computer and data processing, drafting, electronic repair including radio/TV repair, commercial art, allied health care, real estate, banking, and restaurant operation. Instruction may include vocational training such as automobile body and engine repair, construction equipment operation, building trades, truck driving, and mechanical and electrical equipment/appliance repair.

Business Support Services: A business that provides common services for commercial operations. This includes blueprinting, printing, graphics, photostatting, copying, packaging, labelling, and similar services. "Printing" and "graphics" means a business engaged in the custom design and/or reproduction of written or graphic materials. Typical processes include computerized design and printing, photocopying, and facsimile sending and receiving.

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Caliper: Diameter of a tree trunk. The caliper is measured six inches above the root ball for trees that are up to and including four-inch caliper size. For trees that are larger than four-inch caliper, measurement is 12 inches above the root ball.

Canopy: The upper vegetative cover of a tree or tree grouping.

Car Wash: A facility where the primary or secondary function is washing automobiles, pick-up trucks, and small vans, but not trailers or commercial trucks. Mechanical production line methods or self service equipment may be used. A car wash may also function as an accessory use to an automobile service station or other primary use.

Carnival: temporary entertainment facilities providing rides, exhibits, games, musical productions, food and drink, and items for sale as part of a private commercial venture.

Cemetery/Mausoleum: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

Cemetery: land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.

Certificate of Compliance: a written certificate issued by the Commission denoting that a subdivision plat or replat has been reviewed and approved.

Certificate of No Plat Required: certification by the Department based on documented conveyances of real property, that a tract of land is excepted from platting requirements.

Certificate of title: a letter, report, opinion, statement, policy, or certificate prepared and executed by a title company authorized to do business in the State of Texas, or an attorney licensed in Texas, describing all encumbrances of record which affect the property, together with all recorded deeds, including any part of the property included in the plat.

Child Day Care: A facility that provides care for more than 12 children under 14 years of age for less than 24 hours a day which requires state licensing or accreditation.

Child-Care Home: *(Amended Ord. No. 2009-O-158, 9/21/08)*

> **Registered Child-Care Home**: a home in which the registered primary caregiver provides care in the caregiver's own residence for not more than six children from birth through 13 years, and may provide care after-school hours for not more than six additional elementary school children. The total number of children in care at any given time, including the children related to the caregiver, must not exceed 12.
>
> **Licensed Child Care Home**: a home in which the registered primary caregiver provides in the caregiver's own residence for children from birth through 13 years. The total number of children in care varies with the ages of the children and the total number of

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caregivers (see attached chart), but the total number of children in care in a licensed child-care home at any given time, including the children related to the caregiver, must not exceed 12.

Children's Amusement Services (Outdoors): an establishment which provides a service that is oriented towards the amusement of children. The establishment will prohibit the possession and or consumption of alcoholic beverages on its premises. Noise levels shall remain under 70 decibels to be measured no more than eight (8) feet and no less than four (4) feet from the sound source. It will only operate from 8:00 a.m.: 11:00 p.m. Lighting shall be directed away from adjacent properties. Fencing shall be a masonry wall no less than seven (7) feet tall for areas adjacent to residential uses or residential district.

City Engineer: the person appointed to the position of Director of the Engineering Department or their designee. (Amended 5/17/04, Ord. No. 2004-0-105)

City Manager: the person appointed to the position of City Manager of the City of Laredo, or their designee.

City Petroleum Superintendent: the representative or official of the city who is charged with the responsibility of carrying out the provisions of this article.

City Tree Official: The Director of Parks and Recreation or their designee.

City: the City of Laredo, Texas. For purposes of Section 24-59, Storm Water Management, "City" means the City of Laredo, Texas and its jurisdictional territory.

Civic Building: A building that primarily serves a public function by providing an assortment of educational, recreational, social, political, or governmental uses and services. This includes libraries, community recreation centers, government buildings, and political campaign offices.

Civic Club: An association, structure, or portion of premises used for a social, literary, political, or educational purpose of members and their guests which is either open or closed to the general public. Examples include fraternal organizations, philanthropic organizations, rotary clubs, and similar uses.

Civic Space: Open spaces that are strategically placed to serve a community function. Civic spaces may be used for active or passive activities, and commonly include manicured green spaces, naturalistic green spaces, parks, squares, hard-scaped plazas, playgrounds, or community gardens. Civic Buildings may be located within civic spaces.

Clear vision area*:* that portion of a property defined by a right triangle where one side is the intersection sight distance and the adjacent side is the distance between the driver and the path of the vehicles approaching from the side over which motorists must see to safely judge and execute a driving maneuver into the intersection and onto the street.

Clearing: the removal of trees and brush from the land but shall not include the ordinary moving of grass.

Clinic (Dental or Medical): A building in which a group of physicians, dentists, and allied professional assistants are associated for the purpose of carrying on their profession; the clinic

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may include a dental or medical laboratory with limited in-patient care. This use does not include operating rooms for surgery. Examples include medical offices, laboratories, or facilities for medical, optical, orthotic, prosthetic, psychiatric, physiotherapy, surgical, or dental laboratory services, photographic, analytical, or testing services, urgent care clinics.

Club: a structure or portion thereof or premises used for a social, literary, political, educational or recreational purpose of members and their guests which is not open to the general public.

Coin Operated Machine: A coin operated machine includes a machine or device operated by the payment or insertion of paper currency or any other consideration.

College / University: A post-secondary educational institution authorized to award associate, baccalaureate, or higher degrees, or a seminary. College typically offer two (junior/community college) or four year (state university) academic programs.

Collocation: Shall mean, when referring to communication towers and antennas, the placing together of multiple antennas on a single communication tower or structure.

Commencement of Construction: The initial disturbance of soils associated with clearing, grading, excavating, land filling, and other construction activities.

Commercial Condominium: That portion of a commercial, institutional or office structure under individual ownership, sharing a common lot with ownership and management of common areas held by an organization or association of property owners subject to the Texas Condominium Act.

Commercial Dead Storage Parking Lot: A commercial parking lot used solely store or park tractor trailers or any commercial vehicle for at least 30 days.

Commercial Development: See Tree Protection standards (section 24.3.6).

Commercial Parking Lot: Any outdoor space, or uncovered plot, place, lot parcel, yard or enclosure, where one or more vehicles may be parked, stored, housed or kept, for which any fee is made or which is used for the parking of non-commercial vehicles by the patrons or employees of a business or commercial establishment, or which is for the use of trailers, connected to tractors or not, or any other type of commercial vehicle.

Commission: The City Planning and Zoning Commission.

Communication Tower: A structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

Community Garden: An area of land managed and maintained to grow and harvest food or horticultural products for personal or group consumption or for off-site sale or donation.

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Community Housing: Establishments primarily engaged in providing one or more of the following housing services: (1) short term emergency shelter for victims of domestic violence, sexual assault, or child abuse; (2) temporary residential shelter for the homeless, runaway youths, and patients and families caught in medical crises; or (3) transitional housing for low-income individuals and families.

Community: Community means any State or area or political subdivision thereof, or any Indian tribe or authorized native organization, which has the authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

Completion: the work conducted upon a well's well bore to establish production of the resource or injection of fluids after the production casing string has been set, cemented, and pressure tested, including perforating casing, setting packers and tubing, and setting the well in place.

Composting: relatively stable decomposed organic matter for use in agricultural and other growing practices, usually consisting of materials such as grass, leaves, yard waste, worms, and raw and uncooked kitchen food wastes, but specifically excluding bones, meat, fat, grease, oil, raw manure, and milk products**.**

Comprehensive Plan: the plan adopted by the Planning Commission and the City Council, showing the general location and extent of present housing, industrial and commercial uses, major thoroughfares, parks, schools and other community facilities, and which sets growth policies and generalized future land uses. [*Note: the current Comprehensive Plan is Viva Laredo, adopted September 18, 2017.*]

Conditional Use Permit: shall be defined as a permit granted solely on a discretionary and conditional basis by the City Council, which authorizes a land use in a zoning district in which that use is not normally permitted. All requirements of a Conditional Use Permit are in addition to and supplement land development code requirements.

Conditional Use: shall be defined as a use allowed within certain zoning districts under certain conditions.

Condominium: a a form of real property with portions of the real property designated for separate ownership or occupancy, and the remainder of the real property designated for common ownership or occupancy solely by the owners of those portions. Real property is a condominium only if one or more of the common elements are directly owned in undivided interests by the unit owners. Real property is not a condominium if all of the common elements are owned by a legal entity separate from the unit owners, such as a corporation, even if the separate legal entity is owned by the unit owners. [*Source: Uniform Condominium Act, Texas Property Code Sec. 82.003.*]

Construction: any human activity that involves clearing, grading, excavation, land filling, or other placement, movement, removal, or disposal of soil, rock, or other earth materials.

Construction Office: A mobile home, travel trailer, truck trailer, or other structure used as an office in conjunction with a construction project.

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Construction Yard: A temporary area used for the storage of construction materials, supplies, equipment, tools, stock piling and recycling of useable construction materials and other items as permitted including temporary storage containers, construction trailers and construction offices.

Contaminated: containing a harmful quantity of any substance.

Contractor: The offices and/or storage facilities for a specialized trade related to construction, electric, glass, painting and decorating, welding, water well drilling, sign making, or similar items. Includes storage yards (for equipment, materials, supplies and/or vehicles), roofing and sheet metal, fabrication of cabinetry and related millwork and carpentry, elevator maintenance and service, and venetian blind and metal awning fabrication and cleaning. Incidental sales of materials are permitted. The applicable district may prohibit steel or metal fabrication. Includes storage of equipment owned or rented by the establishment, and raw materials (including sand, caliche, road-building aggregate or lumber) unless prohibited by the applicable district.

Convenience Store (with Gasoline Sales): Establishments that retail a limited line of goods that generally includes milk, bread, soda, alcohol and package liquor, snacks, and fuel sales for vehicles.

Convenience Store: Establishments that retail a limited line of goods that generally includes milk, bread, soda, alcohol and package liquor, and snacks, but not fuel sales for vehicles.

Conversion: physically changing the function of a well from one use to another. **Developed residential or commercial area**: any property on which a structure is located and is zoned to allow for residential or commercial uses.

Corner Clearance: The distance along the edge of the traveled way from the closest edge of pavement of the intersecting roadway to the closest edge of pavement of the nearest access connection.

Corner clip: The area in the form of a triangle bounded by two (2) intersecting boundaries for a distance of fifteen (15) feet on each of such boundaries from the points of intersection and bounded by a third side determined by drawing a straight line from the points of the two (2) intersecting boundaries, fifteen (15) feet from their intersection. For the purposes of this definition "boundaries" shall refer to streets, roads, alleys. Signs or parts of a sign and/or supporting structures are prohibited to be located in a corner clip.

Corner lot: a lot located at the intersection of two local public streets or thoroughfares.

Correctional Facilities: A facility where persons are detained pending adjudication or confined under criminal sentences. Examples include penitentiaries, jails, major correctional facilities, community based facilities, community work centers, or juvenile detention facilities.

Council: the City Council of Laredo, Texas.

Crematorium: The building or portion of a building that houses the chamber for cremation and the holding facility.

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Critical Feature: an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Critical root zone (CRZ): A region measured outward from the trunk of a tree representing the essential area of the roots that must be preserved for the tree's livelihood. The CRZ is measured as one foot of radial distance outward from the trunk for every inch of the tree's diameter, but may not be less than a radius of eight feet.

Crown: All portions of a tree, excluding the trunk and roots.

Cul-de-sac: a street which is not a through street and which terminates in a turnaround.

Cultural Facility: An institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. Examples include museums, historical sites, art galleries, zoos, aquariums, and observatories.

"D"

Damage: any action taken which could cause a tree's death, either immediately or after a reasonable period of time, such as severing the main trunk or large branches or large roots, girdling, poisoning, carving, mutilating, touching with live wires, crushing or exposing roots, digging or drilling a hole larger than three (3) cubic feet (or a trench) within the Critical Root Zone, covering a substantial part of the Critical Root Zone, or compacting a substantial part of the soil within the Critical Root Zone. The above are examples and not intended to limit this definition.

Day Camp: A facility, area, or tract of land for temporary occupancy entailing activities for recreational purposes.

Day Care Center: a facility that provides care for more than 12 children under 14 years of age for less than 24 hours a day which requires state licensing or accreditation. (Amended 4-6-92, Ord. No. 92-0-75)

Day Labor Service: Any building or premises that serves as a staging point or gathering place for persons who are seeking immediate employment in daily labor activities and who accept or are assigned employment in accordance with whatever employment is available on that particular day. For purposes of this definition, "day labor" means manual labor, such as construction cleanup, garbage pickup and removal, demolition, convention setup and takedown, landscaping, planting, and digging.

Day-Night Average Sound Level (Ldn): the estimated cumulative aircraft or other noise exposure in decibels of noise as measured by an A-weighed sound-level meter. In the Ldn procedure, noise exposures are accumulated for a typical 24: hour period. A weighing factor equivalent to a penalty of 10 decibels is applied to aircraft operations or other noise sources between 10:00 p.m. and 7:00 a.m. to account for the increased sensitivity of people to night-time noise. The Ldn values in effect in the City of Laredo are those expressed graphically by contour lines approved by the Council.

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Decibel (db): a unit of measure of a sound expressed from a calibrated sound-level meter using an A-level weighting scale.

Density: the number of dwelling units per acre or square foot of area.

Department: the Department of Planning & Building Services.

depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Design Flood: Commonly used to mean the magnitude of flood used for design and operation of flood control structures or other protective measures. It is sometimes used to denote the magnitude of flood used in floodplain regulations.

Design Report: the report that accompanies the storm water management plan and includes data used for engineering analysis, results of all analysis, design and analysis calculations (including results from computer programs), and other engineering data that would assist the City Engineering evaluating proposed storm water management facilities.

Designated Floodway: The channel of a stream and that portion of the adjoining floodplain designated by a regulatory agency to be kept free of further development to provide for unobstructed passage of flood flows.

Detention Structure: a permanent storm water management structure whose purpose is to temporarily store storm water runoff and release the stored runoff at controlled rates.

Developed Residential or Commercial Area: any site on which a structure is located and is zoned to allow for residential or commercial uses.

Development: any of the following actions undertaken by a public or private individual or entity:

1. The division of a lot, tract or parcel of land into two (2) or more lots, plots, sites, tracts, parcels or other divisions by plat or deed, or

2. Any land change, including, without limitation, clearing, tree removal, grubbing, stripping, dredging, grading, excavating, transporting and filling of land.

3. Any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Diameter: A form of measurement of an existing tree trunk. Diameter is measured at 4 feet above the ground level.

Director: the Director of the Department of Planning & Building Services, or his designee.

Discharge: any addition or introduction of any pollutant, storm water, or any other substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.

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Discharger: any person who causes, allows, permits, or is otherwise responsible for a discharge, including without limitation, any operator of a construction site or industrial facility.

District: a zoning district within any section of the City.

Disturb or **disturbing the critical root zone**: Conducting any hazardous activities within the critical root zone.

Dormitory: a structure designed for long-term occupancy by three or more unrelated persons, and where no cooking or dining facilities are provided in the individual rooms.

Double-Front Lot: a lot located between two public streets with frontage on both.

Drainage Area: that area contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridge line.

Drainage Channel: a natural or artificially constructed watercourse which provides for stormwater run-off.

Drilling Block: the surface area of those blocks of land upon which drilling and production operations are to be conducted.

Drilling Unit: the minimum number of acres surrounding the well required under R.R.C. Form W-1.

Drinking Water: all water distributed by any agency or individual, public or private for the purpose of human consumption or which may be used in the preparation of foods or beverages or for the cleaning of any utensil or article used in the course of preparation of food or beverages for, human bathing or clothes washing.

Dripline: The periphery of the area underneath a tree that would be encompassed by perpendicular lines dropped from the outermost edges of the canopy of the tree.

Drive-In Restaurant: a restaurant that serves customers who may order from and eat within their vehicles.

Drive-Through Restaurant: a business which provides food service to customers through an exterior window.

Drive-Through Store: a retail establishment which supplies merchandise to customers through an exterior window or at the window of their vehicle.

Drug And Tobacco Paraphernalia Shop (a/k/a Head Shop): any premises or establishment having a substantial or significant portion of its stock in trade in drug paraphernalia or which has as its main purpose the offering for sale, or that presents or, displays for sale, drug paraphernalia, or items, equipment or products commonly used, intended to be used or commonly known to be used for the ingestion, inhalation, preparation or injection of illegal substances. (Added Ord. No. 2014-O-153, 11/17/14)

Drug and Tobacco Paraphernalia Shop (Head Shop): Any premises or establishment having a substantial or significant portion of its stock in trade in drug paraphernalia or which has as its main purpose the offering for sale, or that presents or, displays for sale, drug paraphernalia, or

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items, equipment or products commonly used, intended to be used or commonly known to be used for the ingestion, inhalation, preparation or injection of illegal substances.

Drug paraphernalia means equipment: a product, or material that is used or intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, or concealing a controlled substance in violation of this chapter or in injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this chapter. The term includes: (Added Ord. No. 2014-O-153, 11/17/14)

- a kit used or intended for use in planting, propagating, cultivating, growing, or harvesting a species of plant that is a controlled substance or from which a controlled substance may be derived;
- a material, compound, mixture, preparation, or kit used or intended for use in manufacturing, compounding, converting, producing, processing, or preparing a controlled substance;
- an isomerization device used or intended for use in increasing the potency of a species of plant that is a controlled substance;
- testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance;
- a scale or balance used or intended for use in weighing or measuring a controlled substance;
- a dilutant or adulterant, such as quinine hydrochloride, mannitol, inositol, nicotinamide, dextrose, lactose, or absorbent, blotter-type material, that is used or intended to be used to increase the amount or weight of or to transfer a controlled substance regardless of whether the dilutant or adulterant diminishes the efficacy of the controlled substance;
- a separation gin or sifter used or intended for use in removing twigs and seeds from or in otherwise cleaning or refining marihuana;
- a blender, bowl, container, spoon, or mixing device used or intended for use in compounding a controlled substance;
- a capsule, balloon, envelope, or other container used or intended for use in packaging small quantities of a controlled substance;
- a container or other object used or intended for use in storing or concealing a controlled substance;
- a hypodermic syringe, needle, or other object used or intended for use in parenterally injecting a controlled substance into the human body; and
- an object used or intended for use in ingesting, inhaling, or otherwise introducing marihuana, cocaine, hashish, or hashish oil into the human body, including:
- a metal, wooden, acrylic, glass, stone, plastic, or ceramic pipe with or without a screen, permanent screen, hashish head, or punctured metal bowl;
- a water pipe;
- a carburetion tube or device;
- a smoking or carburetion mask;
- a chamber pipe;

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- a carburetor pipe;
- an electric pipe;
- an air-driven pipe;
- a chillum;
- a bong; or
- an ice pipe or chiller.

Duplex: a single building or structure with two (2) separate dwelling units and located on a single lot.

Dwelling Unit: a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. [*Source: 2018 International Building Code*] A "dwelling unit" does not include a hotel or motel.

Dwelling, Multi-Family: a building that contains three (3) or more dwelling units on one (1) lot. It includes any form of family occupancy, including traditional or non-traditional households. Examples include apartments, triplexes, or flats. This does not include a townhouse, which is defined separately.

Dwelling, Single-Family Detached: a detached building containing only one (1) dwelling unit and used for residential purposes exclusively by one (1) family.

Dwelling, Two-Family (Duplex): a building containing two (2) dwelling units, including any duplex or two-family dwelling. The units may be horizontally, vertically (with one above the other), or back to back.

Dwelling, Two-Family: a single structure containing two dwelling units, with each unit located on a separate lot. See Duplex.

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Easement: the right of use over the property of another. For purposes of Section 24-59, Storm Water Management, shall mean a grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.

Economically Distressed Area: an area in which the water supply or sewer services are inadequate to meet minimal needs of residential users as defined by the Texas Water Development Board (board) rules; financial resources are inadequate to provide water supply or sewer services that will satisfy those needs; and an established residential subdivision was located on June 1, 1989, as determined by the board.

Effective Grain Size: the diameter of filter sand or other aggregate that corresponds to the ten (1 0) percentile finer by dry weight on the grain six distribution curve.

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Electrical sign contractor: a person, or entity, licensed as an electrical sign contractor, that is in the business of performing "electrical sign contracting" as defined by Texas Occupations Code, §1305.002(9) and section 28-20(n) of this article.

Elevated Building: for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Elevation: The placement of a structure above flood level to minimize or prevent flood damages.

Eligible Tree: any tree, evergreen or deciduous , which at the time of planting has a caliper equal to or greater than one and one half (1 1/2) inches measured six (6) inches above the soil, and not less than six (6) feet in height.

Emergency Care Clinic (Outpatient) – A facility providing medical care to persons requiring immediate attention for minor medical emergencies which do not require trauma level or major surgical treatment and hospitalization on a 24-hour basis with no provision for continuing medical care on an inpatient basis and which may include incidental medical testing, laboratory and other diagnostic services.

Engineer: a person licensed and authorized to practice engineering in the State of Texas under the Texas Engineering Practice Act.

Entertainment establishment: an establishment which provides an ongoing activity or business to which the public is invited or allowed to watch, listen, or participate, to divert or amuse guests or patrons, including but not limited to presentations by single or multiple performers, such as comedians, musical song or dance acts, plays, concerts, demonstrations of talent, shows, reviews, hypnotists, pantomimes, or any other similar activity which may be attended by members of the public. Also included are cabarets, dancehalls, discotheques, discos, music venues, nightclubs, restaurants, and bars. Sexually oriented businesses are excluded from this definition. (Added 7/6/10, Ord. No. 2010-0-084)

Entertainment Facility: An establishment where the primary source of revenue is derived from live or recorded performances shown or played for the amusement of an audience. Examples include auditoriums, theaters, music clubs and dance halls.

Environmental Protection Agency or EPA: the United States Environmental Protection Agency, the regional office thereof, any Federal department, agency, or commission that may succeed to the authority of the EPA, and any duly authorized official of EPA or such successor agency.

Environmentally Sensitive Area: Any area wherein plant or animal life, listed in the Texas Endangered Species Act and/or the Federal Endangered Species Act, exists or there is evidence of their inhabitance. (Amended 5/17/04, Ord. No. 2004-0-105)

Erosion: the wearing away of land surface by the action of wind, water, gravity, ice or any combination of these forces. (Amended 5/17/04, Ord. No. 2004-0-105)

Escort Agency: a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.

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ESD Director: the administrative head of the city Environmental Services Department and/or his/her authorized representative. (Amended 5/17/04, Ord. No. 2004-0-105)

Essential Services: infrastructure for provision of services by public and private utilities but not including buildings.

Exempt signage: a sign for which a permit is not required; however, compliance with all other city ordinances and the comprehensive zoning ordinance is required. A sign permit may be required if it is determined by the building official that a building permit or electrical permit is required. Exempt signs include address signs, some instructional/informational signs, some private directional signs, private parking signs, public service signs and/or non-commercial window signs.

Exhibition, Convention, or Conference Facility: A facility used for assemblies or meetings of the members or representatives of a group, such as convention centers and banquet halls. This does not include clubs, lodges, community meeting facilities, or other meeting facilities of private or non-profit groups that are primarily used by group members.

Existing Construction (for section 24.2.18 [Flood Hazard District] only): for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing Manufactured Home Park or subdivision (for 24.2.18 [Flood Hazard District] only): a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an Existing Manufactured Home Park or Subdivision: the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Extraction: Establishments that support oil, sand, gravel extraction, minerals mining, including exploration, sampling, excavating, drilling, surveying, and similar activities. This includes oil field service companies, oil field supplies and machinery, sand processing materials, storage facilities. Incidental sales of oil, gas, sand, gravel, minerals, and other materials are permitted.

Extraterritorial jurisdiction (ETJ): that land outside the corporate boundaries as shown on the official map of the city. Generally, the ETJ is defined as a five (5) mile buffer around the City of Laredo corporate limits.

Extraterritorial jurisdiction: the unincorporated territory extending five (5) miles beyond the City limits established by the authority and subject to the limitations of Chapters 42 of the Local Government Code.

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FAA: the Federal Aviation Administration.

Façade: the entire building front including the parapet.

Facility: any building, structure, installation, process, or activity from which there is or may be a discharge of a pollutant.

Family Home: A home that regularly provides care in the caretaker's own residence for not more than six children under 14 years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six additional elementary school, but the total number of children, including the caretaker's own, does not exceed 12 at any given time. (Amended 4/6/92, Ord. No. 92-0-75)

Family: one or more persons related by blood, marriage, or adoption, or more than one but less than six unrelated persons who share common living space. A "family" includes quarters for domestic employees living on the premises included as part of the main structure, up to the number of unrelated persons established in this definition.

Farming and Ranching: Land that produces, cultivates, grows, stores, raises, or breeds livestock and crops for off-premise consumption or personal use

FCC: the Federal Communications Commission.

Federal Emergency Management Agency (FEMA): This agency was created in 1979 to provide a single point of accountability for all Federal activities related to disaster mitigation, emergency preparedness, response, and recovery.

Federal Insurance Administration (FIA): The government unit, a part of FEMA, that administers the National Flood Insurance Program.

Fee Owner: the owner of a fee simple mineral estate which is not subject to an oil, gas and mineral lease.

Fence: an artificially constructed barrier enclosing all or part of a tract of land intended to prevent escape or intrusion, or to establish a boundary.

Filing date: the date on which a plat is first presented to the Commission for its approval as part of the official agenda.

Fill: Material such as earth, clay, or crushed stone that is dumped in an area and compacted to increase ground elevation.

Filtration or "To Filter": the selective removal of suspended matter from storm water by passing the water through at least 2 feet of suitable fine textured granular media such as porous soil, uniformly graded sand and gravel, or other natural or artificial aggregate, which may be used in conjunction with filter fabric and/or underdrain pipe.

Final Stabilization: the status when all soil disturbing activities at a site have been completed, and a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures have been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

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Financial Institution: A business where the primary occupation is financial services such as banking, savings and loans, loan offices, and check cashing and currency exchange outlets. It does not include financial services that typically occur in an office or storefront, such as investment companies, loan companies, credit and mortgage, insurance services, or brokerage firms), which are classified under "Office," below.

Fire Department: the Fire Department of the City of Laredo, or any duly authorized representative thereof.

Fire Protection Water: any water, and any substances or materials contained therein, used by any person other than the Fire Department to control or extinguish a fire.

First Order Stream: No defined tributaries drain into this stream and it normally originates from springs, seeps or rain runoff from the higher elevations in a watershed and conducts water into a higher order stream. First order streams appear on a USGS 1:24000 Topographical Map. (Amended 5/17/04, Ord. No. 2004- 0-105)

Five-Year Frequency Storm: a storm that is capable of producing rainfall to be equaled or exceeded on the average of once in five (5) years. It may also be expressed as an exceedance probability with a twenty (20%) percent chance of being equaled or exceeded in any given year.

Flag Lot: a lot of irregular shape with reduced frontage on a public or private street with dimensions which are otherwise adequate at the building line. The term flag lot is interchangeable with 'key lot'.

Flash Flood: A flood that crests in a short length of time and is often characterized by high velocity flow. It is often the result of heavy rainfall in a localized area.

Flea Market: an enclosed or unenclosed marketplace where second-hand, crafts, antiques or other goods are regularly offered for sale by two or more merchants. Fund raising events sponsored by religious, charitable, education, social or political organizations are not a flea market.

Flood Boundary Floodway Map (FBFM): The FBFM is a map that may be included with a Flood

Flood Control: Keeping flood waters away from specific developments or populated areas by the construction of flood storage reservoirs, channel alterations, dikes and levees, bypass channels, or other engineering works.

Flood Crest: The maximum stage or elevation reached or expected to be reached by the waters of a specific flood at a given location.

Flood Elevation Study: an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Frequency: A statistical expression of the average time period between floods equaling or exceeding a given magnitude. For example, a 100-year flood has a magnitude expected to be equaled or exceeded on the average of once every hundred years; such a flood has a one-

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percent chance of being equaled or exceeded in any given year. Often used interchangeably with recurrence interval.

Flood Fringe: That portion of the floodplain that lies beyond the floodway and serves as a temporary storage area for flood waters during a flood. This section receives waters that are shallower and of lower velocities than those of the floodway.

Flood Hazard: Flood hazard is the potential for inundation and involves the risk of life, health, property, and natural value. Two reference base are commonly used: (1) For most situations, the base flood is that flood which has a one percent chance of being exceeded in any given year (also known as the 100-year flood); (2) for critical actions, an activity for which a one percent chance of flooding would be too great, at a minimum the base flood is that flood which has a 0.2 percent chance of being exceeded in any given year (also known as the 500-year flood).

Flood Insurance Rate Map (FIRM): an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study: see Flood Elevation Study

Flood or Flooding: a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) the overflow of inland or tidal waters.

(2) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved property, water and sanitary facilities, structures and their contents.

Flood Protection System: those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the

Flood Warning: The issuance and dissemination of information about an imminent or current flood.

Flood Zones: Zones on the Flood Insurance Rate map (FIRM) in which the risk premium insurance rates have been established by a Flood Insurance Study.

Floodplain Management Regulations: zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodplain Management: The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management.

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Floodplain or Flood-Prone Area: any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodway: see Regulatory Floodway

Floor Area: Gross: the total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Floor Area: Net: the gross floor area of a building less stairs, washrooms, elevator shafts, and other common areas open to public or semi-public use.

Food Market: A structure or place where agricultural produce is brought for the purpose of retail sales from vehicles, temporary stands, or stalls. These include more than one seller per parcel of land. Examples include farmers markets and mobile markets.

Food Preparation: A business that prepares food and beverages for off-site consumption, including delivery services. Examples include catering shops, bakeries with on-site retail sales, and the small-scale production of specialty foods (such as sweets). This classification excludes food production of an industrial character.

Food Processing: the preparation, storage or processing of food or comestibles.

Food Service: An establishment for retail sales of food and beverages for off-site preparation and consumption. Examples include grocers/supermarkets, specialty food stores, fruit and/or vegetable stands, butcher shops, delicatessens, dairy product sales, food cooperatives, or convenience markets. This category also includes large-scale stores that sell food items and beverages in bulk.

Foundation: The underlying structure of a building, usually constructed of concrete, that supports the foundation walls, piers, or columns.

Fourth Order Stream: is a stream formed by the confluence of two third order streams.

Freeboard: Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights grater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Frontage: the portion of any tract which abuts a public street right-of-way affording primary access to the tract.

Full cut-off fixtures: Fixtures, as installed, that are designed or shielded so that all light rays emitted by the fixture (either directly from the lamps or indirectly from the fixture) are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Functionally Dependent Use: a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship

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building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Funeral & Interment Services: Any place or premises devoted to or used in the care and preparation for burial of the body of a deceased person or maintained or held out to the public by advertising or otherwise as the office or place for the practice of funeral directing. Examples include funeral homes. (Note: cemeteries are classified under Public/Civic/Institutional - Assembly, below).

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Garage or Yard Sale: the sale or offer of second-hand merchandise for sale on an occasional basis not exceeding two consecutive days nor on more than two separate occasions during a twelve month period.

Garage: an enclosed structure designed to provide automobile or motor vehicle storage accessory to a main structure.

Gasoline or Diesel Fuel Sales: An area used exclusively for retail sales of fuels or oils. This use may have storage tanks and pumps, vehicle service and repair facilities conducted inside the building, or an accessory car wash.

General Animal Services: Any part of a building designed or used to care for, board, groom, observe, or treat animals, supervised by a licensed veterinarian. This use may include overnight boarding or outdoor confinement or exercise areas.

General Development Plan: a map or plat designed to illustrate the general design features and street layout of a subdivision which is proposed to be developed and platted in sections.

General Personal Services: A business which provides a service to the general public. This includes, but is not limited to, barber shops, beauty shops/salons/cosmeticians, laundries (including self service), dry cleaners, tailors, seamstresses or dressmakers, taxidermist, pet groomers, photographers, wedding planning, wedding chapels, dating services, nail salons, massage establishments, travel services, tattoo parlors, and shoe shining or repair. This does not include bail bond, or other services listed separately.

General Retail: An establishment engaged in sale or rental of goods, such as: general merchandise, apparel and accessories/uniforms, appliances, arts and crafts, beer or liquor (package)auto parts/tires, bicycles, books, camera and photographic supplies, candy and confections, dry goods, electronics, entertainment media (such as videos, compact discs, DVDs, or computer games), firearms, floral goods, furniture, gifts and novelties, hardware, health and personal care (such as pharmacies, cosmetics and optical or surgical supplies), heating and plumbing equipment, hobby, jewelry, luggage and leather goods, music, news media (newsstand), office supplies, pets, picture frames, shoes, sporting goods, stationary, tobacco, toys, used clothing or merchandise / antiques, or similar items. This includes artist studios that both create and sell visual artwork. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification. Merchandise is typically sold from locations known as storefronts, stand-alone buildings, department stores, warehouse

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clubs, variety stores, superstores, swap meets or flea markets, auctions, or consumer goods rental / general rental centers.

Grades: (1) For buildings having walls adjoining one street only, the elevation of the street curb at the center wall adjoining the street. (2) For buildings having walls adjoining more than one street, the average of the elevation of the street curb at the centers of all walls adjoining the streets. (3) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building, if approved by the City Engineer. (4) Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street. Where a curb exists, the grade is established by the City Engineer.

Grading: excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.

Grandfather clause (sign): any sign lawfully in existence in a commercial or industrial area on such date may remain even though it may not comply with the size, lighting, or spacing criteria. This clause only allows an individual sign at its particular location for the duration of its normal life, subject to customary maintenance. Any sign in existence for at least fifty (50) years from the creation of this ordinance shall also be considered a historic sign. Pre-existing signs covered by a grandfather clause which do not comply with the agreement criteria have the status of nonconforming signs.

Greenbelt: that section of street or highway right-of-way that is usually unpaved. Greenbelt may also refer to medians and other designated areas reserved for landscaping or pedestrian traffic. Greenbelt areas are not limited to streets or highways on public land.

Green House: a building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants. A green house may or may not be a permanent structure.

Ground Passenger Transportation: Establishments that provide passenger transportation by bus, charter bus, automobile, limousine, van, or shuttle. Some services (such as taxi) are not operated over regular routes and on regular schedules. Examples include charter bus, special needs transportation, taxicab owner/operators, taxicab fleet operators, or taxicab organizations. This does not apply to publicly operated bus or transit systems. Includes fleet services that store, maintain, repair, fuel, and service two or more vehicles owned by a single commercial or public entity.

"H"

Halfway House (Criminal): A licensed home for inmates on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently. (added 12/21/09; Ord. No. 2009-O-225)

Hazardous activities: The activities described in subsection VI (c).

Hazardous Waste Disposal: Any facility or any portion of a facility for disposal of hazardous waste on or in land.

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Hazardous Waste Transfer: A facility where hazardous or infectious waste is received and processed for transportation to another place for recycling, re-use, incineration or final disposal.

Health/Fitness Club: An establishment that offers exercise or weight control programs whether or not the business provides any other service. Examples include gymnasiums, martial arts schools, gymnastics schools, weight control establishments/reducing salons, health clubs, health spas, swimming pools, handball facilities, racquetball or tennis club facilities, tanning facilities, fitness facilities, and yoga or workout studios.

Heavy Equipment Sales and Service: The maintenance or sales of heavy machinery. This includes establishments primarily engaged in sales, renting, or servicing machinery and equipment for use in business or industrial operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or store-front facility. "Heavy machinery" includes office equipment, machinery tools, construction equipment, or transportation equipment.

Hedge: a landscape barrier consisting of a continuous, dense planting of shrubs.

Height: The vertical distance of a building or structure measured as provided in Article 3.

Heliport and Miscellaneous Air Transportation: Facilities intended solely for takeoff and landing of helicopters, or for miscellaneous transportation vehicles for scenic purposes such as balloons.

Highest Adjacent Grade: the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic District: an historic overlay district subject to the design and preservation standards established by the Historic District/Landmark Board:

- *Legal Description of San Agustin De Laredo Historic District*. The San Agustin de Laredo Historic District, Western Division includes:

  All of Block 2, All of Block 9, All of Block 21, All of Block 1, All of Block 25, All of Block 26; All of Block 18; All of Block 19; All of Block 20; All of Block 10; All of Block 11; and All of San Agustin Plaza.

  Metes and Bounds Description:

  The northwest corner of the San Agustin de Laredo Historic District begins at the intersection of Iturbide St. and Convent Ave. The boundary then extends east along Iturbide St. to Santa Ursula Ave., thence south along Santa Ursula St. to Water St., thence west along Water St. to Convent Ave., thence north along Convent Ave. to the point of beginning.

- *Legal Description of Old Mercado Historic District.* The Old Mercado Historic District, Western Division includes:

  Block 3, Lots 6, 7, and 8; Block 36, Lots ,3A, 3B, 4A, 4B, 5, 6A, 7A, and 8; Block 40, Lots 3A, 3B, 4, 5, 6, 7, and 8; Block 48, Lots 3A, 3B, 4A, 4B, 5, 6, 7A, 7B, and 8; All of Blocks 32, 33, 34, 35, 41, 41A, 42, 43, 44, 45, 46, and 47.

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Metes and Bounds Description:

The northwest corner of the Old Mercado Historic District begins at the northwest corner of Lot 8, Block 48, and Farragut St. The boundary then extends east along Farragut St. to Santa Ursula Ave., thence south along Santa Ursula Ave. to Iturbide St., thence west along Iturbide St. to Convent Ave., thence south along Convent Ave. to the southeast corner of Lot 6, Block 3, thence west along the southern property lines of Lots 6, 7, 8, thence north along the western property line of Lot 8, Block 3 to the point of the beginning.

- *Legal Description of St. Peter's Historic District*. St. Peter's Historic District, Western Division includes:

Santa Maria Ave. to the southeast corner of Lot 6, Block 151, thence west along the southern property lines of Lots 6, 7, 8, 9, and 10 of Blocks 151, 152, 153, 154, 287 and the southern property line of Lot 6 Block 322 to the southeast corner of Lot 6, Block 322, thence north along the western property line of Lot 6, Block 322 to Hidalgo St., thence west along Hidalgo St. to the southwest corner of Lot 4, Block 289, thence north along the western property line of Lot 4, Block 289 to the northwest corner of Lot 4, Block 289, thence west along the northern property lines of Lots 3, 2, and 1 to Santa Isabel Ave., thence south along Santa Isabel Ave. to Hidalgo St., thence west along Hidalgo St. to the midpoint of Lot 3, Block 326, thence north along an imaginary line dividing the eastern and western halves of Lots 3 and 8 of Block 326 and the imaginary line dividing Blocks 327 and 328 to Houston St., thence east along Houston St. to Santa Isabel Ave., thence north along Santa Isabel Ave. to the point of beginning.

Block 151, Lots 6,7,8,9, and 10; Block 152, Lots 6,7,8,9, and 10; Block 153, Lots 6,7,8,9, and l0; Block 154, Lots 6,7,8,9, and 10; Block 287, Lots 6,7,8,9, and 10; Block 322, Lot 6; Block 289, Lots 4,5,6,7,8,9, and 10; Block 326, Lots 4, 5, 6, 7, and the eastern half of Lots 3 and 8; eastern half of Block 327; eastern half of Block 328; All of Blocks 122, 123, 124, 125, 135, 136, 137, 138, 143, 144, 145, 146, 147, 148, 149, 150, 166, 167, 168, 169, 200, 201, 202, 203, 133/281,132/282, 131/283, 130/284, 129/285, 286, 290, 291, 292, 293, and 294.

Metes and Bounds Description:

The northwest corner of the St. Peter's Historic District begins at the intersection of Moctezuma St. and Santa Isabel Ave. The boundary then extends east along Moctezuma St. to Santa Maria Ave., thence south along Santa Maria Ave. to the southeast corner of Lot 6, Block 151, thence west along the southern property lines of Lots 6, 7, 8, 9, and 10 of Blocks 151, 152, 153, 154, 287 and the southern property line of Lot 6 Block 322 to the southeast corner of Lot 6, Block 322, thence north along the western property line of Lot 6, Block 322 to Hidalgo St., thence west along Hidalgo St. to the southwest corner of Lot 4, Block 289, thence north along the western property line of Lot 4, Block 289 to the northwest corner of Lot 4, Block 289, thence west along the northern property lines of Lots 3, 2, and 1 to Santa Isabel Ave., thence south along Santa Isabel Ave. to Hidalgo St., thence west along Hidalgo St. to the midpoint of Lot 3, Block 326, thence north along an imaginary line dividing the eastern and western halves of Lots 3 and 8 of Block 326 and the imaginary line dividing

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Blocks 327 and 328 to Houston St., thence east along Houston St. to Santa Isabel Ave., thence north along Santa Isabel Ave. to the point of beginning.

Historic Structure: any structure that is:

- Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
- By an approved state program as determined by the Secretary of the Interior or;
- Directly by the Secretary of the Interior in states without approved programs.

Home Occupation: any occupation or activity which meets all of the following tests:

Home Occupation A: For services and professional use – (1) The occupation is managed or owned by an immediate family member and not more than one other person is employed by the owner/manager on the premises except members of the immediate family of the owner/manager who also live on the premises. (2) The exterior of the premises used for the home occupation is indistinguishable from any other residential dwelling of like design and character, in that no commercial displays, show windows, exterior storage areas, commercial trucks, outside storage of any nature, or parking spaces are evident.

Home Occupation B: "All of the requirements of home occupation ""A"" above, plus: Retail business: Marketing groceries or other food items such as tortillas, raspas, candy, fruit, etc., which in addition meet the following requirements: (1) The retail business floor area may not exceed 500 square feet. (2) The retail business must be an integral part of the main building."

Hoophouse or High Tunnel: an unheated structure whose roof and sides are made largely transparent or translucent material (not glass) for the purpose of the cultivation of plants.

Hospital: An institution providing health services, primarily for in-patients, and medical and surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities, and staff offices.

Hotel / Motel: A building or arrangement of buildings designed for temporary occupancy in which there are more than six (6) individual rooms without cooking facilities located in individual rooms, meeting rooms, banquet, dining and restaurant facilities are considered an integral part of a hotel or motel.

HUD-Code Manufactured Home: a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40

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body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 C.F.R. Section 3282.8(g).

Hydrodynamic Loads: Forces imposed on structures by floodwaters due to the impact of moving water.

Hydroponics: a method of growing plants without soil, using mineral nutrient solutions or water, or in an inert medium such as perlite, gravel, or mineral wool.

Hydrology: The science of the behavior of water in the atmosphere, on the earth's surface, and underground.

Hydrostatic Loads: Forces imposed on an object, such as a structure, by standing water.

"I"

Illegal Dumping: the act of illegally placing any material as described in City of Laredo Code of Ordinances Sec. 33-405, on any location other than the appropriate place of disposal whether the location is public or private. (Amended 5/17/04, Ord. No. 2004-0-105)

Impervious: the condition of being impenetrable by water.

Imperviousness: the degree to which a site is impervious.

Imported Crafts (retail sale): a business which is involved in the retail sale of pottery, sculptures, wrought iron products, and/or any crafts that contain an artisan quality and are displayed as skilled art work, including wholesale incidental to retail sales. This shall exclude any building, automotive, and gardening materials, as well as flea markets. (Amended 2/7/05, Ord. No. 2005-O-024)

Improvement: the construction, enlargement, alteration, repair, removal, conversion, or demolition of a building or structure.

Indoor Amusement: Buildings or structures principally devoted to recreational activities or nongambling games, leisure and recreation services to the public or to members. Examples include the following uses when they are conducted indoor: ice or roller skating rinks, bingo parlors, billiard parlors, bowling alleys, pool rooms, miniature golf courses, amusement game arcades, tennis clubs, swimming pools, community centers, play courts, batting cages, go-cart or dirt-bike courses, skateboard areas, and water slides or water parks. "Amusement game arcade" means a building or part of a building in which more than fifty (50) percent of the public floor area is devoted to amusement game machines, regardless of whether the amusement game machines constitute a primary or accessory use of the premises. "Amusement game machine" means a coin-operated machine or device which, whether mechanical, electrical, or electronic, is ready for play by the insertion of a coin or token and may be operated by the public for use as a game, entertainment, or amusement, through the exercise of skill or chance. It includes devices such as video or computer games, pinball machines, air-hockey, foos-ball, and skeebowls, but excludes pool tables and amusement or vending machines

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which provide a ride, sensation, electronic reading or weight, photograph, lamination, or item of merchandise.

Industrial Launderer: A business that provides cleaning, washing, or similar services to industrial, manufacturing, medical or business establishments. Examples include commercial launderers that launder and dry clean clothing and other fabric articles in bulk quantities, such as cleaning services for hospitals, restaurants, hotels, and similar clients, or rug and dry-cleaning plants.

Industrial Park: A subdivision of at least 10 acres, divided into lots of at least 1 acre in size and developed for, or in use for, uses that are only allowed in the I-1 Light Industrial and I-2 Heavy Industrial Districts. (Ordinance No. 83-0-0067) (As amended 10/15/85, Ordinance # 85-0-l83)

Infiltration: the passage or movement of water into the soil surface.

Insurance Study printed prior to 1986. It identifies the floodway and, along with the study, provides the technical basis for floodplain management regulations.

Insurance: a certificate of liability insurance issued by an insurance company authorized to do business within the State of Texas.

Interior Lot: a lot within a subdivision which is not located at the intersection of any adjacent public or private street.

Interior Noise Level: sound level of noise in any habitable room with windows and doors closed.

Interior Street: a street within a subdivision designed to serve only those properties within the boundaries of the subdivision in which it is established.

International Bridge Facility: A bridge connecting the United States and Mexico across the Rio Grande River, which may contain, but is not limited to federal, state, and local inspection activities generally associated with the movement of people and/or commerce between the Republic of Mexico and the United States of America.

"J"

Junkyard: A tract of land used for the storage of used appliances, scrapped glass, rags, paper, metals, automotive parts, or equipment, regardless of whether used for remanufacture, resale or recycling. Also known as a "salvage yard."

"K"

Kennel: any lot or premise on which 4 or more domesticated animals are groomed, bred, boarded, trained or sold and which may offer provisions for minor medical treatment.

Kiosk: a small structure with one or more open sides.

"L"

Land Disturbing Activity: any use of the land by any person that results in a change in the natural cover or topography that may cause erosion and contribute to sediment and alter the quality and/or quantity of storm water runoff.

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Land Filling: the depositing of soil and other inert materials on the land to raise its grade and/or smooth its features.

Landscape architect: A person who is licensed and registered to engage in the practice of landscape architecture in the state.

Landscape Easements (Landscape Reserve): a designation for individual parcels of land within a subdivision plat which are not divided into lots, which are established for the purpose of landscape or open space, lying adjacent and parallel to a public street right-of-way.

Landscaping*:* to modify (a natural landscape by grading, clearing, or decorative planting.

Legal Non-conforming Use: any lawful use predating the adoption of zoning regulations and which does not conform to adopted regulations, which has not otherwise lost its legal status through discontinuation or abatement.

Levee System: a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Levee: a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Licensed Professional Engineer or P.E.: a person who has been duly licensed and registered by the State Board of Registration for Professional Engineers to engage in the practice of engineering in the State of Texas.

Life Care or Continuing Care Services: A institution, residence or facility that provides accommodation and personal assistance to residents who depend on the services of others by reason of age and physical or mental impairment, and that may be licensed to provide skilled nursing care. This category includes nursing or convalescent home homes, hospices, assisted living facilities, or domiciliary care facilities. A "nursing or convalescent home" is any part of a building where shelter, board, and nursing care is provided to persons who require care because of infirmities of old age, illness, and/or disability of a physical or mental nature. "Assisted living" is a residence that primarily serves the elderly and provides rooms and meals, and may provide personal care and supervision of self-administered medication. They may provide other services, such as recreational activities, financial services and transportation. This use does not include an establishment which provides care only during the day, or a halfway house for recovering alcohol and drug abusers.

Light trespass: Light emitted from fixtures designed or installed in a manner that causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky.

Lighting: Any source of light that does not include natural light emitted from celestial objects or fire. The term includes any type of lighting, fixed or movable, designed or used for outdoor illumination of buildings or homes, including lighting for billboards, streetlights, canopies, gasoline station islands, searchlights used for advertising purposes, externally or internally

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illuminated on- or off-premises advertising signs, and area-type lighting. The term includes luminous elements or lighting attached to structures, poles, the earth, or any other location.

Limits of Construction: A line delineating the area within a project site that is to be disturbed or otherwise affected by activities related to construction of such project.

Live/Work Dwelling: A principally residential building that includes an office, studio, or other commercial use and a single dwelling unit occupied by the building owner. Note: (1) A live-work unit allows a broader range of commercial and production-type uses and more non-residential floor area than a home occupation. In addition, a live-work unit may be designed as a townhouse or with a storefront or other commercial design configuration at the ground level, while a home occupation occurs in a building that is designed as a residence. (2) Mixed Use Building (listed under Commercial / Mixed Use - Mixed Use, below). A Mixed Use Building allows multiple buildings and residences in the same building, while a Live/Work Dwelling is generally limited to a single dwelling unit and a single business.

Livestock Sales: The selling of livestock like cows, horses, chickens, and pigs for consumption

Local Street: a public street not designated as a collector, arterial, major thoroughfare, or a state or federal freeway or highway.

Location Map: a vicinity map indicating the location of a specific site with reference to established physical landmarks, includes streets, rivers, railroad rights-of-way, and highways.

Logo: Any design, insignia, or other marking of a company, service or product, which is used in advertising to identify the company, business, service or product.

Lot Front: the side of the lot fronting on a public street or recorded, private drive easement. On corner lots the lot front is the narrowest lot line.

Lot Line: the property line.

Lot of Record: means: (1) any lot, the boundaries of which were established by a plat recorded in the office of the County Clerk and in compliance with State law and the applicable subdivision regulations of the City of Laredo; or (2) any lot, the boundaries of which was established in a conveyance executed prior to September 9, 1979. *(Amended 9/19/88, Ord. No. 88-0-123)*

Lot: an undivided tract or parcel of land contained within a block and designated on a subdivision plat by numerical identification, or a 'lot of record' as herein defined.

Lounge: see Bar

Lowest Floor: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Lumen: The unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture (as distinct from "watt," a measure of power consumption). For the

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purposes of this Chapter, the lumen output values are the initial lumen output ratings of a lamp as defined by the manufacturer, multiplied by the lamp efficiency. Lamp efficiency of 95 percent applies to all solid-state lamps and 80 percent for all other lamps, unless an alternate efficiency rating is supplied by the manufacturer. The initial lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer. (Abbreviated lm)

Lumens per acre: The total number of lumens produced by all lamps utilized in outdoor lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.

Luminous elements (of a light fixture): The lamp (light bulb), any diffusing elements, and surfaces that individually or collectively reflect or refract light emitted from the lamp.

"M"

Machinery and Equipment Sales, Rental, and Leasing: Establishments primarily engaged in selling, renting or leasing machinery and equipment for use in business or industrial operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or store-front facility. Examples include the sale or leasing of farm equipment and supplies, heavy equipment, office furniture or equipment, machinery tools (construction equipment sales and service), or off-highway transportation equipment. Outdoor storage of equipment is permitted as an incidental use.

Main Building: The building or structure where the principal use of the lot is located. This includes any structures or buildings that are attached to the main structure by a covered structure. Lots with multiple principal uses may have multiple main structures, but storage buildings, garages, and other clearly accessory uses are not considered main structures.

Main Stem: a single line following the bed of the creeks connecting the mouth of the Chacon and Sombreretillo Creeks to the center point of the spillway of Lake Casa Blanca and the Middle Pasture Lake, respectively. (Amended 5/17/04, Ord. No. 2004-0-105)

Maintenance and Repair Services: An establishment providing repair services for personal and household goods, such as household appliances, computers, radio, television, audio or video equipment, office machines, furniture and leather goods, and metal sharpening. This classification excludes repair of automobiles and other vehicles.

Maintenance and Storage Facilities: land, buildings and structures devoted primarily to the maintenance and storage of construction equipment and material.

Maintenance: any action necessary to preserve storm water management facilities in prime working condition, in order to serve the intended purposes set forth in 24.59.7 of this Code and to prevent structural failure of such facilities. Maintenance shall not include actions taken solely for the purpose of enhancing the aesthetic aspects associated with storm water management facilities.

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Major Road: Any expressway, multiway, boulevard, principal arterial, minor arterial or collector road.

Major Thoroughfare Plan: the portion of the comprehensive plan indicating general locations recommended for arterial, collector, and local thoroughfares.

Manufactured Home: A factory-built dwelling unit constructed to the standards and codes promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq., as amended.

Manufactured Home (for section 24.2.18 [Flood Hazard District] only): a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Subdivision (for section 24.2.18 [Flood Hazard District] only): a parcel (or contiguous parcels) of land divided into two or more manufactured home lots.

Manufactured Home Park: A tract of land under single ownership and control which consists of two or more spaces leased for manufactured homes.

Manufactured Home Rental Space: a designated space within a Manufactured Home Park dedicated for placement of a manufactured home. This has the same meaning as "manufactured home lot" in Texas Property Code section 94.001.

Manufacturing, Artisan: On- site production of goods by hand (i.e. involving only the use of hand tools or mechanical equipment not exceeding two horsepower or a single kiln not exceeding 8KW). This may include welding shops and custom manufacturing shops.

Manufacturing, Heavy: Manufacturing of paper, chemicals, plastics, rubber, cosmetics, drugs, nonmetallic mineral products (such as concrete and concrete products, glass), fabricated metal products (including electroplating, hardware), primary metals, acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, electrical equipment, appliances, batteries, and machinery. This group also includes smelting, animal slaughtering and oil refining.

Manufacturing, Light: Manufacturing of products, from extracted or raw materials, recycled or secondary materials, or bulk storage and handling of those products and materials. These include apparel (including clothing, shoes, dress making), boats and transportation equipment, brooms, caskets, food/baking (including coffee roasting, creameries, ice cream, ice, frozen food, confectionery, and beverage), tobacco products, fasteners and buttons, gaskets, leather and allied products, medical equipment and supplies, mill work and similar woodwork, mattresses, musical instruments, novelties, office supplies, printing and print supplies, signs, sporting goods, textiles (including dyeing, laundry bags, canvas products, dry goods, hosiery, millinery), and toys. This includes similar establishments, and businesses of a similar and no more objectionable character. It also includes incidental finishing and storage. Goods or products

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manufactured or processed on site may be sold at retail or wholesale on or off the premises. This does not include any activity listed under Heavy Manufacturing.

Marginal Access Street: see "Street."

Massage Parlour: an establishment providing massage service, not including therapeutic or rehabilitative exercises provided under the direction of a licensed professional physical therapist, chiropractor or physician. A massage parlour is a sexually oriented business.

Master sign coordination plan or unified development sign plan: a site plan depicting multiple properties as shown on the same concept plan, master plan, preliminary site plan, or site plan, and unified through common building architecture, building color, and building materials, landscaping and parking for which number, location, type, and size of signs are proposed.

Mean Sea Level: the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Median: A raised curbed directional divider separating traffic flows that may be traversable or non-traversable.

Mixed-Use Building: A building with any of the following floor space configurations: (1) an office, as defined below, located above the ground floor, where the ground floor is occupied by any general retail use or (2) any general retail use on the ground floor, and residential dwelling units above the ground floor or behind the non-residential floor area. The floor space above the ground floor may be occupied by non-residential floor area in addition to dwelling units.

Mobile Home: a structure that was constructed before June 15, 1976 transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning and electrical systems.

Mobile Vendor: The sale, barter or trade of food or merchandise from a vending vehicle, trailer or cart.

Model Home: Dwelling units that are temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other residential development approved by the City. Model homes may also incorporate sales or rental offices for dwellings within the development.

Modular Structure: pre-manufactured structure designed for placement on a permanent foundation.

Mulch: non-living organic, inorganic, and synthetic materials customarily used in landscape design to retard erosion, retain moisture, maintain even soil temperature, control weeds and enrich the soil.

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Municipal Separate Storm Sewer System or MS4: the system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the City and designed for collecting or conveying storm water, and which is not used for collecting or conveying sewage.

"N"

National Flood Insurance Program (NFIP): The Federal program created by an act of Congress in 1968, that makes flood insurance available in communities that enact satisfactory floodplain management regulations.

Nationalization/"Nacionalizacion" of Vehicles Enterprise: A business which is involved in facilitating the necessary documentation required of owners, for the export from the United States and import to Mexico and other countries in Latin America, of vehicles, new and used; and/or a business which must comply with Title 19, Part 192 of the Code of Federal Regulations.

Native Plant: a plant species with a geographic distribution indigenous to the Laredo region which is capable of sustaining growth and reproduction under local climatic conditions.

Natural Waterways: waterways that are a part of the natural topography. They usually maintain a continuous flow during the year and are characterized as being irregular in cross section with a meandering course. Construction channels such as drainage ditches shall not be considered natural waterways.

Naturalized Plant: a plant species introduced to the Laredo region which is capable of sustaining growth and reproduction under local climatic conditions.

New Construction (for section 24.2.18 [Flood Hazard District] only)**:** for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision (for section 24.2.18 [Flood Hazard District] only): a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Nightclub: see Bar

Noise control areas: those areas officially adopted in the Airport Noise Specific Use Zoning Overlay District (AN) designated to be within a Ldn 65 noise area or greater.

Noise: aircraft or other noise that interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying.

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Non-conforming Use: any lawful use in conflict with these regulations.

Non-erodible: a material, e.g. natural rock, riprap, concrete, plastic, etc., that will not experience surface wear due to natural forces of wind, water, ice gravity or a combination of those forces.

Nonpoint Source Pollution: pollution contained in storm water runoff from ill-defined, diffuse sources.

Non-public Water System: Any water system supplying water for domestic purposes which is not a public water system.

Non-Residential Use: any use other than those in in the "Residential" category in the Use Chart (§ 24.2.17), excluding short-term rentals and mixed-use buildings.

Notice of Intent (NOI): the Notice of Intent that is required by either the Baseline Industrial General Permit, the Construction General Permit or the Multi-Sector General Permit.

Notice of Termination (NOT): the Notice of Termination that is required by either the Baseline Industrial General Permit, the Construction General Permit or the Multi-Sector General Permit.

NPDES General Permit for Storm Water Discharges Associated with Industrial Activity or Baseline Industrial General Permit: the Baseline Industrial General Permit issued by EPA on August 27, 1992, and published in Volume 57 of the Federal Register at page 41304 on September 9, 1992, and Volume 63 No. 189 at page 52438 on September 30, 1998 and any subsequent modifications or amendments thereto.

NPDES Permit: a permit issued by EPA or by the State that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable to an individual, group, or general area-wide basis.

Nude Model Studio: any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Nursery: An establishment primarily engaged in the propagation (for sale at retail or wholesale) of horticultural specialties, such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. This definition includes commercial and noncommercial uses.

"O"

Office Use: administrative, executive, professional, managerial premises not a part of retail, wholesale or manufacturing operation. A medical or dental office limited to not more than three practitioners or para-professionals who provide outpatient services shall not be considered a clinic.

Office: A building principally occupied by professional, semi-professional, business, government/municipal, philanthropic institutions, or client-oriented services. Offices do not include retail or wholesale activities which require the receiving, stocking, storing, displaying, manufacturing, selling, or renting of merchandise or equipment, except where specifically

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permitted as an accessory use. Offices include the administrative, clerical or public contact offices of a government agency. All services are rendered within the principal building, and no outside areas are used to perform services. Examples of offices include law firms (including legal services offices including court reporters), medical and dental offices, publishers, business services, planners, engineers, architects, accountants, real estate sales offices, insurance agents, marketing, and studios for professional work or teaching. This includes interior decorating, painting and paper hanging shops, furniture upholstering which do not include contractor yards and cabinetry fabrication.

Offset: This distance or clearance between street approaches.

Off-Site Storm Water Management Facility: the design and construction of a facility necessary to control storm water from more than one development.

Off-street Parking and Loading Requirements: Parking requirements applicable to property located within the corporate limits under Section 24.78.

Oil and Gas Storage: An outdoor facility to store oil, gas, and other chemicals. This includes the storage of bulk petroleum and similar chemicals.

One Hundred Year Frequency Storm: a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 100 years. It also may be expressed as an exceedance probability with a one (1%) percent chance of being equaled or exceeded in any given year.

One Hundred-Year Floodplain -The area of land identified on the most current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps that is subject to inundation during a storm event that has a recurrence interval of 100 years. (Amended 5/17/04, Ord. No. 2004-0-105)

On-Site Storm Water Management Facility: the design and construction of a facility necessary to control storm water runoff within and for a single development.

Open Space: An area substantially open to the sky which may be on the same lot with a building. The area may include, along with natural environmental features, water areas, swimming pools, tennis courts and any other recreational facilities that the Commission deems appropriate. Streets, parking area, structures for habitation and the like shall not be included.

Operating Rights: the ownership or operational control of a fee simple mineral estate or a leasehold estate by a person.

Operator: shall include every person, and the agents, servants and employees of such person, or its officers or agents, engaged in operations for the drilling, reworking, redrilling, well servicing or plugging and abandonment of any well subject to this article and the production or transportation of any product there from. For purposes of Section 24-59, Storm Water Management, shall mean: The person or persons who, either individually or taken together, meet either of the following two criteria: 1) they have operational control over the facility specifications (including the ability to make modifications in specifications); or 2) they have the

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day-to-day operational control over those activities at the facility necessary to ensure compliance with pollution prevention requirements and any permit conditions.

Ordinary High Water Mark (OHWM): "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas," as defined in 33 CFR Part 328 Definition of Waters of the United States: Section 328.3 e. (Amended 5/17/04, Ord. No. 2004-0-105)

Orient: To face, or where the majority of the principal entries to a building is located, and

Outdoor Amusement: A facility principally devoted to recreational activities or nongambling games, leisure and recreation services to the public or to members, and where the activities, games, or services predominantly occur outdoors. Examples include outdoor roller or ice-skating rinks, sports stadiums and arenas; amusement and theme parks; racetracks; swimming or wave pools; entertainment complexes; amphitheaters; drive-in theaters; zoos; fairgrounds; riding academies; miniature golf; golf courses, driving ranges, and country clubs; marinas; and similar facilities.

Outdoor lighting: see section 24.3.7.

Outdoor Storage: Materials, goods, vehicles, or equipment kept or placed outside an enclosed structure for twenty-four (24) hours or more for sale or use as part of a production or distribution activity. This does not include storage incidental to construction activities. This includes pipe storage and sand and gravel storage yards.

Owner: The person or entity, or their representative, who submits an application pursuant to this article. An owner includes the owner of the property where a protected tree is located.

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Parapet: the extension of a false front or wall above the roofline.

Park and Open Space Master Plan: The Park and Open Space Master Plan (May 2008), which is incorporated by reference and made a part of this Chapter.

Park Trees: those trees located within public parks and all those areas owned by the City, or to which the public has free access as a park.

Parking Facility: A parking lot or a parking garage offering parking to the public and that is the principal use of the premises. Automobile fuels and oils are not sold and motor vehicles are not equipped, repaired, hired, or sold in a parking facility.

Parking garage, private: A space intended for or used by the private automobiles of households, businesses, government or non-business entities resident on the lot.

Parking Garage: A multi-level structure for the temporary placement of operable motor vehicles.

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Parking Layout and Design Standards: the Layout and Design Standards for Parking Lots (City of Laredo Engineering Department, June 1990) and Ordinance No. 90-0-107 (adopted July 16, 1990), which documents are incorporated by reference and made a part of this Chapter.

Parking Lot: a paved, surfaced or leveled area used for customer, visitor or employee parking of motor vehicles, including leased premises available for public parking. This does not include parking garages, commercial storage lots, impoundment facilities or sales lots of new or used vehicles. Paved, surfaced or level areas connected by drives, private streets, or other ways in or along which parking is not permitted, shall be considered separate parking lots for purposes of this code.

Parking Lot: An off-street, ground-level, open area for the temporary placement of operable motor vehicles.

Parking Space, Off-Street: For the purpose of this ordinance, an off-street parking space shall consist of an area adequate for parking passenger vehicles or trucks with room for opening doors on both sides, and maneuvering room, but shall be located totally outside of any street or alley right-of-way.

Parkway: the area between the street curb or edge of the paving and the sidewalk. If a sidewalk is not present, the parkway shall be the area between the street curb or the edge of the paving and the property line.

Partial Tree Survey: A drawing showing all protected trees within the limits of construction, easements, rights-of-way, and a 20-foot strip abutting rights-of-way.

Passenger Terminal: Facilities for passenger transportation operations, and holding facilities, which includes rail stations, bus terminals, urban and regional transit stations and scenic and sightseeing facilities, but does not include airports and heliports. This includes accessory parking facilities. This does not include transit shelters, which are permitted in all districts.

Pawnshop: A business that lends money on the security of pledged goods left in pawn, or that purchases tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Payday Lender: A business that makes consumer loans, usually backed by postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until a customer's next payday and then cashed unless the customer repays the loan to reclaim the check or debit. Payday Lender's may charge a flat fee or other service charge and/or a fee or interest rate based on the size of the loan amount.

Performance: any theatrical, musical or cultural appearance, exhibition, display, demonstration, presentation, dance, modeling, preview, play, pantomime, show, skit, film, or entertainment of any kind, whether live or not, that is conducted before an audience, including but not limited to motion pictures, live theater, music concerts, opera, drama, comedy, ballet, modern or traditional dance, as well as book or poetry readings, whether for compensation or without charge. Sexually oriented businesses are excluded from this definition. (Added 7/6/10, Ord. No. 2010-0-084)

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Perimeter Buffer: a continuous strip of land along the perimeter of a lot in which landscaping is used to provide a buffer between land uses in order to reduce the environmental, aesthetic and other impacts of one type of land use upon another.

Permit: a permit granted pursuant to this article.

Person Responsible for the Land Disturbing Activity: shall mean: a) The person who has or represents having financial or operational control over the land disturbing activity; and/or b) The landowner or person in possession or control of the land who directly or indirectly allowed the land disturbing activity or has benefited from it or who has failed to comply with any provision of this Code.

Person: any individual, firm, association, organization, trust, sole proprietorship, partnership, limited partnership, limited liability company, company, corporation, or any other legal entity.

Personal Instructional Services and Display: An establishment that provides instructional services to consumers. These establishments may display the results of their instructional services. Examples include tutoring and exam preparation, language, photography, fine arts, crafts, dance or music studios, exercise studios, art studios, driving schools, employment training, diet centers, and cosmetology or beauty schools. This includes incidental retail sales, or light assembly and offices relating to training or instruction.

Planned Development (PD): An overlay zone which permits development of more flexible area, setback, density and right-of-way standards than otherwise allowed, upon review and approval by the City Planning Commission.

Plant Nursery: An establishment primarily engaged in growing crops of any kind under cover and/or growing nursery stock and flowers. Examples include greenhouses, cold frames, cloth houses, and lath houses.

Plat, Amending: a plat, previously approved by the Commission and duly recorded, which is resubmitted for reapproval and recording to correct dimensional or notational errors and omissions, and to relocate lot lines subject to the requirements of Chapter 42 of the Local Government Code.

Plat, Final Subdivision: The map or drawing of a proposed subdivision prepared in a manner suitable for recording in the appropriate county records which is prepared in conformance with the conditions of preliminary plat approval previously granted by the Commission.

Plat: An instrument upon which is depicted a map, drawing, or plan of a certain tract of land, drawn to scale, which is designed to facilitate the location of, reference to, and legal description of such tract, or lots contained therein, or both, by indication in the map, drawing or plan of certain points of reference which are known to or which are described to coincide with established survey monuments.

Plat, Preliminary Subdivision: See "preliminary plat."

Plat, Street Dedication: a map or drawing illustrating only the location of a public street within a specific tract of land.

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Platted Commercial Lot: Any lot that is intended or zoned for commercial purposes or use.

Plug Back: The act of partly filling a well bore with impervious materials for the purpose of shutting off lower rocks in order to permit reservoir rocks above the plugged back point to be produced.

Point of purchase display: Advertising of a retail item accompanying its display (e.g., an advertisement on a product dispenser, tire display, etc.).

Point Source: any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pole cover: a cover enclosing or decorating poles or other structural supports of a sign.

Postal Services: Establishments that provide mail services, including delivering items (such as letters and small parcels that can be handled by one person without using special equipment. Sorting and transportation activities, where necessary, are generally mechanized.

Post-Development: conditions shall mean the conditions which exist following the completion of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of storm water runoff.

Pre-Developed Conditions: those land use conditions that existed prior to the initiation of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of storm water runoff.

Preliminary Plat: The map or drawing illustrating the features a development submitted before a formal subdivision plat application.

Primary Structure or **Principal Structure**: see "main building."

Principal Use: the main use of land or building as distinguished from the subordinate or accessory use.

Private Street: a vehicular access-way under private ownership and maintenance, providing access to apartment building(s), condominium apartment(s) or to more than three (3) single family units, either attached or detached, which do not have frontage on an approved public street. Parking lots and private driveways within shopping centers, and/or institutional, commercial or industrial developments will not be considered private streets.

Protected Tree: A tree that has the minimum required caliper size, or larger, that is listed on the city approved tree list, except as otherwise provided in section 24.3.11 (Tree Protection). Only the species of trees that are included in the official city tree list considered protected trees.

Protected Tree Removal Permit: Written authorization granted by the Building Services Director, under the provisions of section 24.3.11 (Tree Protection), for the removal or transplanting of a protected tree.

Protected Waters: see § 24.3.8 (Riparian Buffers).

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Public Safety Facility: A facility for public safety and emergency services, such as police, fire protection, police and fire training facilities, and ambulance and emergency services, administrative facilities for emergency medical care, and blood and organ banks. This includes accessory transportation services and the vehicle maintenance.

Public Service Facility: The erection, construction, alteration, operation, or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, rail transport, communications, public water and sewage services, and the storage and maintenance of related equipment and materials.

Public Street: a public right-of-way, however designated, dedicated or acquired, which provides access to adjacent properties.

Public Uses: Public parks, schools, administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

Public Water System: the water supply and delivery system owned and operated by the City of Laredo.

Public Way: An alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway right-of-way sidewalk, street, subway, tunnel, viaduct, walk, bicycle path; or other ways in which the general public or a public entity have a right, or which are dedicated whether improved or not. For purposes of this Section freeway shall mean an expressway or highway with fully controlled access. (Amended 7/20/87, Ord. No. 87-0-117)

Purchaser: shall include purchasers under executory contracts for conveyance of real property.

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Qualified Personnel: persons who possess the appropriate competence, skills, and ability (as demonstrated by sufficient education, training, experience, and/or, when applicable, any required certification or licensing) to perform a specific activity in a timely and complete manner consistent with the applicable regulatory requirements and generally accepted industry standards for such activity.

Queue: A successive stacking of vehicles.

"R"

Radial lots: lots adjacent to curved streets or circular cul-de-sacs with side lot lines running roughly perpendicular to the street right-of-way.

Railroad Commission or R.R.C.: the Railroad Commission of Texas.

Railroad Facilities: A facility for freight pick-up or distribution by rail. This may include specialized services for railroad transportation including servicing, routine repairing (except factory conversion, overhaul or rebuilding of rolling stock), and maintaining rail cars; loading and unloading rail cars; and independent terminals.

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Railroad Freight Depot: Distribution facilities upon which storage and warehousing of cargo is incidental to the primary function of freight shipment, and not to include any display of goods for either retail sale or wholesale. Includes both railway and truck freight transfers.

Railroad Right-of-Way: A strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train shed, warehouses, car or locomotive shops, or car yards.

Recompletion Operations: the reoccupation or re-entry of an existing well within the existing well within the existing borehole which may include deepening from one zone to another zone, completing a well in an additional zone, plugging back from one zone to another zone, sidetracking to purposefully change the location of the bottom of the well, and conversion of a service well to an oil or gas well in a different zone. Recompletion is also called reworking.

Recreation Camp: an area of land on which two or more travel trailers, campers, tents or other similar temporary recreational structures are regularly accommodated.

Recreational Vehicle Park: Any plot of land on which two or more travel trailers are located for short-term (less than thirty (30) days) occupancy during travel, recreational or vacation use. Recreational vehicle (or travel trailer) parks are not occupied by any travel trailer for thirty (30) days or more, nor by any mobile home. Examples include campgrounds and recreational vehicle/travel trailer parks. This use does not include a Manufactured Housing Park.

Recreational Vehicle: a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling Drop-off Center: An incidental use that serves as a neighborhood collection point for temporary storage of recoverable resources such as glass, paper, and aluminum. No processing of such items would be allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas, such as in churches and schools.

Recycling Plant: A facility that is not a junkyard and in which pre-sorted recoverable resources (such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products) are recycled, reprocessed, and treated to return those products to a condition in which they may again be used for production. Recycling plants do not collect vehicles for salvage, hazardous materials, compost, or rubbish.

Re-entry or re-enter: any operation intended to reactivate or deepen a well which may include conversion, recompletion, reworking, workovers, plugging and plug backs.

Regional Storm Water Management: the design and construction of a facility necessary to control storm water runoff within or outside a development and for one or more developments.

Registered Land Surveyor: a land surveyor properly registered and licensed to conduct work within the City of Laredo.

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Registered Landscape Architect: a landscape architect properly registered and licensed to conduct work within the City of Laredo.

Regulatory Floodway: the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Rehabilitation Facility and Services: A facility that provides social assistance, rehabilitation, and treatment services to persons affected by psychiatric conditions or substance dependence. This use typically includes alcohol and drug rehabilitation facilities, and drug, alcohol, and psychiatric care homes.

Release: any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing, directly or indirectly, into the municipal separate storm sewer system (MS4) or the waters of the United States.

Relief Well: a well drilled or adapted under emergency circumstances to correct or safeguard against unexpected and inherently hazardous conditions.

Religious Land Use: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship or instruction, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship. Accessory uses include classrooms, community houses, educational buildings, and child care for persons attending worship or instruction.

Replacement Trees: a tree meeting the minimum criteria for replacement trees as set out in Article 1, Section 24.1.7, of the Laredo Land Development Code.

Replat: a plat of all or part of property incorporated in a previously recorded plat which has not been vacated.

Representation of Value: A representation of value includes a gift certificate or gift card that is presented to a merchant in exchange for merchandise.

Reserve: a designation for individual parcels of land within a subdivision plat which are not divided into lots, which may be established for specific purposes, subject to use restrictions or designated as 'unrestricted' in contemplation of future development.

Residential Care Facilities: Establishments that provide residential care combined with supervision and personal care services. Examples include boot or disciplinary camps (except correctional) for delinquent youth, child group foster homes, halfway group homes for delinquents or ex-offenders, delinquent youth halfway group homes, homes for unwed mothers, and group homes for the disabled without nursing care.

Responsible Personnel: any foreman, superintendent, or similar individual who is the on-site person in charge of land disturbing activities.

Restaurant: An establishment which has as its primary purpose the serving of food to its customers from a kitchen that is separated from the main dining area and the prepared food is for on premise sale and consumption. The establishment maintains a full service menu with a

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variety of entrées (eight or more); maintains adequate kitchen facilities (i.e. contains a stove and oven in working order, refrigerator storage with food inventory and contains necessary equipment for food preparation) and where alcoholic beverages may be sold as an incidental activity to the sale of food. Establishments which serve prepared food but derive more than 50% of their quarterly gross revenue from the sale of alcoholic beverages are deemed bars. Customers may be served at tables, at a drive-through window, or in their cars. (Amended 2/4/13, Ord. No. 2013-O-005)

Retention Structure: a permanent structure whose primary purpose is to permanently store a given volume of storm water runoff. Release of the given volume is by infiltration, evaporation and/or irrigation.

Retirement Home: A building or group of buildings containing dwelling units where the occupancy of the dwellings is restricted to the elderly (in which at least one resident per household is fifty-five (55) or older.) This does not include a development that contains convalescent or nursing facilities, but often includes the provision of special support services, such as central dining and limited medical care.

Return Map Agreement: an agreement authorizing the County Clerk of the county in which a final plat or replat is filed to return the original recorded plat to the Director.

Reworking: see Recompletion

Right of Way (ROW): property that has been dedicated for uses of the public including but not limited to any street, highway, road, alley, or land used for vehicular and passenger movement and/or ingress or egress. (Amended 5/17/04, Ord. No. 2004-0-105)

Riverine: relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Road: See "Street."

Rooftop and Vertical Farming: The cultivation of plants, animals and/or fungi on rooftops for purposes of human consumption, beautification, land conservation, enhanced air quality, urban heat mitigation, and/or carbon sequestration.

Rooming/Boarding House: A house where meals and lodging is provided for compensation for three or more unrelated persons, and where no cooking or dining facilities are provided in the individual rooms. Examples include dormitories, fraternities, sororities, or dorms. This use type does not include a hotel, motel, or multi-family building. A multifamily building or apartment house includes separate dwelling units occupied by a single household, while a boarding house includes separate households sharing kitchen facilities. Examples include single room occupancy units, rooming and boarding houses, dormitories, and workers' camps.

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Salvage Yard: See "junkyard."

Sanitarian: a person registered as a Professional Sanitarian by the Texas Department of Health under the authority of Vernon's Ann. Tex. Civ. Stat. Article 4477-3.

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School (Public or Private): An institution of learning which offers instruction in the several branches of learning required to be taught in the public schools of the state, such as an elementary school, middle school, high school, special school, signature academy, or magnet school.

Screening Fence: a solid masonry or wooden fence not less than seven (7) feet in height designed to act as a buffer between adjacent uses.

Screening: any method of visually shielding one land use from another.

Searchlight or skylight: any apparatus capable of projecting a beam or beams of light.

Second Order Stream: is a stream formed by the confluence of two first order streams.

Sediment: solid particulate matter, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by water, air, ice, or gravity and has come to rest on the earth's surface either above or below sea level.

Self-Service Storage Facility: A building or group of buildings in a controlled access compound that contains varying sizes of individual, compartmentalized, or controlled access stalls or lockers for the storage of customers.

Semi-Trailer: a vehicle designed such that some part of its own weight and that of its own load rests upon a "fifth wheel" carried by a motor vehicle.

Setback: the horizontal distance from a lot line to the setback line.

Setback Line: a line established by this Chapter, generally parallel with and measured from the lot line, defining the limits of a yard in which no building, other than accessory buildings nor structure may be located above ground, except as may be provided in this Chapter. See definition of "Yard".

Sewerage Facilities: the devices and systems which collect and transport domestic wastewater from residential property, treat the wastewater, and dispose of the treated water in accordance with the minimum state standards contained or referenced in these rules.

Sewers, Central or Group: an approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Sewers, On Site: a septic tank or other individual sewage disposal system on an individual lot which has the approval of health and sanitation officials having jurisdiction.

Sexually Oriented Business: See Section 18A-2 of the Laredo Code.

Shooting Range: An establishment open to the general public, private club, or association that operates within an enclosed building or structure for the safe discharge of firearms for the purpose of sport shooting, law enforcement training, target practice, or temporary competition wherein a firearm is used, including archery, rifles, pistols, shot guns, black powder or any similar firearm. (Amended 6/5/06, Ord. No. 2006-0-112)

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Short-Term Rental: The rental of a residential dwelling unit or an accessory building on a residential lot for a period of less than 30 days. The use does not include an extension for less than 30 consecutive days of a previously existing rental agreement of 30 consecutive days or more. The use does not include a rental between parties to the sale of that residential dwelling unit.

Shrub: any perennial, evergreen plant at least eighteen (18) inches in height with a minimum twenty-five (25) inches in width at the widest portion when planted, and capable of growth to not less than thirty (30) inches in height within two (2) years from the date of planting under conditions normally revailing in the City.

Sidewalk: A paved, surfaced of leveled area between the curb line, or the lateral lines of a roadway and the adjacent property lines designed for or ordinarily used for pedestrian travel.

Sidewalk Café: the licensed use of any street level portion of public right-of-way in which tables and chairs are placed for the sole purpose of patrons consuming food and/or beverages.

Sidewalk Café License: A license issued to a licensed food products establishment (restaurant only) allowing operation of a Sidewalk Café.

Site: the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

Size (sign): the total area of the face used to display copy or graphics on one face of a sign, not including its supporting pole or structure.

Smoking establishment: An establishment that is dedicated, in whole or in part, to the smoking of tobacco or other substances and includes any establishment that allows both (1) the payment of consideration by a customer to the establishment in exchange for on-site delivery of tobacco, tobacco accessories or similar legal substances and products to the customer; and (2) the on-site smoking of tobacco or other substances. These establishments are required to have isolated HVAC systems to remove smoke and odors. This definition shall be construed to include establishments known variously as, cigar lounges, hookah cafes, tobacco clubs, tobacco bars, and similar establishments, but shall not include an establishment that derives 50 percent or more of its gross revenue on a quarterly basis (i.e., three months) from the sale of alcoholic beverages for on-premise consumption or food sales. (Added Ord. No. 2014-O-153, 11/17/15)

Snack or Beverage Bar: Establishments primarily engaged in (1) preparing and/or serving a specialty snack, such as ice cream, coffee and/or pastries, frozen yogurt, cookies, or popcorn, or (2) serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises.

Social Assistance, Welfare, and Charitable Services: Establishments that provide social assistance services directly to clients such as children, elderly persons, disabled persons, homeless persons, or veterans. Social assistance may include food, medical relief, counseling or training. Examples include adoption agencies, youth centers (except recreational only), child guidance organizations, youth self-help organizations, foster care placement services, community action services agencies, marriage counseling services (except by offices of mental health practitioners), crisis intervention centers, multipurpose social services centers, family

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social services agencies, self-help organizations (except for disabled persons, the elderly, persons diagnosed with intellectual and, developmental disabilities), family welfare services, suicide crisis centers, hotline centers, telephone counseling services, community food services (includes collection, preparation, and delivery of food, clothing and blankets for needy persons).

Solid Waste Facility: A facility where non-hazardous wastes are taken from collection vehicles, temporarily stored, and ultimately relocated to a permanent disposal site. This includes any facility, incinerator, landfill, materials recovery facility, municipal solid waste landfill, private or public solid waste management facility, recovered materials processing facility, sanitary landfill, or solid waste management facility.

Special areas: special geographic areas of the city and ETJ which may be established by the city commission from time to time for the purpose of regulating signs.

Special Event: An event that is registered with and recognized by the parks and recreation department, that has a specific location, purpose, and beginning and ending time and date. A special event includes sporting events, cultural events, festivals, carnivals, fairs, parades, etc. (See City of Laredo Code or Ordinances Article V Commercial Use Of Streets, Sidewalks And Other Public Places Section 28-102 Definitions). (Added 7/6/10, Ord. No. 2010-0-084)

Special Drainage Easement: For the purpose of Section 24-59 Storm Water Management, Shall Mean: A drainage easement over private residential property that is at least ten (10) feet wide which the City of Laredo shall enforce and the private property owner shall maintain. No flow restricting fences, buildings, structures, or other improvements which impede flow shall be placed within this easement. The maintenance of Private Drainage Facilities shall be provided for by the property owner or assigned agent. The City shall be kept advised of the responsible agent. (Added 6/7/17, Ord. No. 2017-0-061)

Special Flood Hazard Area: see Area of Special Flood Hazard

Stabilization: providing measures, vegetative and/or structural, that will prevent erosion from occurring.

Stage Work or Stage Construction: a plan for the staged construction of storm water facilities where portions of the facilities will be constructed as different stages of the development are started or completed.

Standard Building Code: the 1991 Edition of the Standard Building Code as amended, or such other building code which may be adopted by the City to govern buildings and structures.

Start of Construction (for section 24.2.18 [Flood Hazard District] only): (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

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"Permanent construction" does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Start of Development: The date the storm water management permit was issued, provided the actual start of development, repair, reconstruction, placement or other improvement is within 180 days following the issuance of the permit.

State: The State of Texas.

Stop Work Order: An order issued by the Building Services Director to the owner to cease and desist with work being performed on a site.

Storm Water: Storm water runoff, snow melt runoff, and surface runoff and drainage.

Storm Water Concept Plan: The preliminary concept plan of the proposed storm water management system intended for preliminary review and comment by the City Engineer.

Storm Water Discharge Associated with Construction Activity: The construction activity disturbing at least five acres, or construction activity disturbing less than five acres which is a part of a larger common plan of development or sale with the potential to disturb cumulatively five or more acres according to 40 CFR §122.26(b).

Storm Water Discharge Associated with Industrial Activity: The discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant which is within one of the categories of facilities listed in 40 CFR §122.26(b)(14), and which is not excluded from EPA's definition of the same term.

Storm Water Management: The collection, conveyance, storage, treatment and disposal of storm water runoff in a manner to minimize accelerated channel erosion, flood damage, and/or degradation of water quality and in a manner to enhance and ensure the public health, safety, and general welfare, which shall include a system of vegetative or structural measures, or both, that control the increased volume and rate of storm water runoff caused by man made changes to the land.

Storm Water Management Guidance Manual: the manual of design, performance, and review criteria for storm water management practices. List of the approved guidance manuals is available in the City Engineering Department.

Storm Water Management Facilities: those structures and facilities that are designed for the collection, conveyance, storage, treatment and disposal of storm water runoff into and through the drainage system.

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Storm Water Management Plan: the overall proposal for a storm drainage including storm water management structures, and supporting documentation as specified in the Storm Water Management Design Manual, for each proposed private or public development to the extent permitted by law. Also included are the supporting engineering calculations and results of any computer analysis, if necessary.

Storm Water Management Plan: the set of drawings and other documents that comprise all of the information and specifications for the drainage systems, structure, concepts and techniques that will be used to control water as required by this code and the Storm Water Management Guidance Manual. Also included are the supporting engineering calculations and results of any computer analysis.

Storm Water Management Quality Controls: a system of vegetative structural or other measures that reduce or eliminate pollutants that might otherwise be carried by storm water runoff.

Storm Water Pollution Prevention Plan or SWPPP: a plan required by either the Construction General Permit, the Baseline Industrial General Permit, or the Multi-Sector General Permit and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with construction or other industrial activity at the facility.

Storm Water Runoff: the direct response of a watershed to precipitation and includes the surface and subsurface runoff that enters a ditch, stream, storm drain or other concentrated flow during and following the precipitation.

Story: the part of a building between the surface of a floor and the ceiling immediately above.

Story, Half: a space under a sloping roof which has the line of intersection of roof decking and wall face not more than 3 feet above the top floor level; or a story which is one-half below ground level.

Stream Order: a classification system for streams based on stream hierarchy, with the smallest stream having the lowest numerical classification. (Amended 5/17/04, Ord. No. 2004-0-105)

Streams: streams as identified on U.S. Geological Survey (1:24,000) maps. (Amended 5/17/04, Ord. No. 2004-0-105)

Stream System: means a stream channel of a given order together with one or more of the following:

- 100-year floodplain;
- Hydrologically related wetland;
- Reservoir receiving water from one or more streams.

(Amended 5/17/04, Ord. No. 2004-0-105)

Street the full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows (see also the street classifications in section 24.4.6 [Streets] of this Chapter, the City Comprehensive Plan and the Future Thoroughfare Plan):

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Alley: A minor street used primarily for vehicular access to the back or side of properties abutting on another street.

Arterial Street: A general term denoting a highway primarily for through traffic carrying heavy loads and large volume of traffic, usually on a continuous route. Section 24.4.6 divides arterial streets into Principal Arterials and Minor Arterials.

Collector Street: A thoroughfare, whether within a residential, industrial, commercial or other type of development, which primarily carries traffic from local streets to arterial streets, including the principal entrance and circulation routes within residential subdivision. Section 24.4.6 divides this classification into Collectors and Industrial Collectors.

Cul-de-sac: A local street of relatively short length with one end open to traffic.

Dead-End Street: A street temporarily having one outlet for vehicular traffic and intended to be extended or continued in the future.

Expressway. See street classifications in section 24.4.6.

Local Street: A street primarily for providing access to residential or other abutting property.

Loop Street: A type of local street, each end of which terminates at an intersection with the same adjacent street, and whose principal radius points of l80 degree system of turns are not more than l,000 feet from said adjacent street, and normally more than 600 feet from each other.

Marginal Access Street: A local or collector street, parallel and adjacent to an arterial or collector street, providing access to abutting properties and protection from arterial or collector streets (also called "Frontage Street").

Multiway Boulevard. See street classifications in section 24.4.6.

Street Tree: those trees located between property lines on either side of streets, avenues, or ways within the city.

Structure: any vertical construction erected to support, shelter or enclose persons, animals or property of any kind. This includes any walled and roofed building, manufactured home, swimming pool, decks in excess of thirty (30) inches in height, roof overhang exceeding three (3) feet, gas or liquid storage tank, or road or utility main that is principally aboveground and/or that restricts the flow of flood waters. A wooden fence of less than seven feet (7') in height, or a masonry, brick, concrete, or cinder block wall of less than 24 inches in height, is not considered a structure.

Structure (for section 24.2.18 [Flood Hazard District] only): for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Stub Street: a public street not terminated by a permanent circular turnaround, ending adjacent to undeveloped property or acreage.

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Studio: The working place of a painter, sculptor, artisan, or photographer or a place for the study of art, including singing and acting.

Subdivider: an owner or an owner's authorized agent, proposing to subdivide land into two (2) or more parts to lay out a subdivision of the tract, including an addition to the municipality, or to lay out suburban, building or other lots, or to lay out streets, alleys, squares, parks, or other parts of a tract of land intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to public streets, alleys, squares, or parks.

Subdivision: a division of land into two (2) or more parts to lay out a subdivision of the tract, including an addition to the municipality, or to lay out suburban, building or other lots, and or to lay out streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to public streets, alleys, squares, or parks. This includes:

- the division of existing lot or lots into new lots; or
- the combination of existing lots to create a new lot or new lots;
- both a division and combination; or
- The establishment by recording in the office of the County Clerk of a conveyance or other instrument dedicating a street, highway, road or alley or other public right-of-way through a tract of land, or
- the application for a plat of a "lot of record" as defined in ***** Section 24-61 (b)(59) (ii) of the Zoning Ordinance. *(As amended 11/21/88, Ordinance # 88-0-148)*

For purposes of Section 24.4.5 (Stormwater Management) "subdivision" means:

- The creation of new streets, alleys or other public ways; or the changing of any rights-of-way of any existing streets, alleys or other public ways; or
- Any division or redivision of lot, tract, or parcel or land, regardless of its prospective use. That subdivision may be accomplished by platting or by description of metes and bounds or otherwise into 2 or more lots or other divisions of sale or improvement.

The following are not defined as subdivisions:

- The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are in accordance with the rules and regulations of this Chapter.
- Division or sale of land by judicial decree which shall not be deemed a division for purposes of the stormwater management regulations.
- The acquisition of land for the purpose of widening or opening of streets when the acquisition and work is done by the City, State or other governmental agency.
- The division of land into parcels greater than 5 acres where no street right-of-way dedication is involved.

Submittal date: the date and time specified in this chapter when plats, related materials and fees must be received by the Department prior to the next regular meeting of the Commission in order to be considered at such meeting.

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Substantial Damage: damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement: Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Swale: a structural measure with a lining of grass, riprap or other material which can function as a detention structure and convey storm water runoff without causing erosion.

"T"

TAC: Texas Administrative Code, as compiled by the Texas Secretary of State

TCEQ: Texas Commission on Environmental Quality

Telecommunications Facility: An establishment or free standing structure on which transmits and receives information by radio, television, or other communication mediums. This includes radio/tv stations and studios.

Temporary Lighting: Lighting intended for uses which by their nature are of limited duration. Examples include holiday decorations, civic events, or construction projects.

Temporary Tree Protection Device: Physical barriers, at least four feet in height, installed prior to construction for the purpose of preventing damage to trees. Examples include chainlink fence, vinyl construction fencing or similar temporary barrier that is nonintrusive to the tree canopy and critical root zone.

Ten-Year Frequency Storm: a storm that is capable of producing rainfall to be equaled or exceeded on the average of once in 10 years. It may also be expressed as an accidence probability with a 10 percent chance of being equaled or exceeded in any given year.

Theater: a structure providing for live or taped entertainment with fixed seating.

Third Order Stream: is a stream formed by the confluence of two second order streams. (Amended 5/17/04, Ord. No. 2004-0-105)

Thoroughfare. See "Street."

Throat Length: the length of the driveway up to the first conflict point.

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Tiny House: a dwelling unit that is 400 square feet or less in floor area excluding lofts. For purposes of this definition, a "loft" means a floor level that is located more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches and used as a living or sleeping space. [*Source: 2018 International Building Code, Appendix Q*]

Tite well: a well on which no geological or engineering information has been furnished to any person other than those who have an interest in such well or have contractual arrangements under which there are being or have been furnished geological and engineering information pertaining to the drilling and completion of such well.

Tobacco Shop: an establishment whose main purpose is the sale of tobacco products (i.e. cigars, cigarettes, chewing and dipping tobacco and related tobacco smoking accessories) and in which the sale of other products is merely incidental and does not account for more than 45% of the establishments gross revenue. (Added Ord. No. 2014-O-153, 11/17/14)

Total outdoor light output: The total amount of light, measured in lumens, from all outdoor light fixtures within the illuminated area of a property. The lumen value used in the calculation is the lumen value as defined in this section. To get the total, add the lumen output attributed to each light fixture.

Townhouse Condominium: see "Condominium."

Townhouse: A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with open space on at least two sides. [*Source: 2018 International Building Code*.] A townhouse is arranged in a row of attached dwelling units which constitute an architectural whole. The building may be located on a single lot, or each dwelling is may be located on a separate, platted lot (with individual fee simple ownership in the land underlying the unit).

Traffic lights and signage: any installed traffic related sign, light, apparatus, or device that provides information to vehicular drivers and/or pedestrian traffic.

Trailer: a vehicle without motor power, designed or used for carrying property wholly on its own structure and to be drawn by a motor vehicle.

Transfer Station: A permanent, fixed, supplemental collection and transportation facility, where pre-sorted solid waste materials are taken from smaller collection vehicles and placed in larger transportation units like railroad cars, barges, or truck trailers. In some transfer operations, compaction or separation for recycling or disposal may be done at the station.

Transit Shelter: A roofed structure with at least three (3) walls located on or adjacent to the right-of-way of a street, and which is designed and used primarily for the protection and convenience of bus passengers.

Trauma Treatment Center (also called Emergency Treatment Center): Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include

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on-site accessory clinics and laboratories, accessory retail uses and emergency heliports and Level I through Level IV trauma centers.

Tree: a woody plant having one well defined stem or trunk and, more or less, definitely formed crown and usually attaining a mature height of at least eight (8) feet. For purposes of section 24.3.11 (Tree Protection), "tree" means any tree listed on the protected tree table.

Tree Inventory: A drawing showing the tag number, species, size, and approximate location of all existing protected trees.

Tree Protection Plan: A plan submitted by the commercial property owner in a form or manner specified by the Building Services Director, whichever is applicable, providing the method of protecting trees during construction that may or may not include protection details, standards, notes and construction plans in accordance with generally accepted methods.

Tree Removal: Uprooting, severing the main trunk of the tree, or any act which causes or may reasonably be expected to cause the tree to die including, without limitation, damage inflicted on the root system by machinery, storage of materials or soil compaction; substantially changing the natural grade above the root system or around the trunk; excessive pruning; or paving with concrete, asphalt, or other impervious materials in a manner which may reasonably be expected to kill the tree.

Tree Replacement Plan: A plan submitted by the commercial property owner in a form and manner specified by the Building Services Director, whichever is applicable, providing the method of replacement for the proposed protected trees, to be removed, that may or may not include a plan that identifies the location, size, and species of all new trees proposed as replacement for the protected trees being removed and fees in lieu of replacement trees.

Tree Topping: The severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree that removal of the top canopy disfigures and invites disease to the tree.

Truck: A "truck" as defined by Section 541.201 of the Texas Transportation Code that is a commercial motor vehicle (as defined by 49 C.F.R or an 18-wheeler, but does not include a school bus used to transport students. An "18-wheeler" means a truck that combines a tractor unit and semi-trailers to carry freight (also known as a "semi-trailer truck"). [*Note: The C.F.R. defines "commercial motor vehicle" as "any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle— (1) has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or (2) is designed or used to transport more than 8 passengers (including the driver) for compensation; or (3) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or (4) is used in transporting material found by the Secretary of Transportation to be hazardous under 49 U.S.C. 5103 and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, subtitle B, chapter I, subchapter C." The Texas Transportation Code reference defines "truck" as "a motor vehicle designed, used, or maintained primarily to transport property.*]

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Truck Lot: A parking lot used solely for the purpose of storing/parking trucks, double-axle trailers, or any other commercial transport vehicle.

Truck Stop: A structure or area used primarily for the sale of fuel for trucks and usually incidental service or repair of trucks. This includes a group of facilities consisting of those uses and attendant eating, sleeping, or truck parking facilities.

"U"

Uniformity Coefficient: the number representing the degree of homogeneity in the distribution of particle sizes of filter sand or other granular material. The coefficient is calculated by determining the D 10/D60 ratio where D10 and D60 refer to the particle diameter corresponding to the 10 and 60 percentile of the material which is finer by dry weight.

Unitize: the grouping of mineral interests in a given production unit for the purpose of producing hydrocarbons as a unit.

Uplighting: Lighting directed to project light rays above the horizontal plane running through the lowest point on the fixture where light is emitted.

Urgent Care Clinic (Outpatient) – A 24 hour outpatient facility, which is not physically attached to a hospital, which seeks to provide scheduled or unscheduled medical services for urgent, immediate or minor emergency which do not require trauma level, or major surgical treatment and hospitalization.

Use: the specific purposes for which land or building is designated, arranged, intended and for which it is or may be occupied or maintained.

Use Chart: See Section 24.2.17.

Use, Principal: see "Principal Use."

Utility (Major): A building or other structure for water supply (including water distillation), wastewater treatment, or the production of electricity, steam, air conditioning, or potable water for consumption by the general public.

Utility (Minor): All lines and facilities related to the provision, distribution, collection, transmission, or disposal of water, storm water, communications, electricity, transportation, gas, steam, and similar public services, and may include storage for vehicles and equipment necessary to provide those services. This includes facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, water or sewer pumping stations, water storage facilities, telephone exchanges, switch boxes, transformer boxes, cap banks, and underground water and sewer lines. This does not include "telecommunications facility" as defined below, which refer to the point of transmission rather than distribution systems such as cable networks.

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"V"

Variance: a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of applicant actions, a literal enforcement of the regulations would result in unnecessary and undue hardship, as specifically provided for within this ordinance.

For purposes of Section 24.4.5 (StormWater Management), "variance" means:

- The modification of the minimum storm water management requirements for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this code, or,
- A grant of relief by a community from the terms of a floodplain management regulation.

For purposes of Section 24.2.18 (Flood Hazard District (F)), "variance" means **a** grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Vegetative Buffer: A vegetated area, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system. A vegetative buffer for a stream system generally consists of a strip of land, with native vegetation, along both sides of a stream system. (Amended 5/17/04, Ord. No. 2004-0- 105)

Vehicle / Equipment Maintenance Facility: A facility providing maintenance and repair services for vehicles and equipment and areas for storage of equipment and supplies. This classification includes construction yards, equipment service centers, transit vehicle storage and servicing, and similar facilities.

Vehicle Towing and Storage Facility: Establishments primarily engaged in towing light or heavy motor vehicles, along with incidental services such as storage and emergency road repair services.

Venting: A system designed to allow flood waters to enter an enclosure, usually the interior of foundation walls, so that the rising water does not create a dangerous differential in hydrostatic pressure. This is usually achieved through small openings in the wall, such as a missing or rotated brick or concrete block or small pipe.

Veterinary Animal Hospital or Clinic: A place for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals. It may also include boarding that is incidental to the primary activity.

Violation: the failure of a structure or other development to be fully compliant with City of Laredo's Code of Ordinances, state laws, and federal laws.

Visibility Triangle: an imaginary triangle located at the intersection of any public street, alley or private drive within which no planting shall be done that would block the sight lines for vehicular traffic. The triangle is established by measuring a distance of forty-five (45) feet in each direction from the intersection of the extended curb or edge of pavement of a major

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thoroughfare and the cross street, or a distance of twenty-five (25) feet in each direction from the intersection of the extended curb or edge of pavement of a local street and the cross street. A straight line connecting the ends of each measured distance forms the third side of the triangle.

"W"

Waiver: the relinquishment from storm water management requirement by the City Engineer for a specific land disturbing activity on a case-by-case basis.

Warehouse: A building in which more than fifty percent of the ground floor area is utilized for the storage of products, which is not the office or showroom area of the building.

Water Conservation: those practices, techniques, and technologies that will reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

Water facilities: any devices and systems which are used in the supply, collection, development, protection, storage, transmission, treatment, and/or retail distribution of water for safe human use and consumption.

Water Quantity: those characteristics of storm water runoff that relate to the rate and volume of the storm water runoff to downstream areas resulting from land disturbing activities.

Water Surface Elevation: the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, where specified, of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas. (Code 1971, §151/2-3)

Water Surface Elevation: the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, where specified, of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas. (Code 1971, §151/2-3)

Watercourse: any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash, in and including any area adjacent thereto, which is subject to inundation by reason of overflow or flood water.

Watershed: the total drainage area contributing runoff to a single point.

Weather / Environmental Monitoring Station: A facility with instruments and equipment that measures atmospheric conditions (typically to provide current weather information or a basis for weather forecasts), air or water quality, soil conditions, or similar variables.

Well Abandonment: The proper plugging and abandoning of a well in compliance with all applicable, and the cleaning up of the site to the satisfaction of any governmental body having jurisdiction with respect thereto and to the reasonable satisfaction of the operator.

Well Service Operations: routine maintenance and repair operations on a well, other than drilling, plug back, re-entry, reworking, recompletion or workover operations. Well servicing usually involves repairs to installed equipment, such as pumps, rods, gas left valves, tubing packers, etc.

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Well: any hole, excavation or bore downward from the surface, intended to extend two hundred (200) feet or more into the subsurface, made by any means or manner, for the purpose of exploring for, discovering, production, or injecting hydrocarbons, water or other minerals, and which has not been plugged and abandoned under the rules and regulations of the R.R.C.

Wetland: an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, wetlands generally include swamps, marshes, bogs, and similar areas.

Wholesale business: those businesses which sell, broker, transfer, receive or otherwise handle volume commodities for fabrication, resale or internal commercial or industrial consumption.

Wholesale Distribution and Sales, Warehousing, and Storage (Vehicular): The storage and sale of vehicles and vehicular parts to other firms for resale, including activities involving significant storage and movement of products or equipment. This use does not involve manufacturing or production. Examples include automobile, truck, recreational vehicles, and boat wholesales.

Wholesale Distribution and Sales, Warehousing, and Storage: The storage of goods, and the sale of goods to other firms for resale, including activities involving significant storage and movement of products or equipment. This use does not involve manufacturing or production. Examples include warehouse or produce/fruit/food storage and wholesale structures, carting, express crating, hauling, cold storage, feed locker plants, dry goods wholesale, hardware storage, and wholesale, paper supplies, shoes, sporting goods, professional and commercial equipment and supplies merchant wholesalers (such as restaurant supply sales), and otherwise preparing goods for transportation. This may include fulfillment centers that combine storage with call centers.

Workover: work performed on a well to sustain or increase production or injections which may physically change the downhole condition of the well, which may include casing repairs, acidizing, fracture, stimulation, perforating, deepening or plugging back to a different zone in the same horizon, sidetracking or shipstocking and whipstocking due to obstructions, running liners, and gravel packing.

"X"

Xeriscape: landscaping systems designed to conserve water through use of drought resistant and heat tolerant native or naturalized plants which utilize only irrigation meet plant needs.

"Y"

Yard: the area between the property line and the building setback line in which no structure may be located.

"Z"

Zero Lot Line House: A single-family detached dwelling that is sited with no setback along one side property line.

Zoning, District Map: The map or maps incorporated into this ordinance as part hereof delineating zoning districts.

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(b) Historic District Definitions: Unless specifically defined below, words or phrases in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.

Alteration: any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

Certificate of Appropriateness: a certificate issued by the Historic District/Landmark Board indicating its approval of plans for alteration, construction, removal, or demolition of a landmark or of a structure within a historic district.

Certified historic structure: any building that is listed individually in the National Register of Historic Places, or located in a "Registered historic district" and certified as being of historic significance to the district.

Certified rehabilitation: is any rehabilitation of a "Certified historic structure" that is certified by the State Historic Preservation officer (SHPO) and the National Park Service (NPS) as being consistent with the historic character of the property and, where applicable, the district in which it is located.

Construction: the act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

Demolition: any act or process that destroys in part or in whole a landmark or structure within a historic district.

Depreciable structure: a building for commercial, industrial, or rental residential purposes

or used in a trade or business or held for the production of income.

Exterior Architectural Appearance: the architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

Historic District: an area so designated by ordinance of the City Council which has outstanding overall historical, architectural and cultural significance in the nation, state, region or community, within which the buildings, structures, accessory buildings, fences, or other appurtenances are of basic and vital importance to the preservation of culture and for the development of tourism because of their association with history, including:

- Historic structures, sites or areas which exemplify the cultural, political, economic or social history of the nation, state, region or community.
- Historic structures, sites or areas that are identified with the lives of historic personages or with important events in national, state, regional or local history.

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- Structures or areas that embody the distinguishing characteristics of an architectural type specimen as to color, proportion, form and architectural details.

Certified historic structure: any building that is listed individually in the National Register of Historic Places, or located in a "registered historic district" and certified as being of historic significance to the district by the State Historic Preservation Officer (SHPO) and the National Park Service (NPS)

Inventory: the catalog of historic properties, including all locally significant historic Landmarks, the structures within the historic districts, and all Recorded Texas Landmarks and National Register properties, to be maintained, updated, and made accessible to the public, with exception or archeological sites, by the Historic Preservation Officer in partnership with the Webb County Heritage Foundation

Locally significant historic landmark: a place or structure so designated by the Historic District/Landmark Board of the City of Laredo which has outstanding historical, architectural, archeological, or and cultural significance in the nation, state, region or community. The designation "locally significant historic landmark", recognizes that the historic place, or the building(s), structure(s), accessory building(s), fences or other appurtenances at the place, are of basic and vital importance for the preservation of culture and historical development of the City of Laredo.

Non-depreciable structure: an owner-occupied residence.

Preservation: the process of preserving a building as it exists today. Preservation projects will halt deterioration and improve structural stability without significant rebuilding.

Registered Historic District: any district that is listed in the National Register of Historic Places, or designated under a state or local statute which has been certified by the Secretary of the Interior. (as of 12-1-94 only the San Agustin de Laredo Historic District and the Fort McIntosh Historic District are "Registered historic districts").

Rehabilitation: the process of upgrading the quality of an older building both structurally and mechanically while preserving its unique historic and architectural features. This type of project often involves adaptive reuse.

Removal: any relocation of a structure on its site or to another site.

Repair: the utilization of methods with the least degree of intervention possible such as patching, piecing-in, splicing, consolidating, or otherwise reinforcing or upgrading materials according to recognized preservation methods so that the visual appearance of the structure remains the same.

Repair shall also mean the limited replacement using the same kind of materials or compatible substitute material of extensively deteriorated or missing parts where there are surviving prototypes and the visual appearance of the structure remains the same.

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Restoration: construction restoring the original appearance and architectural features of a structure. This may include removing later additions and reconstructing missing architectural features.

Secretary of the Interior's Standards: guidelines published by the U.S. Department of the National Park Service for rehabilitating historic structures. These standards, revised in 1990, are used by the NPS and the SHPO to determine if a rehabilitation qualifies as a Certified Rehabilitation for Federal tax purposes.

Secretary of the Interior's Standards for Evaluating Significance within Registered Historic Districts: the criteria published by the U.S. Department of the National Park Service used to determine whether a structure does or does not contribute to the historic significance of a district. This criteria is used to determine if a rehabilitation becomes a "Certified historic structure" for Federal tax purposes. It shall also be used as the City of Laredo's guidelines to determine if a structure qualifies as a "Locally certified historic structure" for the City of Laredo Ad Valorem Tax Exemption.

Structure: a non-movable work of construction made up of interdependent and interrelated parts in a definite pattern of organization.

Substantial rehabilitation: the repair, preservation, restoration, or rehabilitation of a "Locally significant historic landmark" or a structure located within a historic district that has been deemed of significance to the district." The cost of the work must exceed 50% of the value of the improvements to the property as established by the Webb County Central Appraisal District on the date of application.

(c) Sign Definitions:

Sign: any medium, including its structure and component parts, located outdoors that includes copy displayed by means of print, bills, posters, panels, or other devices erected on an open framework, attached or otherwise applied to stakes, posts, poles, trees, buildings, or structures or supports. This definition includes any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or communicate information of any kind to the public.

Sign Area (Maximum): the total area of all of the separate sign areas of a particular sign type that are located on a property or on a building.

Sign Distance Separation From Another Sign: the distance from the leading or outward edge of any freestanding sign to the leading or outward edge of any other freestanding sign measured perpendicularly.

Sign (Clearance): shall mean the height as measured from natural grade at the base of the sign's structure, or base of the wall or object to which the sign is mounted, to the bottom edge or lowest point of the sign's face.

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Sign (Clearance): The smallest vertical distance between the grade of the adjacent street, highway, or street curb, and the lowest point of any sign including framework and embellishments extending over the grade.

Sign Face*:* the area of a sign on which the copy is placed.

Sign Height: the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign—whichever is less.

Sign Projection (Maximum): the maximum perpendicular distance from the vertical face of the structure to which the sign is attached to the outward leading edge of the sign.

Sign Setback from Property Line: the perpendicular distance as measured from the property line to the leading edge or the closest point of the sign's face or structure which ever element is the closer to the property line.

Sign structure*:* a structure including all of the interrelated parts and materials (e.g., beams, poles, braces, apron, catwalk, and stringers, and any wall or foundation) that is used, designed to be used, or is intended to be used to support, display, or contain a sign.

Sign: Time Limit: the number of calendar days including weekends and holidays that a sign can remain in place. This time limit begins on the day that the sign is mounted at the property and becomes visible to the public.

Sign Types: signs which include signs meeting the following criteria:

> **Abandoned Sign:** any sign that not readable, non functional, in disrepair, or hazardous in any way due to lack of maintenance. Includes any dilapidated or deteriorated sign or neglected sign.
>
> **Attached Sign**: any type of sign supported by a building or an element of the building; or is directly placed on, hung from, or anchored in a building. This type shall include all varieties of wall, window, and projecting sign as well as any other type that is mounted to a building's vertical surfaces, such as a banner; all types of awning and canopy sign or any other type that is affixed to a building's adjunct element; and all types of roof signs. Attached signs shall include any display supported by, hung from, or mounted upon a building, including any figurine or logo that is not an integrated, architectural element
>
> **Audible Sign**: any sign that emits music, dialogue, words, or other sound amplification.
>
> **Awning Sign**: a sign that is painted directly on canvas or other material with a framework that creates a sloped shading device for windows and/or entryways.
>
> **Awning Sign**: a sign that is directly applied, attached, or painted onto an awning.
>
> **Back lit awning/electric awning sign**: an internally illuminated faced space-frame structure with translucent, flexible reinforced covering designed in awning form containing graphics, or to which graphics are copy applied to the visible surface of the awning.

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Balloons and other floating devices: a visible airtight or air-flow through apparatus commonly made of latex, Mylar or other similar material that extends by a cord, rope, string, wire or other similar material. No person shall erect, maintain, or allow the installation of any balloons and other floating devices anchored to the ground, any vehicle, structure or any other fixed object for the purpose of advertising or attracting attention to a business, commodity, service, sale, or product.

Banner: any sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other fabric or similar material, with the sole purpose of such non-rigid material being for background.

Beacon (or Searchlight): a source of high-intensity light with one or more beams directed into the atmosphere or any other point; or any light with one or more beams that rotate or move.

Bench Sign*:* a sign erected in the outdoor environment which is located on, mounted to or incorporated into the seat or back of a seat or bench.

Billboard: A freestanding sign or sign structure upon which copy is placed on a poster or panel and mounted on a pole or metal structure, typically as follows: (1) wood posts or pole supports with dimensional lumber as the secondary support (A-frame) with a wood or metal catwalk and a single display panel, (2) steel A-frame constructed with angle iron or steel supports with metal framing, catwalk, and a single display panel, (3) multi-mast structure constructed with steel poles, I-beam or equivalent as primary support, with a catwalk, and a single display panel, or (4) monopole structure constructed with tubular steel support, tubular steel framing, metal catwalk and a single display panel with a concrete foundation.

Canopy Sign: a sign that is applied, attached, painted or affixed on a canopy or other roof-like cover over. Examples of such include gasoline fuel pumps, vacuum area at car detail facilities, or other areas where services are provided to a patron in a vehicle intended for protection from the weather or as a decorative embellishment.

Changeable copy signs: a sign with temporary messages made from interchangeable characters attached to tracks or grooves on the sign board.

Changeable electronic variable message sign (CEVMS)*:* an electric sign that is capable of displaying action, motion, video, light, or color changes through electrical or mechanical means.

Clearance: The minimum vertical distance between the lowest portion of a sign and the surface of a street, sidewalk or alley.

Cloud buster balloon and air devices: any visible airtight or air-flow through, inflatable apparatus made of latex, Mylar, or other similar material that extends higher than twenty-five (25) feet into the sky by a cord, rope, string, wire, or other similar material.

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Conforming Sign: a sign which is lawfully in place on a tract of land which complies with all zoning ordinance regulations.

Copy: graphical content including permanent or removable letters, words, pictographics, symbols, figures, numerals, phrases, sentences, emblems, devices, trade names or trademarks, or other pictorial matter.

Dilapidated or deteriorated sign: a sign where any portion of the finished material, surface or message portion of the sign is visibly faded, frayed, flaked, broken off, missing, cracked, splintered, defective, partially or improperly secured, unsafe, or is otherwise visibly deteriorated or in a state of despair; signs whose elements or the structural support or frame members are visibly bent, broken, cracked, dented, torn, twisted, leaning or at angles other than those at which it was originally erected, such as may result from wind damage or by the failure of a structural support.

Double-faced sign*:* a sign with two faces, essentially back-to-back.

Electric sign*:* any sign containing electrical wiring or using electric energy, but does not include signs illuminated by an exterior light source. Sign must be installed by electrical contractor or electrical sign contractor.

Electronic message display (EMD): a sign, typically one uniform color, capable of electronically or mechanically displaying: words, numbers symbols, figures or images but not graphics or video; EMD's are typically changed by remote or automatic means.

Electronically energized*:* illuminated signs whose motion or visual impression of motion is activated primarily by electrical means; this does not apply to changeable electronic signs. Electrically energized animated signs are of two types:

Feather banner: feather banners refer to fabric or cloth containing: distinctive color; pattern or symbols; referrals to the offer for sale; existence of for products, property, accommodations, services for sale; attractions or activities; attention to a business or to products, property, accommodations, services; and activities that are offered or exist for hire.

Festoons: a string of ribbons, tinsel, small flag, or pinwheels. Prohibited in the city and its ETJ, except where permitted by during a special event.

Flag: any fabric usually of rectangular shape containing distinctive colors. Any other type of fabric pennants shall be considered a banner.

Flashing signs: Illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase, and in which the intensity of illumination varies from zero (0) (i.e., off to one hundred (100) percent (i.e., on) during the programmed cycle.

Flyers: a circular for mass distribution that is mounted with glue, nailed, stapled, or otherwise affixed to a pole, fence, or wall or other structure. These shall include any form of printed sheet or bulletin used as a sign.

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Freestanding sign*:* a sign supported permanently upon the ground by poles or braces and not attached to any building.

Ground Sign: a sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top.

Ground Sign: a sign which is anchored to the ground similar to a pylon or freestanding sign, but which has a monolithic or columnar line and which maintains essentially the same contour from grade to top.

Human Sign: a sign held by or attached to a human being including: a person dressed in costume for the purposes of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product.

Illegal Sign*:* a sign which does not meet the requirements of this Chapter and which has not received legal non-conforming status.

Illuminated sign*:* a sign in which a source of light is used in order to make the message readable. This definition shall include internally and externally lighted signs and reflectorized, glowing, or radiating signs.

Illusionary movement signs: Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually stimulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

Impounded sign*:* a sign that is removed by a city-authorized official, inspector, code enforcement officer, other city employee, or city-authorized person in accordance with the provisions of this chapter.

Incidental sign*:* a sign with copy located on a rigid panel and mounted on a pole or a wall or similar structure, with or without a structural frame, that is normally incidental to the allowed use of the property, but can contain any message or content. An incidental sign does not include a billboard, or an attention-getting device or other prohibited sign. [*Note: examples of customary uses for incidental signs include directional signs, real estate signs, non-commercial opinion signs, menu boards, garage sale signs, holiday decorations, property or tenant identification names or numbers, names of occupants, signs on mailboxes or newspaper tubes, signs posted on private property relating to circulation or private parking, political signs or signs warning the public against trespassing or danger from animals. This paragraph is provided to clarify the regulations and does not limit the content of incidental signs.*]

Inflatable device sign (IDS): a sign manufactured of plastic, cloth, canvas or other flexible or light fabric, inflated with air or any gas, secured to the ground, and does not float.

Marquee sign*:* any sign attached to or supported by a marquee structure.

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Monument sign*:* a free-standing sign attached or connected to the ground by means other than a pole and which has no open space for the full width of the sign between the bottom of the sign and the surface of the ground.

Motion sign: a sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. Motion signs include the following types:

Mechanically energized*:* manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.

Multiple-faced Sign: a sign containing three (3) or more faces, not necessarily in back-to-back configuration.

Mural: a work of art applied directly to a wall, ceiling, or floor surface where forms and/or figures are the dominant elements. Any form of wording or logo shall be of secondary nature to a mural. A wall sign is not a mural. A mural includes any painting, picture or other artwork applied to and made integral with an exterior wall surface of a building, structure, ceiling, roof or garden wall.

Naturally energized*:* means signs whose motion is activated by wind or other atmospheric impingement. Wind driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices.

Neglected sign*:* a sign that has any missing panels, burned out lights, missing letters or characters, rust, loose parts, damage, is faded from its original color, contains supports or framework with missing sign or parts, or is not maintained.

Nonconforming sign: any sign and its supporting structure that does not conform to any portion of this chapter and was lawfully erected in existence prior to the effective date of this chapter; Nonconforming signs must have been in existence, lawfully located, and used in accordance with the provision of any prior ordinances applicable thereto, or which was considered legally nonconforming there under, and has since been in continuous or regular use. Such signs may have been used on the property at the time it was annexed into the city and has since been in regular and continuous use.

Pennant: any lightweight plastic, fabric or other material, whether or not it contains a message of any kind, suspended from a rope, wire, cord, string or similar material designed to move in the wind whether existing in a series or individually.

Plaque: Any sign which is cut into a flat thin piece of metal (such as bronze) or other permanent material placed on a building wall or a freestanding support structure, or that is an integral part of a wall surface.

Pole sign*:* a sign erected on one (1) or more uprights or a vertical framework consisting of one (1) or more uprights supported by the ground.

Portable signs*:* any sign designed or intended to be relocated from time-to-time, whether or not it is permanently attached to a building or structure, or is located on

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the ground. Portable signs include signs on wheels or on portable or mobile structures (e.g., trailers, skids, banners, tents or other portable structures, airborne devices, or similar devices used for temporary display).

Projecting sign: a sign attached to and projecting out from a building, generally at a right angle, to the building facade.

Roof sign: a sign mounted on and supported by the roof portion of a building, or above the uppermost edge of a parapet wall of a building which is wholly or partially supported by such a building, or a sign that is painted directly to or applied on the roof or top of a building or structure. A sign that is mounted on mansard facades, pent eaves or architectural projections (e.g., canopies) of a building or structure shall not be considered to be a roof sign.

Roof (secondary) sign: a sign that is mounted to or projects from a canopy or secondary roof over the entry to a building, but does not project above the highest point of the building. A roof (secondary) sign may be attached to a parapet wall.

Special event sign: a sign erected on any portion of a property the City approves for a special event, and that remains in place only during the special event.

Stake sign: a temporary sign that does not exceed six (6) square feet in area with a base/stake commonly made of metal, wood or other similar material approved by the building official with an end for driving into the ground.

Subdivision Entrance Sign: A Monument sign mounted along the entrance of a subdivision, or on a traffic median at the entrance to a subdivision.

Under awning sign: any sign suspended from and under an awning.

Urban Orchard: a collection of fruit trees cultivated within urban areas, often in publicly accessible spaces such as parks, schools, or community gardens. These orchards aim to provide local communities with access to fresh produce, enhance green spaces, and foster community engagement.

V-shaped sign*:* Two (2) separate sign faces at one (1) location that are at an angle of forty-five (45) degrees or less to each other. Two (2) signs in shape of a letter "V" or triangle when viewed from above; these faces will be oriented in different directions.

Vehicle sign: any sign attached to any, truck, car, bus, trailer, boat, recreational vehicle, motorcycle or any other vehicle, painted or wrapped on the exterior of a vehicle. Vehicle signs shall exclude bumper stickers and state required license or inspection stickers/identifications.

Wall Sign: any sign erected against an exterior wall, erected parallel to a wall, or painted directly onto a wall. This definition does not include murals.

Window Sign: any sign, poster, window slick, or other similar displayed item, excluding banners (see "banners"), located on the internal or external surface of a window that is visible from a public street or sidewalk.

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(d) **Acronyms.** The following acronyms have the following meanings for purposes of this Chapter, unless the context clearly indicates otherwise:

Table 10.2-1 Acronyms

"	inches
CFR	Code of Federal Regulations
CRZ	Critical root zone
' or ft	feet
lf	Lineal feet of frontage
max	Maximum; indicates that the value prescribed is the maximum allowed
min	Minimum; indicates that the value prescribed is the minimum required
n/a	not applicable
sf	square feet
TAC	Texas Administrative Code
TxDOT	Texas Department of Transportation
USC	United States Code

24.10.3 Interpretation of Zoning Map

Where uncertainty exists with respect to the boundaries of any of the districts shown on the Zoning Map, the following rules apply:

(a) District boundaries indicated as approximately following lot lines, street or highway right- of-way lines are the zoning district boundaries.

(b) District boundaries indicated that approximate the center lines of streets, or the center or rights-of-way lines of highways are construed as located along the centerline of the right-of-way of that street or highway.

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Article 11 Legal Provisions

24.11.1 Relationship to Other State, Federal and Local Provisions

(a) Generally. See Texas Local Government Code § 211.013 (Conflict with Other Laws). Except as provided in the above-referenced statute, if any provision of this Chapter conflicts with state or federal law, state or federal law controls.

(b) Interpretation. See Article 10.

(c) Plat Restrictions

(1) Nothing in this Chapter invalidates any plat restriction authorized by the Planning and Zoning Commission, nor any provision of adopted building codes.

(2) Building setback lines included in a recorded subdivision plat approved by the Planning and Zoning Commission control over general setback provisions required under the zoning provisions of this Chapter.

(d) Building Code Requirements

(1) No building setback shall be less than that specified for the type of construction proposed by adopted building codes.

(2) The Board of Adjustment has no authority to reduce any building setback required under adopted building codes.

24.11.2 Private Restrictions

This Chapter does not abrogate any deed restriction, covenant, easement or any other private agreement or restriction on the use of land. However, if the provisions of this Chapter are more restrictive or impose higher standards than any private restriction, the requirements of this Chapter control. Where the provisions of any private restriction are more restrictive or impose higher standards than the provisions of this Chapter, the private restrictions control if properly enforced by a person having the legal right to enforce those restrictions. The City does not enforce private deed restrictions, private covenants, easements or private agreements.

24.11.3 Severability

If any chapter, section, paragraph, subdivision, clause, phrase or provision of this Chapter is, for any reason, adjudged invalid or held to be unconstitutional, the invalidity or non- constitutionality of that particular chapter, section, paragraph, subdivision, clause, phrase or provision so declared does not affect the validity or constitutionality of the remaining provisions of this Chapter, but the same, and each of them, remain in full force and effect.

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24.11.4 Repeal of Existing Ordinances

(a) Any ordinance inconsistent with the terms and provisions of this Chapter is repealed. That repeal, however, is only to the extent of any inconsistency. In all other respects, this ordinance is cumulative of other ordinances regulating the same subject matter.

(b) Any inconsistency does not reduce the requirements of those regulations pertaining to fire prevention, health, sanitation or safety of persons or property enacted by the City. If any restriction, prohibition, or provision of this Chapter conflict with those provisions or any laws of the State of Texas, or with regulations of State or Federal regulatory bodies having jurisdiction:

(1) If the provision of this Chapter is not preempted, the more restrictive restriction, regulation, prohibition or provision applies, or

(2) If the state or federal law preempts a provision of this Chapter, the state or federal law applies.

24.11.5 Effective Date

This Chapter takes effect upon adoption of the ordinance from which it is derived by the City Council. The provisions of this Chapter supersede all other development regulations governing the development of land within the City. All development applications and proposals filed on or after the effective date of the ordinance from which this this Chapter is derived, whether for new developments or for add-ons or expansions of existing developments, shall be processed in accordance with the standards and requirements and pursuant to the procedures established in this Chapter.

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Article 12 Submittal Requirements

24.12.1 Generally

This Article establishes the information that applications must include in order to be considered complete for review under Article 5.

24.12.2 Digital applications

(a) Applicability. When an application is filed with the Planning Department ("Department"), the Department may require the applicant to submit a digital file in addition to any required paper copies. The Department shall include this requirement in its official application forms.

(b) Submittal of Digital Files

(1) The digital file shall be submitted at the time of application.

(2) If the Department requires a digital application, it may establish a procedure to allow the applicant not to submit a digital file, subject to payment of a fee for digital entry by the Department as provided below.

(c) Formatting Standards

(1) The Department shall prescribe the formatting standards, including media types, layering, system and text styles for digital applications.

(2) The digital file shall conform to the media provided by the Department's formatting standards.

(3) Where a digital file contains errors, or does not fully comply with the City standards, the applicant shall make corrections and resubmit the file prior to the plat being recorded.

[*See 24.12.11(b)(2) for submittal of digital General/Master Plans for subdivision plats*]

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24.12.3 Application Checklists

(a) Generally. Applications shall be filed upon forms prescribed by the Planning Director. Table 12.3-1 summarizes the information required for preliminary plats, final plats, rezonings, special use permit, and site plans.

Table 12.3-1 Submittal Requirements

Information Required (Note: ■ = item is required; blank cell = item is not required)	**Preliminary Plat**	**Final Plat**	**Rezoning**	**Special use permit**	**Site Plan**
Generally					
A completed application on a form provided by the Department	■	■	■	■	■

Information Required (Note: ■ = item is required; blank cell = item is not required)	Preliminary Plat	Final Plat	Rezoning	Special use permit	Site Plan
Name, address, telephone number of owner, or the business owner (if different from the property owner). Include certificate and/or articles of incorporation if a business entity owns the property. If the applicant is other than a natural person, the name of the principal officer or owner of the entity responsible for the application.	■	■	■	■	■
Name, address, telephone number of applicant's representative if the owner is not available for hearing.	■	■	■	■	■
The name of the person or firm responsible for preparation of the application.	■	■	■	■	■
Submittal date and time.	■	■	■	■	■
Affidavit Authorizing Representation if the property owner will be represented by the business owner (i.e. Lessee) or other person.	■	■	■	■	
The proposed name of the subdivision or development, which name shall not be a duplicate of any subdivision or development of record within the City or its area of extraterritorial jurisdiction.	■			■	
Evidence in the form of tax certificates issued by each taxing jurisdiction, that the taxes on the property included in the application are paid, and that a zero balance exists.		■	■	■	■
The total acreage and the total number of lots, blocks and reserves.	■		■	■	
The date on which the plat was drawn.	■	■			
The north point. The subdivision must be oriented with north generally to the top of the drawing.	■	■			
A scale drawn numerically, and a graphic scale at 1"=100'.	■	■			
A legible vicinity map drawn to a scale of 1"=2,000' indicating the general location of the subdivision and its relation with well-known streets, railroads, water courses and other landmarks within 1 mile of the proposed development. The vicinity map should be oriented with north to the top of the drawing.	■	■			
Plat boundaries drawn with heavy lines to indicate the subdivided area with overall survey dimensions and bearings, with lines outside the plat boundary drawn in dashed lines.	■	■			
Adjacent areas outside the plat boundaries of the proposed development identified indicating the name and recordation data of adjacent subdivisions, churches, schools, parks, arroyos, creeks, flood plains, vegas, and drainage ways, acreage, and all existing streets, easements, pipelines and other restricted uses.	■	■			
The location and approximate width of existing and proposed water courses, ravines, storm drainage systems, and drainage easements.	■	■			
The location and identification of all tracts not designated as lots within the boundaries of the plat.	■	■			
Any other information or documentation required by the Planning Department as set forth in the application form.	■	■	■	■	
Property Ownership					
Evidence of the applicant's legal interest in the property (including complete copy of recorded deed). If the property is owned by a business entity, a copy of the articles of incorporation or other documentation of that legal entity.	■	■	■	■	■
The legal description of the property proposed to be subdivided, including the county, survey and abstract number together with reference to a recorded subdivision in the area.	■				
Survey data (see Section 24.12.11(b)(3))	■	■			
Dedication statements and certificates that are made a part of the final plat drawing, including statements the general form and content of which are provided in section 24.12.3(b).		■			
A legal instrument vacating any private easement proposed for abandonment or relocation.		■			
A legal instrument vacating any public easement proposed for abandonment or relocation which was dedicated by separate instrument, or which was dedicated by plat duly recorded in the Map records of Webb County and in which the City has exercised any rights of ownership.		■			
Title Information					
A legal description of the property by lot and block if included in a recorded subdivision, or otherwise by a metes and bounds description.	■				
The applicant's present interest in the property and the subdivider's ownership of adjacent and contiguous property. If the applicant does not own the property in fee simple, evidence of a legal interest in an executory contract must be provided. Applicants whose interest is subject to a life estate or reversionary provisions must provide evidence of concurrence by remainder or reversionary interests.	■				

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Information Required (Note: ■ = item is required; blank cell = item is not required)	Preliminary Plat	Final Plat	Rezoning	Special use permit	Site Plan
The name of the owner of the fee as of the date of the examination and volume and page of the county deed records proving title.	■				
The name(s) of any lien holder(s) together with recording information and the date of the instruments by which the interest(s) was acquired.	■				
Identification of the holder, nature and boundaries of all easements and fee strips held by other than the owner together with recording information and the date of the instrument(s) by which the interest(s) was acquired.	■				
Deed restrictions, declarations, covenants, and/or restrictions.	■	■	■		
If the proposed site is part of a condominium a copy of the condominium declarations (covenants and restrictions).				■	
Site Planning					
Present and proposed use.	■		■	■	
Present zoning and proposed zoning.			■		
A site plan for all institutional, commercial and multi-family projects reproduced from an original drawing, indicating the proposed location of principal structures, parking areas, proposed internal traffic circulation, and access from public streets or roads.	■				
Site plan of the subject property (drawn to scale of 1"=20') showing existing and proposed features including but not limited to buildings, roads, alleys, utilities, landscaping, fencing, sidewalks, access and egress, parking, and any other features which are relevant to adequately analyze the site for the intended use.				■	■
Current land use of properties on all sides of the property and across streets and alleys.	■		■	■	■
General Plan					
Controlling topographical features of the property.	■				
Adjacent land uses.	■				
Pipelines and oil/gas production or recovery facilities.	■				
Proposed extensions of thoroughfares, local streets, drainage structures and/or detention facilities.	■				
Existing overhead power transmission lines and easements.	■				
Proposed land uses.	■				
Configuration of lots.	■				
Property lines, as per deed, must be drawn with heavy lines.	■				
The total acreage and the total number of lots, blocks and reserves contained within the boundaries of the General Plan/Master Plan.	■				
The name of the Owner/Developer of the proposed development.	■				
The name of the person or firm responsible for preparation of the General Plan/ Master Plan.	■				
The date on which the General Plan/Master Plan was drawn and the date on which the General Plan/master Plan was approved by the Planning and Zoning Commission.	■				
The north point oriented with north generally to the top of the drawing.	■				
Floodplain					
For plats located in areas of special flood hazard, and required by section 24.2.20 (Flood Hazard Overlay) of the LDC, a Conditional Letter of Map Revision (CLOMR) is required.		■			
Infrastructure					
Construction plans for all street and drainage improvements approved by the City Engineer.		■			
Construction plans for water and sewer improvements, or an affidavit of exemption as required by Article 5.		■			
Streets					
The names and location of all streets, roads, alleys and easements, either existing or proposed, within or adjacent to the plat boundaries.	■				
If the application includes private streets serving apartment, condominium, or townhouse projects must include the following additional information: - the number of structures containing residential units, including multi-family dwellings or townhouses. - the number of residential units and the number of bedrooms contained in each unit or type of unit. - the location of the principal entrance of each structure. - the number of off-street parking spaces required.	■				

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Information Required (Note: ■ = item is required; blank cell = item is not required)	Preliminary Plat	Final Plat	Rezoning	Special use permit	Site Plan
- the number of off-street parking spaces provided. - location of existing and proposed fire hydrants.					
Utilities					
The proposed method(s) of providing water and sewage facilities to the subdivision in conformance with Section 24.4.7 of this Chapter.	■				
If the applicant places utilities in front of the lots the front of lot utility layout/schematics prepared by Developer's engineer.	■				

(b) Fees

(1) *Annexation*. In order to be considered complete, an application must include a fee of seven hundred and fifty dollars ($750) which shall be used to pay for the processing, review, and multiple departments staff analysis provided to the Planning Commission and City Council.

(2) *Subdivision Plats*. Applications shall be accompanied by fees which are nonrefundable regardless of the Commission's granting approval or denial of a preliminary or final plat and are calculated according to the following schedule:

a. Subdivision for a residential lot or lots of less than 20,000 square feet in total area served by water and wastewater facilities with frontage on an existing local public street(s).

1. Preliminary subdivision fee. One hundred dollars ($100.00)

2. Final subdivision fee. Fifty dollars ($50.00)

b. Residential subdivisions greater than 20,000 square feet and all other non-residential subdivisions.

1. Preliminary Subdivision Plat Fee

a. Base Fee. Four hundred dollars ($400.00), and

b. Seven dollars and fifty cents ($7.50) per designated lot, tract, or building site designed for single-family residential purposes; and/or

c. Forty dollars ($40.00) per acre or any fraction thereof for tracts, blocks or areas not divided into lots and to be used for commercial or industrial reserves, or multi-family dwellings.

2. Final Subdivision Fee.

a. Base Fee. Four hundred dollars ($400.00), and

b. Five dollars ($5.00) per designated lot, tract, or building site designated for single-family residential purposes; and/or

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c. Forty dollars ($40.00) per acre or any fraction thereof for tracts, blocks or areas not divided into lots and to be used for commercial or industrial reserves, or multi-family dwellings.

c. *Vacations Of Subdivisions*. Three hundred dollars ($300.00) per acre or any fraction thereof

d. *Street Dedication Plats*. Sixty dollars ($60.00) per acre of street right-of-way, or any fraction thereof

e. *Amending Plats*. Two hundred dollars ($200.00)

f. Other Fees.

1. *Extension of Approval*. Three hundred dollars ($300.00)

2. *Plat Name Change*. One hundred and Fifty dollars ($150.00)

3. *General Plan*. Four hundred dollars ($400.00) fee shall be charged for the review of any General plan when filed separately and not as part of any preliminary or final plat.

g. *Administrative Plat*. Two hundred dollars ($200.00)

h. *Recordation Fee*. At the time an application for a final plat is submitted, the subdivider shall deposit, with the Director of Planning, a recordation fee covering the cost of recording the plat, together with any other fee(s) necessary to properly record said approved plat in the County Records. The fee(s) shall be in the form of a check made payable to Webb County.

i. No fee(s) apply to reconsideration of conditions or requirements for approval.

(3) *Signs*

a. The following fee schedule applies to all sign applications.

Review Fee	General	$20.00 Flat Fee Per Application
Review Fee	Freestanding	$30.00 Flat Fee Per Application
Review Fee	Attached	$20.00 Flat Fee Per Application
Review Fee	Banners	$20.00 Flat Fee Per Application
Review Fee	Animated Sign	$50.00 Flat Fee Per Application
Review Fee	Reface	$10.00 Flat Fee Per Application
Permit Fee	General	$0.55 Per Square Foot
Permit Fee	Animated Sign	$0.75 Per Square Foot
Permit Fee	Electronic Message Display	$0.75 Per Square Foot
Permit Fee	Reface	$30.00 Flat Fee Per Application
Event Fee	Municipal Banner	$75.00 Per Location
Event Fee	Pull Down Banner	$10.00 Per Location
Event Fee	Special Event	$75.00 Per Event, Per Location

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Event Fee	Temporary Weekend Signs	$25.00 Per Weekend
Annual Fee	Feather Banner	$20.00 Per Location
Annual Fee	Temporary Weekend Sign	$500.00 Per Location, Per Entity
Special Fee	Multibanner Permit	$200.00 Per Location

(4) Inspection. In addition to those fees and insurance required by Section 24.6.21 (Signs), an initial application fee and annual permit fee shall be levied for all approved sign encroachments as provided below. All annual permit fees must be paid by January 1 of each year.

a. Application fee (included 1st permit) $200.00

b. Annual permit fee 100.00

(5) *License fee*.

a. *Non-electric sign contractors*. All persons licensed by the City of Laredo to install only non-illuminated signs, banners, vinyl overlays, etc. shall pay an annual fee of fifty dollars ($50.00).

b. *Electric sign contractors*. All persons licensed by the City of Laredo to install electrical, electronic, digital signs shall pay an annual fee of one hundred dollars ($100.00).

(6) If any sign is installed or placed on any property prior to receipt of a permit, the specified permit fee shall be doubled; payment of the doubled fee shall not relieve any person of any other requirements and/or penalties prescribed in this ordinance.

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24.12.4 Annexation

All items shall be submitted electronically. To be considered complete an application must contain the following:

(a) Application fee.

(b) Copy of recorded deed or other recorded legal document evidencing ownership of the property. If owner of the property is a corporation, proof of authority of the signing party must be provided such as copy of articles of incorporation or other documentation of legal entity.

(c) Sign and sealed surveyor's drawing, scaled 1" = 100', in 24"x36" PDF format.

(d) Closure calculations signed and sealed by surveyor.

(e) Metes and bounds signed and sealed by surveyor.

(f) Initial zoning request and detailed proposed use.

(g) Geo-referenced parcel and lot lines in GIS shapefile format.

(h) Traffic impact analysis; scope to be determined by the Traffic Department director.

(i) Site plan, in 24"x36" PDF format, showing the following:

(1) North point oriented, with north to the top of the drawing.

(2) All proposed lots, structures, streets, and utilities. Streets and utilities should include widths and sizes to assist staff in determining future maintenance costs.

(3) Identify proposed flows and demand for water, sewer, and stormwater.

(4) Identify required parkland dedication and proposed locations for parks and amenities.

(5) A table detailing the number or amount of single-family/multifamily residential units, and/or commercial/industrial square foot space.

(6) A table showing what year development will begin, and how many residential units and/or how much commercial/industrial square foot space will be constructed each year until completion.

24.12.5 Landmarks

(a) Landmark Designation. An application for designation as a locally significant historic landmark shall be submitted to the Planning Department on a form approved by the Historic District/Landmark Board, and shall contain:

(1) the name, address and telephone number of the individual or entity seeking designation.

(2) the location and address of the property to be designated.

(3) the name, address and telephone number of the owner of the property if different from that of the applicant.

(4) documentation substantiating the historical, cultural, architectural, or archaeological significance of the property.

(5) letters of endorsement from the Webb County Historical Commission and the Webb County Heritage Foundation.

(b) Plans Reviewed by Historic District/Landmark Board. For a proposed alteration, addition or changes and for new construction in a historic district or for a historic landmark, plans and exterior elevations shall be drawn to scale and shall include proposed materials, textures, and colors, and site layout, including parking lots, fences, walls, walks, terraces, plantings, accessory buildings, signs, lights and other elements. The applicant shall submit with the application legible photographs of all sides of the building under consideration and photographs showing contiguous properties.

24.12.6 Planned Unit Development (PUD) Site Plans.

(a) PUD site plans shall include the following information:

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(1) Survey of the property, showing existing features of the property, including contours, buildings, structures, trees over 4 inches in trunk diameter, streets, utility easements, right-of-way and land use.

(2) Site plan showing proposed building locations and land use areas, streets, rights-of-way, parking, layout, and pedestrian walks.

(3) Landscaping plans including site grading and/or landscape design.

(4) Preliminary drawings for buildings (if any) to be constructed in the current phase, including floor plans, exterior elevations and cross-sections.

(5) Construction sequence and time schedule for completion of each phase for buildings, parking space and landscaped areas.

(6) Traffic impact analysis. The Traffic Department Director shall determine the scope.

(b) The site plan shall be drawn to a scale which best fits a 24"x 36" sheet and ensures that all required elements are legible.

(c) Include a geo-referenced CAD file.

(d) The fee for submitting or re-submitting a site plan to the Planning & Zoning Commission is the same fee for a rezoning request.

24.12.7 Parking

(a) Construction Plan. Construction plans and a certified survey for a commercial parking lot shall be submitted along with each application for a building permit for construction that includes a commercial parking lot. This applies to any proposed off-street parking area, or any existing off-street parking area on which construction is proposed. The certified survey and construction plans shall be reviewed and approved by the City Engineer and the City Building Official before the issuance of a building permit for the construction of or on the off-street parking area.

(b) Parking Plan. All site plans submitted as part of an application for a building permit for a business shall include a parking plan. All construction plans for commercial parking lots shall include the proposed markings and paving material to be used. The site plan and construction plan for a commercial parking lot shall be made a part of the building permit upon the granting thereof. Failure to construct a commercial parking lot in accordance with the site plan and construction plan approved with the building permit shall be deemed a violation of this Section.

(AMENDED: Ordinance No. 90-0-88, 5/21/90)

(c) Paving Plans. Paving plans for parking lots shall be a part of the building permit. Failure to construct paved parking in accordance with the building permit is a violation of this Chapter.

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24.12.8 Riparian Buffers.

Applications for any property that includes a riparian buffer shall include a green space plan and, if required, a conservation plan.

(a) Green Space Plan. A green space plan shall include:

(1) Stream systems and buffers shall be shown on site-specific drainage maps.

(2) Prior to construction, signs shall be placed every 100 feet on orange construction border fencing at the edge of the buffer zone to inform workers that the placing of construction materials in the buffer zones during the construction phase is prohibited.

(b) Conservation Plan Requirements. Where disturbance of protected first or second order stream systems are proposed, the following shall be submitted:

(1) A copy of the Green Space Plan.

(2) A location or vicinity map of areas outlined in Section 24.3.8(b)(2).

(3) A summary of disturbance activities, and an in-depth detailed description of disturbances that affect or may affect areas outlined in Section 24.3.8(b)(2).

(4) A detailed description of mitigation activities, as outlined below:

a. If Wetlands and/or Waters of the U.S. are affected:

1. Section 404 Permit

2. Wetland Mitigation Plan.

3. Tree mitigation plan if trees are removed.

24.12.9 Rezoning.

See Table 12.3-1.

(a) A separate application is required for each tract of land. However, a single application may include more than one tract if all of the tracts are contiguous.

(b) Each application shall include a rezoning to only one zoning district. If multiple new zoning districts are request, separate applications are required for each district.

24.12.10 Stormwater Submittals

(a) Simplified Storm Water Management Control Plan. A simplified storm water management control plan includes:

(1) A narrative description of the storm water management facilities to be used.

(2) A general description of topography and soil conditions of the development site.

(3) A general description of existing structures, buildings, and other fixed improvements located on adjacent properties.

(4) A site plan sketch to accompany the narrative which shall contain:

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a. a site location map of the proposed project, indicating the location of the proposed project in relation to roadways, jurisdictional boundaries, streams and rivers;

b. the boundary lines of the site on which the work is to be performed;

c. all areas within the site which will be included in the land disturbing activities shall be identified and the total disturbed area calculated;

d. a topographic map of the site;

e. anticipated starting and completion dates of the various stages of land disturbing activities and the expected date the final stabilization will be completed; and

f. the location of temporary and permanent vegetative and structural storm water management control measures.

(b) Storm Water Concept Plan. At a minimum, the storm water concept plan shall include the following:

(1) A completed application for the storm water management concept plan review. (Application forms are contained within the Storm Water Management Guidance Manual);

(2) A completed Applicant's Affidavit of Ownership and Designation of Agent form. (Forms are contained within the Storm Water Management Guidance Manual);

(3) A vicinity map showing the location of the development site;

(4) The existing topography of the development site;

(5) Layout of physical improvements on the site, including existing development and proposed development;

(6) Delineation of all areas to be disturbed;

(7) Delineation of any regulatory flood plain.

(8) Preliminary Hydrologic / Hydraulic calculations showing existing pre-development flows and anticipated post-development flows;

(9) Preliminary layout of proposed on-site storm water management facilities to include water quantity and quality features;

(10) A map indicating any off-site flows draining to the site; and

(11) A map indicating any off-site, downstream flow constrictions.

(c) Storm Water Management Plan Submittal Requirements. Storm water management plans shall include, at a minimum, the following:

(1) A completed application for the Storm Water Management Permit. (Application forms are contained within the Storm Water Management Guidance Manual);

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(2) A completed Applicant's Affidavit of Ownership and Designation of Agent form. (Forms are contained within the Storm Water Management Guidance Manual);

(3) A vicinity map indicating a north arrow, scale, boundary lines of the site, and other information necessary to locate the development site;

(4) The existing and proposed topography of the development/redevelopment or construction site except for individual lot grading plans in single family subdivisions. Existing topography shall be shown by contour lines on a basis of 5' vertical interval unless the shape of the terrain, in the opinion of the City Engineer, warrants 2' vertical intervals. Datum shall be that of the United States Coast and Geodetic Survey. The scale shall at least 1"=200' with contour intervals no greater than 5', unless the City Engineer approves a variation;

(5) Physical improvements on the site, including present development and proposed development/redevelopment or construction activity;

(6) Location, dimensions, elevations, and characteristics of all storm water management facilities;

(7) All areas within the site which will be included in the land disturbing activities shall be identified and the total disturbed area calculated;

(8) The location of temporary and permanent vegetative and structural storm water management control measures;

(9) An anticipated starting and completion date of the various stages of land disturbing activities and the expected date the final stabilization will be completed;

(10) A determination that no occupied first floor elevation of any structure is below the 100-year plus 18 inch flood elevation. All development/redevelopment or construction activity shall conform to the "Federal Disaster Protection Act of 1973, Public Law 93-234, passed by the 93rd Congress, H.R. 8449, December 31, 1973 (the latest version);

(11) At the reasonable discretion of the City Engineer, for all portions of the drainage system which are expected to carry between 50 and 150 cfs for the 100- year storm, the 100-year plus 18 inch flood elevation analysis is required. To require the 100-year plus 18 inch flood elevation analysis, the City Engineer should determine that one of the following conditions may exist:

- **a.** The estimated runoff would create a hazard for adjacent property or residents; or
- **b.** The flood limits would be of such magnitude that adjacent residents should be informed of these limits.

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(12) For all portions of the drainage system which are expected to carry 150 cfs or more for the 100-year storm, the 100-year plus 18 inch flood elevation analysis shall be done and flood limits shall be shown on the storm water management plans;

(13) Storm water management plans shall include designation of all drainage easements needed for inspection and maintenance of the drainage system and storm water management facilities and shall comply with Section 24.4.5(d)(Stormwater Management-Easements) of this Chapter;

(14) At the reasonable discretion of the City Engineer, a landscape plan for all portions of the drainage system shall be part of the storm water management plan. This landscape plan shall address the following:

- **a.** Tree saving and planting plan;
- **b.** Types of vegetation that will be used for stream bank stabilization, erosion control, sediment control, aesthetics and water quality improvement; and
- **c.** Any special requirements related to the landscaping of the drainage system and efforts necessary to preserve the natural aspects of the drainage system.

(15) To improve the water quality aspects of the drainage system, the storm water management plan shall include a storm water pollution prevention plan, as outlined in Section 24.5.32 of this Chapter, to control the water quality of the runoff during the land disturbing activities and during the life of the development as outlined in this Division;

(16) The storm water management plan shall include all engineering calculations needed to design the system and associated structures including pre- and post-development velocities, peak rates of discharge, and inflow and outflow hydrographs of storm water runoff at all existing and proposed points of discharge from the site. Computer disks and hard copies of all input and output files are to be submitted if a computer model is used;

(17) Description of site conditions around points of all surface water discharge including vegetation and method of flow conveyance from the land disturbing activity;

(18) Construction and design details for structural controls;

(19) The expected timing of flood peaks through the downstream drainage system shall be assessed when planning the use of detention facilities;

(20) At the reasonable discretion of the City Engineer, downstream effects from storm water management structures and the development/ redevelopment or construction activity on receiving streams known to have flooding and erosion problems. Hydrologic-hydraulic engineering studies shall extend

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downstream to a point where the proposed development represents less than 10% of the total watershed.

(21) All storm water management facilities and all major portions of the conveyance system through the proposed development (i.e., channels, culverts) shall be analyzed, using the design and 100-year storms, for design conditions and operating conditions which can reasonably be expected during the life of the facility. The results of the analysis shall be included in the hydrologic-hydraulic study.

(22) If the storm water management plan and/or calculations indicate that there may be a drainage or flooding problem at the exit to the proposed development or at any location between the exit point and the 10 percent downstream point, the City Engineer may require:

a. water surface profiles plotted for the conditions of pre- and post-development for the 25-year design storm;

b. water surface profiles plotted for the conditions of pre- and post-development for the 100-year design storm; or

c. elevations of all structures potentially damaged by 25 and/or 100 year flows.

(23) All storm water management plans submitted for approval shall contain certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the approved plan and that responsible personnel will be assigned to the project;

(24) All storm water management submittals shall include a proposed inspection and construction control schedule;

(25) All storm water management plans shall contain certification by the person responsible for the land disturbing activity, of the right of the City Engineer to conduct on-site inspections; and

(26) A maintenance schedule for the permanent maintenance of all storm water management facilities.

24.12.11 Subdivision Plats

(a) (Preliminary). See Table 12.3-1.

(1) **Plat Reproductions**. The applicant shall provide one (1) 24" x 36" legible paper copies reproduced from an original drawing with blue or black lines folded to 8 1/2 inches by 14 inches. Additional copies may be required for presentation to the Commission.

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(2) **Monumentation**. The project engineer shall submit 1 copy of the recorded subdivision plat showing all monuments installed and reference points to the City Engineer.

(b) Subdivision Plats (Final). See Table 12.3-1.

(1) *Specifications*

a. The final original plat shall be drawn on mylar (with dull finish on both sides).

b. Each sheet shall have dimensions of 24 inches by 36 inches.

c. The scale must be 1"= 100' from a certified survey. The Director may authorize a different scale where warranted by the circumstances.

(2) *Approved General/Master Plan*. The subdivider shall submit a geo-referenced CAD file, in a format which is compatible with the City of Laredo GIS software (or such format as approved by the Director of the Planning and Zoning Department) of the approved General Plan/Master Plan at the same time as the submission of the approved General Plan/Master Plan, within 10 business days of the Planning and Zoning Commission approval of the General Plan/Master Plan.

(3) *Surveying Data*. All surveying data must be shown on the final plat sufficient to locate all the features of the plat on the ground. This information must include line dimensions, bearings of deflecting angles, radii, central angles and degree of curvature, length of curves and tangent distances, all of which are to be shown in feet and decimal fractions. This data must include, but is not limited to:

a. full dimensions along all boundary lines of the plat;

b. street and alley rights-of-way;

c. flood plains;

d. easements and drainage ways;

e. gullies, creeks and bayous together with the location of the high bank of those drainage ways and watercourses;

f. lots, blocks, reserves, out-tracts or any other tract or tracts designated separately within the tract boundaries;

g. fee strips, oil and gas wells, pipeline easements or similar features necessary to be accurately located by surveying methods.

(4) *Homeowners Association.* The final plat shall include a referenced to the record volume location with Webb County, contact information, and a copy of the homeowners association documents including all deed restrictions and covenants.

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(5) *Plat Recordation*. The subdivider must provide the following information to enable the Planning Director to verify compliance with conditions of plat approval, if any, prior to initiation of recordation:

a. an original plat drawing prepared on mylar.

b. The names of all persons signing any plat lettered under the signature;

c. Two (2) paper prints from the original plat drawing on white paper with blue or black lines, and;

d. An original certificate of title for the property included in the plat prepared not later than thirty (30) days prior to the initiation of recordation; and

e. Satisfactory written evidence in the form of plat release letters showing that all conditions of approval are satisfied; and

f. A notarized instrument from the owner of any privately owned easement or fee strip within the plat boundaries is to be crossed by public or private streets or public utility or drainage easements, acknowledging and approving those crossings. The City Attorney shall approve the sufficiency of any instrument of record provided to satisfy this requirement; and

g. Original certificates showing that all current and delinquent city, county, school and special district taxes have been paid, and that none are due; and

h. When applicable, notes on plats ensuring maintenance of landscaping, trees and shrubs as referenced in Article 3 section 24.3.7(k)(3).

i. In areas of special flood hazard, where a map revision is proposed, plats that illustrate existing and proposed floodplain lines. Plats should include a note stating the existing floodplain lines will be utilized for the purpose of issuing building permits until the Letter of Map Revision (LOMR) is granted by the Federal Emergency Management Agency (FEMA).

(c) Construction Plans. Prior to approval of the final plat by the Planning and Zoning Commission, the following information shall be supplied to the City Engineer or the Utilities Department Director:

(1) *Plan-Profile Sheets*

a. Plan-profile sheets, copies 24" x 36" in size, and platted to a scale of 100'=1" vertical for proposed streets or alleys in the subdivision.

b. These plan-profiles shall show:

1. the street right-of-way,

2. portions of right-of-way of intersecting streets,

3. location of curb and gutter to monuments,

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4. the radii of all returns in the plan portion, and

5. the location of stormwater structures and pipe.

c. The profile portion shall show the existing ground on each side of the street, the proposed grade of the top of the curb for each side of the street, and the reference benchmark with its elevation.

(2) *Grading and Drainage Plans*

a. Grading and drainage plans are required for developments greater than one ½ acre total.

b. For developments less than ½ acre total, the City Engineer shall require grading and drainage plans upon determining that they are necessary to provide for and protect the public interest or that of adjoining property owners.

(d) Replats

(1) *Replats without notification*. A replat of property which has not been zoned for residential purposes during the preceding five year period or has not been limited by recorded deed restriction or map record to residential use for not more than two (2) residential units shall submit, in addition to the requirements of subsection above, an application for replat not requiring public notification which:

a. Is signed and acknowledged by all of the owners of the property proposed to be replatted;

b. Includes a notation on the face of the proposed replat indicating the purpose of the replat and the following statement: "This replat does not attempt to alter, amend, or remove any covenants or restrictions. No portion of the preceding plat was limited by deed restriction to residential use for not more than two (2) residential units per lot".

(2) *Replats with notification*. A replat of property which has been zoned R-1 (Single-family Residential District) during the preceding 5 years or is limited by recorded deed restriction or map record to residential use for not more than 2 residential units shall submit, in addition to the requirements of subsection (1) above, an affidavit signed by all owners of property within the proposed replat that the replat does not attempt to alter, amend, or remove any covenants or restrictions.

(e) Vacation. For all proposed vacations of subdivision plats, in addition to the requirements of subsections (i) and (j) above, the applicant shall also submit the following:

(1) Ten (10) paper prints from an original drawing with blue or black lines, and one (1) mylar of the subdivision plat last recorded; and

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(2) Ten (10) copies of an instrument of vacation.

(f) Amending plats. For all proposed amending plats, in addition to the requirements of subsections (i) and (j) above, the applicant shall include a notation on the face of the amending plat indicating the purpose and the following statement: "This plat does not attempt to alter, amend, or remove any covenants or restrictions."

24.12.12 Signs.

(a) Sign Permits. The following information is required for each application for a sign permit:

(1) Contractor/subcontractor/installer information (i.e., name, address, phone, etc.);

(2) Sign owner information (i.e., name and address of the applicant, all members of the firm if an association or partnership, or the business name and address of the applicant and its officers if a corporation);

(3) Property owner information (i.e., name and address);

(4) Signed affidavit, or application from property owner allowing sign;

(5) Location of property:

a. Street address (i.e., property address and business address).

b. Legal description.

c. Current zoning information.

(6) Type of sign (i.e., as defined in this ordinance);

(7) A site plan with measurements, including right-of-ways, property lines, and utility easements showing the proposed location of the sign, along with the locations of all existing signs on the same premises;

(8) Complete drawings of sign construction plans must be with the permit application as follows:

a. Drawings must be drawn to scale one (1) inch is equivalent to twenty (20) feet (1"=20'), dimensioned, and is of sufficient clarity.

b. Proposed sign design, type of material used for sign, sign dimensions, square footage, structural supports, anchoring details and specifications, as well as electrical components specifications which must be Underwriters Laboratories (UL) approved or listed.

c. All freestanding signs taller than twenty-five (25) feet or with an area greater than three hundred ten (310) square feet must have a State of Texas professional engineer seal certifying a design based on ultimate design wind speeds noted in the most recent adopted International Building Code.

(9) Any other documents as required by administrator.

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(b) Unified Development Sign Plan. A unified development sign plan shall contain the following information:

(1) Elevations of the signs illustrating the materials of construction, colors, lighting, fonts of letters, and dimensions of the signs. If the sign is to be attached to a building, the elevation shall be a composite of the sign and the building;

(2) Elevations depicting the size of the signs in relation to the size of the buildings within the development;

(3) A plan drawn to concept plan, preliminary site plan, or site plan specifications, of the site illustrating the location of existing and proposed signs on the property and, if required by city staff, on adjacent properties;

(4) Other information to illustrate the consistency and uniformity of the signs.

24.12.13 Telecommunications Facilities

Applications conditional use permits and site plans for telecommunications facilities (as provided in Section 24.6.22) shall include the following information:

(a) Application form: The application shall be made on a form approved by the Planning Director, which includes the following information:

(1) The name, address, and telephone number of the applicant and the applicant's agent, if any.

(2) Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the municipality;

(3) A deed and legal description of the property;

(4) Verification of compliance with FCC, FAA regulations and, if applicable, any other federal or state agencies;

(5) A notarized statement by the applicant and a sealed set of plans by a qualified engineer, confirming the construction of the tower will accommodate collocation of additional antennas for future users;

(6) A safety report by a qualified structural engineer establishing the structural integrity of the tower;

(7) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer;

(8) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower;

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(9) A description of the feasible location(s) of future towers or antennas within the City of Laredo based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected;

(10) The separation distance from other towers described in an inventory of existing sites shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s).

(b) Site plan requirements. The site plan shall include the following information:

(1) The location, type and height of the proposed tower;

(2) On-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), Master Plan classification of the site and all properties within the applicable separation distances established in this Section;

(3) Adjacent roadways, proposed means of access, and parking;

(4) Property line setbacks;

(5) Elevation drawings of the proposed tower and any other structures;

(6) Topography;

(7) The setback distance between the proposed tower and the nearest residential districts established in this section.

(8) A landscape plan showing specific proposed landscape materials.

(9) Method of fencing, and finished color and, the method of camouflage and illumination.

(10) Any additional information the Planning Director deems necessary to assess compliance with this UDC.

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24.12.14 Traffic Impact Analysis

(a) Applicability. This section applies to any traffic impact analysis (TIA) required by Articles 3 or 4 of this Chapter. A TIA shall include the information required by subsections (b) through (g) below.

(b) Generally

(1) Project Name: Include the specific subdivision unit or phase number for the application, if applicable.

(2) Date: Provide the date of the TIA worksheet preparation.

(3) Subdivision Plat Name: Provide the legal subdivision plat name.

(4) Project Address/Location: Provide the specific address or intersection location.

(5) Owner Name, Address, Email, and Phone Number

(6) Preparer Company, Name, Address, Email, and Phone Number

(7) TIA Scoping Meeting: A TIA scoping meeting is required for all TIA Reports as the ordinance specifies the minimum requirements. List the date of the meeting.

(8) If a TIA Worksheet/Report was approved with a previous zoning, plan, plat or permit, Pages 1 and 2 are required. If this does not apply, Page 1 is required for a project and a blank Page 2 is not required.

(9) Application Type or Reason for a TIA Worksheet/Report.

(10) TIA Submittal Type: Select what is being submitted for the application.

(c) Proposed Land Use and Trip Information for Application

(1) Complete this section with information about the project that is being submitted using the data in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11th or most recent edition.

(2) Unit: Provide the subdivision unit or phase number for the application, if applicable.

(3) Land Use, ITE Code, ITE Unit: These values are from the ITE Trip Generation Manual, 11th or most recent edition.

(4) Estimated Project Units: This is the value used to calculate the peak hour and daily trips from the information in the ITE Trip Generation Manual, 11th or most recent edition.

(5) Critical Peak Hour: List the critical peak hour for this land use and unit.

(6) AM Peak Hour, PM Peak Hour, Weekend Peak Hour, and Daily Trip Rates: These values are from the ITE *Trip Generation Manual*, 11th or most recent edition. Leave blank if rates are not available.

(7) AM Peak Hour, PM Peak Hour, Weekend Peak Hour, and Daily Trips: These values are calculated using the applicable trip rates and the estimated project units listed for this land use and unit.

(8) Leave blank if trips are not available.

(9) Total from additional tabulation sheet: If additional rows are needed in Section 2, an additional tabulation sheet can be attached.

(10) Total: Sum each trips column in Section 2, including totals from any additional tabulation sheets.

(d) Previously Approved TIA Worksheet/Report. Complete this section with information about any TIA worksheet or report that has been previously approved by the city.

(1) Project Name: If the previously approved TIA was a master plan, indicate that here.

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(2) Preparer Company and Name

(3) Type: Select the type of TIA that was previously approved.

(4) Approved with: Select the stage of development that the previous TIA was approved at.

(e) Update to and Status of Land Use and Trip Information for Total Development with Approved TIA Worksheet/Report (All Subdivision Units)

Complete this section with information about all subdivision units or phases that were included in the previously approved TIA worksheet or report, including the unit or phase in the current TIA worksheet and application. If any subdivision units or phases have already been permitted or completed with different trips generated than what was included in the previously approved TIA worksheet or report, the actual trips generated are listed in this subsection instead of the values from the previously approved TIA worksheet or report.

(1) Unit: List each subdivision unit or phase separately. If the unit (or land use) for the application was previously part of a larger unit or land use, list on a separate line.

(2) Land Use: This is from the ITE Trip Generation Manual, 11th or most recent edition.

(3) Status: Indicate the current approved status of each unit using the following codes:

- **a.** PLAN = Zoning/Concept Plan/Detail Plan/Master Plan approved by planning commission and city council, if applicable
- **b.** PP = Preliminary Plat approved by planning commission
- **c.** FP = Final Plat approved by planning commission
- **d.** P = Permit approved and issued by the city
- **e.** C = Unit completed and accepted by the city
- **f.** A = Unit with this application

(4) ITE Code, ITE Unit: These values are from the ITE Trip Generation Manual, 11th or most recent edition.

(5) Estimated Project Units: This is the value used to calculate the peak hour and daily trips from the information in the ITE Trip Generation Manual, 11th or most recent edition.

(6) Critical Peak Hour: List the critical peak hour for this land use and unit.

(7) AM Peak Hour, PM Peak Hour, Weekend Peak Hour, and Daily Trip Rates: These values are from the ITE Trip Generation Manual, 11th or most recent edition. Leave blank if rates are not available.

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(8) AM Peak Hour, PM Peak Hour, Weekend Peak Hour, and Daily Trips: These values are calculated using the applicable trip rates and the estimated project units listed for this land use and unit.

(9) Leave blank if trips are not available.

(10) Total from additional tabulation sheet: If additional rows are needed in Section this subsection, an additional tabulation sheet can be attached.

(11) Total: Sum each column in this subsection, including totals from any additional tabulation sheets.

(f) Approved TIA Worksheet/Report Conformance

The information in this section is used to compare the totals for peak hour and daily trips in the previously approved TIA worksheet or report to the values calculated in this worksheet. This information is used to determine if a new TIA report is required.

(1) Approved development total AM Peak Hour, PM Peak Hour, Weekend Peak Hour, Daily Trips: List the values in each column from the previously approved TIA worksheet or report.

(2) Updated development total AM Peak Hour, PM Peak Hour, Weekend Peak Hour, Daily Trips: List the values in each column from the Total row in the table in subsection (e) above.

(3) Difference in development total AM Peak Hour, PM Peak Hour, Weekend Peak Hour, Daily Trips: Calculate the difference between the approved and updated development totals for each column.

(4) New TIA Report Required: If there is an increase in peak hour trips over 100, then a new TIA report is required to be approved prior to permit approval.

(g) Required TIA Mitigation Measures. Complete this section with any TIA mitigation measures that are required by a previously approved TIA report. Indicate the unit when the mitigation measure is to be installed and the total peak hour trips (PHT) for the development that trigger the installation of each mitigation measure.

(h) Review. City staff will review the TIA worksheet and determine if it acceptable, requires correction and if a TIA report is or not required. An accepted TIA worksheet is required prior to plat recordation or permit issuance.

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Figure 12.14-1 Sample TIA Worksheet

Note: adapted from City of New Braunfels, Texas, TIA Worksheet

****SAMPLE** CITY OF LAREDO TRAFFIC IMPACT ANALYSIS (TIA) WORKSHEET **SAMPLE****

Complete this worksheet as a requirement for rezoning or site plan review as specified in City of Laredo Unified Development Code (UDC) Sections 24.3.12 and 24.12.14. *Note: The UDC provides the minimum information for a TIA report and it is recommended that a scoping meeting be scheduled with the City Engineer.*

Section 1: General Information

Project Name: Laredo Subdivision Unit 4			Date: 01/15/2022
Subdivision Plat Name: Laredo Subdivision		Project Address/Location: Landa Street and Walnut Avenue, New Braunfels	
Location? ☒ City of Laredo	☐ Laredo ETJ	☒ Webb County	☐ Guadalupe County
Owner Name: John Smith		Owner Email: smith@email.com	
Owner Address: 550 Landa Street, Laredo, TX 78130		Owner Phone: 956-221-4000	
Preparer Company: TIA Engineering & Company			
Preparer Name: Jane Johnson		Preparer Email: johnson@tia.com	
Preparer Address: 123 Consultant Road, Laredo TX 78130		Preparer Phone: 956-221-4020	
TIA scoping meeting with City Engineering Division staff? (required for reports)	☒ Yes. Date: 12/20/2021 ☐ No.	TIA Worksheet/Report approved with previous zoning, plan, plat or permit?	☐ No. Complete Page 1 only. ☒ Yes. Complete Pages 1 and 2.

Application Type or Reason for TIA Worksheet/Report

☐ Rezoning ☐ Site Plan ☐ Preliminary Plat ☐ ☐ Other

TIA Submittal Type (A TIA Worksheet is required with all zoning, plan, plat and permit applications)

☐ TIA Worksheet Only (100 peak hour trips or less)	☐ Level 1 TIA Report (101-500 peak hour trips)
☒ TIA Worksheet Only – Previous TIA Report Approved	☐ Level 2 TIA Report (501-1,000 peak hour trips)
☐ TIA Worksheet Only – Previous TIA Report not required (supporting documentation may be required)	☐ Level 3 TIA Report (1,001 or more peak hour trips)

Section 2: Proposed Land Use and Trip Information for Application

Unit	Land Use	ITE Code[1]	ITE Unit[2]	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
4	Single Family Homes	210	DU	50	PM	0.75	1.00		9.52	38	50		476
									Total from additional tabulation sheet (if necessary):	38	50		476
									Total:	38	50		476

[1]*Institute of Transportation Engineers (ITE) Trip Generation*, 11th Edition or most recent; [2]E.g., Dwelling Units, Acres, Employees, KSF, etc.

Internal Use Only	Reviewed by:			Date:
	☐ TIA Worksheet is acceptable.	☐ TIA Worksheet requires corrections.	☐ TIA Report required.	☐ TIA Report not required.

Section 3: Previously Approved TIA Worksheet/Report

Project Name: New Braunfels Subdivision Master Plan			
Preparer Company: TIA Engineering & Company	Preparer Name: Susan Smith		Date: 05/22/2022
Type: ☐ TIA Worksheet Only	☒ Level 1 TIA Report	☐ Level 2 TIA Report	☐ Level 3 TIA Report
Approved with: ☐ Rezoning	☒ Site Plan	☐ Plat ☐ Permit	☐ Other

Section 4: Update to and Status of Land Use and Trip Information for Total Development with Approved TIA Worksheet/Report (All Subdivision Units)

Unit	Land Use	Status[3]	ITE Code[1]	ITE Unit[2]	Est. Project Units	Critical Peak Hour	AM Peak Hour Rate	PM Peak Hour Rate	WKND Peak Hour Rate	Daily Trip Rate	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
1	Single Family Homes	C	210	DU	24	PM	0.75	1.00		9.52	18	24		228
2	Single Family Homes	C	210	DU	43	PM	0.75	1.00		9.52	32	43		409
3	Single Family Homes	FP	210	DU	30	PM	0.75	1.00		9.52	23	30		286
4	Single Family Homes	A	210	DU	50	PM	0.75	1.00		9.52	38	50		476
5	Single Family Homes	PP	210	DU	47	PM	0.75	1.00		9.52	35	47		447
6	Single Family Homes	PLAN	210	DU	23	PM	0.75	1.00		9.52	17	23		219
									Total from additional tabulation sheet (if necessary):		163	217		2065
									Total:		163	217		2065

[1]*Institute of Transportation Engineers (ITE) Trip Generation*, 11th Edition or most recent; [2]E.g., Dwelling Units, Acres, Employees, KSF, etc.;
[3]Specify current *approved* status of unit: PLAN – Rezoing, Site Plan, PP – Preliminary Plat, C – Completed, A – With this Application (current)

Section 5: Approved TIA Worksheet/Report Conformance

Approved TIA Conformance	AM Peak Hour Trips	PM Peak Hour Trips	WKND Peak Hour Trips	Daily Trips
Approved development total:	154	204		1986
Updated development total:	163	217		2065
Difference development total:	+9	+13		+79
New TIA Report Required?				
Increase in Peak Hour Trips (PHT) over 100?	☐ Yes. New TIA Report required to be approved prior to approval. ☒ No.			

Section 6: Required TIA Mitigation Measures

Mitigation Measures	Unit	Total PHT
1. left turn lane on WB Main St at 1st Ave	2	67
2.		
3.		
4.		
5.		
6.		

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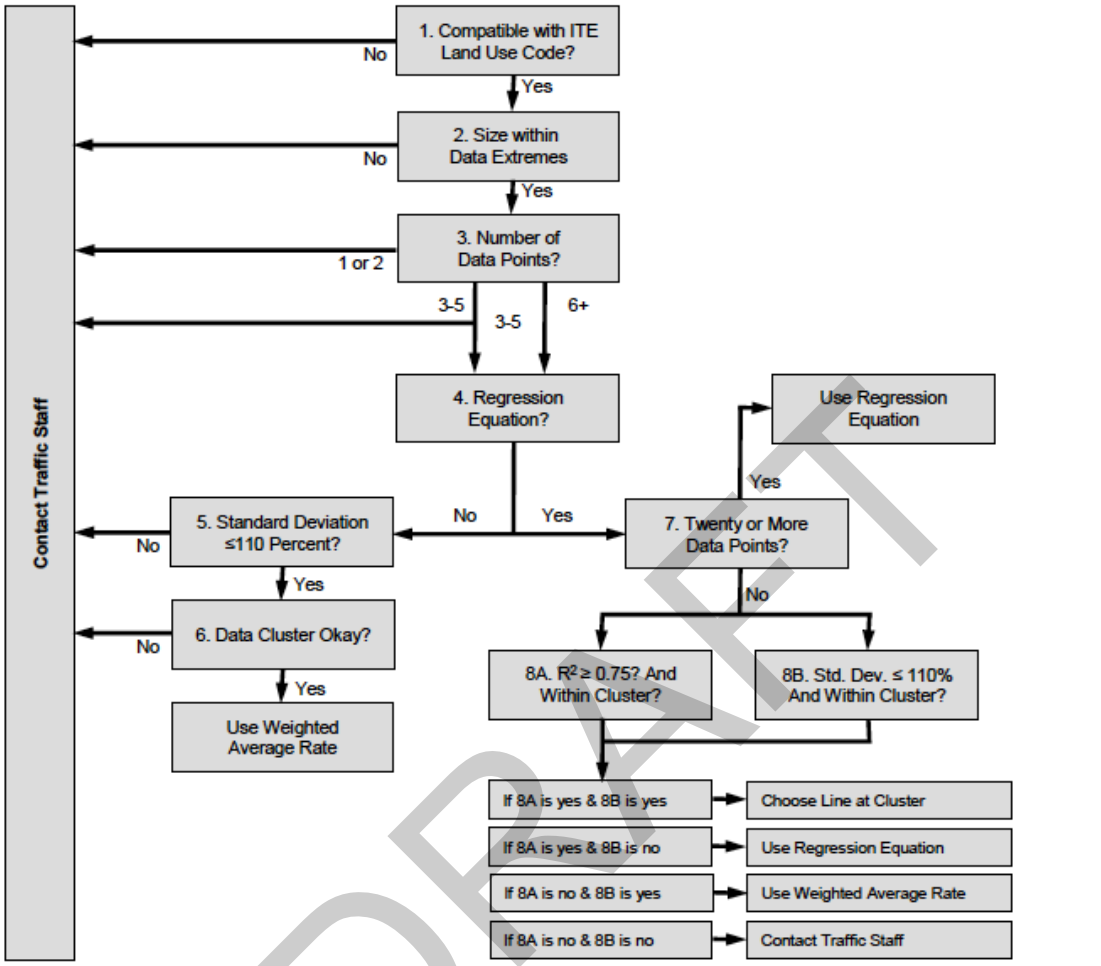
Figure 12.14-2 Recommended Procedure for Selecting Between Trip Generation Average Rates and Equation

Source: City of McAllen, Trip Generation Worksheet



From ITE Trip Generation Handbook

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Code of the City of Laredo: Chapter 24, Appendix A

TRADITIONAL NEIGHBORHOOD DEVELOPMENT PUD MANUAL

June 08, 2022

CREDITS

Prepared for:

City of Laredo
Texas

Planning Team:

Consultant Lead

able.city
ARCHITECTURE. URBANISM. CITY MAKING

Urban Design & PUD Manual

DOVER, KOHL & PARTNERS
town planning

WHITE & SMITH, LLC
PLANNING AND LAW GROUP

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planning & development

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PART 1:
ADMINISTRATION

This section includes administrative procedures for the City of Laredo Traditional Neighborhood Development PUD Manual, including intent and purpose, applicability and relationship to other parts of the City of Laredo code, and the process for approvals.

SECTION 24.2.20.1
INTENT AND PURPOSE

A. Authority

1. The action of the City of Laredo, TX in the adoption of this Manual is authorized under the Laredo Code of Ordinances.

2. This Manual was adopted as one of the instruments of implementation of the public purposes and objectives of the adopted City of Laredo Comprehensive Plan. This Manual is declared to be in accord with the City of Laredo Comprehensive Plan, as required by the Local Land Development Statutes.

3. This Manual was adopted to promote the health, safety and general welfare of the City of Laredo, Texas and its citizens, including protection of the environment, conservation of land, energy and natural resources, reduction in vehicular traffic congestion, more efficient use of public funds, health benefits of a pedestrian environment, historic preservation, education and recreation, reduction in sprawl development, and improvement of the built environment.

4. This Manual was adopted and may be amended by vote of the Planning and Zoning Commission and City Council.

B. Intent

The intent and purpose of this Manual is to enable, encourage and qualify the implementation of the following policies:

1. The Region

a. That the region should retain its natural infrastructure and visual character derived from topography, woodlands, farmlands, and riparian corridors.

b. That growth strategies should encourage Infill and redevelopment in parity with new neighborhoods as defined in in the Comprehensive Plan.

c. That development contiguous to urban areas should be structured in the neighborhood pattern and be integrated with the existing urban pattern.

d. That development non-contiguous to urban areas should be organized in the pattern of neighborhoods, towns, and city centers as defined within the Comprehensive Plan.

e. That Affordable Housing should be distributed throughout the region to match job opportunities and to avoid concentrations of poverty.

f. That transportation corridors should be planned and reserved in coordination with land use.

g. That green corridors should be used to define and connect the urbanized areas.

h. That the region should include a framework of transit, pedestrian, and bicycle systems that provide alternatives to the automobile.

2. The Community

a. That neighborhoods and regional centers should be compact, pedestrian-oriented and Mixed Use.

b. That neighborhoods and Regional Centers should be the preferred pattern of development and that Districts specializing in a single use should be the exception.

c. That ordinary activities of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.

d. That interconnected networks of Thoroughfares should be designed to disperse traffic and reduce the length of automobile trips.

e. That within neighborhoods, a range of housing types and price levels should be provided to accommodate diverse ages, abilities, and incomes.

f. That appropriate building Densities and land uses should be provided within walking distance of transit stops.

g. Street planning and construction documents should incorporate the use of public transit.

h. That Civic, institutional, and Commercial activity should be embedded in downtowns, not isolated in remote single-use complexes.

i. That schools should be sized and located to enable children to walk or bicycle to them.

j. That a range of Open Space including Parks, Squares, and playgrounds should be distributed

within neighborhoods and downtowns.

k. That at least one source to obtain fresh food and groceries is available throughout the community within walking distance.

3. The Block and the Building

a. That buildings and landscaping should contribute to the physical definition of Thoroughfares as Civic places.

b. That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public areas.

c. That the design of streets and buildings should reinforce safe environments, but not at the expense of accessibility.

d. That architecture and landscape design should grow from local climate, topography, history, and building practice.

e. That buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.

f. That Civic Buildings and public gathering places should be provided as locations that reinforce community identity and support self-government.

g. That Civic Buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the city.

h. That the preservation and renewal of historic buildings should be facilitated, to affirm the continuity and evolution of society.

i. That the harmonious and orderly evolution of urban areas should be secured through PUD Manuals.

4. The Transect

a. That Communities should provide meaningful choices in living arrangements as manifested by distinct physical environments.

b. That the Transect Zone descriptions on Table 3-1 shall constitute the Intent of this Manual with regard to the general character of each of these environments.

SECTION 24.2.20.2 APPLICABILITY

A. Applicability

1. Provisions of this Manual are activated by "shall" when required; "should" when recommended; and "may" when optional.

2. The provisions of this Manual, when in conflict, shall take precedence over those of other codes, ordinances, regulations and standards except the Local Health and Safety Codes. This Manual does not override building codes, fire codes, etc.

3. The existing Unified Development Code ("UDC") of the City of Laredo, TX (the "Existing Local Codes") shall continue to be applicable to issues not covered by this Manual except where the Existing Local Codes would be in conflict with Section 24.2.20.1 Intent.

4. Capitalized terms used throughout this Manual may be defined in Section 24.2.20.18 Definition of Terms. Section 24.2.20.18 contains regulatory language that is integral to this Manual. Those terms not defined in Section 24.2.20.18 shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of the Existing Local Codes, those of this Manual shall take precedence.

5. In the event of a conflict between numerical metrics (i.e. measurements) and graphic metrics (i.e. pictures), the numerical metrics shall control.

6. If any provision or provisions of this Manual shall be held to be invalid, illegal, unenforceable or in conflict with existing laws, the validity, legality and enforce ability of the remaining provisions shall not in any way be affected or impaired.

SECTION 24.2.20.3
PROCESS

A. General

1. The City of Laredo hereby grants the City Planning Director administrative approval to process applications and plans for proposed projects. Reference the Procedure section for details on the rezoning process.

2. The standards for Community Types and the Transect Zones shall be determined as set forth in Part 2, Part 3, Part 4, and Part 5 through a process of public consultation with approval by the City of Laredo Council. Projects that do not require Variances and projects that require Warrants only, shall be processed administratively.

3. An owner may appeal a decision of the DRC to the Zoning Board of Adjustment and may appeal a decision of the Zoning Board of Adjustment to the City Council.

4. Should a violation of an approved Regulating Plan occur during construction, or should any construction, site work, or development be commenced without an approved Regulating Plan or Building Scale Plan, the Zoning Board of Adjustment has the right to require the owner to stop, remove, and/or mitigate the violation, or to secure a Variance to cover the violation.

B. WARRANTS AND VARIANCES

1. There shall be two types of deviation from the requirements of this Manual: Warrants and Variances. Whether a deviation requires a Warrant or Variance shall be determined by the DRC.

2. A Warrant is a ruling that would permit a practice that is not consistent with a specific provision of this Manual but is justified by the provisions of Section 1.3 Intent. The DRC shall have the authority to approve or disapprove administratively a request for a Warrant pursuant to regulations established by the DRC.

3. A Variance is any ruling on a deviation other than a Warrant. Variances shall be granted only by the Zoning Board of Adjustment.

4. The request for a Warrant or Variance shall not subject the entire application to public hearing, but only that portion necessary to rule on the specific issue requiring the relief.

5. Warrants and Variances shall be considered unique and shall not set precedent for others.

6. The following standards and requirements shall not be available for Warrants or Variances:

   a. The maximum dimensions of traffic lanes.

   b. The required provision of Rear Alleys and Rear Lanes.

   c. The permission to build Accessory Buildings.

   d. The minimum requirements for parking.

   e. The requirements of parking location.

7. Any requested deviation that is over 10% of the requirements of the Code, shall be deemed a Variance and must be presented to the Zoning Board of Adjustment.

C. Incentives

1. To encourage the use of this Manual, the City of Laredo Council shall grant the following incentives, to the extent authorized by state law:

    a. Applications in full compliance will be processed administratively.

    b. The application process will be expedited.

    c. The traffic report shall be waived.

2. To encourage the use of sustainable buildings, the City of Laredo Council shall grant the following incentives, to the extent authorized by state law. Variances may be approved by the Zoning Board of Adjustment for the inclusion of the following types of building or site features:

    a. Energy Efficient Development: New development or redevelopment of a primary building that is registered, designed, and documented for a LEED Platinum or LEED Gold certification, or equivalent, shall receive the following benefits, regardless of whether the final structure receives a LEED Platinum or LEED Gold certification, or equivalent. The DRC shall determine whether a proposed alternative energy efficiency system or facility is equivalent.

        i. The project may increase the maximum impervious lot coverage by 20 percent.

    b. Low Impact Development: New development or redevelopment of a site that incorporates a blue (water retaining) roof, or a green (vegetated) roof, or other building or site features that are designed so that off-site flow of the first one inch of rainfall during the first 24 hours after rainfall ends is reduced by at least 50 percent shall receive the following benefits:

        i. The project may reduce any required building setback by 20 percent (provided the required reduction in off-site water flow is still achieved).

3. To encourage the provision of affordable housing, the City of Laredo Council shall grant the following incentives, to the extent authorized by state law:

    a. New residential or mixed-use development or redevelopment of a site in which at least 20 percent of all new dwelling units are rent or deed restricted so that they are affordable to households earning no more than (2015-2019 census) 47,593-50%=$23,796.5 of the area median household income for the City of Laredo shall receive the following benefits:

        i. The minimum number of off-street parking required shall be reduced by 50 percent for Affordable Housing units located within a quarter mile of a transit stop.

        ii. The allowable project Density shall be increased by 20 percent.

D. Density Calculations

1. Density shall be expressed in terms of dwelling units per acre as specified for the area of each Transect Zone by Table 3-1. For purposes of Density calculation, the Transect Zones area includes the gross lot area allocated to each Transect Zone within each Community Unit.

2. Accessory Dwelling Units do not constitute a separate unit for the purpose of calculating residential density.

3. Densities greater than those Table 3-1 require a Variance.

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PART 2:
REGULATING PLANS

Great neighborhoods feature a variety of building types and Street scenes of varied character that differ from center to edge, for example, in Building Height, distance between buildings, and intensity. The center of a neighborhood is usually developed in a more intense, mixed-use manner with formal public gathering spaces; the edge areas are usually less intense, less formal and more private in nature. This delicate gradient from center to edge provides a variety of destinations and places to live and work.

Seven Transect Zones have been created for Traditional Neighborhood Development areas within Laredo, each with varying urban characteristics, calibrated to fit with the envisioned future context of mixed-use walkable urbanism in Laredo.

SECTION 24.2.20.4
REGULATING PLANS

A. Regulating Plans.

A Regulating Plan is a site plan that describes the varying character of land within a future traditional neighborhood development, or fragment thereof. Regulating Plans designate a Transect Zone for all development parcels within the Traditional Neighborhood Development's PUD Manual boundary, and Street Types that describe the design of neighborhood Streets. The Transect Zones and Street Types correspond with standards in other code sections. Regulating Plans identify the assignment of Transect Zones and the exact Street/Block structure, along with subdivision of Lots according to the Transect Standards (Part 3) and identification of specific Street types (Part 6).

B. Purpose of Regulating Plans.

1. Regulating Plans define with precision the nature of allowable development of land. Regulating Plans are prepared by landowners in accordance with Section 24.2.20.3 and submitted to the City of Laredo through the approval processes described in that Section.

C. Regulating Plan Requirements

Submittals to obtain approval of a regulating plan must meet the following criteria:

1. The Regulating Plan shall demonstrate conformance to all provisions of the Community Unit Type (Section 24.2.20.4.D).

2. The Regulating Plan must show future Blocks, Transect Zones, Lot Lines, Streets and public spaces as follows:

    a. New Blocks configured on the site in accordance with the requirements of the Community Unit Type (Section 24.2.20.4.D).

    b. Proposed Lot Lines for all developable Lots, in accordance with the Transect Standards (Part 3). Lots may be legally subdivided or parceled for the purposes of demonstrating conformance to the standards in this Manual.

    c. The assignment of a Transect Zone to all Lots on the site. The assignment of Transect Zones shall meet the provisions of the Community Types (Section 24.2.20.4.D). All Lot area must be assigned to one of the seven Transect Zones permitted: T1, T2, T3, T4, T5, T6, and Civic; no lots may be assigned two or more Transect Zones. Transect Zone boundaries should follow Lot Lines. Proposed development on individual Lots must be able to meet the assigned Transect Standards.

    d. The location of all new and existing Rights-of-Way in Streets and Alleys/Rear Lanes. New Streets and Alleys/Rear Lanes may be publicly or privately owned. The plan must indicate a specific Street Type; all new and improved Streets must adhere to the dimensional and construction standards of the Street Types in Part 6. Street types must be allowed within the Transect Zones through which they pass.

3. The Regulating Plan shall identify the residential density per Transect Zone, and demonstrate adherence to the maximum density requirements of Table 3-1.

4. The Regulating Plan may show site-specific standards of Section 24.2.20.4.E that apply to the site, including Build-to Lines, Mandatory Shopfront Areas, and/or Terminated Vistas.

5. The level of detail and graphic format of the Regulating Plan must show individual Lot Lines and identify Street types. The plan should be produced at a scale and sheet size that allows all elements of the plan to be clearly legible. All related submittals must be provided at the same scale to facilitate review. The Regulating Plan must also be provided in a digital format acceptable to City staff.

D. Community Unit Types

1. Each Traditional Neighborhood Development area shall be identified as at least one of the following Community Unit Types or a combination thereof: City Center, Town Center, or Neighborhood Center and contain a mix of Transect Zones corresponding to the Community Type as established in Table 2-1.

2. Each Traditional Neighborhood Development shall assign at least 5 percent of its area to Civic Open Space.

3. Each Traditional Neighborhood Development greater than 30 acres shall contain at least one Primary Civic Open Space (not a Playground) and that Primary Civic Open Space shall be within 800 feet of the geographic center of the Neighborhood.

4. Each Traditional Neighborhood Development greater than 30 acres shall have at least one Playground.

TABLE 2-1 COMMUNITY TYPE STANDARDS	City Center	Town Center	Neighbor-hood Center
General Standards			
Neighborhood Size	80 - 160 acres	80 - 160 acres	30 - 80 acres
Max. Average Block Perimeter	1,800 ft	1,800 ft	1,200 ft
Allocation of Transect Zones (see Part 3) [1]			
T1: Natural	no min.	no min.	30% min.
T2: Rural	no min.	no min.	
T3: Neighborhood Edge	0 - 20%	10 - 30%	10 - 40%
T4: Neighborhood General	10 - 30%	30 - 50%	20 - 40%
T5: Mixed-Use Center	10 - 30% [2]	10 - 30%	0 - 10%
T6: Urban Core	10 - 60% [2]	not permitted	not permitted
C: Civic Spaces	5% min.	5% min.	5% min.

Notes:
1. The allocation of Transect Zones by percentage is based on total lot area allocated to Transect Zones within each neighborhood except for Civic Open Space, which is based on the gross Neighborhood area.

2. At least 500 linear feet of Frontage shall be ground floor Commercial use with a Shopfront Frontage Type.

5. Each Traditional Neighborhood Development greater than 30 acres shall have at least one Meeting Hall or Third Place in close proximity to its Primary Civic Open Space.

6. Block Structure: To facilitate connectivity and pedestrian accessibility, the Blocks within each Traditional Neighborhood Development area shall conform to the following standards:

   a. Maximum Block sizes shall not exceed the maximum Block perimeter established for each Transect Zone.

   b. The average perimeter of all Blocks in a Community Unit shall not exceed 1,200 linear feet.

   c. Any Block face within the T5, T4, or T3 Transect Zones that exceeds 600' in length shall have a mid-block pedestrian access of at least 8' in width.

4. Transit Oriented Development (TOD)

   a. Any portion of a City Center or Town Center Community Unit within 1/4 mile of an existing or projected passenger rail or Bus Rapid Transit (BRT) network may be redesignated in whole or in part as TOD and permitted a 15 percent higher Density and a 20 percent reduction of minimum parking requirements.

SECTION 24.2.20.5
SPECIAL REQUIREMENTS PLAN

A. Special Requirements Plan

A Special Requirements Plan is an optional site plan that provides further refinement of the Regulating Plan by requiring or recommending particular regulations in site specific locations.

B. Special Requirements Plan Elements

A Traditional Neighborhood Development may designate any of the following Special Requirements:

1. **Differentiation of Thoroughfares:** A differentiation of the Thoroughfares as A-Grid and B-Grid. Buildings along the A-Grid shall be held to the highest standard of this Manual in support of pedestrian activity. Buildings along the B-Grid may be more readily considered for Warrants allowing automobile-oriented standards. The Frontages assigned to the B-Grid shall not exceed 30% of the total length of Frontages within a Pedestrian Shed.

2. **Build-to-Line**: A Build-to-Line designates a specified distance from the front property line that the building's Primary Facade shall be built upon in order to create a uniform line of buildings along the Street. The Build-to-Line marked on the Regulating Plan shall take priority over the more general Build-to-Zone defined in Part 3.

3. **Mandatory Shopfront:** Designations for Mandatory and/or Recommended Retail Frontage requiring or advising that a building provide a Shopfront at Sidewalk level along its lot frontage. See requirements for shopfronts in Part 5 Building Design Standards.

4. **Gallery/Arcade Frontage:** Designations for Mandatory and/or Recommended Gallery/Arcade Frontage, requiring or advising that a building provide a permanent cover over the Sidewalk, either cantilevered or supported by columns. The Gallery Frontage designation may be combined with a Retail Frontage designation.

5. **Terminated Vista:** Designations for Mandatory and/or Recommended Terminated Vista locations, requiring or advising that the building be provided with architectural articulation of a type and character to mark an important view, assist with wayfinding and add to sense of place. See requirements in Part 5 Building Design Standards.

6. **Cross Block Passages:** A designation for Cross Block Passages, requiring that a minimum 8-foot-wide pedestrian access be reserved between buildings.

7. **Buildings of Value:** A designation for Buildings of Value, requiring that such buildings and structures may be altered or demolished only in accordance with Municipal Preservation Standards and Protocols. Refer to historic district regulations for details.

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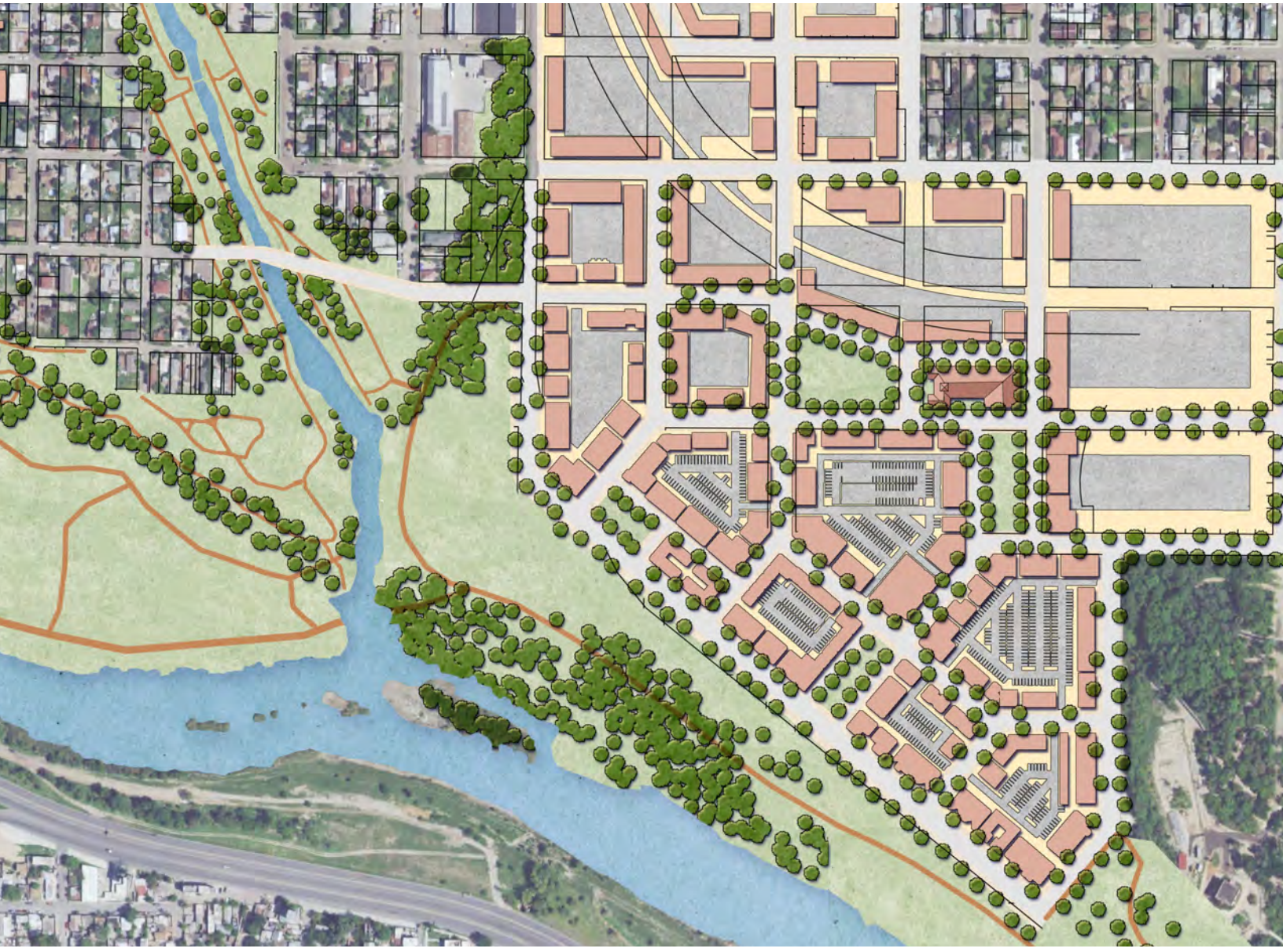
PART 3:
TRANSECT STANDARDS

The purpose and intent of the Transect Standards is to specify the desired character and development forms found along Streets and public spaces, and to prescribe the physical attributes of new development. Standards of this section are mapped on Regulating plans for future Traditional Neighborhood Development areas (Part 2).



SECTION 24.2.20.6
TRANSECT STANDARDS

A. Introduction

1. This section establishes Transect Zones applied to property within Traditional Neighborhood Development areas, as mapped on the Regulating Plans (Part 2).

2. The Transect is a planning and zoning tool that organizes zones in a continuum from rural to urban, referred to as T1, T2, T3, T4, T5, and T6. One additional zone is the Civic District, which covers land that is used for public functions or uses. Each Transect Zone has a different set of characteristics.

B. Transect Zones

1. The Transect Zones used in the Traditional Neighborhood Development PUD Manual are generally described below.

   a. (T1) Natural: The Natural Transect Zone consists of property that is nature preserve or wetland. Development within this area is limited primarily due to wetland requirements, steep slopes, and a desire to maintain nature. Limited boardwalks or trails may be developed in order to access the area for recreational purposes.

   b. (T2) Rural: The Rural Transect Zone depicts a mix of uses such as recreation, farming, equestrian facilities, and Open Space, and is less formal than the other Transect Zones, allowing more flexibility in building placement. Development associated with these uses is permitted in this Transect Zone.

   c. (T3) Neighborhood Edge: In the Neighborhood Edge Transect Zone, buildings are required to be street-oriented, and typically detached. The intent of this zone is to facilitate a transition between the Traditional Neighborhood Development areas and lower intensity development in surrounding single family neighborhoods. Among other details, buildings in this zone are predominantly residential, and are set further back from the Street on larger lots.

   d. (T4) Neighborhood General: In the Neighborhood General Transect Zone, buildings are required to be street-oriented, and may be attached or detached with Front Façades located close to the sidewalk. This is generally the largest area of the neighborhood, with the greatest diversity of building types. Limited increments of mixed-use may be permitted, such as home occupations or a corner store.

   e. (T5) Mixed-Use Center: This district forms the center of most walkable mixed-use neighborhoods; priority is placed here on optimizing the physical characteristics of the built environment for increased walkability. This Transect Zone permits a higher intensity and mix of uses with buildings located close to the sidewalk, plentiful shade for pedestrians, and parking lots screened from public view.

   f. (T6) Urban Core: This district forms the core of City Center Community Unit Types with the highest density and heights, the greatest variety of uses, and civic buildings of regional importance. Buildings are located close to wide sidewalks with plentiful shade.

   g. (C) Civic Space District: Civic spaces are those areas that serve a public function or are dedicated to preserving and enhancing the public well-being. These areas may contain passive or active Civic Uses dedicated to arts, culture, education (including public and private schools and colleges), recreation, government, transit, and municipal parking. Reflecting the diverse nature of this Transect Zone, it is divided into two categories: Civic Open Spaces and Civic Buildings. It is difficult to determine beforehand the multiplicity of potential uses that may occupy these Civic spaces over time. Therefore, greater design flexibility shall be given to these sites with key development standards and guidelines, and buildings are to be subject to a greater degree of design review.

2. Standards for each of the zones are shown for comparison in Table 3-1 (Transect Standards Summary). Each zone is further described in the following pages.

TABLE 3-1: TRANSECT STANDARDS SUMMARY	T1: Natural	T2: Rural	T3: Neighborhood Edge	T4: Neighborhood General	T5: Mixed Use Center	T6: Urban Core	C: Civic
Maximum Residential Density							
Maximum, By Right[1, 2]	n/a	1 unit / 20 ac.	6 units / ac.	12 units / ac.	24 units / ac.	96 units / ac.	n/a
Building Placement							
Front Build-to-Zone, or Setback	20' min.	24' min. to 40' max.	18' min. to 24' max.	6' min. to 18' max.	0' min. to 10' max.	0' min. to 12' max.	0' min.
Frontage Buildout (Front Street)	n/a	n/a	40% min.	60% min.	80% min.	80% min.	40% min.
Frontage Buildout (Side Street)	n/a	n/a	30% min.	30% min.	40% min.	60% min.	30% min.
Side Setback (mid-block)	30' min.	30' min.	8' min.	0' min. (Attached) 5' min. (Detached)	0' min.	0' min.	0' min.
Side Build-to-Zone (corner)	20' min.	20' min.	12' min.	6' min. to 18' max.	0' min. to 6' max.	0' min. to 12' max.	0' min.
Rear Setback (lot or Alley)	30' min.	30' min.	10' min.	5' min.	5' min	0' min	5' min
Lot and Block Standards							
Maximum Block Perimeter	n/a	n/a	1,200 linear feet	1,800 linear feet	1,800 linear feet	2,000 linear feet[5]	n/a
Lot Width	n/a	n/a	30' min.	18' min., 200' max.	18' min., 120' max.	18' min., 700' max.	n/a
Lot Depth	n/a	n/a	100' min.	80' min., 300' max.	30' min., 180' max.	30' min.	n/a
Lot Coverage	n/a	n/a	60% max.	70% max.	100% max.	100% max.	100% max.
Building Heights							
Building Height	n/a	1 Story min.	1 Story min.	1 Story min.	2 Story min.	2 Story min.	n/a
	1 Story max.	2 Stories max.	2 Stories max.	3 Stories max.	5 Stories max.	8 Stories max.	5 Stories max.
Ground Floor Elevation (above sidewalk or finished grade)	n/a	6" max. (Non-Res.) 24" min. (Res.)	24" min.	6" max. (Non-Res.) 24" min. (Res.)	6" max. (Non-Res.) 24" min. (Res.)	6" max. (Non-Res.) 24" min. (Res.)	n/a
Ground Floor Height (Floor to Ceiling Clear)	n/a	9' min.	9' min	12' min. (Non-Res.) 9' min. (Res.)	14' min. (Non-Res.) 9' min. (Res.)	14' min. (Non-Res.) 9' min. (Res.)	12' min.
Upper Floor(s) Height (Floor to Ceiling Clear)	n/a	9' min.	9' min	9' min	9' min	9' min	9' min
Parking Location							
Front Setback	30' min.	30' min.	30' min.	30' min.	30' min.	30' min.	30' min.
Side Setback (mid-block)	20' min.	5' min.	5' min.	0' min. (Attached) 5' min. (Detached)	0' min.	0' min.	0' min.
Side Setback (corner)	30' min.	30' min.	20' min.	20' min.	30' min.	30' min.	30' min
Rear Setback	20' min.	5' min.	5' min.	5' min.	5' min.	5' min.	5' min.
Allowed Encroachments							
Allowed Frontage Types	n/a	n/a	Common Yard, Porch, Stoop	Shopfront, Forecourt, Gallery, Porch, Stoop, Common Yard	Shopfront, Forecourt, Gallery, Stoop	Shopfront, Forecourt, Gallery	n/a
Other Allowed Encroachments	n/a	n/a	Balconies, Bay Windows, Awnings, and Other Frontage Elements	Balconies, Bay Windows, Awnings, and Other Frontage Elements	Balconies, Bay Windows, Awnings, and Other Frontage Elements	Balconies, Bay Windows, Awnings, and Other Frontage Elements	Balconies, Bay Windows, Awnings, and Other Frontage Elements

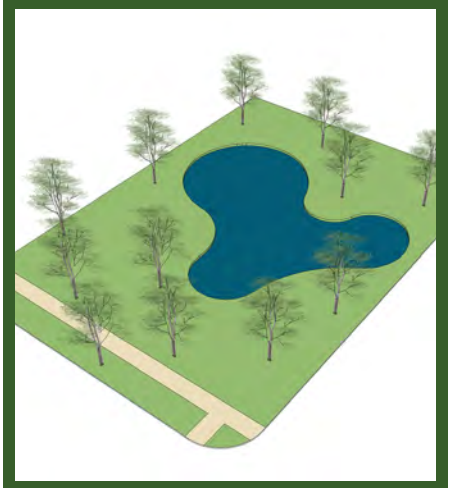
Notes:

1. See Section 24.2.20.3.D for more information about density requirements.
2. Maximum densities may be increased through application of incentives (Section 24.2.20.3.D) or TOD Overlay (Section 24.2.20.3.E).
3. For T3 and T4, Parking Location applies to location of garage.
4. Lobbies for multi-family residential buildings shall have a 6" max. ground floor elevation above sidewalk or finished grade.
5. 3,000 linear ft max. with parking structure

C. Character Examples for Transect Zones

Note: Precedent images are for illustrative purposes only to demonstrate the intent of the standards. They are provided as examples, and shall not imply that every element in the image is permitted.

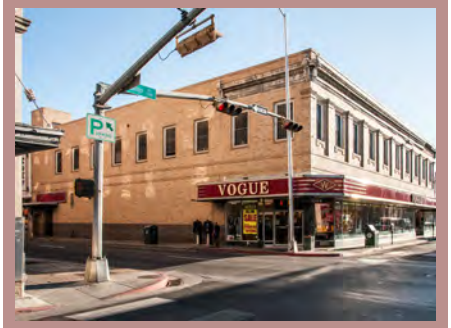
T1

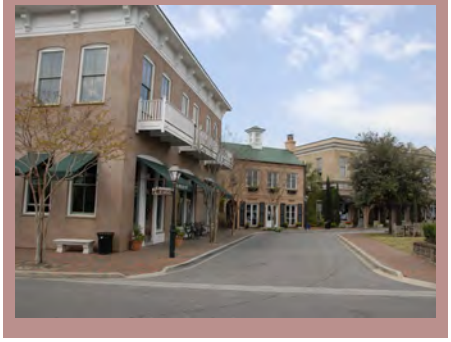


T2

T3

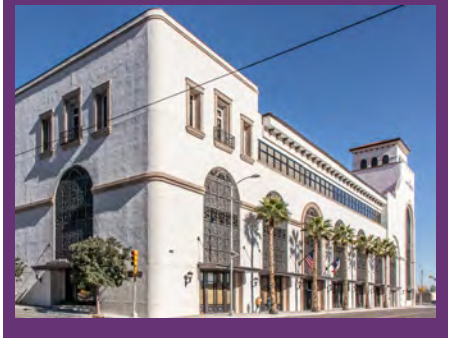
T4





T5

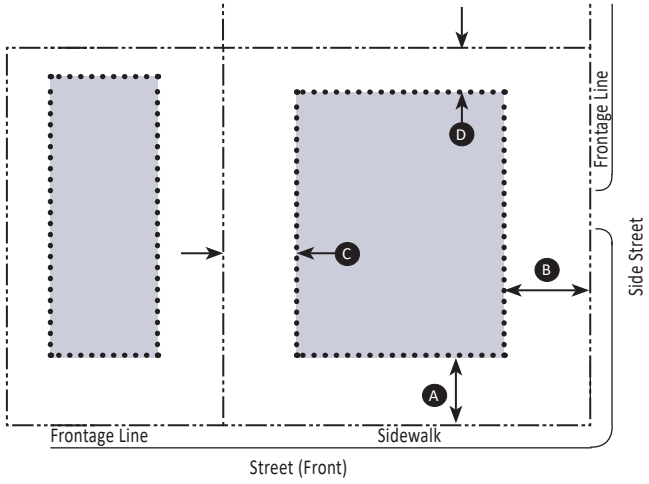
T6



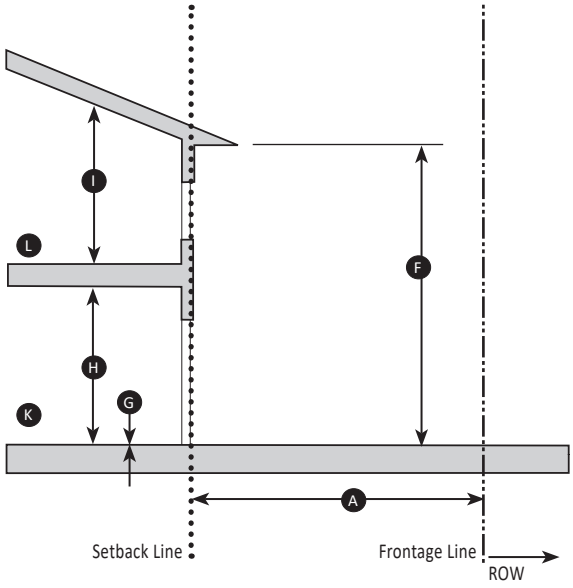
D. (T2) Rural Transect Zone Standards

T2

Sec. 24.2.20.6.D.1 Form



Key
Frontage/Property Line
Setback Line
Potential Building Area



Key
Frontage Line
Setback Line
Building

a. Building Placement

Setbacks

Front Setback	24' min.	A
Side Street Setback	20' min.	B
Interior Side Property Line Setback	30' min.	C
Rear Setback	30' min.	D

Frontage Buildout

Building Façade along:	
Front Street Frontage	N/A
Side Street Frontage	N/A

b. Lot and Block Standards

Maximum Block Perimeter	N/A
Lot Width	N/A
Lot Depth	N/A
Lot Coverage	N/A

c. Building Form

Height

Main Building	1 Story min.[1]	F
	2 Stories max.[1, 2]	F
Ground Floor Elev. Above Sidewalk	6" max. (Non-Residential) 24" min. (Residential)	G
Ground Floor Ceiling Height	9' min. clear	H
Upper Floor(s) Ceiling Height	9' min. clear	I

[1]See Part 5 Building Design Standards for more information

[2] Permitted Agriculture Uses may exceed the 2 Story max. height limit with approval from City of Laredo

d. Allowed Frontage Types

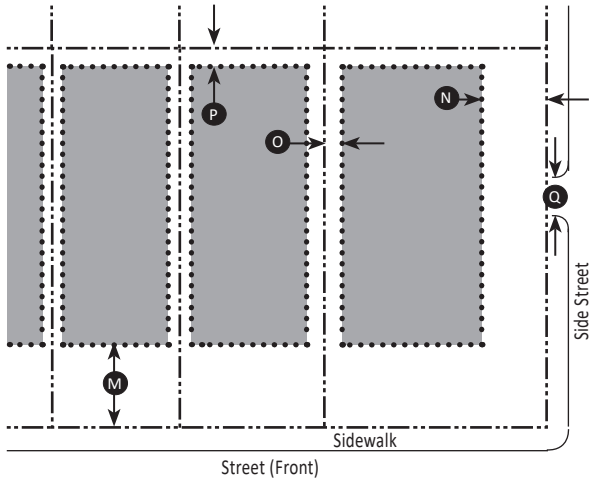
- N/A

e. Allowed Use Types

Ground Floor	All Permitted Uses Allowed	K
All Floors Otherwise	All Permitted Uses Allowed	L

T2

Sec. 24.2.20.6.D.2 Parking



Key

Frontage/Property Line
Setback Line
Parking Area

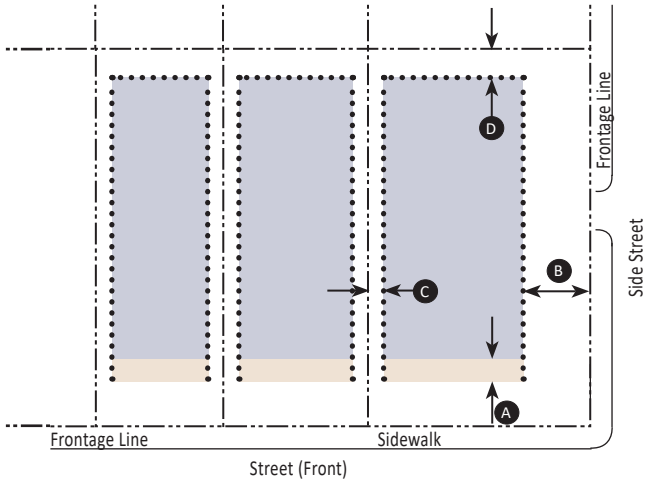
a. Parking		
Parking Location (Distance from Property Line)		
Front Setback	30' min.	M
Side Street Setback	30' min.	N
Side Setback	5' min.	O
Rear Setback	5' min.	P
District Specific Parking Requirements		
Parking shall be provided as established in Section 24.2.20.8		
Parking shall be located behind the Front Façade of buildings and accessed from Rear Alleys or Side Streets whenever possible.		
Streetscreens, Garden Walls, fences, or hedges are required along all un-built Street Right-of-Ways to shield views to parking.		
Shared driveways between adjacent lots is encouraged to reduce curb cuts.		
Parking Curb Cut Width	30' max.	Q

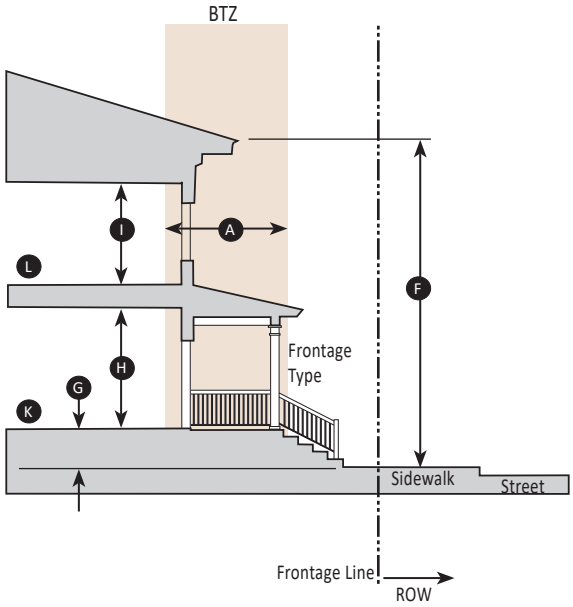
(preliminary draft for review)

E. (T3) Neighborhood Edge Transect Zone Standards

T3

Sec. 24.2.20.6.E.1 Form





Key
- Frontage/Property Line
- Setback Line
- Potential Building Area

Key
- Frontage Line
- Setback Line
- Building

a. Building Placement

Setbacks

Front Build-to-Zone	18' min., 24'max.	A
Side Street Setback	12' min.	B
Interior Side Property Line Setback	8' min.	C
Rear Setback	10' min.	D

Frontage Buildout

Building Façade along:	
Front Street Frontage	40% min.
Side Street Frontage	30% min.

b. Lot and Block Standards

Maximum Block Perimeter	1,200 linear feet max.
Lot Width	30' min.
Lot Depth	100' min.
Lot Coverage	60% max.

c. Building Form

Height

Main Building	1 Story min.[1]	F
	2 Stories max.[1]	F
Ground Floor Elev. Above Sidewalk	24" min.	G
Ground Floor Ceiling Height	9' min. clear	H
Upper Floor(s) Ceiling Height	9' min. clear	I

[1]See Part 5 Building Design Standards for more information

d. Allowed Frontage Types

- Common Yard
- Porch or Stoop

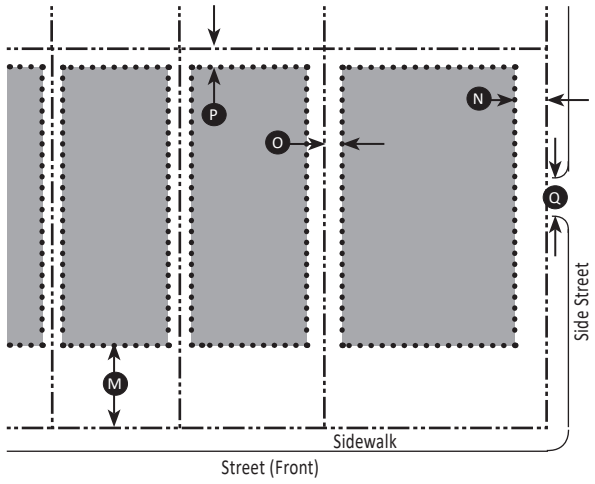
*See Part 5 Building Design Standards for Frontage details.

e. Allowed Use Types

Ground Floor	All Permitted Uses Allowed	K
All Floors Otherwise	All Permitted Uses Allowed	L

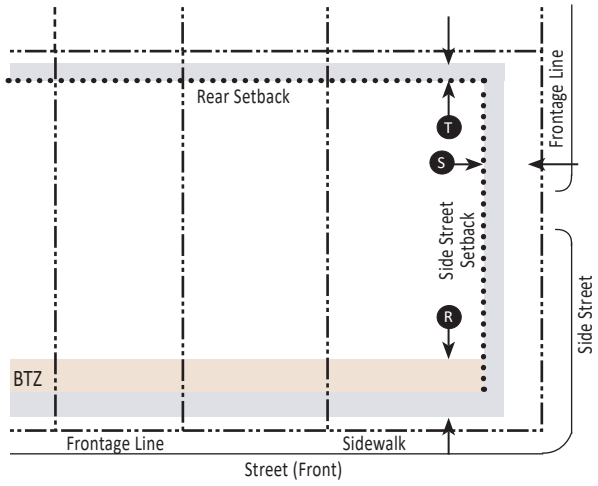
T3

Sec. 24.2.20.6.E.2 Parking & Encroachments



Key

Frontage/Property Line
Setback Line
Parking Area



Key

Frontage/Property Line
Setback Line
Build-to-Zone (BTZ)
Encroachment Area

a. Parking

Parking Location (Distance from Property Line)		
Front Setback	30' min.	M
Side Street Setback	20' min.	N
Side Setback	5' min.	O
Rear Setback	5' min.	P

District Specific Parking Requirements		
Parking Location applies to location of garage		
Parking shall be provided as established in Section 24.2.20.8		
Parking shall be located behind the Front Façade of buildings and accessed from Rear Alleys or Side Streets whenever possible.		
Streetscreens, Garden Walls, fences, or hedges are required along all un-built Street Right-of-Ways to shield views to parking.		
Shared driveways between adjacent lots is encouraged to reduce curb cuts.		
Curb cuts are not permitted if a Rear Alley is present.		
Parking Curb Cut Width	10' max.	Q

b. Allowed Encroachments

Balconies, Bay Windows, Awnings, Stoops, and Other Frontage Elements		
Front	12' max.	R
Side Street	8' max.	S
Rear	4' max.	T

Note: Frontage Elements may Encroach forward of the Build-to-Zone, but shall not Encroach into the Right-of-Way.

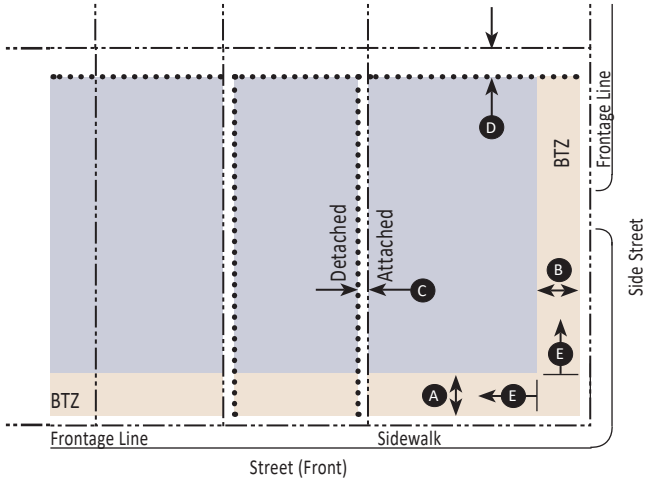
c. Miscellaneous

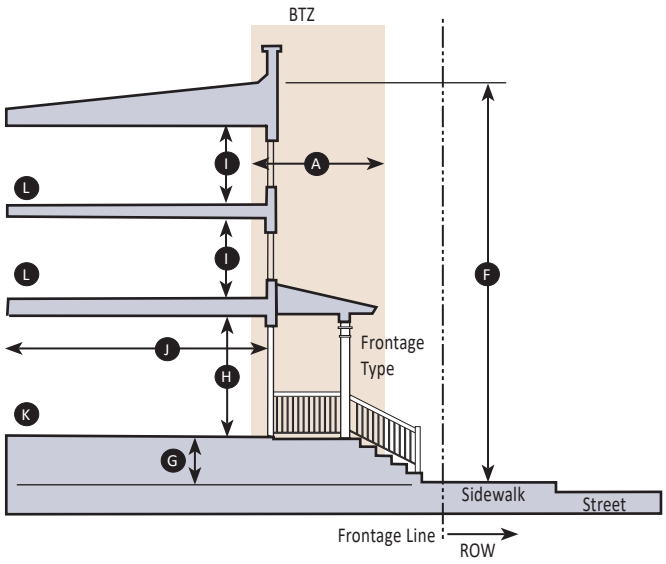
All buildings must have a Principal Entrance along the Front Façade.

F. (T4) Neighborhood General Transect Zone Standards

T4

Sec. 24.2.20.6.F.1 Form





Key
- Frontage/Property Line
- Setback Line
- Build-to-Zone (BTZ)
- Potential Building Area (in addition to BTZ)

Key
- Frontage Line
- Building
- Build-to-Zone (BTZ)

a. Building Placement

Setbacks

Front Build-to-Zone	6' min., 18'max.	A
Side Street Build-to-Zone	6' min., 18'max.	B
Interior Side Property Line Setback	0' min. (attached), 5' min. (detached)	C
Rear Setback	5' min.	D

Frontage Buildout

Building Façade within Build-to-Zone		
Front Street Frontage	60% min.	
Side Street Frontage	30% min.	
Street Façades must be built to the BTZ for the first 30' on a corner.		E

b. Lot and Block Standards

Maximum Block Perimeter	1,800 linear feet max.
Lot Width	18' min., 200' max.
Lot Depth	80' min., 300' max.
Lot Coverage	70% max.

c. Building Form

Height

Main Building	1 Story min.[1]	F
	3 Stories max.[1]	F
Ground Floor Elev. Above Sidewalk	6" max. (Non-Residential) 24" min. (Residential)	G H
Ground Floor Non-Residential Ceiling Height	12' min. (Non-Residential) 9' min. (Residential)	I
Upper Floor(s) Ceiling Height	9' min. clear	

[1]See Part 5 Building Design Standards for more information

Footprint

Depth, ground floor commercial space: 15' min.

d. Allowed Frontage Types*

- Shopfront
- Porch or Stoop
- Forecourt
- Common Yard
- Gallery

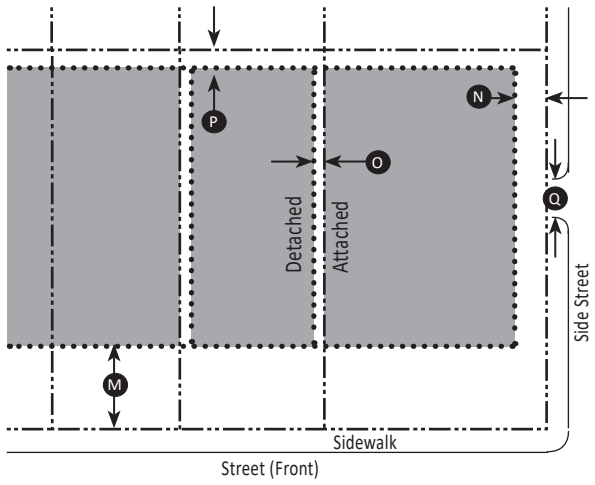
*See Part 5 Building Design Standards for Frontage details.

e. Allowed Use Types

Ground Floor	All Permitted Uses Allowed	L
All Floors Otherwise	All Permitted Uses Allowed	K

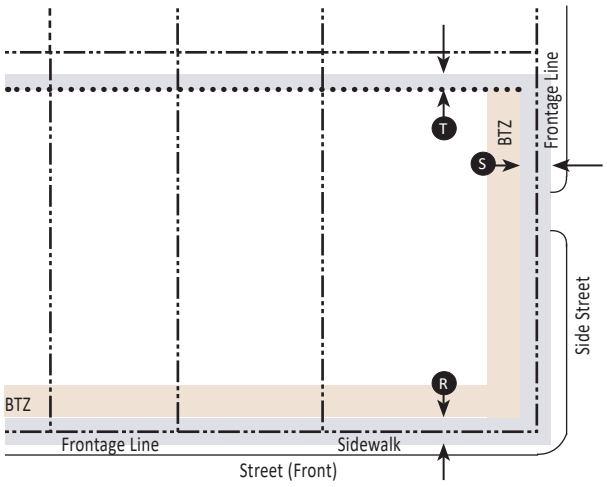
T4

Sec. 24.2.20.6.F.2 Parking & Encroachments



Key

Frontage/Property Line
Setback Line
Parking Area



Key

Frontage/Property Line
Setback Line
Build-to-Zone (BTZ)
Encroachment Area

a. Parking

Parking Location (Distance from Property Line)		
Front Setback	30' min.	M
Side Street Setback	20' min.	N
Side Setback	0' min. (attached), 5' min. (detached)	O
Rear Setback	5' min.	P

District Specific Parking Requirements		
Parking Location applies to location of garage		
Parking shall be provided as established in Section 24.2.20.8		
Parking shall be located behind the Front Façade of buildings and accessed from Rear Alleys or Side Streets whenever possible.		
Streetscreens, Garden Walls, fences, or hedges are required along all un-built Street Right-of-Ways to shield views to parking.		
Parking/Driveway Curb Cut Width	15' max.	Q

b. Allowed Encroachments

Balconies, Bay Windows, Awnings, Galleries, Stoops, and Other Frontage Elements		
Front	12' max.	R
Side Street	8' max.	S
Rear	4' max.	T

Note: Frontage Elements may Encroach forward of the Build-to-Zone and/or into the Right-of-Way, barring any additional restrictions by the public entity that has control over the public Right-of-Way. A 6 foot minimum sidewalk clear zone must be maintained.

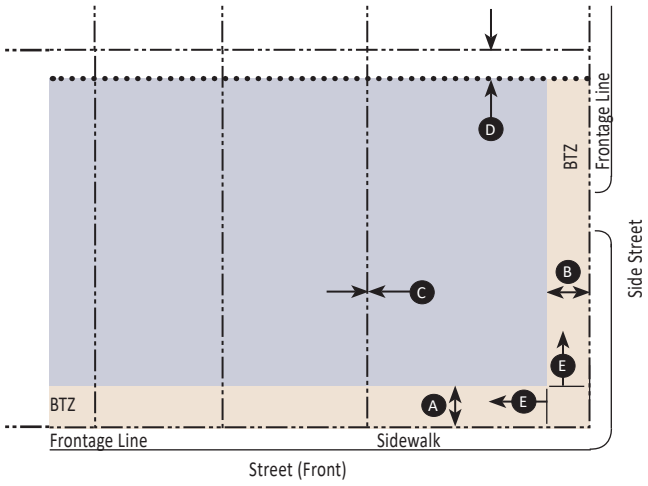
c. Miscellaneous

All buildings must have a Principal Entrance along the Front Façade.
Loading docks, overhead doors, and other service entries shall not be located on Façades facing Streets or across from, or adjacent to, Civic Building Frontages or Civic Open Spaces, and should instead be located in rear service areas.

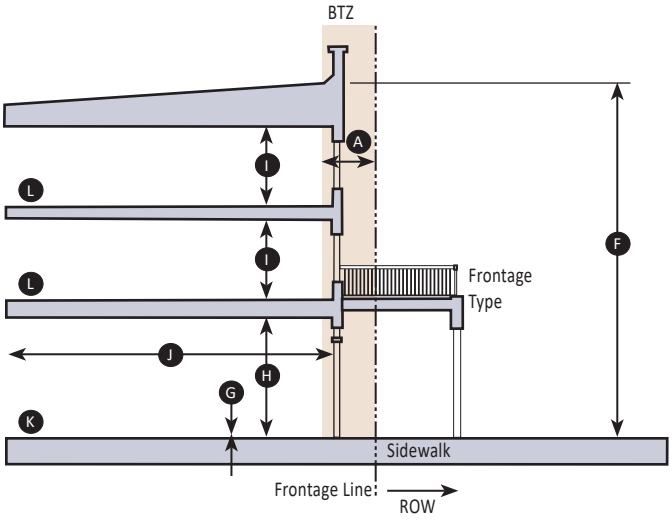
G. (T5) Mixed-Use Center Transect Zone Standards

T5

Sec. 24.2.20.6.G.1 Form & Height



Key
- Frontage/Property Line
- Build-to-Zone (BTZ)
- Setback Line
- Potential Building Area (in addition to BTZ)



Key
- Frontage Line
- Build-to-Zone (BTZ)
- Building

a. Building Placement

Setbacks

Front Build-to-Zone	0' min., 10'max.	A
Side Street Build-to-Zone	0' min., 6'max.	B
Interior Side Property Line Setback	0' min.	C
Rear Setback	5' min.	D

Frontage Buildout

Building Façade within Build-to-Zone		
Front Street Frontage	80% min.	
Side Street Frontage	40% min.	
Street Façades must be built to the BTZ for the first 30' on a corner.		E

b. Lot and Block Standards

Maximum Block Perimeter	1,800 linear feet max.
Lot Width	18' min. 180' max.
Lot Depth	30' min., 180' max.
Lot Coverage	100% max.

c. Building Form

Height

Main Building	1 Story min.[1]	F
	5 Stories max.[1]	F
Ground Floor Elev. Above Sidewalk	6" max. (Non-Residential) 24" min. (Residential)	G
Ground Floor Ceiling Height	14' min. (Non-Residential) 9' min. (Residential)	H
Upper Floor(s) Ceiling Height	9' min. clear	I

[1]See Part 5 Building Design Standards for more information

Footprint

Depth, ground floor commercial space:	35' min.	J

d. Allowed Frontage Types

- Shopfront
- Gallery
- Forecourt
- Stoop

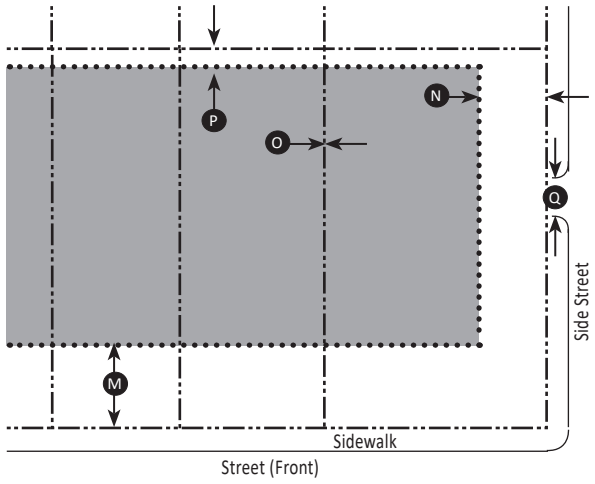
*See Part 5 Building Design Standards for Frontage details.

e. Allowed Use Types

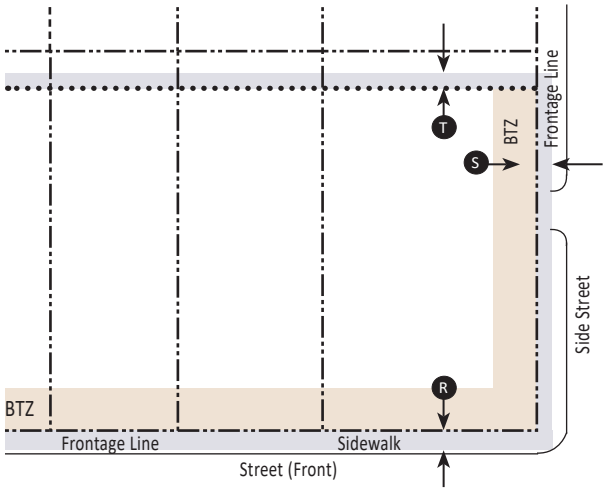
Ground Floor	All Permitted Uses Allowed	K
All Floors Otherwise	All Permitted Uses Allowed	L

T5

Sec. 24.2.20.6.G.2 Parking & Encroachments



Key
- Frontage/Property Line
- Setback Line
- Parking Area



Key
- Frontage/Property Line
- Setback Line
- Build-to-Zone (BTZ)
- Encroachment Area

a. Parking

Parking Location (Distance from Property Line)		
Front Setback	30' min.	M
Side Street Setback	30' min.	N
Side Setback	0' min.	O
Rear Setback	5' min.	P

District Specific Parking Requirements		
Parking shall be provided as established in Section 24.2.20.8		
Parking shall be located behind the Front Façade of buildings and accessed from Rear Alleys or Side Streets whenever possible.		
Streetscreens, Garden Walls, fences, or hedges are required along all un-built Street Right-of-Ways to shield views to parking.		
Parking / Driveway Curb Cut Width	20' max. (2 way) 10' max. (1 way)	Q

b. Allowed Encroachments

Balconies, Bay Windows, Awnings, Galleries, Stoops, and Other Frontage Elements		
Front	12' max.	R
Side Street	8' max.	S
Rear	4' max.	T

Note: Frontage Elements may Encroach forward of the Build-to-Zone and/or into the Right-of-Way, barring any additional restrictions by the public entity that has control over the public Right-of-Way. A 6 foot minimum sidewalk clear zone must be maintained.

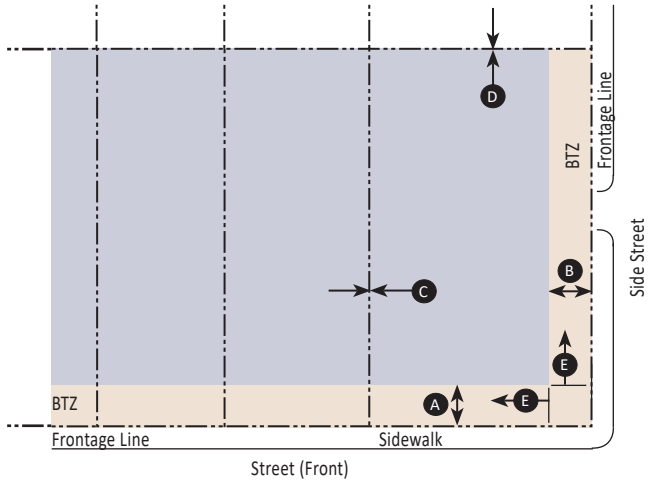
c. Miscellaneous

All buildings must have a Principal Entrance along the Front Façade.
Where a building Façade steps back or is absent from the maximum Setback Line, the Setback Line should be defined by a Streetscreen.
Loading docks, overhead doors, and other service entries shall not be located on Façades facing Streets or across from, or adjacent to, Civic Building Frontages or Civic Open Spaces, and should instead be located in rear service areas.

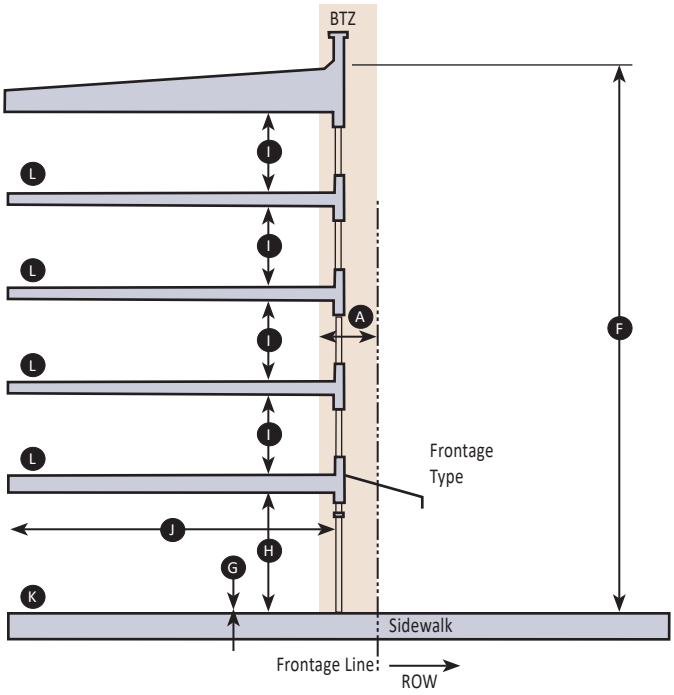
H. (T6) Urban Core Transect Zone Standards

T6

Sec. 24.2.20.6.H.1 Form & Height



Key
- Frontage/Property Line
- Build-to-Zone (BTZ)
- Setback Line
- Potential Building Area (in addition to BTZ)



Key
- Frontage Line
- Build-to-Zone (BTZ)
- Building

a. Building Placement

Setbacks

Front Build-to-Zone	0' min., 12'max.	A
Side Street Build-to-Zone	0' min., 12'max.	B
Interior Side Property Line Setback	0' min.	C
Rear Setback	0' min.	D

Frontage Buildout

Building Façade within Build-to-Zone

Front Street Frontage	80% min.
Side Street Frontage	60% min.

Street Façades must be built to the BTZ for the first 30' on a corner. E

b. Lot and Block Standards

Maximum Block Perimeter	2,000 linear feet max.[1]
Lot Width	18' min., 700' max.
Lot Depth	30' min., No max.
Lot Coverage	100% max.

[1] 3,000 linear max. with parking structure

c. Building Form

Height

Main Building	1 Story min.[1]	F
	8 Stories max.[1]	F
Ground Floor Elev. Above Sidewalk	6" max. (Non-Residential) 24" min. (Residential)	G
Ground Floor Ceiling Height	14' min. (Non-Residential) 9' min. (Residential)	H
Upper Floor(s) Ceiling Height	9' min. clear	I

[1]See Part 5 Building Design Standards for more information

Footprint

Depth, ground floor commercial space: 35' min. J

d. Allowed Frontage Types

- Shopfront
- Gallery
- Forecourt

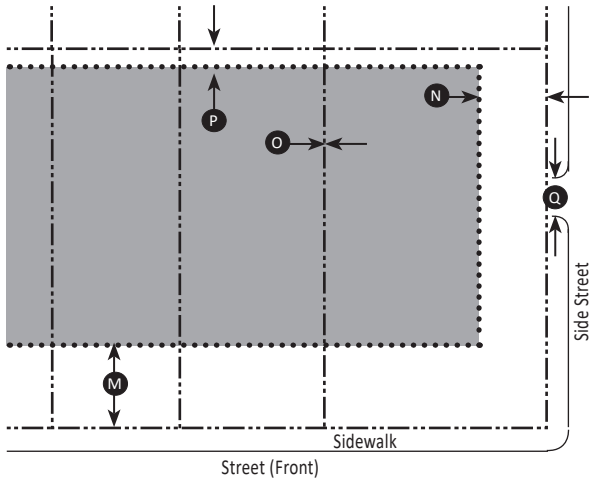
*See Part 5 Building Design Standards for Frontage details.

e. Allowed Use Types

Ground Floor	All Permitted Uses Allowed	K
All Floors Otherwise	All Permitted Uses Allowed	L

T6

Sec. 24.2.20.6.H.2 Parking & Encroachments



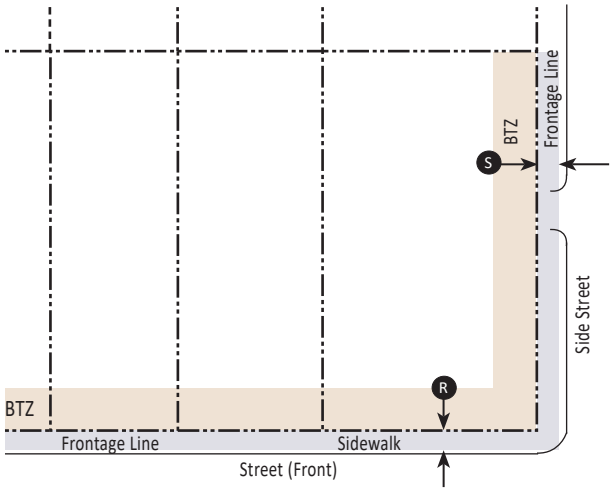
Key

Frontage/Property Line
Setback Line
Parking Area

a. Parking

Parking Location (Distance from Property Line)		
Front Setback	30' min.	M
Side Street Setback	30' min.	N
Side Setback	0' min.	O
Rear Setback	5' min.	P

District Specific Parking Requirements		
Parking shall be provided as established in Section 24.2.20.8		
Parking shall be located behind the Front Façade of buildings and accessed from Rear Alleys or Side Streets whenever possible.		
Streetscreens, Garden Walls, fences, or hedges are required along all un-built Street Right-of-Ways to shield views to parking.		
Parking / Driveway Curb Cut Width	20' max. (2 way) 10' max. (1 way)	Q



Key

Frontage/Property Line
Setback Line
Build-to-Zone (BTZ)
Encroachment Area

b. Allowed Encroachments

Balconies, Bay Windows, Awnings, Galleries, Stoops, and Other Frontage Elements		
Front	12' max.	R
Side Street	12' max.	S
Rear	N/A	T

Note: Frontage Elements may Encroach forward of the Build-to-Zone and/or into the Right-of-Way, barring any additional restrictions by the public entity that has control over the public Right-of-Way. A 6 foot minimum sidewalk clear zone must be maintained.

c. Miscellaneous

All buildings must have a Principal Entrance along the Front Façade.
Where a building Façade steps back or is absent from the maximum Setback Line, the Setback Line should be defined by a Streetscreen.
Loading docks, overhead doors, and other service entries shall not be located on Façades facing Streets or across from, or adjacent to, Civic Building Frontages or Civic Open Spaces, and should instead be located in rear service areas.

I. (C) Civic Transect Zone Standards

C

Sec. 24.2.20.6.I.1 Civic Building Standards

a. General

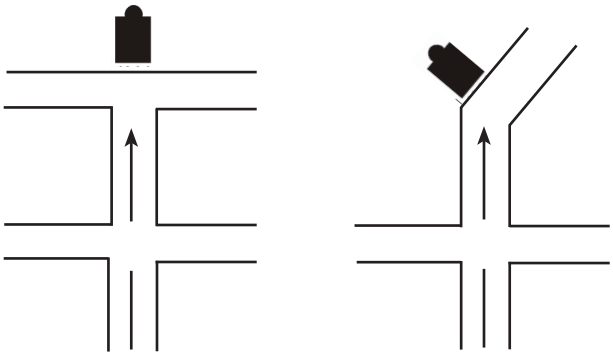
Civic Buildings may include, but are not limited to, municipal buildings, religious facilities, libraries, schools, daycare centers, recreation facilities, and places of assembly. The design and construction of Civic Buildings shall reflect the importance of these buildings within the community and with their function as landmarks in mind.

b. Building Siting

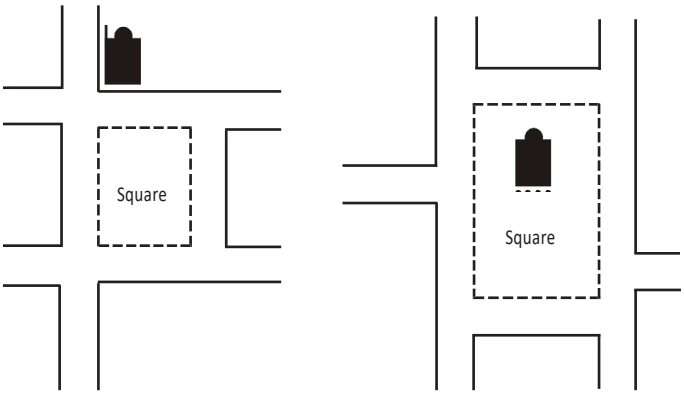
Civic Buildings shall be sited in locations of particular geometric importance, such as anchoring a major Civic Open Space or terminating a Street vista. Flexibility in building placement allows Civic Buildings to be distinguished from surrounding residential and commercial buildings and to be a prominent landmark in the community. (See Figure 3-1)

c. Building Design Guidelines

1. The scale of Civic Buildings should typically be larger than surrounding buildings in order to be more prominent and visible across greater distances.
2. Floor-to-floor heights and architectural details should be proportionately larger than those of private buildings that exist or are anticipated within adjacent Blocks.
3. Prominent roof forms and additive elements such as cupolas can visually extend the height of the building. See Part 5 Building Design Standards for more information.



The Civic Building terminates the view of a street.



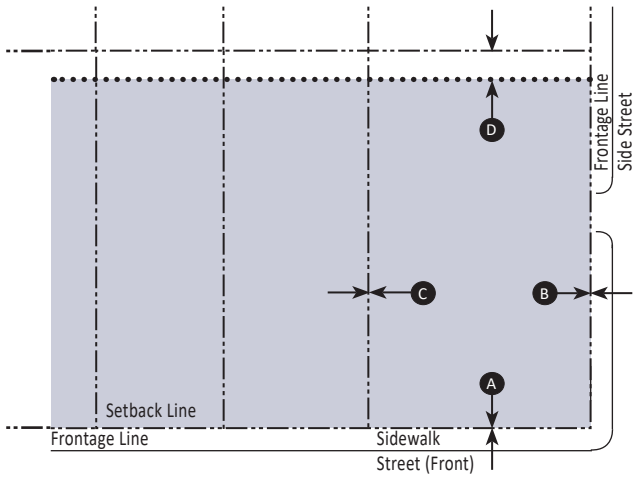
The Civic Building anchors the square at a prominent corner.

The Civic Building anchors the space from within the square.

Figure 3-1: Civic Building Siting Diagrams

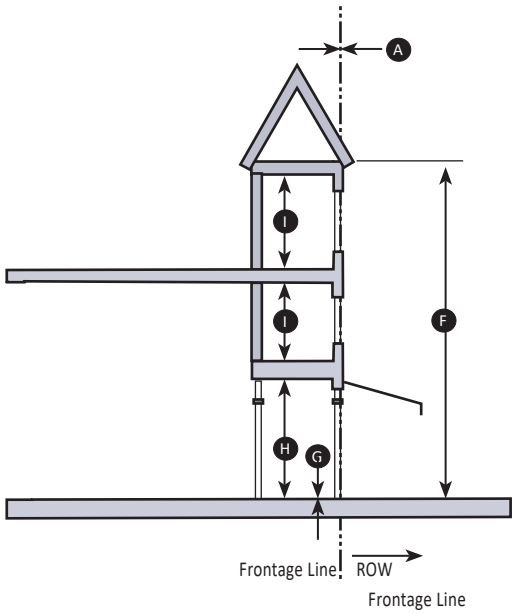
C

Sec. 24.2.20.6.I.2 Civic Building Form & Height



Key

Frontage/Property Line
Setback Line
Potential Building Area



Key

Frontage Line
Building

d. Building Placement

Setbacks

Front Setback	0' min.	A
Side Street Setback	0' min.	B
Interior Side Property Line Setback	0' min.	C
Rear Setback	5' min.	D

Frontage Buildout

Building Façade along:	
Front Street Frontage	40% min.
Side Street Frontage	30% min.

e. Lot and Block Standards

Maximum Block Perimeter	N/A
Lot Width	N/A
Lot Depth	N/A
Lot Coverage	100% max.

f. Building Form

Height

Main Building	N/A	F
	6 Stories max.[1]	F
Ground Floor Elev. Above Sidewalk	N/A	G
Ground Floor Ceiling Height	12' min. clear	H
Upper Floor(s) Ceiling Height	9' min. clear	I

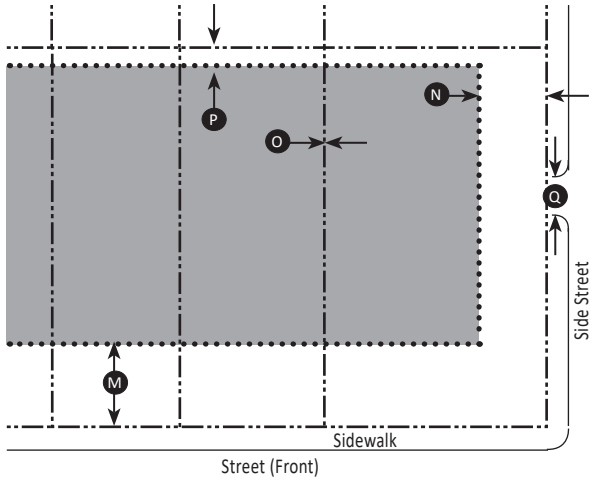
[1]See Part 5 Building Design Standards for more information

g. Allowed Use Types

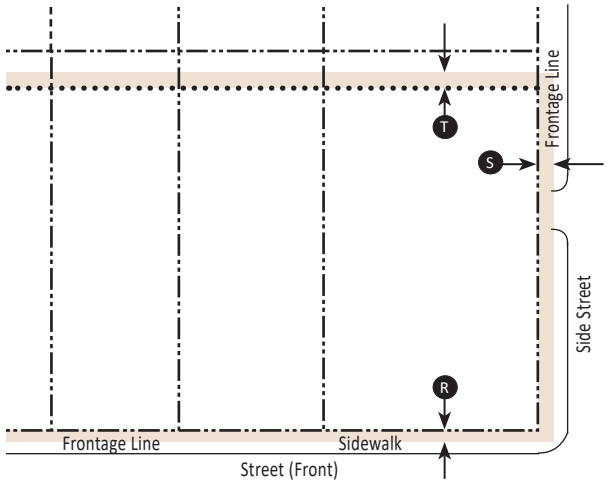
Ground Floor	All Permitted Uses Allowed	K
All Floors Otherwise	All Permitted Uses Allowed	L

C

Sec. 24.2.20.6.I.3 Civic Building Parking & Encroachments



Key
Frontage/Property Line
Setback Line
Parking Area



Key
Frontage/Property Line
Setback Line
Encroachment Area

a. Parking

Parking Location (Distance from Property Line)		
Front Setback	30' min.	M
Side Street Setback	30' min.	N
Side Setback	0' min.	O
Rear Setback	5' min.	P

District Specific Parking Requirements		
Parking shall be provided as established in Section 24.2.20.8		
Parking shall be located behind the Front Façade of buildings and accessed from Rear Alleys or Side Streets whenever possible.		
Streetscreens, Garden Walls, fences, or hedges are required along all un-built Street Right-of-Ways to shield views to parking.		
When a Civic Building is located within a Civic Space completely surrounded by Streets, then parking shall be accommodated on-street or within mid-block locations within 1/4 mile of the Civic Building's front door.		
Parking Curb Cut Width	20' max.	Q

b. Allowed Encroachments

Balconies, Bay Windows, Awnings, and Other Frontage Elements		
Front	12' max.	R
Side Street	8' max.	S
Rear	4' max.	T

Note: Frontage Elements may Encroach forward of the Build-to-Zone and/or into the Right-of-Way, barring any additional restrictions by the public entity that has control over the public Right-of-Way. A 6 foot minimum sidewalk clear zone must be maintained.

c. Miscellaneous

All buildings must have a Principal Entrance along the Front Façade.

C

Sec. 24.2.20.6.I.4 Civic Open Spaces

a. Civic Open Space in the form of parks, greens, squares, plazas, Playgrounds, pavilions, or recreational fields shall be located in each neighborhood at a minimum area greater than or equal to 5 percent of all land assigned a Transect Zone within the neighborhood.

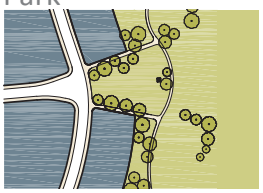
b. Design Guidelines: Heightened attention shall be paid to the quality of landscape design and function according to the following principles:

1. All designated Civic Open Spaces shall be shall be accessible to the public.
2. The landscape design shall support and express environmental, cultural, and historical attributes.
3. The landscape design shall promote connection with nature, social interaction and mental restoration.
4. Views of natural features shall be preserved or maximized.
5. The landscape design shall promote connection to surrounding neighborhood resources, amenities and services, and provide for optimum accessibility, safety and way-finding.
6. Stormwater management improvements shall be integrated with the final landscape design as aesthetically and visually pleasing design elements.
7. Whenever appropriate, landscape design shall promote sustainability awareness and education through interpretive signs, demonstrations and other forms of interpretation.

c. The appropriate arrangements for Civic Open Spaces are described in Figure 3-2 and are permissible within proximity of the Transect Zones indicated in Table 3-2.

d. Civic Open spaces are municipal responsibility and shall be maintained by the City or Civic entity that occupies the property.

Park

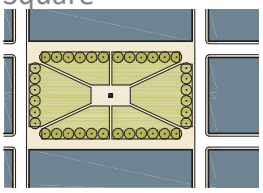


A natural preserve available for unstructured recreation. A park does not need to be fronted by buildings. Its landscape shall consist of paths and trails, meadows, waterbodies, woodland, recreational fields, and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.

Green

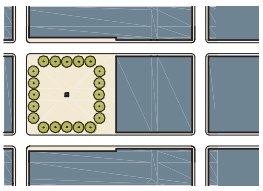
Available for unstructured recreation. A Green may be spatially defined by landscaping rather than buildings fronting it along the edges. Its landscape shall consist of lawn and trees, naturalistically disposed.

Square



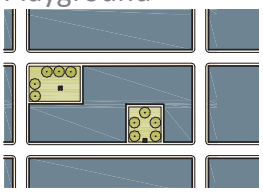
Available for unstructured recreation and public gatherings. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be densely shaded and provide seating. Trees and shrubs shall be located to define a specific geometry of Open Space.

Plaza



Available for public gatherings and outdoor markets. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Plazas should use pervious pavers, where feasible. Trees are optional.

Playground



Designed and equipped for the recreation of children. A Playground should be fenced and may include an open shelter. Playgrounds may be interspersed within residential areas and may be placed within a Block. Playgrounds may be included within parks, greens, and squares.

Figure 3-3: Civic Space Types

Table 3-2: Appropriate Arrangements for Civic Open Spaces

Civic Open Space Type	Typical Size	Transect Zone					
		T6	T5	T4	T3	T2	T1
Park	min. 2 acres				X	X	X
Green	0.25 to 2 acres		X	X	X		
Square	1,000 sf to 2 acres	X	X	X			
Plaza	1,000 sf to 2 acres	X	X				
Playground	1,000 sf to 1 acre	X	X	X	X	X	X

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PART 4:
GENERAL DEVELOPMENT STANDARDS

Standards that are not specifically addressed elsewhere in the code are included in the General Development Standards. The purpose and intent of the General Development Standards are to provide provisions and regulations that apply to all Transect Zones, specifying permitted uses and design of parking, signage, lighting and stormwater management.

SECTION 24.2.20.7
PERMITTED USES

The Permitted Uses chart, Table 4-1 lists the various types of uses and identifies whether or not a use is permitted By Right, or By Approval.

A. Listed Uses

1. **Permitted Use:** A Land Use that is allowed by right in a Transect Zone because it is considered to be consistent with the vision and goals established for that Transect Zone under the terms of this article.

   a. Parking lots shall be permitted in all Transect Zones and shall adhere to the standards stated in Section 24.2.20.6.

2. **By Approval:** A Land Use that is allowed By Approval shall seek special approval from the City of Laredo Planning and Zoning Board as described in Section 24-1.3.

B. Use Not Listed:

If a proposed use is not listed in Table 4-1, the applicant may seek approval by Warrant, as described in Section 24.2.20.3.

■ = By Right

□ = By Approval

	T1	T2	T3	T4	T5	T6	C
RESIDENTIAL							
Mixed Use Building				■	■	■	
Apartment Building				■	■	■	
Live/Work Unit				■	■	■	
Townhouse				■	■	■	
Duplex House			■	■	■		
Sideyard House			■	■	■		
House			■	■			
Accessory Dwelling Unit			■	■	■		
LODGING							
Hotel (no room limit)					■	■	
Inn (up to 12 rooms)		□		■	■	■	
Bed & Breakfast (up to 5 rooms)		□	□	■	■	■	
School Dormitory				■	■	■	
OFFICE							
Office Building				■	■	■	
Live-Work Unit				■	■	■	
Home Occupation			■	■	■	■	
Agricultural/Animal/ Veterinarian Facility		■		□	□	□	
RETAIL							
Open-Market Building (Farm Markets)		■	■	■	■		
Retail Shop				■	■	■	
Display Gallery				■	■	■	
Restaurant				■	■	■	
Grocery Store				■	■	■	
Kiosk				■	■	■	
Push Cart					□	□	
Food Truck		□		□	□	□	□
Liquor Selling Establishment					□	□	
Movie Theater					■	■	

Table 4-1: Permitted Uses

(continued next page)

CIVIC	T1	T2	T3	T4	T5	T6	C
Bus Shelter		■	■	■	■	■	■
Fountain or Public Art			■	■	■	■	■
Library							■
Live Theater					■	■	
Museum					■	■	■
Amphitheater/Outdoor Auditorium		■					■
Parking Structure					■	■	
Playground							■
Sports Stadium							□
Surface Parking Lot		■	■	■	■	■	■
Religious Assembly		■	■	■	■	■	■
Government Building & Use							■

OTHER: CIVIL SUPPORT							
Fire Station							■
Police Station							■
Hospital					■	■	
Medical Clinic				□	■	■	

OTHER: EDUCATION							
College							■
High School							■
Trade School							■
Middle School							■
Elementary School							■
Adult Day Care Center			■	■	■	■	■
Child Day Care Center			■	■	■	■	■

OTHER: AGRICULTURE	T1	T2	T3	T4	T5	T6	C
Agricultural Uses, Animals		□					
Agricultural Uses, Crops		■					
Agritourism		■					
Grain Storage		■					
Livestock Pen		□					
Greenhouse		■					
Stable		■					
Kennel		■					
Animal Rescue		■					

OTHER: AUTOMOTIVE AND MISC.							
Gasoline					■	■	
Automobile Service					■	■	
Drive-Through Facility					□	□	
Electric Substation		□	□	□	□	□	

SECTION 24.2.20.8
PARKING STANDARDS

The intent of the parking standards is to encourage a balance between pedestrian-oriented development and necessary vehicle storage. The goal is to construct neither more nor less parking than is needed.

A. Parking Requirements

1. Parking shall be provided for each use based upon the minimum and maximum requirements outlined by use in Table 4-2: Automobile Parking Requirement Chart. Required parking quantities for a parcel may be modified as approved by the City.
2. Parking may be located on the same lot as the use it serves. Required parking may also be located on-street or in a common parking lot, provided the space is within 1/4 mile of the building's Principal Entrance. The required parking may be purchased or leased from a public or private civic parking reserve, the owner of which will manage the purchase or lease.
3. Parking shall be located behind the Principal Façade of buildings whenever possible. Parking lots shall be masked from the Frontage by a Liner Building, Streetscreen, Garden Wall, fence, or hedge (required along all un-built rights-of-way to shield views to parking).
4. Shared and Reduced Parking is encouraged in all Transect Zones for more efficient parking solutions. The amount of parking required is calculated by adding the total number of spaces required by each separate function in the Parking Requirement Chart and dividing by the appropriate factor from the Sharing Factor matrix. For example, the residential function requires ten spaces while the Office function requires twelve spaces. Independently they would require twenty-two spaces, but when divided by the sharing factor of 1.4, they would require only sixteen spaces. When multiple functions share parking, the lowest sharing factor shall apply.
5. Bicycle parking shall be provided in all Transect Zones per Table 4-4: Bicycle Parking Requirement Chart and subject to the subsections below:
    a. Anchors: All spaces provided shall include a metal anchor sufficient to secure the bicycle frame when used in conjunction with a user-supplied lock.

Table 4-2: Automobile Parking Requirement Chart

Use	Number of Parking Spaces				
	T6[1]	T5[1]	T4[2]	T3[2]	T2 / C[2]
Residential	1 / Dwelling	1 / Dwelling	1 / Dwelling	1 / Dwelling	---
Lodging	1 / guest room				
Office	2 / 1,000 sq. ft.				
Retail	3 / 1,000 sq. ft.				
Civic	TBD (as approved by City)				
Education	1 per 12 students				
Other: General	TBD (as approved by City)				
Other: Agricultural / Industrial	1 per employee on largest shift				

[1]Maximum number of spaces permitted

[2]Minimum number of spaces required

Table 4-3: Sharing Factor

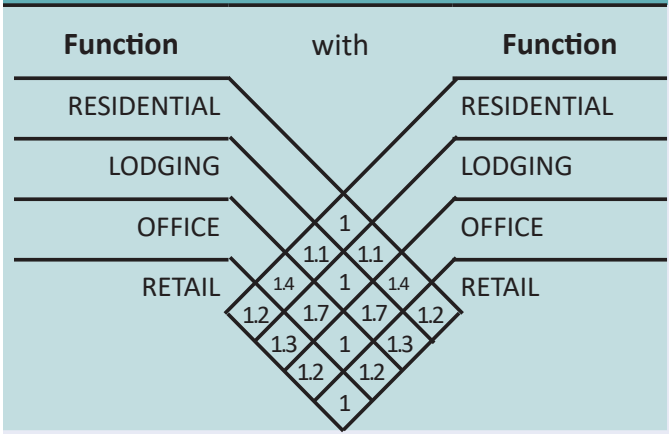

Table 4-4: Bicycle Parking Requirement Chart		
Use	**Min. Number of Spaces**	
	Short-Term	**Long-Term**
Multi-dwelling Residential	1 space per 5 dwelling units; 2 spaces min.	1.25 spaces per dwelling unit
Multi-dwelling Residential (ages 55+)	1 space per 20 dwelling units; 2 spaces min.	1 per 8 dwelling units; 2 spaces min.
Retail Sales and Services	1 per 2,000 SF; 2 spaces min.	1 per 4,000 SF; 2 spaces min.
Eating and Drinking Establishments	1 per 1,000 SF; 2 spaces min.	1 per 2,500 SF; 2 spaces min.
Office	1 per 10,000 SF; 2 spaces min.	1 per 2,000 SF; 2 spaces min.
Lodging	1 per 20 keys plus 1 per 4,000 SF of conference and meeting space	3 per 40 keys
Libraries, Community Centers, Museums	1 per 1,500 SF; 2 spaces min.	1 per 3,000 SF; 2 spaces min.
Industrial	1 per 4,000 SF; 2 spaces min.	1 per 4,000 SF; 2 spaces min.
Health Care Facilities and Nursing Homes (9+ residents)	1 per 2,000 SF; 2 spaces min.	1 per 4,000 SF; 1 space min.

b. Short term bicycle parking accommodates bikes parked for short periods of time in locations that are easily accessible and convenient for visitors, customers and residents.

c. Short term bicycle parking shall be located on sidewalk frontage zones, bicycle corrals located in the street parking lane, parks and other public facilities, and on private property. Bike parking shall not impede the sidewalk clear zone.

d. Long term bicycle parking provides a place that is reasonably free from vulnerability to both weather and theft for bikes typically parked for periods of 8 hours or more and on a regular basis. This applies particularly to employees while at work and for residents of multi-family dwellings.

e. Long term bicycle parking shall be located in a secure area covered from weather such as a building bike room, shared cage in a garage, or in a standalone enclosure such as a locker or structure.

f. Bike Parking in Public Parking Garages: Parking garages should include bike parking and a designated bike lane to enter/exit the garage. Bike parking should be provided on the ground floor.

B. Parking Access

1. Rear Alleys or Lanes, where proposed, shall be the primary source of access to off-street parking. Alley Parking may be perpendicular, diagonal, or parallel.
2. Alleys may be incorporated into parking lots as standard drive aisles. Access to all properties adjacent to the Rear Alley shall be maintained. Access between parking lots across property lines is also encouraged.
3. Corner lots that have both rear and side access shall access parking through the rear. If no rear access exists, access to on-lot parking shall be provided from the side Street.
4. If no Rear Alley or side Street exists, then efforts should be made to demonstrate an attempt to gain access across neighboring properties.
5. When access to rear parking must be directly from the Primary Frontage, driveways shall be located along the sides of the property lines and designed such that pedestrians crossing on sidewalks always have the right of way.
6. The maximum width of vehicular driveways are provided in the Transect Zone Standards.
7. Circular drives are prohibited except for Civic Buildings.

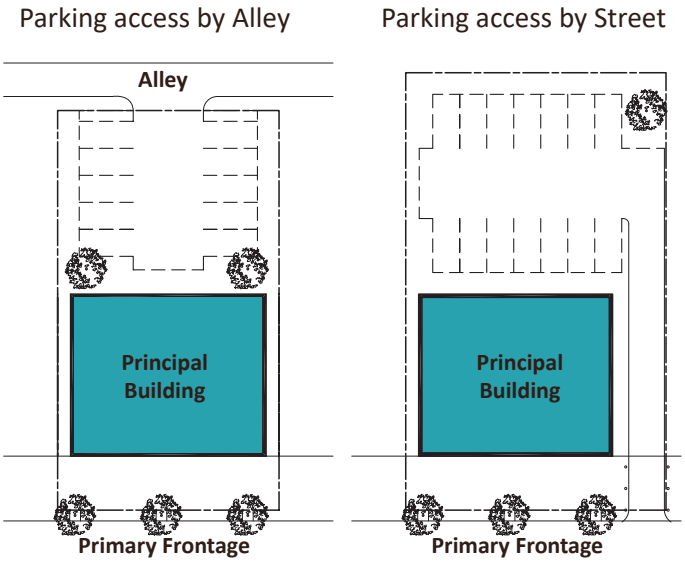

Figure 4-1: Parking access diagrams

C. Off-street Surface Parking

1. Minimum Setbacks for off-street surface parking from all property lines are provided in the Transect Zone Standards.

D. Structured Parking Lot Placement

1. Parking structures shall be set back a minimum of 40 feet from the property lines of all adjacent thoroughfares, except Rear Alleys, to reserve room for Liner Buildings between the parking structure and the lot frontage.
2. Liner Buildings, where utilized, shall be a minimum of two stories and may be attached or detached from parking structures.
3. Liner Buildings, where utilized, shall contain a minimum of 15 feet of habitable space behind each building facade along the street frontage.

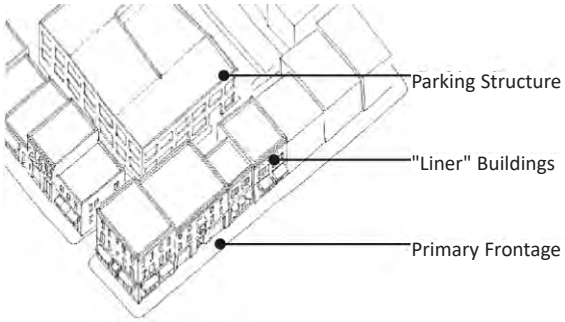

Figure 4-2: Structured parking lot placement

E. Garden Walls, Fences, and Hedges

1. Garden Walls, fences, or hedges may be located along Frontage Lines and other Lot Lines, or parallel with the Façades of buildings. When located along Frontage Lines, Garden Walls, fences, and hedges are called Streetscreens. Streetscreens may mask a parking lot from the Street, provide privacy to a side yard, and/or strengthen the spatial definition of the Public Realm.
    a. Streetscreens shall be a minimum of 3 feet tall in all Transect Zones. Maximum heights shall be:
        - T3: 4 feet along Primary Frontage, 8 feet along other Frontages
        - T4: 4 feet along Primary Frontage, 6 feet along other Frontages
        - T5 & T6: 4 feet along all Frontages
2. All Streetscreens over 4 feet high should be a minimum of 30% permeable or articulated.
3. Streetscreens may be non-permeable as approved by the City.
4. Streetscreens shall have openings no larger than necessary to allow automobile and pedestrian access.
5. Streetscreens shall not be permitted in the Right-of-Way.
6. Along Lot Lines that are not Frontage Lines, Garden Walls, fences, and hedges shall have a maximum height of 8 feet.

SECTION 24.2.20.9
SIGNAGE STANDARDS

Signs in the Public Realm shall enhance the character of the Public Realm, provide orientation to pedestrians and motorists, and help to give identity to the Street. Signs should be designed and scaled for use by the pedestrian. In addition to City of Laredo signage ordinance, the following standards and guidelines shall also apply within the Traditional Neighborhood Development Transect Zones.

A. Commercial Signs

Freestanding signs are not permitted. Signs may be flat against the Facade, or mounted projecting or hanging from the Facade. Signs shall be externally lit from the front. Back lighting is permitted as an exception only for individual letters or numbers (panelized back lighting is prohibited).

1. Maximum gross area of signs on a given Facade shall not exceed ten percent of the Facade area. Architectural signs, or signage painted on a building Facade or mounted on the roof may exceed this limit, with approval of the City of Laredo.
2. Signs mounted on the Facade shall maintain a minimum clear height above sidewalks of eight feet. Signs shall not extend within two feet of the curb line.
3. Maximum area of any single sign mounted perpendicular to a given Facade in T5 & T6 shall not exceed nine square feet. In T4, the maximum area of any single sign mounted perpendicular to given Facade shall not exceed six square feet.
4. A single external sign band may be applied to the Facade of each building, provided that such sign not exceed three feet in height by any length.
5. Signage shall be lit externally with a full-spectrum source, except that signage within the shopfront may be neon lit in T5 & T6.
6. Permitted finish materials may include wood (painted or natural); metal (copper, brass, galvanized steel); painted or printed canvas; painted/engraved directly on Facade surface; or neon (in T5 & T6 only).

B. Wayfinding Signs

Wayfinding signs may be placed at key locations leading to and along important transportation routes or in neighborhood centers, with approval from the City. These signs should be posted at a level where the intended users may best view the information. As such, pedestrian, bicyclists, and motor vehicle wayfinding signs should be posted at different levels.

Signage should be consistent in theme and placement, and coordinated with other Streetscape furniture (e.g., light posts) to reduce visual clutter in the Public Realm.

C. Banner Signs

The use of banner signs shall be limited to the promotion of public events and activities, or to identify the district. Not more than twenty (20) percent of the banner can be used for commercial sponsorship.

Banner signs may be mounted on light poles or other Street furniture designed specifically for such a purpose. Banner signs may not be illuminated. Temporary banners may also be hung over the roadway with approval of the City of Laredo.

The maximum size of the banner shall be four (4) feet in height and forty (40) feet in length.

D. Temporary Sidewalk Signs

Temporary sidewalk signs such as A-frame sandwich boards are permitted on public sidewalks immediately adjacent to a business for the purpose of advertising food or products sold within. The placement of signs on the sidewalk must maintain a clear sidewalk path of a minimum dimension of five feet. The dimensions of the sign shall be no greater than two and a half feet wide and five feet high.

Figure 4-2: Signage Examples

a. Wayfinding SIgn
b. Projecting Sign
c. Hanging Sign
d. Awning Sign
e. Wall Sign
f. Painted Wall Sign
g. Cornice Sign
h. Banner Signs
i. Sidewalk Sign

SECTION 24.2.20.10
LIGHTING STANDARDS

Adequate and quality lighting of the sidewalk and Street area is essential to creating a safe and inviting Streetscape. In addition to the City of Laredo's regulations regarding lighting, the following standards and guidelines shall also apply within the PUD Manual Transect Zones.

A. General Requirements

A combination of pedestrian-scaled Street light fixtures and intersection Street light fixtures may be required to ensure a well-lit Street area and to establish a unifying element along the Street. Pedestrian-scaled fixtures shall be used on all Streets in T3, T4, T5, and T6 areas; Intersection-scaled lighting may be used in addition to pedestrian-scaled lights where required by the City of Laredo.

1. Street lights shall be aligned with Street tree placement (generally between two and a half (2.5) feet and four (4) feet from the back of the curb). Placement of fixtures shall be coordinated with the organization of sidewalks, landscaping, Street trees, building entries, curb cuts, signage, etc.
2. The height of light fixtures shall be kept low (generally not taller than fifteen (15) feet) to promote a pedestrian scale to the Public Realm and to minimize light spill to adjoining properties. Light fixtures shall be closely spaced (generally not more than 30' -50' feet on center) to provide appropriate levels of illumination.

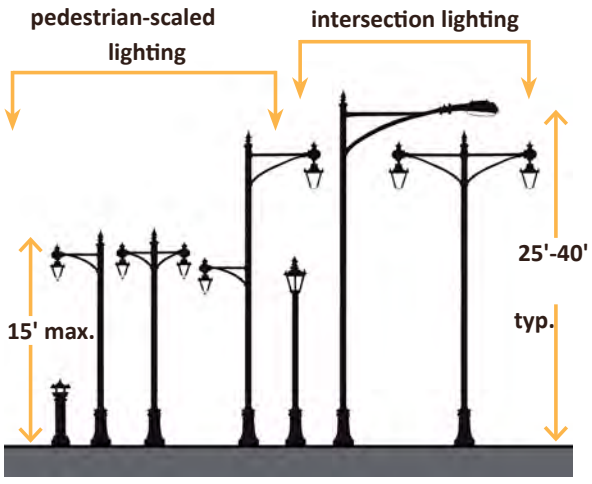

Figure 4-3: Pedestrian and Intersection Lighting

3. Light poles may include armature that allows for the hanging of banners or other amenities (e.g., hanging flower baskets, artwork, etc.).
4. Consideration of security and pedestrian comfort shall be prioritized by increasing illumination low to the ground in public parking lots, at building entries, and public plazas.
5. To increase safety, help geographic orientation, and highlight the identity of an area, the following Street elements are encouraged to be lit:
   a. Edges: Edges of a park or plaza shall be lit to define and identify the space.
   b. Architectural details: Lighting entrances, archways, Cornices, columns, and so forth can call attention to the uniqueness of a building, or place. Lighting of building entrances also contributes to safety.
   c. Focal points: Lighted sculptures, fountains, and towers in a neighborhood, especially those visible to pedestrians and vehicles, provide a form of wayfinding.

B. Lighting Types & Configurations

Lighting fixtures shall be appropriately chosen for the district within which they are located. Variety in character is good to establish identity and uniqueness. However, there shall also be consistency within the each district in creating a unifying scheme of illumination that is appropriate to the scale of the Street and the level of nighttime activity. Lamp styles shall not be mixed along any one particular Block of a Street.

1. Light fixtures shall be downcast or low cut-off fixtures to prevent glare and light pollution.
2. In order to conserve energy and reduce long-term costs, energy-efficient lamps shall be used for all Public Realm lighting.

SECTION 24.2.20.11
STORMWATER MANAGEMENT

A. General Standards

1. The objectives of the stormwater management standards are to reduce water quality impacts at receiving waters, enhance community character in support of compact development, and promote the public health, safety, and welfare. The stormwater management standards include the following goals:
   a. Manage rainfall as close to where it falls as possible, approximating the natural pre-development hydrology (water quality and water quantity) by using natural, decentralized stormwater management practices that do not impede or negatively alter the historic flow of stormwater runoff.
   b. Celebrate stormwater as an integral part of the built environment.
   c. Establish watershed sensitive planning and design criteria at the neighborhood scale of development to support shared flood control solutions.
   d. Encourage incorporation of Light Imprint Best Management Practices (BMPs) at the Block, Street, and site scales of development, appropriate to land use context and site conditions.
2. Stormwater management shall be implemented within a Final Site Plan.
3. Stormwater standards for individual Lots within the neighborhood can assist in meeting the standards of the neighborhood as a whole.
4. All stormwater shall be managed in accordance with Section 24.4.5 of the City of Laredo Land Development Code.

B. Light Imprint Storm Drainage Methods

1. Table 4-5 provides recommended stormwater management methods as outlined in the Light Imprint Handbook. These methods shall be utilized as the elements of the neighborhood stormwater strategy and the Final Site Plan detailed stormwater management plan. At least one of these methods shall be applied at the neighborhood and Lot levels to implement the neighborhood stormwater strategy. Refer to the Light Imprint Handbook for comprehensive descriptions of each method and its application.

C. Design Criteria

1. Properly designed Pervious Paving shall be permitted and is encouraged to reduce stormwater runoff volume. Pervious Paving approaches may be technically infeasible where underlying soils are contaminated or other site constraints exist.
2. Green roofs shall be permitted for all building types.
3. Roof drains shall not outfall onto impervious pedestrian use areas and should instead be directed to underground storm drainage systems or a vegetated stormwater management system.
4. Irrigation systems are encouraged to first make use of all available surface stormwater runoff or other retained or detained stormwater as a water supply.
5. Bioretention systems, Rain Gardens, Bioswales, tree filters, and other vegetated stormwater management systems are encouraged for treatment of stormwater runoff from Streets, parking lots, plazas, and other impervious surfaces. These vegetated stormwater management systems can include impermeable liners with underdrains to provide water quality treatment where infiltration is not technically feasible due to site contamination concerns.
6. Trees shall be planted below the grade of the sidewalk and the Street. Structural cells shall be used for trees planted in tree wells, or in plazas or other paved areas, to ensure sufficient root space for healthy tree growth and to increase the stormwater management potential of the trees.

7. Special Detention Areas such as parking lots, rooftops ("blue roofs"), parks, plazas, and fields are areas primarily designated for other uses but that may be used for temporary infiltration and/or peak rate mitigation during storm events if the requirements herein are satisfied. Special Detention Areas shall be designed sensitive to land use context and public use requirements and the following conditions:

   a. Temporary storage areas must be located so that ponding will not significantly disrupt typical traffic (pedestrian/bicycle/vehicle) flow, and areas should be adequately sloped towards outlets to ensure complete drainage after storm events.

   b. Special Detention Areas shall be clearly identified as such and their use shall be restricted during and after storms.

   c. Emergency overflows shall be incorporated and designed to prevent excessive depths from occurring during extreme storm events or if the primary flow control structure/structures are clogged. In most cases, ponding depth shall not exceed 12 inches.

   d. Rooftop storage must consider structural support, HVAC requirements, waterproofing, emergency overflows, and all other building design considerations.

   e. Landscape or turf Special Detention Areas used for high-intensity public uses (community parks, athletic fields, greens, etc.) shall be located in areas of well-draining soils to guarantee public use is not compromised by excessively wet ground between rain events.

TABLE 4-5:
LIGHT IMPRINT STORM DRAINAGE

	T1	T2	T3	T4	T5	T6
Paving						
Compacted Earth	■	■	■			
Wood Planks	■	■	■			
Plastic Mesh/Geomat		■	■	■		
Crushed Stone/Shell		■	■	■		
Cast/Pressed Concrete Paver Block			■	■	■	
Grassed Cellular Plastic			■	■	■	
Grassed Cellular Concrete			■	■	■	■
Previous Asphalt			■	■	■	■
Asphalt			■	■	■	■
Concrete			■	■	■	■
Pervious Concrete			■	■	■	■
Stamped Asphalt			■	■	■	■
Stamped Concrete			■	■	■	■
Pea Gravel				■	■	■
Stone/Masonry Paving Blocks				■	■	■
Wood Paving Blocks on Concrete					■	■
Asphalt Paving Blocks					■	■
Channeling						
Natural Creek	■	■				
Terracing	■	■	■			
Vegetative Swale	■	■	■			
Drainage Ditch	■	■	■			
Stone/Rip Rap Channels		■	■	■		
Vegetative/Stone Swale		■	■	■	■	
Grassed Cellular Plastic			■	■	■	
Grassed Cellular Concrete			■	■	■	
Soakaway Trench			■	■	■	
Slope Avenue			■	■	■	
French Drain			■	■	■	
Shallow Channel Footpath/Rainwater Conveyor			■	■	■	■
Concrete Pipe			■	■	■	■
Gutter			■	■	■	■
Planting Strip Trench			■	■	■	■
Masonry Trough				■	■	
Canal				■	■	■
Sculpted Watercourse, i.e. cascades					■	■
Concrete Trough					■	■
Archimedean Screw					■	■

TABLE 4-5: LIGHT IMPRINT STORM DRAINAGE	T1	T2	T3	T4	T5	T6
Storage						
Irrigation Pond		■	■			
Retention Basin with Sloping Bank		■	■			
Retention Basin with Fence		■	■	■		
Retention Hollow			■	■		
Detention Pond			■	■		
Vegetative Purification Bed			■	■	■	
Flowing Park			■	■	■	
Retention Pond			■	■	■	
Landscaped Tree Well				■	■	■
Pool/Fountain				■	■	■
Underground Vault/Pipe/Cistern-Corrugated Metal				■	■	■
Underground Vault/Pipe/Cistern-Precast Concrete				■	■	■
Underground Vault/Pipe/Cistern-Cast in place Concrete				■	■	■
Grated Tree Well					■	■
Underground Waul/Pipe/Cictern-Plastic					■	■
Paved Basin					■	■
Filtration						
Wetland/Swamp	■	■				
Filtration Ponds	■	■				
Shallow Marsh	■	■	■			
Surface Landscape	■	■	■			
Natural Vegetation	■	■	■	■	■	■
Constructed Wetland		■	■			
Bio-retention Swale		■	■	■		
Purification Biotype		■	■	■		
Green Finger		■	■	■	■	■
Roof Garden		■	■	■	■	■
Rain Garden			■	■	■	■
Detention Pond			■	■		
Grassed Cellular Plastic			■	■		
Grassed Cellular Concrete			■	■		
Waterscapes				■	■	■

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PART 5:
LOT & BUILDING DESIGN STANDARDS

A primary goal of these Lot & Building Design Standards is authenticity - encouraging construction which is both beautiful and functional. The character of new building Facades should reflect and complement the materials and general scale of local residential and commercial structures. They should employ materials and construction techniques that will result in long-lasting structures both in durability and design expression.

These Lot & Building Design Standards work in tandem with the other provisions of this Manual, to deliver a high quality Public Realm.

SECTION 24.2.20.12
GENERAL DESIGN STANDARDS

A. Lot Standards

1. Front and Backs

Buildings and lots have fronts, sides, and backs and how these relate to one another forms neighborhood character.

a. Front Façades, the main presentation faces of buildings and lots containing the Principal Entrance, should face the Public Realm.

b. The backs of buildings and lots, which are the private or service side, should face mid-block and be screened from view. Backs of buildings or lots shall not abut the Frontage Line.

c. Sides of buildings and lots may face either the Frontage Line or be concealed mid-block.

d. Thoroughfares, with the exception of Alleys, should be faced with the fronts or sides of buildings and lots.

e. Alleys and mid-block parking areas should be faced with the backs or sides of buildings and lots.

f. The backs of buildings and Lots shall not be across from, or adjacent to, a Civic Open Space.

g. The backs of buildings and Lots shall not face Civic Building Frontages.

h. The table below outlines the range of relationships between the fronts, sides, and backs of buildings / lots.

Fronts facing Fronts	Ideal
Fronts facing Sides	Acceptable
Fronts facing Backs	Prohibited
Sides facing Backs	Acceptable
Backs facing Backs	Ideal
Sides facing Sides	Ideal

B. Building Types

A mix of residential building types creates neighborhoods which allow a diversity of ages and incomes, and permit residents move or downsize their homes without having to move away. Multi-generational neighborhoods create strong social networks, avoid concentrations of poverty or wealth, and lead to safer communities. A variety of residential building types are described below and illustrated in Figure 5-1.

1. Each T3, T4, and T5 Transect Zone shall contain at least three different residential building types.

2. Building Types

a. Mixed Use Building/Block: This type features shopfronts on the ground floor with space designed to accommodate residential or office on the floors above. Mixed-use buildings often have a parapet with a pronounced cornice.

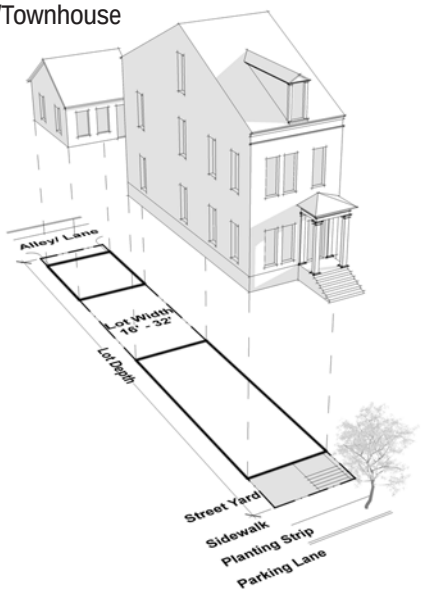
b. Apartment Building: This type contains multiple units accessed via a main entrance on the primary frontage. Units may be for rent, or for sale as a condominium.

c. Mansion Apartment: This multi-family type is designed to look like a large single family house but in fact contains several units. This type usually features a front porch to help it blend in with adjacent single family types.

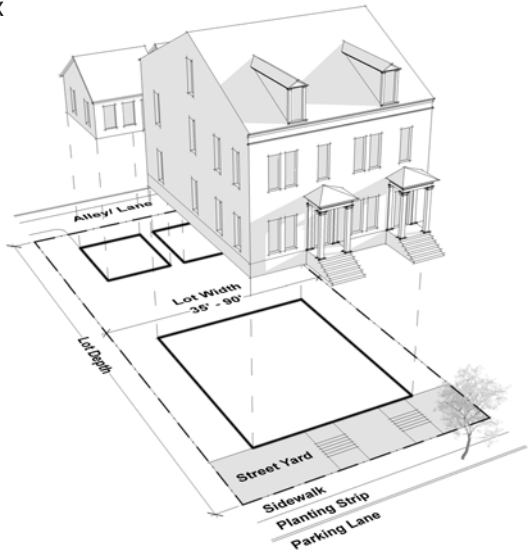
d. Live/Work Unit: Buildings or structures used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary place of work. The commercial function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry.

e. Townhouse: This is a single family attached building type. Adjacent dwellings may share a party wall with another unit of the same type and occupies the full Frontage Line. Row Houses typically feature a private yard or patio between the main structure and the rear out-building.

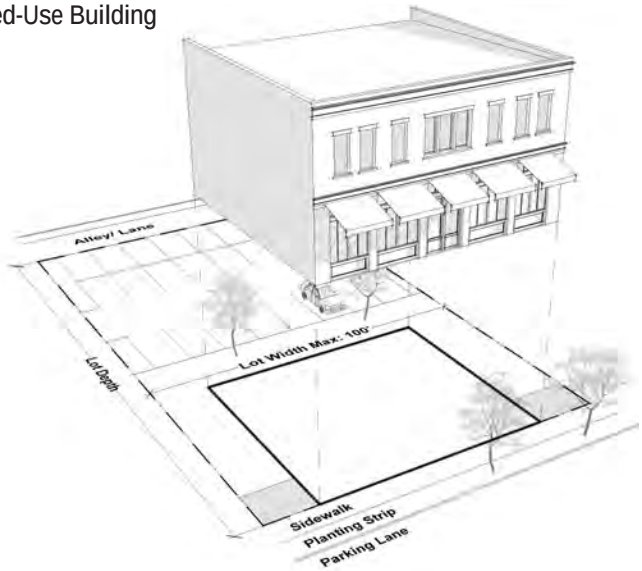
Row House/Townhouse Building



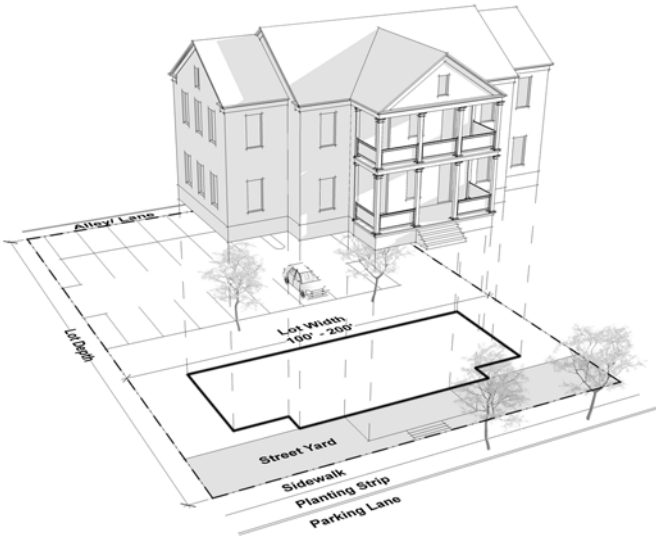
Duplex



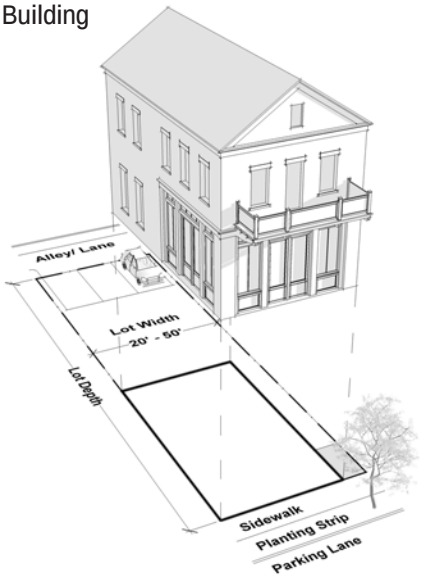
Mixed-Use Building



Mansion Apartment Building



Live/Work Building



House & Accessory Dwelling Unit

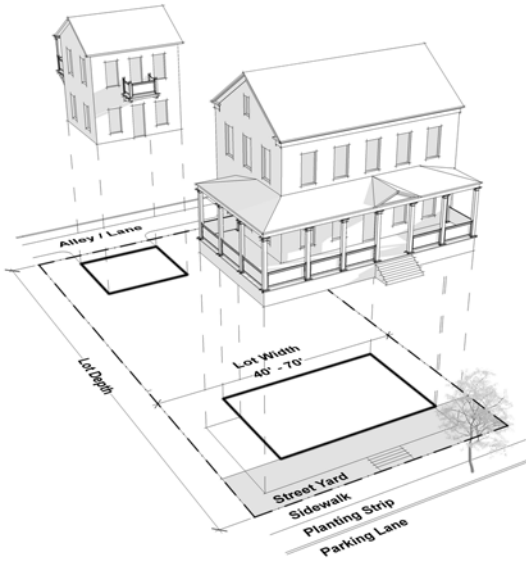


Figure 5-1: Illustrative examples of select residential building types

f. Duplex House: This is an attached single family house type where only two units share a party wall. The duplex can easily blend in with single family houses.

g. Courtyard House: A dwelling that occupies the boundaries of its Lot while internally defining one or more private patios

h. House: This single family house is generally two stories in height and often contains habitable attic space. Often shared with an Accessory Building in the back yard.

i. Cottage: The smallest of the single family house types and generally has a small front porch.

C. Accessory Dwelling Units

1. Accessory Dwelling Units, also referred to as accessory apartments, second units, or granny flats - are additional living quarters on single-family lots that are independent of the primary dwelling unit. The separate living spaces are equipped with kitchen and bathroom facilities, and can be either attached or detached from the Principal Building.

2. One Principal Building and one Accessory Dwelling Unit may be built by right on each single-family lot in the T3, T4, and T5 Transect Zones as permitted by Table 4-1.

3. Accessory Dwelling Units shall not exceed 900 square feet in Habitable Space, excluding parking.

4. Accessory Dwelling Units shall be limited to 2 Stories, including ground floor parking. These units are not computed towards overall density or unit calculations.

D. General Building Requirements

1. Window and Door Openings

a. Principal Entrances: The Principal Entrance of every Principal Building must be located along the Primary Façade and directly face a Street or Civic Open Space. Public space may include a central garden or Courtyard when that public space opens directly onto the primary Street. Additional building entrances are permitted.

b. Entry / Exit Doors: Public entry and exit doors which swing outward shall be recessed into the façade a minimum of three feet where the sidewalk abuts the building.

c. Window and door openings in masonry façades should express a structural lintel above to express the conveyance of building weight. A similar method using wood trim can be used on wood-clad façades.

d. Windows and doors shall be vertically proportioned or subdivided to appear vertical.

2. Columns / Posts

a. The proportion of structural elements such as columns or posts should be appropriate to the weight they appear to be carrying.

b. Columns and posts shall not be spaced further apart than they are tall.

E. Building Heights

General Building Height information is provided below. Refer to the Transect Standards for setback and height information specific to each Transect Zone.

1. A Story is that part of a building contained between any finished floor and the floor or roof next above. Habitable attics (space within the roof structure), basements and underground parking are permitted and are not considered Stories for the purpose of determining Building Height.

2. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial function, which shall be a minimum of 12 feet and may be a maximum of 25 feet. A single floor level exceeding 14 feet, or 25 feet for ground floor commercial, shall be counted as two (2) Stories. Mezzanines extending beyond 33% of the floor area shall be counted as an additional Story.

3. Building Height shall be measured as the vertical distance between (1) the lowest permissible elevation above the existing grade which complies with finished floor elevation requirements along the front of a building and (2) the eave of the roof or roof deck (if flat).

4. Small Footprint Towers/cupolas may extend above the permitted Building Height; see Section 24.2.20.13.

F. Building Façades

1. Material Changes

a. When materials are combined on a building façade horizontally, heavier materials should occur below lighter materials.

a. For buildings with more than two stories, the ground floor should be differentiated from those floors above with an Expression Line in order to reinforce the pedestrian space.

a. Changes from one material or color to another along the horizontal direction should occur at "inside corner" transitions.

a. Changes in material or color along the vertical direction should occur at a hard-edge "bump-out" transition which gives materials a surface to terminate into.

a. Façades with an overabundance of different materials or colors are generally discouraged.

2. Wide Façades

Building façades longer than 50 feet shall be varied with at least one change of architectural expression. These changes in expression may be a vertical element running from the ground plane to the roof, a change in fenestration, color, or texture, or a break in building façade plane or roof line. These changes may be subtle or significant, but should soften the visual effect of very wide buildings, especially those directly across the Street from narrower buildings. Strive for an appearance of authenticity when subdividing a large façade into multiple smaller façades resembling distinct buildings.

3. Facade Transparency

All building façades which face onto a Street or public space shall meet the minimum transparency requirements outlined below. The percentage of transparency per Story shall be calculated within the area between finished floor and finished ceiling and shall be a total percentage of doors and windows along that portion of the façade.

Figure 5-1: Example of non-shopfront Facade Transparency

Figure 5-2: Example of shopfront Facade Transparency

a. Minimum building façade transparency for ground Story (retail) allowing a view of at least 5 feet of interior space: sixty (60) percent

b. Minimum building façade transparency for ground Story (uses other than retail): thirty (30) percent

c. Minimum building façade transparency for upper Stories: twenty (20) percent

4. Liner Buildings

The character of some uses of land, such as warehouses and parking structures, may preclude their buildings from complying with the Façade Transparency requirements. Such buildings may be constructed in a manner that they will be separated from adjacent Streets (but not Alleys) by Liner Buildings:

a. Liner Buildings must be at least two stories in height with no less than fifteen (15) feet in depth;

b. Liner Buildings may be detached from or attached to the Principal Building;

c. Liner Buildings may be used for any purpose allowed on the lot on which they are located except for parking; and

d. Liner Buildings must meet the Primary Façade transparency requirements in the preceding subsection.

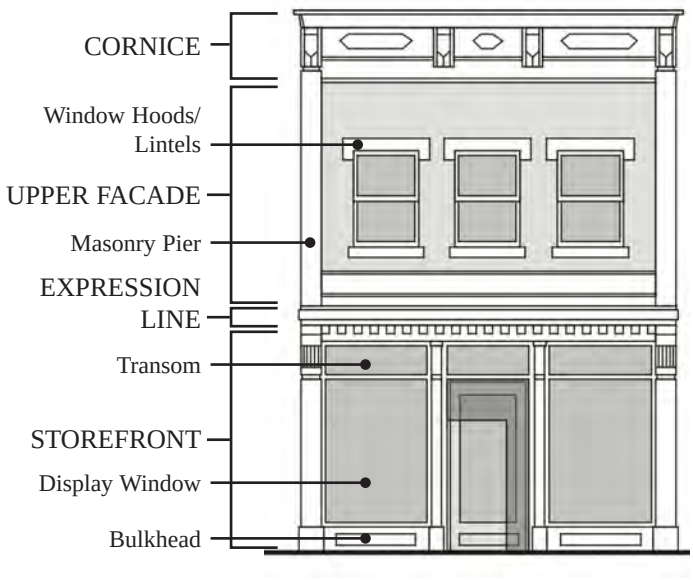


Figure 5-3: Anatomy of a storefront

G. Shopfronts

1. The entrances to all shopfronts shall be covered, either by an Awning, Canopy, Marquee, second floor Balcony, arcade / colonnade, or by being inset into the main body of the building.

2. The top of all shopfront window sills shall be between one (1) and three (3) feet above the adjacent sidewalk.

3. Shopfront windows shall extend up from the sill at least eight (8) feet above the adjacent sidewalk.

4. Shopfront windows may not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space). Reflective and frosted glass is prohibited on shopfronts.

5. Doors or entrances for public access shall be provided at intervals no greater than fifty (50) feet, unless otherwise approved by the City of Laredo. The intent is to maximize Street activity, to provide pedestrians with frequent opportunities to enter buildings, and to minimize any expanses of inactive wall.

6. Shopfront doors shall contain at least sixty (60) percent transparent glass. Solid doors are prohibited.

7. A minimum of fifteen (15) feet of depth of Habitable Space shall be provided behind each shopfront on the Primary Façade. This ensures that the area behind shopfronts is sufficient enough to be an actively used retail space.

Figure 5-4: Examples of Facade Transparency and shopfronts

a-e Examples of Facades with appropriate transparency

f-h. Examples of Expression Lines

SECTION 24.2.20.13
BUILDING ELEMENTS

A. Small Footprint Towers / Cupolas

These features are designed to extend above the roofline, and are generally intended to be visual landmarks. They are commonly placed to terminate vistas.

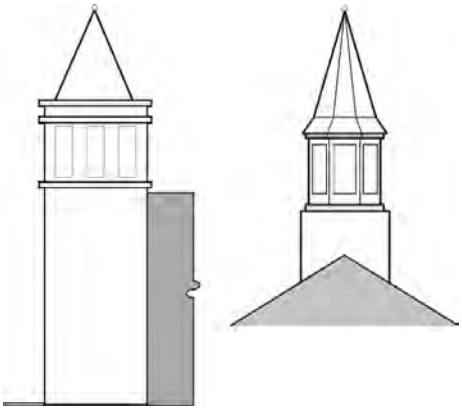


Figure 5-5: Small Footprint Tower and cupola

1. In those locations where a Terminated Vista is indicated on an approved Regulating Plan, Towers/ cupolas shall be provided and:

    a. Towers/cupolas with a footprint smaller than 30 feet by 30 feet may extend up to 30 feet above the designated height limit.

    a. Towers/cupolas with a footprint smaller than 20 feet by 20 feet may extend up to 40 feet above the designated height limit.

2. Towers/cupolas are additionally permitted in all other locations. However, in locations not indicated as a Terminated Vista on the Regulating Plan, Towers / cupolas shall not exceed 30 feet by 30 feet in footprint and shall not exceed 20 feet above the height limit.

a

d

h

Figure 5-6: Examples of Small Footprint Towers / cupolas

a. Square Corner Tower with pyramidal roof
b. Pedimented cupola
c. Tall domed lantern cupola
d. Curved corner with ogee domed cupola
e. Octagonal Corner Tower with stepped-back top
f. Cylindrical Corner Tower with domed roof
g. Corner steeple with square base and octagonal roof
h. Chamfered corner with octagonal mansard roof form
i. Stepped square-top lantern
j. Square Tower with corbelled top
k. Pedimented Tower with balustraded mansard roof

B. Appurtenances & Encroachments

Appurtenances are structural or architectural elements, such as Balconies, bay windows, Awnings, and other Frontage elements that extend from the primary mass of the building. Requirements and standards for Encroachments are provided in the Transect Zone Standards for each Transect Zone and the Frontage Type Standards.

1. Balconies

    a. The minimum balcony depth is 3 feet measured perpendicular to the wall face.

    b. The minimum underside clearance of a first floor balcony is 8 feet.

    c. Balconies may occur forward of the setback, and may encroach within the right-of-way with special easement permission, but shall not extend closer than two feet from the curb line.

    d. Balconies shall be permitted to have roofs, but are required to be open, unconditioned parts of buildings.

    e. Balconies must be visually supported from below by brackets, or from above by suspension cables or chains.

    f. On corners, balconies shall be permitted to wrap around the side of the building facing the adjacent street.

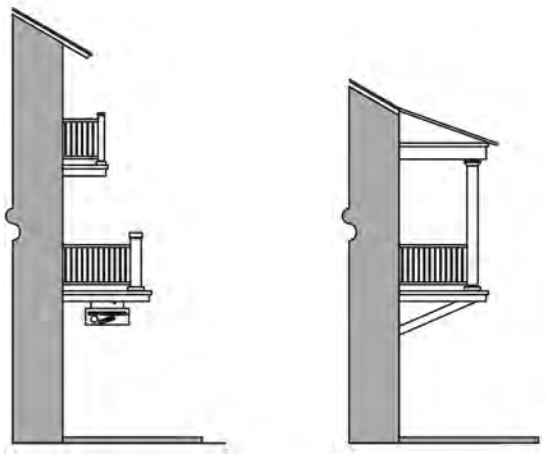


Figure 5-5: Balcony with sign (left) and support (right)

2. Awnings

    a. The minimum awning depth for a first floor awning is 4 feet measured perpendicular to the wall face.

    b. The minimum underside clearance of a first floor awning is 8 feet.

    c. If a building façade has awnings, they shall occur for at least 50% of that façade.

    d. Awnings may occur forward of the setback, and may encroach within the right-of-way, but shall not extend closer than two feet to the curb line.

    e. Awnings shall be made of durable fabric and may be either fixed or retractable. High-gloss or plasticized fabrics are prohibited. Backlit awnings are also prohibited.

3. Marquees

    a. The minimum marquee depth is 5 feet measured perpendicular to the wall face.

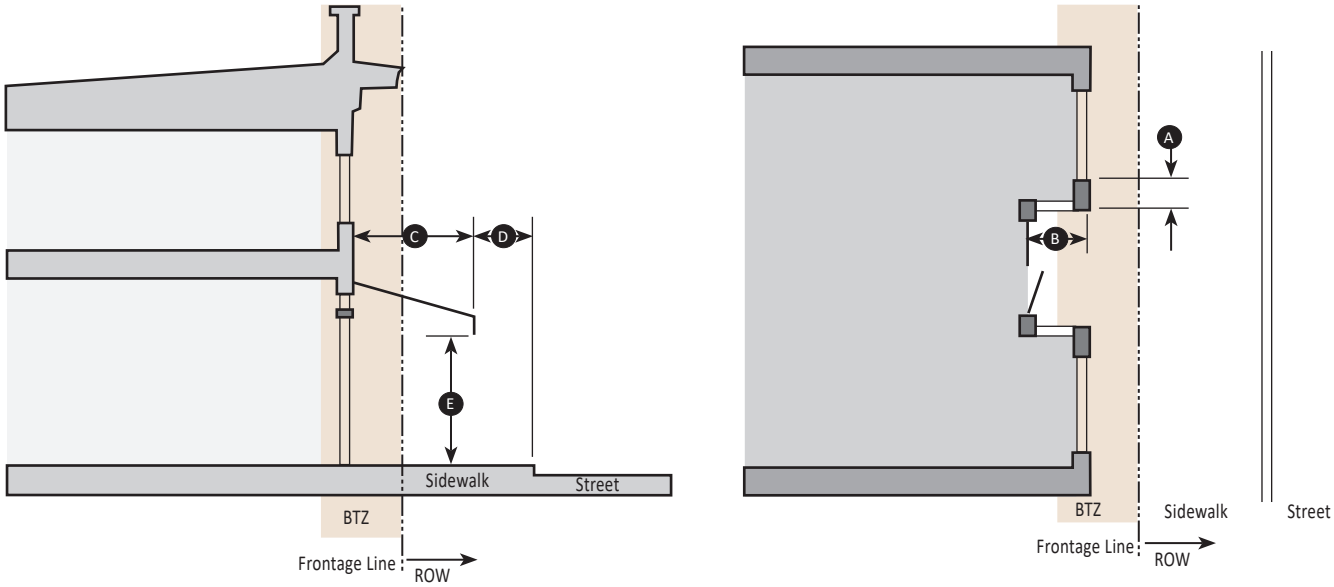
    b. The minimum underside clearance is 9 feet.

    c. The above requirements apply to first floor marquees. Marquees above the first floor are not permitted.

    d. Marquees shall occur forward of the build-to line or zone, and may encroach within the right-of-way, but shall not extend closer than two feet from the curb line.

C. Frontage Types:

1. Shopfront



Key

Build-to-Zone (BTZ)
Frontage/Property Line

a. Description

The Front Façade of the building is at or near the Frontage Line and shall include a Canopy or Awning element that overlaps the sidewalk along the majority of the Frontage. The Canopy is a structural cantilevered shed roof and the Awning is canvas or similar material and is often retractable.

b. Size

Distance between Glazing	2' max.	A
Ground Floor Transparency	See Sec. 24.75-12.F Building Facades	
Door Recess[1]	5' max.	B

[1]A recessed entry may be designed in a variety of configurations (recessed door, sawtooth pattern, etc.) and may be located on the front facade or the corner of a building.

c. Canopy or Awning

Depth	4' min.	C
Width, Cumulative	70% of façade width min.	
Setback from Curb	2' min.	D
Height, Clear	8' min.	E

d. Miscellaneous

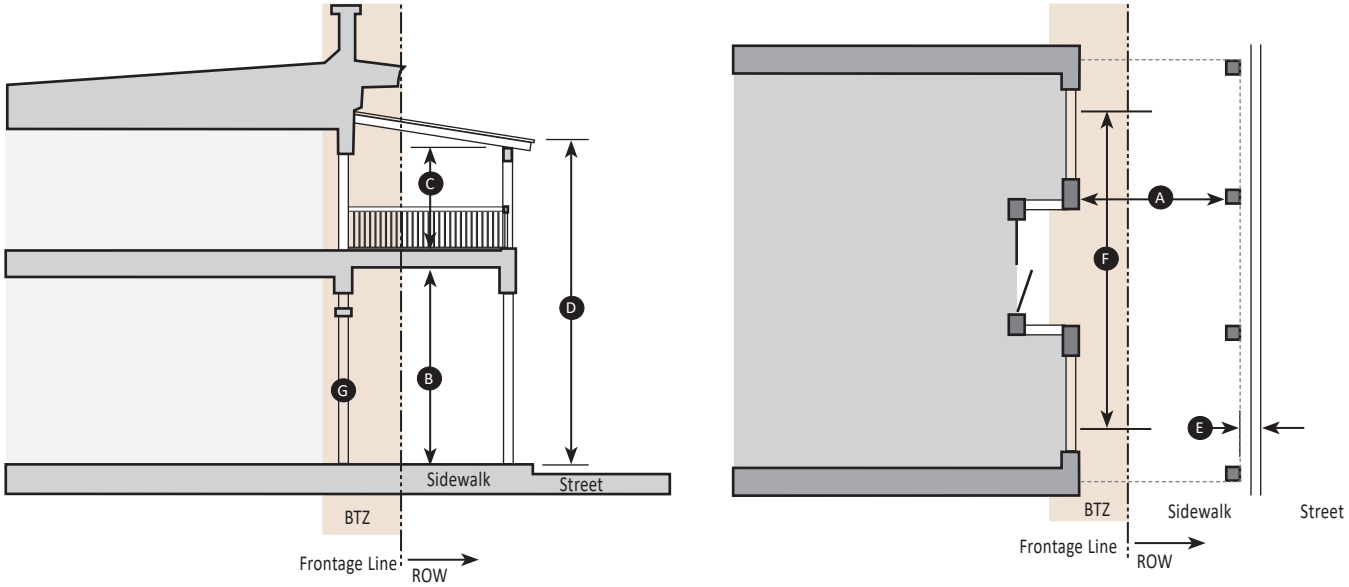
Doors may be recessed as long as Front Façade is at BTZ.

Open ended Awnings and Operable Awnings are encouraged.

Rounded and hooped Awnings are discouraged.

Figure 5-7: Examples of shopfronts and details
a. Shopfront with a recessed doorway
b. Shopfront with metal Canopy

2. Gallery



Key

Build-to-Zone (BTZ)
Frontage/Property Line

a. Description

The Front Façade of the building is at the Build-to-Zone and the Gallery element overlaps the sidewalk, eliminating the need for an Awning or Canopy. This Frontage Type is intended for buildings with ground-floor commercial or retail uses and may be one or two stories in height.

b. Size

Depth, Clear	8′ min.	A
Ground Floor Height, Clear	9′ min.	B
Upper Floor Height, Clear	9′ min.	C
Height	3 stories max.	D
Setback from Curb	2′ min.	E
Width	75% of façade width min.	F

c. Miscellaneous

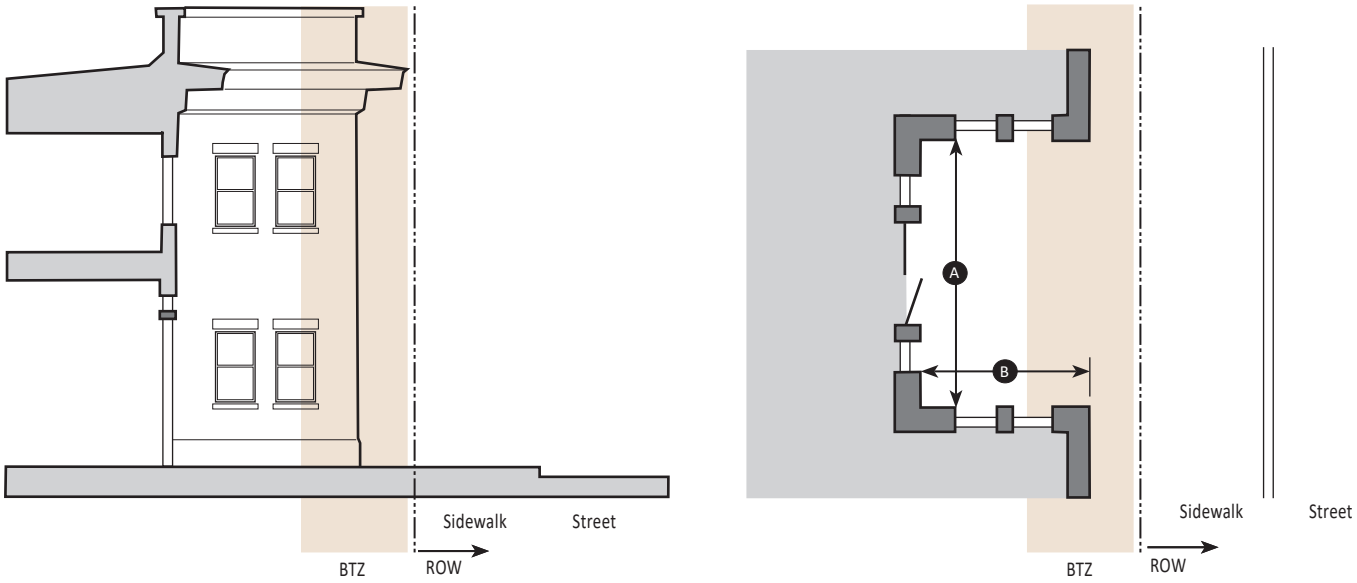
Galleries must also follow all the rules of the Shopfront Frontage Type. G

Arcades must have a consistent depth along a frontage.

Arcades with more than 2 floors of habitable space above the colonnade must not encroach onto a public right-of-way, and must be located so that they abut the right-of-way.

Figure 5-8: Example of galleries
a. Gallery with slender metal columns
b. Wood framed Gallery
c. Masonry Gallery with Habitable Space on the second floor

3. Forecourt



Key

Build-to-Zone (BTZ)
Frontage/Property Line

a. Description

The primary portion of the building's main Facade is at the Build-to-Zone while a small percentage is set back, creating a court space. This space can be used as an apartment or office entry court, garden space, or for restaurant outdoor dining.

b. Size

Width, Clear	12' min.	A
Depth, Clear	12' min.	B

c. Miscellaneous

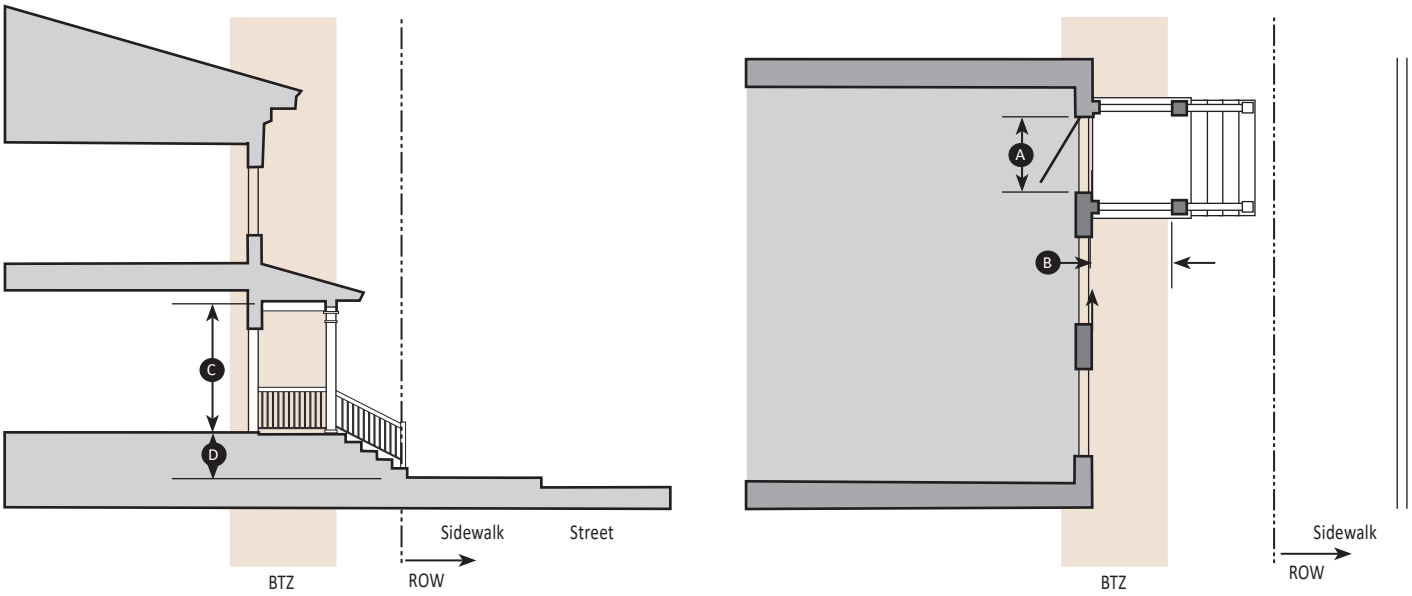
Forecourts are especially useful along larger, more auto-dominant Streets in order to provide well-shaped, intimately sized public outdoor spaces.
The proportions and orientation of courtyard spaces must be carefully considered for solar orientation and user comfort.

a

b

Figure 5-9: Examples of forecourts
a. Elevated Forecourt
b. Elevated Forecourt forming a dining terrace

4. Stoop



Key

Build-to-Zone (BTZ)
Frontage/Property Line

a. Description

The main façade of the building is at the Build-to-Zone and the elevated stoop projects forward. The stoop is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. Stairs from the stoop may descend forward or to the side. Stoops may extend forward of the Build-to-Zone and into the Right-of-Way; a 6' minimum clear zone for pedestrians shall be maintained on the sidewalk.

b. Size

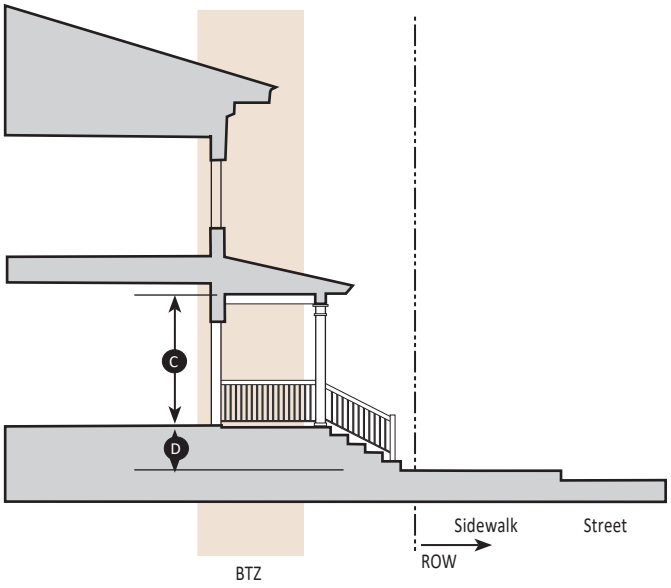
Width, Clear	5' min., 8' max.	A
Depth, Clear	5' min., 8' max.	B
Height, Clear	8' min.	C
Height	1 Story max.	
Finish Level Above Sidewalk	24" min.	D

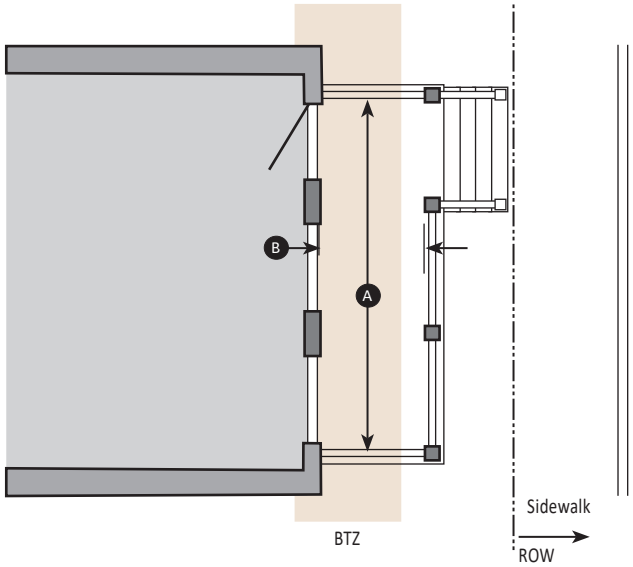
c. Miscellaneous

A stoop is appropriate for residential uses with small setbacks.
Stoops may extend forward of the build-to-zone or setback line and, if permitted by the district standards, into the right-of-way.
A six-foot minimum clear zone for pedestrians shall be maintained on the sidewalk.
Stairs may be perpendicular or parallel to the building facade.
The entry doors are encouraged to be covered or recessed to provide shelter from the elements.
Gates are not allowed.
All doors must face the street.

Figure 5-10: Examples of stoops
a. Unroofed stoops
b. Covered Stoops

5. Porch





Key

Build-to-Zone (BTZ)
Frontage/Property Line

a. Description

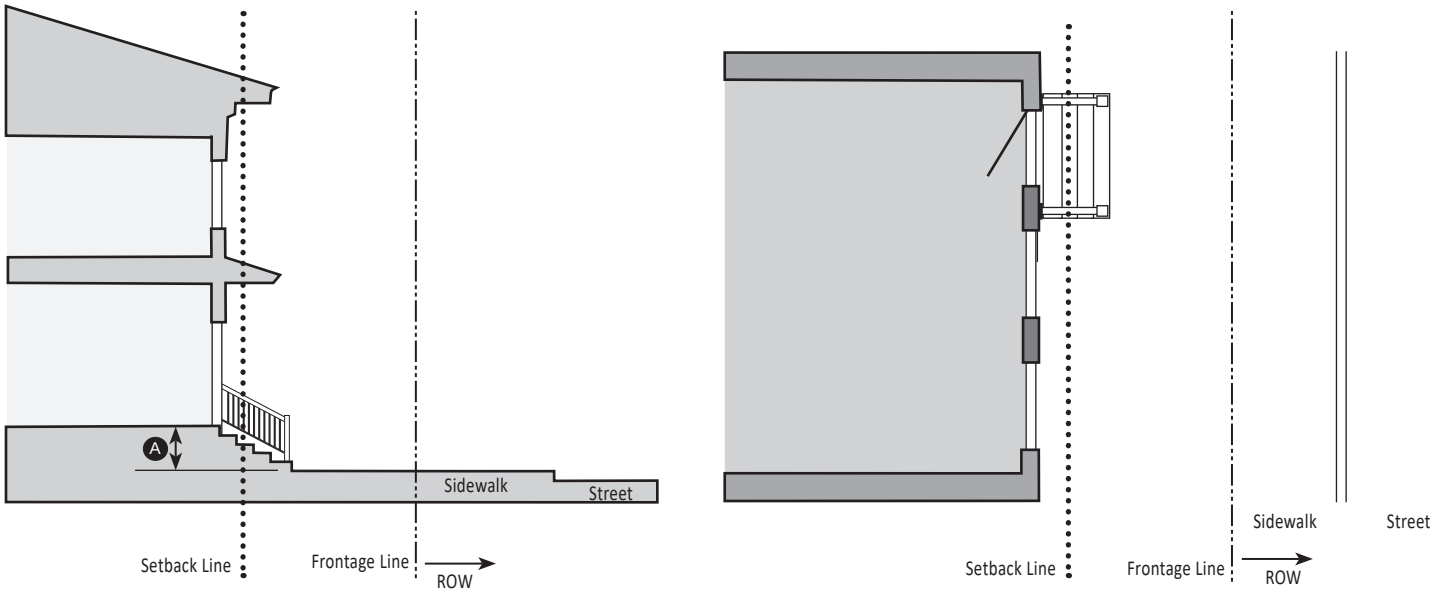
The main Façade of the building is at the Build-to-Zone and the elevated Porch projects forward. The Porch is used to access a first floor that is elevated above the sidewalk to ensure privacy within the building. A porch is large enough to function as an outdoor living space. Stairs from the Porch may descend forward or to the side. Porches may extend forward of the Build-to-Zone, but only the stairs from the Porch may extend into the Right-of-Way; a 6' minimum clear zone for pedestrians shall be maintained on the sidewalk.

b. Size

Width, Clear	10' min.	A
Depth, Clear	8' min.	B
Height, Clear	8' min.	C
Height	3 stories max.	
Finish Level Above Sidewalk	24" min.	D

Figure 5-11: Examples of Porches
a. 2-Story Porch on an apartment building
b. Covered wraparound Porch located close to the sidewalk

6. Common Yard



Key

Setback Line
Frontage/Property Line

a. Description

The Front Façade is set back substantially from the Frontage Line with a planted Frontage. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.

b. Size

Finish Level Above Sidewalk	24" min.	A

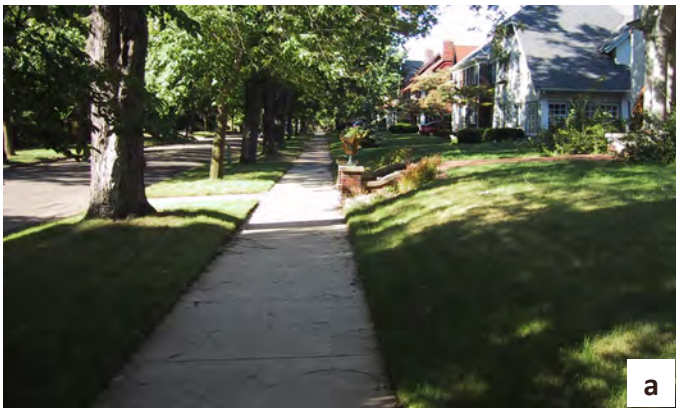


Figure 5-12: Examples of Common Yards
a. Walkways connect homes to the sidewalk
b. Common yards along a Street Frontage

SECTION 24.2.20.14
SPECIAL BUILDING TYPES

Some automotive-oriented uses and large footprint buildings may be provided to serve the daily needs of residents. The following criteria shall be used to ensure these uses and buildings do not detract from the overall walkability of the neighborhoods.

A. Gas Stations

1. A ground-floor shopfront shall face the Primary Street and define the Frontage of the lot. All pumps, parking, and drive-through areas must be located behind the shopfront building toward a mid-block location.

B. Drive-through

1. A ground-floor shopfront shall face the Primary Street. All parking shall be located in the rear and accessed from a Rear Alley when present. Drive-through windows shall be located to the side or rear of the building and accessed from mid-block or Rear Alleys, where existing. Where no mid-block or Rear Alley access exists, access from a Secondary Street Frontage is permitted, but shall not substantially disrupt pedestrian activity or surrounding uses

C. Large Footprint Buildings

1. Large Footprint Buildings are those with footprints greater than 30,000 sq. ft. Examples may include a grocery store, large-format retailer, or theater. Lots may exceed the dimensions set in the Transect Zone Standards provided such buildings comply with the following provisions:

    a. Habitable Frontages (as part of the building or a separate Liner Building) that provide doors and windows facing the Public Realm shall be provided along Façades that face Civic Uses or Streets.

    b. To encourage use by pedestrians and decrease the need for solely auto-oriented patronage, Large-Footprint Buildings must reinforce the urban character of the neighborhood and shall therefore continue a connected system of walkable Blocks / Street Frontages (including sidewalks and Street trees) through the site as part of the design of parking and drive aisles.

    c. Building footprints may not be larger than a single Block.

    d. Loading docks, service areas, and trash disposal facilities shall not face Streets or Civic Uses.

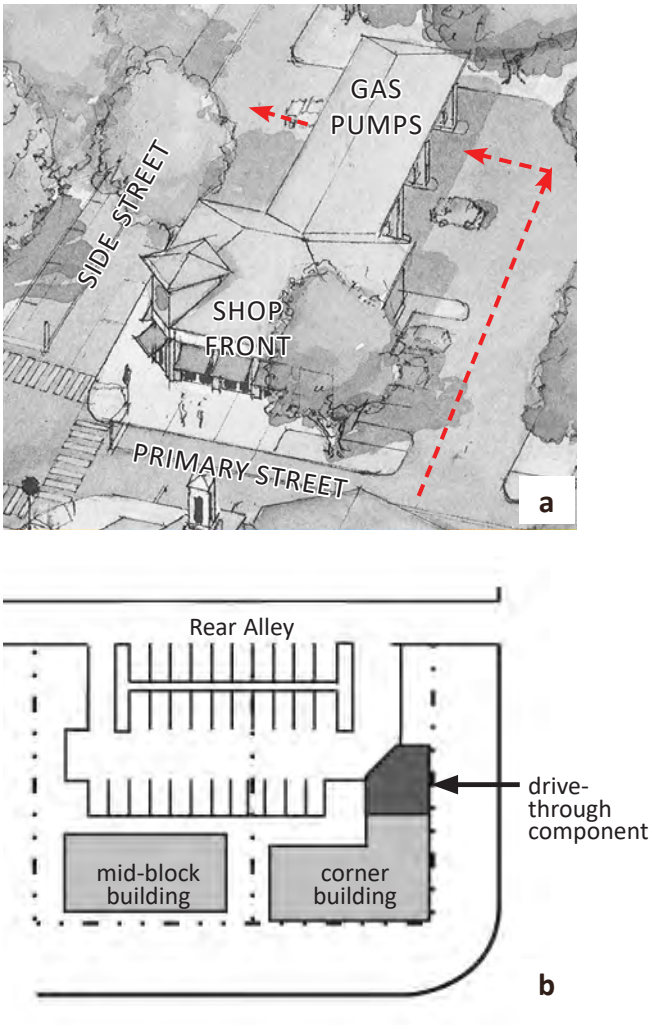


Figure 5-12: Special Building Types site design
a. Gas Station
b. Drive-through

SECTION 24.2.20.15
SITE STANDARDS

A. Service Areas & Loading Docks

Trash and recycling dumpsters or similar collection areas shall be located in the rear or to the side of buildings and screened from view from adjacent public Right-of-Ways, properties, and pedestrian walkways (not including Alleys).

B. Mechanical Equipment

For the purposes of these standards, mechanical equipment includes any heating, ventilation, and air conditioning (HVAC) or electrical machinery as well as air compressors, hoods, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or boxes, garbage cans, storage tanks, generators, electric vehicle (EV) chargers, geothermal wells, and similar elements.

1. If mechanical equipment is located at-grade, and is visible from an adjacent street or sidewalk, it shall be screened by a fence or Streetscreen.
2. All mechanical equipment or penthouse screening placed on a roof shall be set back from the roof line by a distance at least equivalent to the height of the screening in order to minimize visibility from surrounding streets.

C. Accessory Solar Energy Systems

A system composed of panels, arrays, or devices which convert the sun's radiant energy into thermal, chemical, mechanical, or electric energy, which may include an energy storage facility, and components for the transmission and distribution of transformed energy designed primarily for servicing the on-site needs of a Principal Use.

1. Building-Mounted System

A Solar Energy System mounted on or integrated into the construction of a structure, such as, but not limited to, a roof-mounted solar energy system.

a. Permitted by-right in all Transect Zones.

b. Rooftop systems shall be mounted as flush as possible to the roof. In order to achieve proper solar orientation, panels may exceed the roofline.

c. Buildings shall be physically and structurally designed to support rooftop solar energy systems.

d. Buildings are encouraged to be electrically wired and plumbed to support the later installation of Solar Energy System(s).

2. Ground-Mounted System

A Solar Energy System mounted on a rack or poles that rests on or is attached to the ground, not including a solar energy system mounted on parking canopies.

a. Permitted by-right in all Transect Zones.

b. Systems can be located in side and rear yards and shall be screened from view from any Street.

c. Ground-mounted systems are considered structures and must meet applicable setbacks for the Transect Zone.

d. If necessary for the system's effectiveness, ground-mounted solar energy systems may be located within the minimum lot line setbacks for the subject property Transect Zone and provided that the solar energy system is located no less than five feet from lot lines and no less than 15 feet from the Frontage Line.

e. If mounted over a pervious surface, ground-mounted solar systems do not count towards lot coverage.

3. Parking Canopy System

A Solar Energy System mounted on or integrated into the construction of a vehicle parking shade structure which covers vehicle or other multimodal parking areas.

a. Must not exceed 30 feet in height.

b. Permitted by site plan review in all Transect Zones.

c. Must not obstruct or encroach into a fire lane.

d. Unobstructed separation of not less than 16 feet, between canopy structures, must be maintained over dedicated parking aisles.

e. The vehicle shade structure must meet building code requirements.

PART 6:
STREET DESIGN STANDARDS

The purpose and intent of the Street Design Standards is to provide guidance for creating an accessible, interconnected network of Streets that accommodate all ages, abilities, and modes of transportation, including walking, cycling, driving, and public transit.

SECTION 24.2.20.16
GENERAL DESIGN STANDARDS

A. Purpose

The purpose of the Street Design Standards is to provide guidance to create an accessible, interconnected network of Streets that can accommodate all ages, abilities, and modes of travel, including pedestrian, bicycle, transit, and driving. The function of Streets within Traditional Neighborhood Developments is to handle multimodal forms of traffic by providing a memorable experience by persons using the Street network. The function of each Street will guide the Street design in concert with its context. The context is determined by the character of the Transect Zone through which it passes.

Typical Street sections illustrating design characteristics of pre-approved new or improved Streets are provided in Section 24.2.20.17. The conditions illustrated in the typical sections may be interrupted for intersections, bump-outs, central greens, medians, other traffic calming devices, or green infrastructure elements, depending on the context and details of final neighborhood designs.

B. Street Hierarchy

On each parcel that has multiple Street Frontages (e.g., corner lots), the Street hierarchy will determine the highest priority (Primary) Street Frontage, where the Front Build-to-Zone or Setback shall apply. Along the lower priority Frontages, the Side (Secondary) Build-to-Zones or Setbacks shall apply. If both Street Frontages have the same priority, the Front Build-to-Zone or Setback shall apply along both corridors. The designated Street hierarchy is as follows:

C. General Standards

The precise location and alignment of new Streets may be adjusted to allow flexibility in the design of the neighborhood site plan; however, the intended purpose and network connectivity of each new Street shall not be compromised.

The design of new Streets and modifications to existing Streets shall adhere to the following requirements:

1. Some dimensional flexibility is permitted for Street types to account for varying Right-of-Way widths, however they shall be designed to have all the basic functional characteristics including roadway width, on-street parking, sidewalks, trails, Street trees, and landscaped areas shown for their type, and be appropriately sized for the Transect Zones in which they are located.

2. Pre-approved new or improved Streets are provided in Section 24.2.20.17. New Street types (with new sections) may be approved by the City of Laredo, as described in Section 24.2.20.X.

3. Each neighborhood shall demonstrate appropriate provision for Street connectivity and integration with adjoining neighborhoods. Connections to future development is required. When a site plan consisting of one or more neighborhoods is submitted for approval, the Street network contained in those neighborhoods should connect to stub-outs of adjacent neighborhoods or other rights-of-way that form the edge of the neighborhood(s).

4. All Streets shall connect to other Streets, except that dead-end Streets with cul-de-sacs or T-turnarounds may be permitted only when necessitated by environmental constraints, provided the Street terminus provides adequate maneuverability for public services.

5. Curbside Flex Zones may replace on-street parking lanes within T4, T5, and T6 Transect Zones, on Main Streets or Urban Streets. The zones can vary along the length of the curb and/or throughout the time of day or year. Permitted zones may include: parking, transit stops, rideshare passenger pick-up/drop-off, delivery, vendors, and shared-mobility stations.

6. On-street parking lanes / Curbside Flex Zones shall not be closer than 25 feet to intersections measured from the curb line.

7. All Streets shall have sidewalks which are a minimum width of 6 feet, and have a continuous unobstructed path of a width no less than 60 inches. This path shall be unobstructed by utility poles, fire hydrants, benches, Street signs, or any other temporary or permanent structures. A shared-use path may take the place of a sidewalk on one side of a Street.

8. At-grade pedestrian crossings should be used where possible, eliminating the need for curb ramps. Bollards should be used at such crossings for pedestrian and vehicle separation.

D. Intersection Design / Size

While intersection design shall accommodate vehicular movements, the safety of pedestrians and bicyclists shall be the highest priority.

1. The majority of intersecting Streets shall meet at approximately a 90-degree angle. Angles of intersections less than 60 degrees should be avoided.

2. Offset intersections in close proximity to one another (220' for Urban Street Types, 150' for other Street Types) are prohibited.

3. The use of auxiliary turn lanes at intersections for traffic movement shall be carefully weighed against the impact to pedestrian and cyclist movement at the intersection, and the use of such lanes shall not be determined by traffic analysis alone. The final decision on whether an auxiliary turn lane is required shall be made by the City of Laredo.

4. Pedestrian and bike crossing infrastructure shall be provided across all intersection approaches, including high visibility crosswalks, sidewalk ramps, and detectable warnings.

5. Traffic signals shall be timed primarily for the convenience and safety of pedestrians and bicyclists.

6. To the extent possible, pedestrian exposure to vehicles and crossing distances shall be reduced through the use of refuge islands, bump outs, and pedestrian signals.

E. Curb Radius

Several walkability benefits can be gained by decreasing the radius of curbs at intersections. These benefits include the following: decreased crossing distances for pedestrians, greater visibility of pedestrians by motorists, and traffic calming, enhancing safety for pedestrians.

Corner curb radius designs fall into two distinct categories: corners with and without on-street parking.

1. Corners with on-street parking shall have curb radii of 15 feet maximum. The effective turning radius is larger than the curb radius when parking is present. Thus, the effective turning radius can be 30 plus feet when the curb radius is 15 feet.

2. Corners without on-street parking require the curb radii to be similar to the turning radii, with the curb radius between 20 feet and 30 feet maximum.

3. Curb radii may be smaller, 9 feet to 15 feet, for Rear Alleys/Lanes.

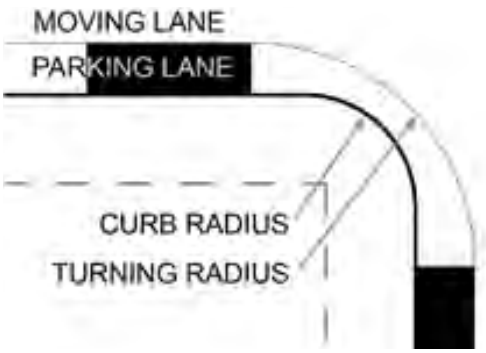


Figure 6-1: Curb radius and effective turn radius where on-street parking is present

F. Rear Alleys / Lanes

A continuous network of Rear Alleys and/or Lanes is desirable to serve as the primary means of vehicular ingress to individual lots. Such networks are mandatory in the T6, T5, and T4 Transect Zones, and encouraged in T2 and T3 Transect Zones.

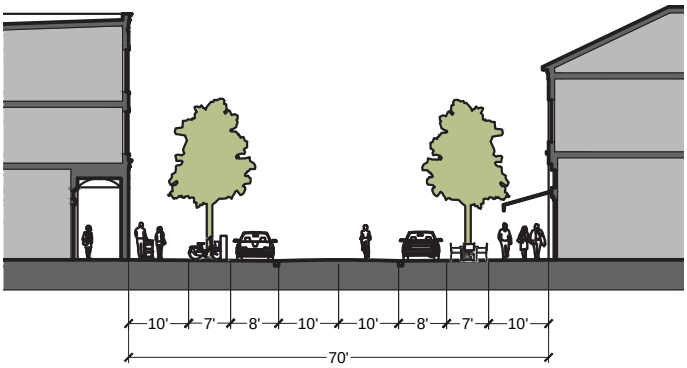
1. Rear Alley and Lane entrances should align so as to provide ease of ingress for service vehicles.
2. Rear Alley/Lane entrances shall not face Civic Open Spaces or Civic Buildings.
3. Internal deflections or variations in the Rear Alley/Lane network are encouraged to prevent excessive or monotonous views of the rear of structures resulting from long stretches of Rear Alleys and Lanes.
4. Rear Alleys/Lanes should meet Streets with a mountable gutter pan, allowing the sidewalk to continue uninterrupted across the Rear Alley/Lane pavement. The use of curb cuts, ramps, and marked crosswalks should be avoided for Rear Alleys/Lanes.

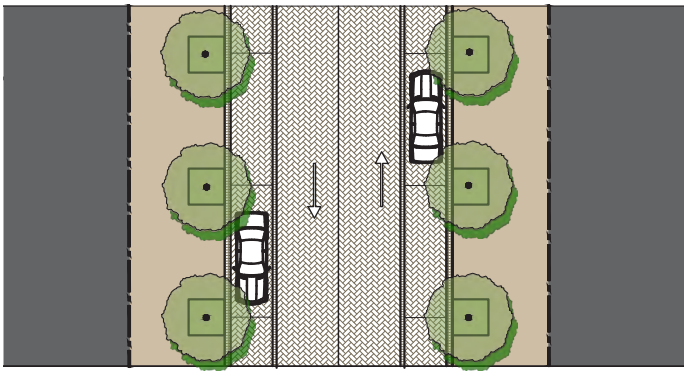
G. Street Trees

1. Street trees shall consist of shade trees with a minimum 3-inch caliper at time of planting. Other accent plants and trees are permitted in addition to the required Street trees.
2. Street trees shall be provided in a manner and at a spacing as defined by the Street Type standards.
3. Street trees shall be planted in vegetated Planting Strips or Tree Wells with grates according to the Street Type.
4. Properly designed tree box filters to accept stormwater runoff are encouraged for stormwater quantity and quality mitigation, and shall count towards the Street tree requirement as long as adequate maintenance access is provided and the Street tree planted meets the requirements of this standard. See the National Association of Transportation Officials (NACTO) *Urban Street Stormwater Guide and the Light Imprint Handbook* for more information.
5. The integration of green infrastructure into the Streetscape serves the dual purpose of improving a Street's aesthetic conditions and managing stormwater runoff. For specific information regarding performance standards and design criteria for stormwater management and green infrastructure, please see Part 4, Section 24.2.20.11.
6. The landscape palette shall achieve the following criteria to the fullest extent possible: seasonal interest, structural diversity, species diversity, well-adapted to local conditions, and resilient to future changes. In particular, the use of native tree species, which convey a sense of place and are well-suited to local conditions, is strongly encouraged.
7. Species type should remain constant on each block or street to create a uniform and orderly streetscape. However, tree species should vary across the neighborhood to avoid have a monoculture species in a limited area.

SECTION 24.2.20.17
STREET TYPES

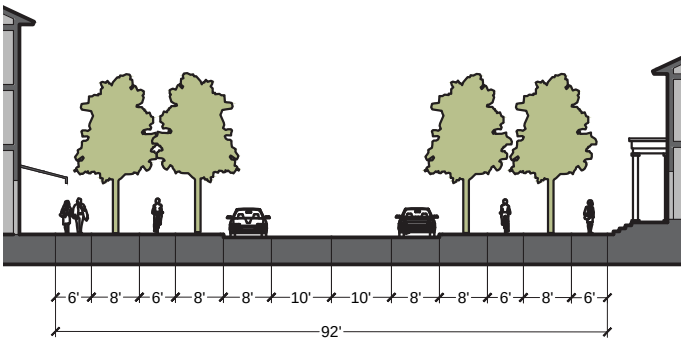
A. Main Street

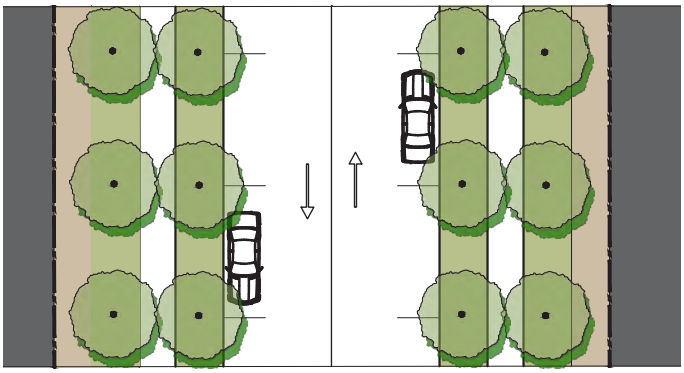




Type	Main Street
Transect	T6, T5
Traffic Lanes	Two lanes - 10 feet wide
Parking Lanes/Curbside Flex Zone	Two sides @ 8 feet marked
Bike Facility	Shared lane
R.O.W. Width	70 feet
Pavement Width	36 feet
Vehicular Design Speed	20 MPH
Sidewalk Width	17 feet
Road Edge Treatment	Curb
Planter Width	6 foot x 6 foot tree wells
Planting	Shade trees @ 30’ o.c. Avg

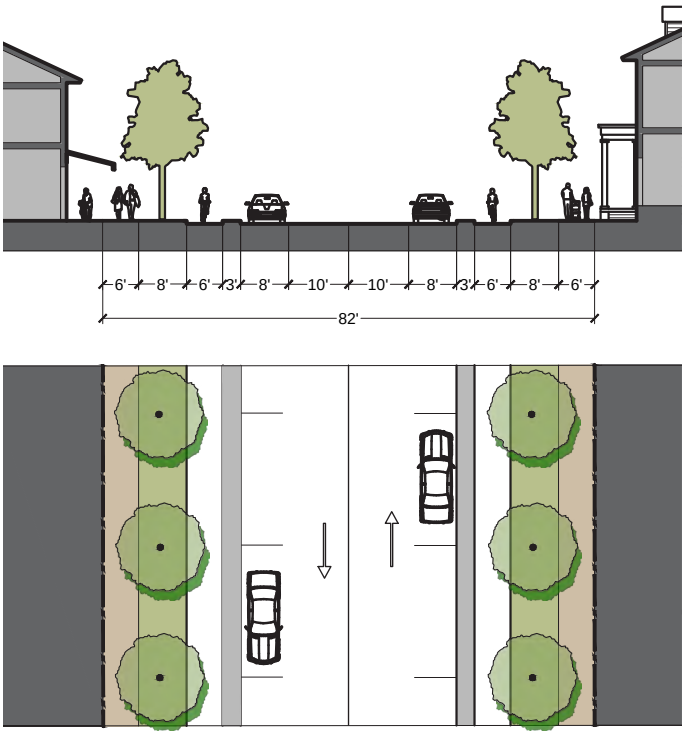
B. Urban Street 1



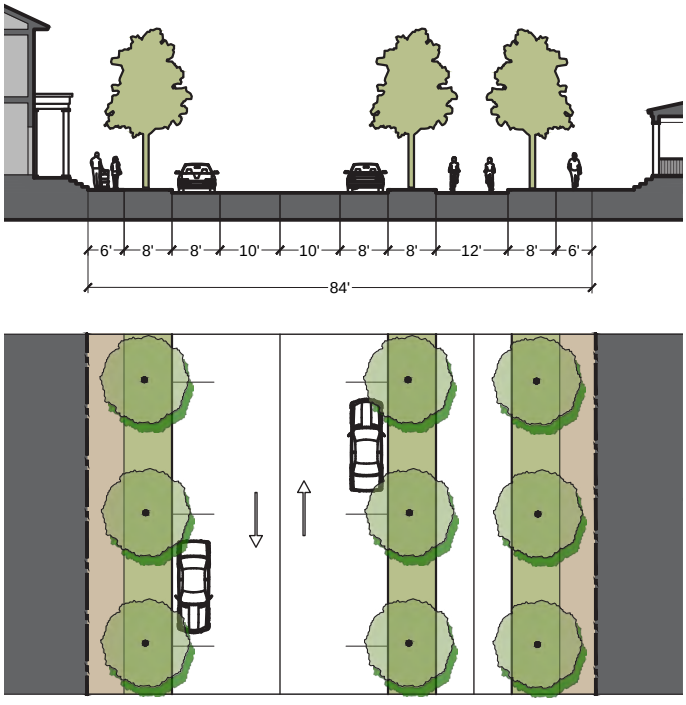


Type	Urban Street 1
Transect	T6, T5, T4, T3
Traffic Lanes	Two lanes - 10 feet wide
Parking Lanes/Curbside Flex Zone	Two sides @ 8 feet marked
Bike Facility	Separated lanes (6’ clear, 8’ buffer)
R.O.W. Width	92 feet
Pavement Width	36 feet
Vehicular Design Speed	25 MPH
Sidewalk Width	6 feet
Road Edge Treatment	Varies
Planter Width	8 foot planting strips
Planting	Shade trees @ 40’ o.c. Avg

C. Urban Street 2



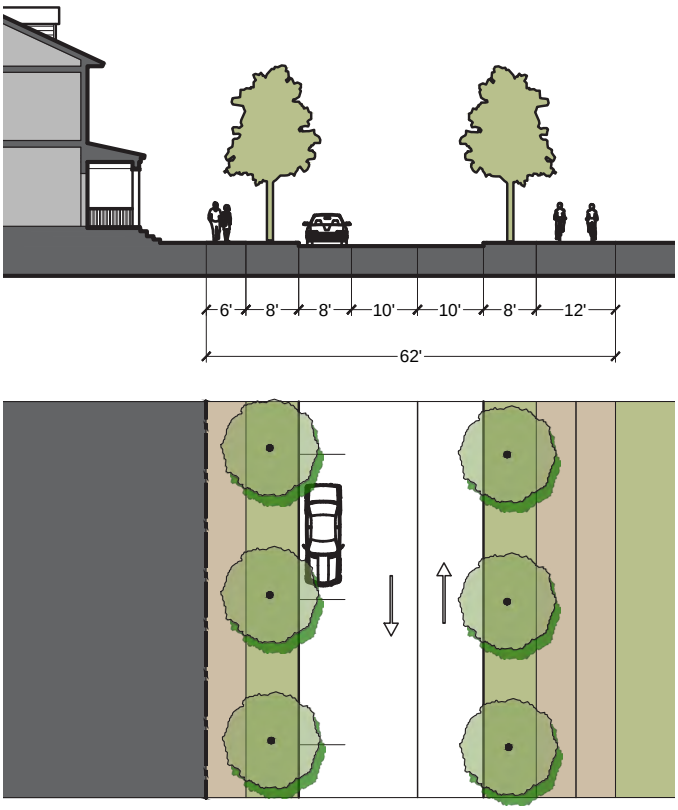
D. Urban Street 3



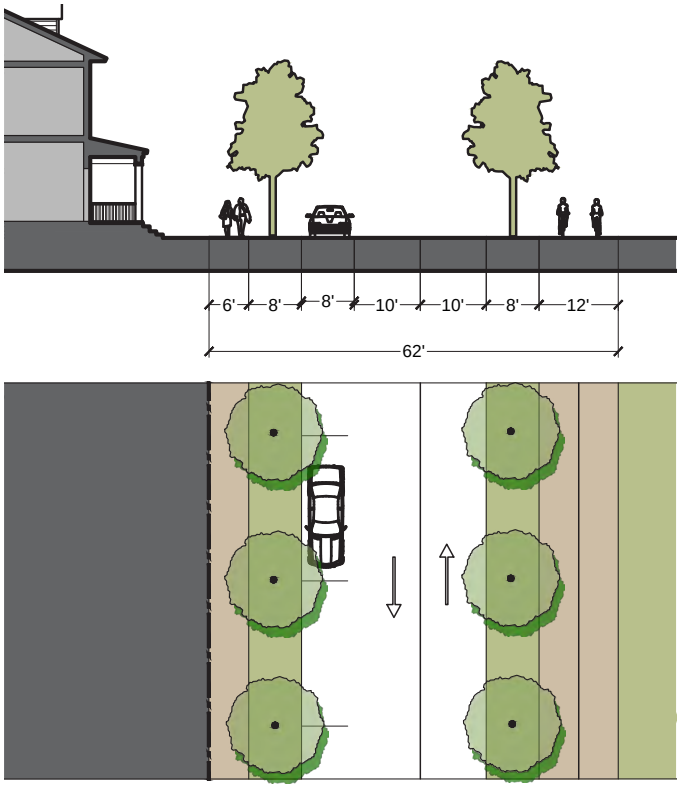
Type	Urban Street 2
Transect	T6, T5, T4, T3
Traffic Lanes	Two lanes - 10 feet wide
Parking Lanes/Curbside Flex Zone	Two sides @ 8 feet marked
Bike Facility	Separated lanes (6' clear, 3' buffer) *Raised facility flush with buffer and adjacent planting strip*
R.O.W. Width	82 feet
Pavement Width	36 feet
Vehicular Design Speed	25 MPH
Sidewalk Width	6 feet
Road Edge Treatment	Varies
Planter Width	8 foot planting strips
Planting	Shade trees @ 40' o.c. Avg

Type	Urban Street 3
Transect	T6, T5, T4, T3
Traffic Lanes	Two lanes - 10 feet wide
Parking Lanes/Curbside Flex Zone	Two sides @ 8 feet marked
Bike Facility	Shared Path (12' clear, 8' buffer) *Raised facility flush with buffer and adjacent planting strip*
R.O.W. Width	84 feet
Pavement Width	36 feet
Vehicular Design Speed	25 MPH
Sidewalk Width	One side - 6 feet
Road Edge Treatment	Varies
Planter Width	8 foot planting strips
Planting	Shade trees @ 40' o.c. Avg

E. Drive, Urban



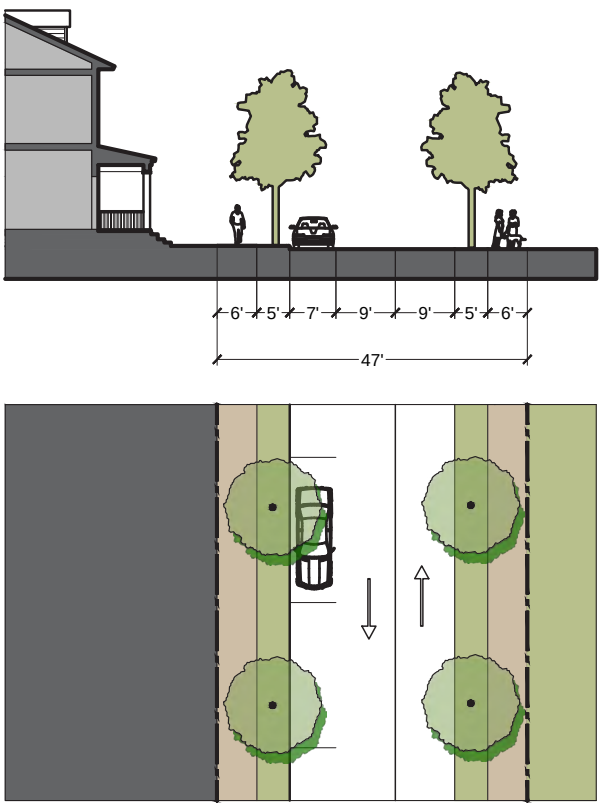
1. Curb and Gutter



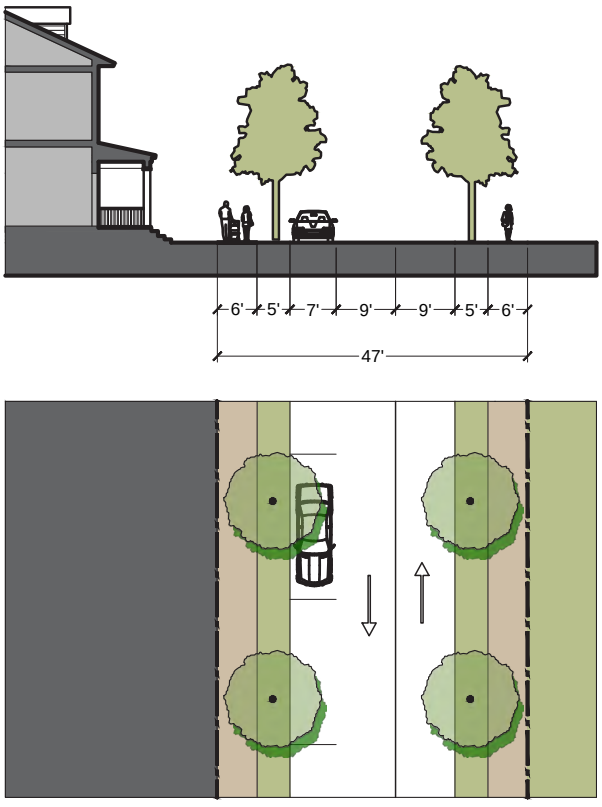
2. Swale

Type	Drive - Urban
Transect	T6, T5
Traffic Lanes	Two lanes - 10 feet wide
Parking Lanes/Curbside Flex Zone	One side @ 8 feet marked
Bike Facility	Shared Path - 12 feet wide
R.O.W. Width	62 feet
Pavement Width	28 feet
Vehicular Design Speed	25 MPH
Sidewalk Width	One side - 6 feet
Road Edge Treatment	Varies
Planter Width	8 foot planting strips min.
Planting	Shade trees @ 40' o.c. Avg

F. Drive, Neighborhood



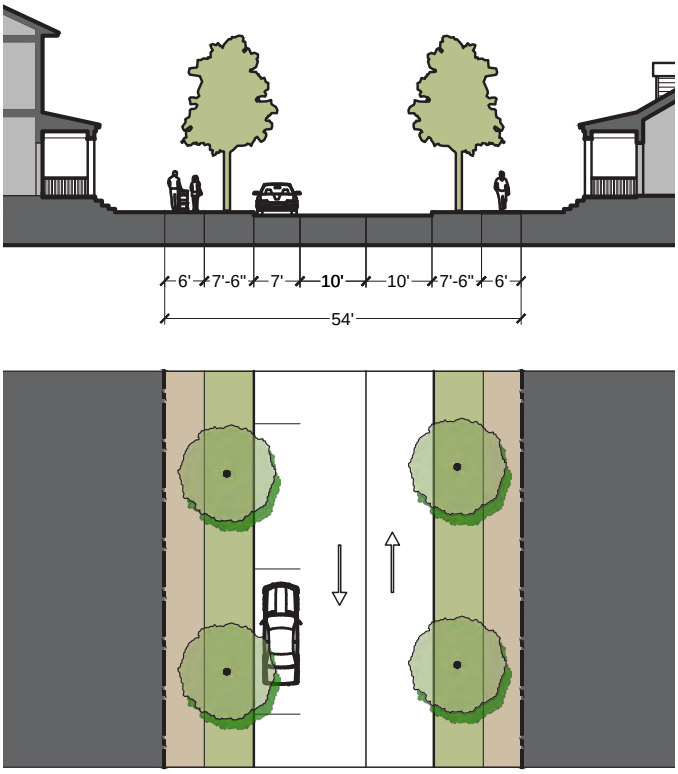
1. Curb and Gutter



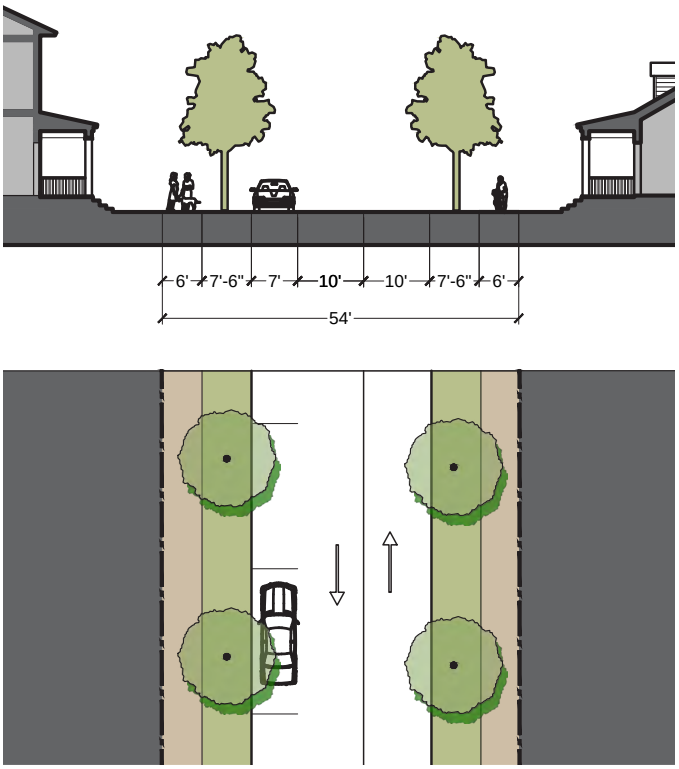
2. Swale

Type	Drive - Neighborhood
Transect	T4, T3
Traffic Lanes	Two lanes - 9 feet wide
Parking Lanes	One side @ 7 feet marked
Bike Facility	Shared Lane
R.O.W. Width	47 feet
Pavement Width	25 feet
Vehicular Design Speed	20 MPH
Sidewalk Width	Two sides - 6 feet
Road Edge Treatment	Varies
Planter Width	5 foot planting strips min.
Planting	Shade trees @ 50' o.c. Avg

G. Neighborhood Street 1



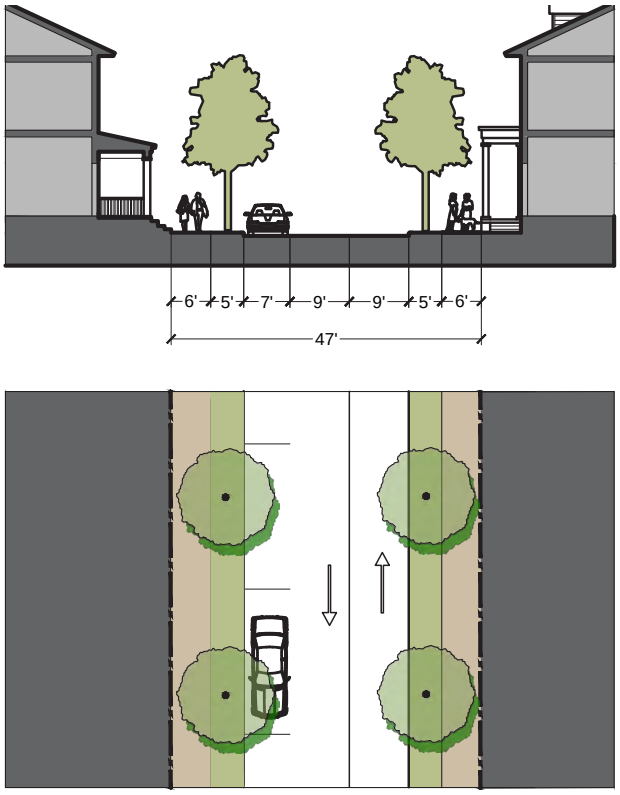
1. Curb and Gutter



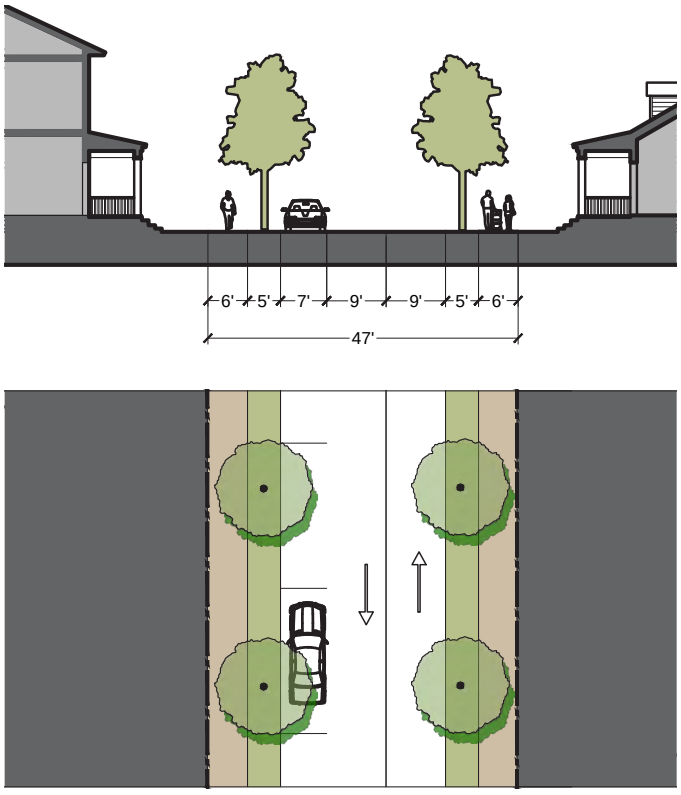
2. Swale

Type	Neighborhood Street 1
Transect	T6, T5, T4, T3
Traffic Lanes	Two lanes - 10 feet wide
Parking Lanes	One side @ 7 feet marked
Bike Facility	Shared lane
R.O.W. Width	54 feet
Pavement Width	27 feet
Vehicular Design Speed	20 MPH
Sidewalk Width	6 feet
Road Edge Treatment	Varies
Planter Width	7.5 foot planting strips
Planting	Shade trees @ 50' o.c. Avg

H. Neighborhood Street 2



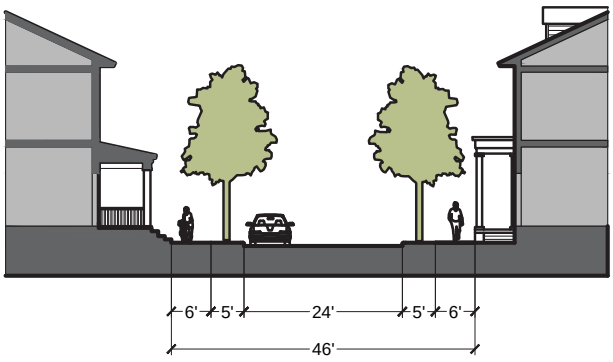
1. Curb and Gutter

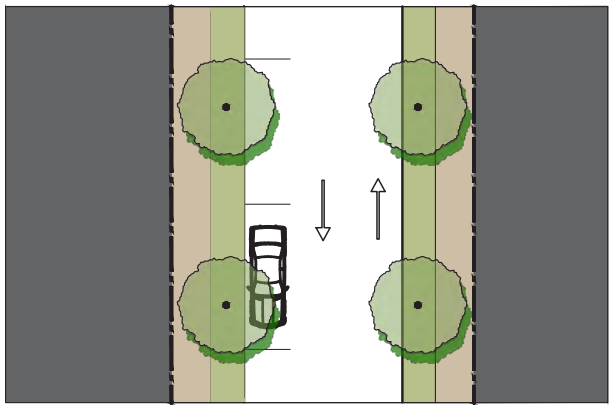


2. Swale

Type	Neighborhood Street 2
Transect	T6, T5, T4, T3
Traffic Lanes	Two lanes - 9 feet wide
Parking Lanes	One side @ 7 feet marked
Bike Facility	Shared lane
R.O.W. Width	47 feet
Pavement Width	25 feet
Vehicular Design Speed	20 MPH
Sidewalk Width	6 feet
Road Edge Treatment	Varies
Planter Width	5 foot planting strips
Planting	Shade trees @ 50' o.c. Avg

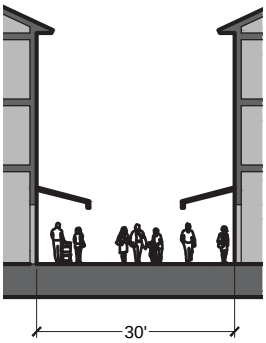
I. Yield Street

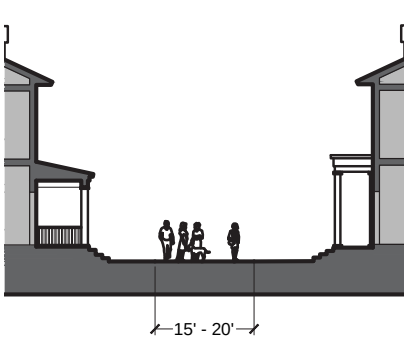


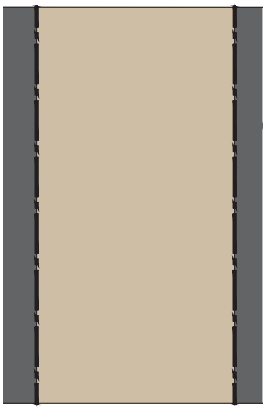


Type	Yield Street
Transcect	T4, T3
Traffic Lanes	Shared 24 foot paved Thoroughfare - Two-way traffic
Parking Lanes	One side - unmarked
Bike Facility	Shared lane
R.O.W. Width	46 feet
Pavement Width	24 feet
Vehicular Design Speed	20 MPH
Sidewalk Width	6 feet
Road Edge Treatment	Varies
Planter Width	5 foot planting strips
Planting	Shade trees @ 50' o.c. Avg

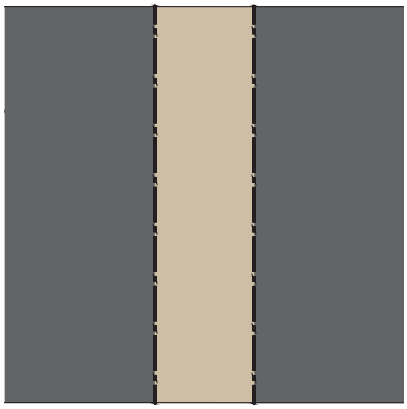
J. Pedestrian Street







1. T5 or T4

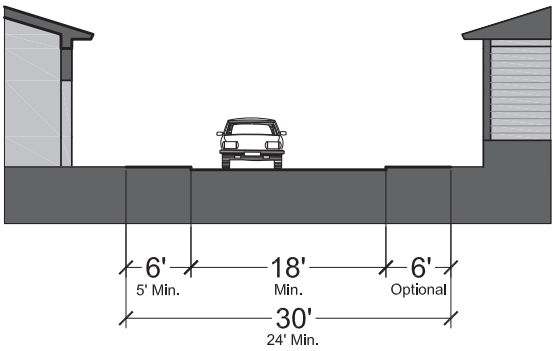


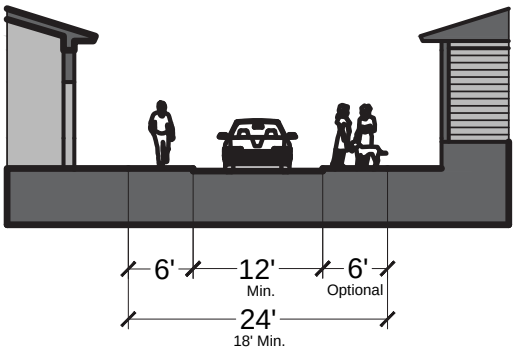
2. T4 or T3

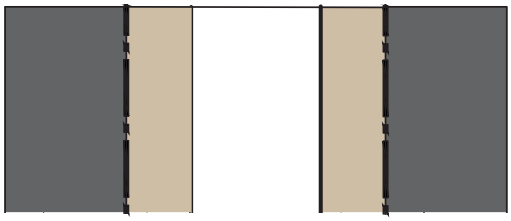
Type	Pedestrian Street
Transcect	T5, T4, T3
Traffic Lanes	None
Parking Lanes	None
Bike Facility	Shared
R.O.W. Width	20 to 30 feet (T5 or T4) 15 to 20 feet (T4 or T3)
Pavement Width	N/A
Vehicular Design Speed	N/A
Sidewalk Width	20 to 30 feet (T5 or T4) 15 to 20 feet (T4 or T3)
Road Edge Treatment	N/A
Planter Width	N/A
Planting	N/A

K. Rear Alley / Lane

1. Rear Alleys/Lanes providing access to non-residential and/or mixed-uses shall be built to non-residential standards.
2. Rear Alleys/Lanes providing access to residential buildings shall be built to residential standards.
3. Where a Rear Alley/Lane provides access to a Block with both residential and non-residential uses, it shall be built to a non-residential standard.
4. The curb radius of a Rear Alley/Lane shall be 9 - 15 feet.







Type	Rear Alley/Lane Non-Residential
Transect	T5, T4, T3
Traffic Lanes	One lane (One-way traffic)
Parking Lanes	N/A
Bike Facility	Shared lane
R.O.W. Width	24 feet min.
Pavement Width	18 to 24 feet
Vehicular Design Speed	10 MPH
Sidewalk Width	6 feet min. *Sidewalk shall be provided on at least one side of Rear Alley/Lane*
Road Edge Treatment	Varies
Planter Width	N/A
Planting	N/A

Type	Rear Alley/Lane Residential
Transect	T5, T4, T3
Traffic Lanes	One lane (One-way traffic)
Parking Lanes	N/A
Bike Facility	Shared lane
R.O.W. Width	20 feet min.
Pavement Width	12 to 18 feet
Vehicular Design Speed	10 MPH
Sidewalk Width	6 feet min. *Sidewalk shall be provided on at least one side of Rear Alley/Lane*
Road Edge Treatment	Varies
Planter Width	N/A
Planting	N/A

PART 7:
DEFINITIONS

SECTION 24.2.20.18
DEFINITION OF TERMS

A

Accessory Dwelling Unit: Also referred to as accessory apartments, second units, or granny flats - are additional living quarters on single-family lots that are independent of the primary Dwelling Unit. The separate living spaces are equipped with kitchen and bathroom facilities, and can be either attached or detached from the Principal Building.

Accessory Structure: Any structure that is related to or in conjunction with the primary structure or use on a lot, such as patios, sheds or pools.

Alley: (Syn: Rear Alley)

Attic: The interior part of a building contained within a pitched roof structure.

Awning: A temporary shelter supported entirely from the exterior wall of a building.

B

Balcony: An accessory area to a Dwelling, with one or more sides permanently open to the exterior except for a railing or parapet not exceeding four feet in height.

Bioswale: A linear landscape feature used to slow, collect, infiltrate, and filter stormwater that is vegetated with plants that can withstand moisture regimes ranging from flooded to dry that are designed to manage a specified amount of runoff from a large impervious area, such as a parking lot or roadway. A Bioswale can accommodate larger quantities of stormwater and is deeper than a Rain Garden and is often greater in length than width.

Block: The aggregate of private Lots, Passages, and Alleys, circumscribed by Streets or public spaces.

Building Height: The vertical extent of a building measured in stories, not including a raised basement, uninhabitable attic, or parking below the First Floor.

Build-to-Line (BTL): The distance from the front property line along which the principal vertical plane of the building's Primary Facades must be erected, which is either at the Frontage Line or parallel to it.

Build-to-Zone (BTZ): The range of allowable distances from the front property line along which the principal vertical plane of the building's primary Dwelling Unit shall be built in order to create a moderately uniform line of buildings along the Street.

C

Canopy: A roof or overhead unenclosed structure that provides shade or shelter from the elements.

Civic Building: A building designed specifically for a Civic Use.

Civic Open Space: A natural or landscaped outdoor area provided for the purpose of active or passive public recreation. It may include publicly accessible outdoor amenities such as a Playground, seating area, picnic area, multi-use path and temporary or permanent small outdoor performance space or religious facility.

Civic Use: A use that is open to the public at least some of the time and provides a focal point for community interaction and fosters citizen participation in civic activities, including churches, temples, synagogues, mosques, and other religious facilities; lodges; college or university facilities; exhibition halls and art galleries; grade schools; library; Meeting Halls; museum or similar facilities; performance theaters; post office; fire house; public administration Offices; trade or specialty school facilities; or similar uses.

Community: A group of people who identify as living in the same place or area.

Courtyard: A space enclosed on three or four sides by buildings.

Cornice: Projecting horizontal decorative molding along the top of a wall or building.

D

Density: The compactness on an area in relationship of the build portion of a block to the un-build portion of the bock.

Duplex: A building type consisting of a single structure occupied by two Dwelling Units that may have either shared or separate entrances for each unit and are architecturally presented as a single-family house.

Dwelling: A building used as living quarters for residential occupancy by one or more families.

Dwelling Unit: A building, or portion thereof, used exclusively for residential occupancy by a housekeeping unit, that contains an individual entry to a Street or public way or to common area such as a hallway or lobby, and that contains both a bathroom and a kitchen.

E

Encroach: To break the plane of a vertical or horizontal regulatory limit with a structural or architectural element, so that it extends into a required setback area or private Frontage, or above a height limit.

Encroachment: A structural or architectural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a required setback area or private Frontage, Right-of-Way, or above a height limit.

Expression Line: A horizontal line, expressed by a material change or by a continuous projection not less than two inches nor more than one foot deep.

F

Facade: The exterior wall of a building.

Façade Transparency: The amount of transparent window glass or other openings in the façade of a building, relative to the overall surface area of the façade.

Forecourt: a Private Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back.

Front (of Lot): The boundary line of a lot bordering the Street or closest to the Street. In the case of a corner lot, it is the Frontage along the higher priority Street on the Street hierarchy (see Part 6).

Frontage: The area between a building Facade and the Vehicular Lanes or pedestrian-only Street, inclusive of its built and planted components.

Frontage Buildout: The minimum length of primary façade that shall be built along a Build-to-Line or Zone.

Frontage Elements: The structural and architectural elements which extend outward from the Façade of a building along Frontages, including awnings, canopies, galleries, Porches and stoops, and which do not count as an extension of the Façade itself for the purposes of measuring Setbacks and build-to locations.

Frontage Line: The property line at the Street Right-of-Way dividing the Right-of-Way from the private Frontage area.

G

Gallery: A roofed promenade extending along the wall of a building and supported by arches or columns on the outer side.

Garden Wall: A wall no greater than 48” in height that defines the Frontage Line and/or the perimeter of a property.

Gas Station: Any lot or building used or occupied for the sale or supply of gasoline or motor fuels, whether or not other products are also sold on the premises.

H

Habitable Space: Building space whose use involves human presence. Habitable Space excludes parking garages, storage and utility areas, and display windows separated from retail activity.

Home Occupation: Any for-profit activity carried out within, or on the same lot as, a residential Dwelling Unit, by a resident of such a Dwelling Unit.

L

Land Use: The purpose for which a land or a structure is designed, arranged, or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased.

Liner Building: A building specifically designed to mask a parking lot or a parking garage from a Frontage.

Live-Work Unit: Buildings or structures used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary place of work. The commercial function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry.

Liquor Selling Establishment: A retail establishment where 50% or more of the income comes from alcohol sales.

Lot Coverage: That portion of the lot area, expressed as a percentage, occupied by all buildings or structures which are roofed or otherwise covered and that extend more than three feet above the surface ground level, as well as sidewalks, patios, parking and loading areas, driveways, and other impermeable or man-made surfaces.

Lot Line: A property line separating lots or parcels from each other or from the Right-of-Way.

Lot Line, Front: The Lot Line dividing a Lot from a Street Right-of-Way. On a corner lot only one Lot Line shall be considered as a Front Lot Line, where it is the Lot Line along the higher priority Street on the Street hierarchy.

Lot Line, Rear: The Lot Line opposite the Front Lot Line. In case of an irregular, triangular or gore-shaped lot, it shall mean a line within the lot, ten feet long, parallel to and at the maximum distance from the Front Lot Line.

Lot Line, Side: Any Lot Line which is not a Front Lot Line or Rear Lot Line.

Lot Width: The length of the Frontage Line of a lot.

M

Meeting Hall: A building available for gatherings, including conferences, that accommodates at least one room equivalent to a minimum of 10 square feet per projected Dwelling Unit within the Pedestrian Shed in which it is located.

O

Office: A place of business where professional or clerical duties are performed in either for-profit or not-for-profit entities.

Open Space: That portion of a development that is permeable and remains open and unobstructed from the ground to the sky, specifically excluding parking areas, whether permeable or impermeable.

Outbuilding: An accessory building, usually located toward the rear of the same Lot as a Principal Building.

P

Pedestrian Shed: An area defined by the average distance that may be traversed at an easy walking pace from its edge to its center. This distance is applied to determine the size of a neighborhood or extent of a community. A standard Pedestrian Shed has an average ¼ mile or 1,320-foot radius, which is about the distance of a five minute walk at a leisurely pace.

Pervious Paving: Paving material that permits water to infiltrate into the ground.

Playground: A Civic Open Space designed and equipped for children's recreation.

Porch: An open air element of a building with a raised floor and a roof covering the floor that is supported by columns, posts, or piers. A Porch may be located on more than one Story.

Primary Civic Open Space: The main outdoor gathering place for a community. It is often, but not always, associated with an important Civic Building.

Primary Façade: The façade of a building that faces the Street. In the case of a corner lot, it is the Facade along the higher priority Street on the Street hierarchy (see Part 6).

Primary Frontage: The side of a lot facing a Street. In the case of a corner lot, it is the Frontage along the higher priority Street on the Street hierarchy (see Part 6).

Principal Building: The main building on a Lot, usually located toward the Frontage, that contains the principal use or uses.

Principal Entrance: The main point of access of pedestrians into a building facing a Street.

Property Line: (Syn: Lot Line)

Public Frontage: The area between the Vehicular Lanes and the Frontage Line.

Public Realm: The physical and social domain of the public that is held in common either by their physical presence or by visual association. This includes, but is not limited to Plazas, Squares, Parks, Thoroughfares, Public Frontages, Private Frontages, Civic Buildings and Civic Open Spaces.

R

Rain Garden: A small or residential landscape feature with a slight depression used to slow, collect, infiltrate, and filter stormwater that is vegetated with plants that can withstand moisture regimes ranging from flooded to dry.

Rear Alley: A vehicular way located to the rear of Lots providing access to service areas, parking, accessory buildings, and Accessory Structures and containing utility easements.

Rear Lane: A Rear Alley in a residential context.

Regulating Plan: A map that shows the physical locations and boundaries of regulatory items such as Transect Zones, future Streets, and Civic Spaces subject to regulation by this Manual.

Retail: Sale of goods and provision of personal services directly to consumers.

Right-of-Way: The strip of land dedicated to public use for pedestrian and vehicular movement, which may also accommodate public utilities. This strip of land is either publicly owned or subject to an easement for Right-of-Way purposes benefiting the general public.

S

Small Footprint Tower: A stand-alone structure that is significantly taller than it is wide, or a portion of a building that is significantly taller than it is wide and typically has more detail than the surrounding building(s). When a tower is a portion of a building, the tower eave or Cornice is taller than the remainder of the building eave or Cornice height and one or more of the tower façades is located forward of the remaining building façade.

Story: An interior space measured from one finished floor to the next finished floor above. Uninhabitable Attics and raised basements (including underground parking structures) are not considered stories for the purposes of determining Building Height.

Street: A public or private Thoroughfare which affords the principal means of access to abutting property for use by motor vehicles, bicycles, and pedestrians. A Street may be for use by pedestrians only or prohibit motor vehicles.

Setbacks: The minimum distance a building façade or parking area must be located from a Frontage Line or public Right-of-Way line. Similar to a Build-To-Location, except the building or parking can be located anywhere behind that line.

Streetscreen: Sometimes called streetwall. A freestanding wall built along the Frontage Line, or coplanar with the Facade, often for the purpose of masking a parking lot from the Thoroughfare.

T

Terminated Vista: A building, structure, or portion of a building or structure, specifically designed to visually attract a viewer's attention at the end of a visual axis,

i.e. to terminate a view. A Terminated Vista may include towers, corner towers, symmetrical façades centered on a visual axis, an architecturally embellished entry, or similar distinctive architectural devices.

Third Place: A private building that includes a space conducive to unstructured social gathering. Third Places are usually bars, cafes, and corner stores.

Thoroughfare: A way for use by vehicular and pedestrian traffic, or pedestrian traffic only, and to provide access to Lots and Open Spaces, consisting of Public Frontage and often Vehicular Lanes.

Transect (Transect Zone): A planning and zoning tool that organizes zones in a continuum from rural to urban, referred to as T1, T2, T3, T4, T5, and T6, where T1 is the most rural and T6 is the most urban. Each Transect zone has common characteristics that facilitate form-based regulation.

V

Vehicular Lanes: the lanes providing traffic and parking capacity within a Thoroughfare. They usually consist of marked lanes in a variety of widths for parked and for moving vehicles.