

CURRENT CODE

§ 25-2-832 - PRIVATE SCHOOLS.

This section applies to a public or private primary or secondary school.

- (1) A site must be located on a street that has a paved width of at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet.
- (2) If more than one dwelling unit is located on the site, the dwelling units must comply with the requirements of this title that are applicable to residential uses.

Source: Section 13-2-261; Ord. 990225-70; Ord. 031211-11.

§ 25-2-833 - PUBLIC SCHOOL FACILITY STANDARDS.

- (A) This section applies to the development of a public primary educational facility or public secondary educational facility:
 - (1) that is exempt under Section 25-5-2 (Site Plan Exemptions) from the site plan requirement of Section 25-5-1 (Site Plan Required); or
 - (2) if an independent school district elects to develop in accordance with this section.
- (B) Development described in Subsection (A) is not required to comply with the following requirements of this title:
 - (1) impervious cover, except as provided by Chapter 25-8, Subchapter A, Article 12 (Save Our Springs Initiative);
 - (2) cut or fill;
 - (3) Article 9 (Landscaping);
 - (4) Article 10 (Compatibility Standards);
 - (5) Chapter 25-4 (Subdivision); or
 - (6) Chapter 25-6, Article 3 (Traffic Impact Analysis).

Source: Section 13-2-618; Ord. 990225-70; Ord. 030306-48A; Ord. 031211-11.

§ 25-5-2 - SITE PLAN EXEMPTIONS.

- (A) The director shall determine whether a project is exempt under this section from the site plan requirement of Section 25-5-1 (Site Plan Required). The director may require an applicant to submit information necessary to make a determination under this section or to revise a previously approved site plan under Section 25-5-61 (Revisions To Released Site Plans).
- (B) A site plan is not required for the following development:
 - (1) construction or alteration of a single-family residential, single-family attached residential, duplex residential, two-family residential, or secondary apartment special use structure, or an accessory structure, if:
 - (a) not more than one principal residential structure is constructed on a legal lot or tract; and

- (b) a proposed improvement is not located in the 100 year flood plain, or the director determines that the proposed improvement will have an insignificant effect on the waterway;
 - (2) removal of a tree not protected by this title;
 - (3) interior alteration of an existing building that does not increase the square footage, area, or height of the building;
 - (4) construction of a fence that does not obstruct the flow of water;
 - (5) clearing an area up to 15 feet wide for surveying and testing, unless a tree more than eight inches in diameter is to be removed;
 - (6) restoration of a damaged building that begins within 12 months of the date of the damage;
 - (7) relocation or demolition of a structure or foundation covering not more than 10,000 square feet of site area under a City demolition permit, if trees larger than eight inches in diameter are not disturbed and the site is not cleared;
 - (8) development in the extraterritorial jurisdiction that is exempt from all water quality requirements of this title; or
 - (9) placement of a commercial portable building on existing impervious cover if the building does not impede or divert drainage and the site complies with the landscaping requirements of this title; and
 - (10) construction or alteration of a townhouse in the Mueller Planned Unit Development or the area identified in Section 1.2.5.B (Conflicting Provisions) of the Regulating Plan for the Lamar Blvd./Justin Lane Transit Oriented Development.
- (C) Except for a change of use to an adult oriented business, a site plan is not required for a change of use if the new use complies with the off-street parking requirements of this title.
- (D) Except for an adult oriented business, a site plan is not required for construction that complies with the requirements of this subsection.
- (1) The construction may not exceed 1,000 square feet, and the limits of construction may not exceed 3,000 square feet, except for the following:
 - (a) enclosure of an existing staircase or porch;
 - (b) a carport for fewer than ten cars placed over existing parking spaces;
 - (c) a wooden ground level deck up to 5,000 square feet in size that is for open space use;
 - (d) replacement of a roof that does not increase the building height by more than six feet;
 - (e) remodeling of an exterior facade if construction is limited to the addition of columns or awnings for windows or entrance ways;
 - (f) a canopy over an existing gas pump or paved driveway;
 - (g) a sidewalk constructed on existing impervious cover;
 - (h) replacement of up to 3,000 square feet of building or parking area lost through condemnation, if the director determines that there is an insignificant effect on drainage or a waterway; or
 - (i) modification of up to 3,000 square feet of a building or impervious cover on a developed site if the modification provides accessible facilities for persons with disabilities.
 - (2) The construction may not increase the extent to which the development is noncomplying.

- (3) The construction may not be for a new drive-in service or additional lanes for an existing drive-in service, unless the director determines that it will have an insignificant effect on traffic circulation and surrounding land uses.
 - (4) A tree larger than eight inches in diameter may not be removed.
 - (5) The construction may not be located in the 100 year flood plain, unless the director determines that it would have an insignificant effect on the waterway.
- (E) A site plan is not required for minor site development, minor construction, or a change of use that the director determines is similar to that described in Subsections (B), (C), and (D) of this section.
 - (F) A site plan is not required for construction of additional facilities at an existing public primary educational facility or public secondary educational facility in the zoning jurisdiction or in a municipal utility district in which City building permits are required.
 - (G) A site plan is not required for construction of a new public primary educational facility or public secondary educational facility in the zoning jurisdiction.
 - (H) A site plan is not required for the construction of subdivision infrastructure in accordance with approved subdivision construction plans.
 - (I) The exemptions provided by Subsections (C) and (D) do not apply to a bed and breakfast residential use established after October 1, 1994.
 - (J) The exemptions provided by this section do not apply to a telecommunications tower described in Subsection 25-2-839(F) or (G) (Telecommunication Towers).
 - (K) A site plan is not required for development of a site solely for a community garden use if the director determines that the overall plan does not exceed the exceptions described in subsections (B), (C) or (D).
 - (L) The exemptions provided by this section do not apply to the construction of a dock, bulkhead, or shoreline access as described in Chapter 25-2, Subchapter C, Article 13 (Docks Bulkheads, and Shoreline Access), but a site plan is not required for the repair, maintenance, or modification of existing structures or improvements if the applicable requirements of this subsection are met.
 - (1) A site plan is not required for simple re-decking of a dock.
 - (2) A site plan is not required to modify a dock, or to maintain or repair a dock or shoreline access, if:
 - (a) the dock or shoreline access was legally constructed; and
 - (b) the work proposed does not:
 - (i) require a variance or other approval from a city board or commission;
 - (ii) increase the existing footprint of the dock or shoreline access;
 - (iii) add, change, or replace structural components, including load bearing beams or walls, piers, pilings; or
 - (iv) add new walls.
 - (3) A site plan is not required to repair a bulkhead if:
 - (a) the bulkhead was legally constructed;
 - (b) the repair does not exceed 25% of the bulkhead or portion of a bulkhead existing on a lot or tract; and
 - (c) no repair to the bulkhead was done without a site plan in the previous three years.
 - (M) An exemption under this section does not waive applicable requirements for obtaining a building permit and may not include modifications to a non-complying structure, including repair or

maintenance, except as provided under Chapter 25-2, Subchapter C, Article 8 (Noncomplying Structures).

Source: Section 13-1-603; Ord. 990225-70; Ord. 990520-38; Ord. 000302-36; Ord. 000831-65; Ord. 031120-40; Ord. 031211-11; Ord. 20101209-075; Ord. 20110210-018; Ord. 20130328-032; Ord. No. 20140626-112, Pt. 15, 7-7-14.