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Press Release

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City Council Approves New Unified Development Code

At their meeting on April 23, the Tyler City Council unanimously approved the new Unified Development Code (UDC) that will include new regulations related to zoning, subdivision design and improvements, landscaping, drainage, streets and historic preservation. The new Unified Development Code is a major outcome of the Tyler 21 planning process and puts into ordinance many of the ideas developed from community feedback and recommended in the Plan.

The new Code provides for zoning classifications that encourage sustainable growth in Tyler. One example is new mixed use development zoning districts that will allow for vertical integration of retail, office and residential. Other changes to the Code include enhanced landscaping requirements for new developments and relaxed parking standards.

The UDC was developed with the assistance of a citizen Steering Committee led by local developer and businessman Bob Garret. The Steering Committee worked in collaboration with Duncan and Associates, a planning consultant. The draft UDC was vetted with many community groups including the Tyler Area Builder's Association, the Tyler Apartment Association, Keep Tyler Beautiful, the billboard industry, irrigation professionals, auto dealers, sign industry representatives, and the portable storage industry. Additionally the plan was made available for general public input. Changes suggested by the public and these key stakeholder groups were incorporated into the final plan approved by the Steering Committee.

"I am very happy with the outcome of this process," said Bob Garrett, chair of the Steering Group. "The new UDC gives both developers and the City more tools to address future development in a way that benefits the City as a whole. It is also a direct reflection of the input the City received during the Tyler 21 planning process."

The new UDC will be a user-friendly, single document that will utilize graphics to detail the development code. It contains a uniform set of consistent definitions and procedures that follow normal development sequences.

Easy Index to Changes

OVERALL

1. The document has been updated and reorganized to make it more user-friendly.
2. More graphics are included to help in understanding what is being asked.

RESIDENTIAL

1. Two new residential classifications have been added: R-1D (allowing attached and detached single family housing) and PXR (planned mixed residential allowing single and multifamily housing).
2. Front yard setbacks are allowed to be reduced to 10' when rear loaded (alley) garages or parking is provided.
3. Modular housing is allowed, as required by state law, but is limited to the median value of the highest valued single family home within 500 feet of the modular home.

NON-RESIDENTIAL

1. Transformed C-3 (Downtown) into Downtown Business, Arts and Culture District (DBAC) – eliminated outdoor storage and allowed sidewalk sales by permit.
2. Added two mixed use districts (PMXD-1 and PMXD-2) to encourage more attractive urban forms of development. PMXD-1 is medium density and PMXD-2 is a higher density product.
3. Neighborhood Conservation has been added as an overlay district, requiring 51% neighborhood support to initiate a study, and 75% to provide written support for Council's adoption. The items to be "conserved" can be things like bulk, massing, and style. Building color is not regulated.
4. Municipal has been added as a second overlay district, allowing all uses commonly associated with city ownership. This provides better public notice of probable land uses for city owned property. Tree preservation applies to this overlay district regardless of the base zoning designation.
5. Open Space and Parks is a new zoning district for park properties, again providing better notification of the use of city owned land. This can also be used for private parks.
6. Buffer yards have been added to provide physical and screening separations between dissimilar uses. Where uses are not dissimilar, reduced setbacks are authorized.

ACCESSORY USES AND STRUCTURES

1. Allows home occupations to occur in a garage or outbuilding, and allows one non-family employee.
2. Defines "accessory" as no more than half of the primary structure or use.

PLATTING

1. Provides for allocating proportional costs whenever a developer is required to give, build or escrow a public improvement.
2. Encourages smaller block lengths for better walk ability (600 versus 1,200).
3. Provides standards for gated subdivisions.
4. Expands exemptions to right-of-way dedications to areas where streets are fully built out.
5. Establishes driveway spacing standards for roads under Tyler's sole jurisdiction.
6. Provides reasonable standards for traffic impact analysis studies (250 homes or approximately 50,000 SF of business use); utilize study as basis for improvements, not as a basis to deny development.

LANDSCAPING AND SCREENING

1. Site landscaping bumped from 10% to 15%.
2. Tree preservation encouraged and rewarded.
3. Street tree plantings allowed and encouraged.
4. Planting flexibility provided (used to be all up front---with desire to have buildings closer to the street, landscaping allowed to be planted across whole lot).
5. Bufferyard plantings count towards minimum landscaping requirements.
6. Tree plantings increased (one tree per 500 SF versus one tree per 1,250 square feet) as well as parking lot landscaping (one tree per 20 spaces versus one tree for each 10 spaces in parking lots over 50,000 square feet).
7. All newly built homes will be required to plant one tree. The location is up the owner's or builder's discretion.
8. Irrigation will be required for all landscaped areas. Areas left in a natural state may be served by a hose bib.
9. Roof mounted equipment to be shielded from ground level views.

PARKING

1. Parking standards have been made more realistic. Retail has dropped from one space per 200 square feet (1:200) to one space per 300 square feet (1:300).
2. Specific authorization has been provided for parking that backs into streets as in a downtown area for areas of increased urbanization.
3. Shared access and cross access provisions enhanced and strengthened.
4. Stacking space standards added to the code so drive through operations will no longer require a Special Use Permit.

SIGNS AND LIGHTING

1. Sign sizes and allowances have generally been augmented or left the same so that business owners did not get a double impact of increased landscaping and smaller signs.
2. Sign maintenance standards have been added for the first time.
3. City will extend its billboard regulation to the ETJ. New code proposes a “cap and replace” provision for billboards.
4. Billboards no longer allowed to be stacked; size reduced from 800 SF to 672 SF.
5. Signs in Adaptive Reuse districts reduced from 32 SF to 8 SF as this district is residential in character.
6. Development signs expanded to 300 SF.
7. Streamers limited to 60 days per year under a Temporary Use Permit.
8. Numeric lighting standards added to code. This is the amount of light that a property owner is allowed to spill onto their neighbor’s property. For residential, .2 foot-candles are allowed (similar to moonlight) and for commercial, 1 foot-candle is allowed.

OUTDOOR SALES, STORAGE AND DISPLAY: This area has been tightened up, particularly in the downtown area. Outdoor storage will not be allowed in downtown, but sidewalk sales will be allowed and encouraged through a Temporary Use Permit.

ENVIRONMENTAL REGULATIONS: Flexibility has been added to allow for more environmentally sensitive development.

DEVELOPMENT APPROVAL PROCEDURES:

1. Preliminary plat approval has been extended from one year to four years. Plat extensions may be granted in two year increments.
2. Staff is allowed a seven day window to determine that applications are complete and ready for processing. This is particularly useful for plats that have a 30 day time clock to action by the Planning Commission.
3. Zoning signs will be posted by applicants rather than staff. This will be very helpful when the property is unplatted as the applicant knows where the subject property is and will help with better public notification.

DEFINITIONS

1. All definitions have been consolidated and organized alphabetically.
2. A definition of “greenbelt” has been added for areas that are not intended for habitation, but may be used as trail heads with restroom facilities or just as open spaces.

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