

**Developer's  
Round Table  
01.21.21**

**Unified Development Code  
Annual (2021) Update**

**Purpose: To make minor updates to the Unified Development Code to eliminate unclear language, correct errors, and update content based on interpretations and practices of the department.**



# UDC Amendments

The Unified Development Code has been amended and updated since its adoption in June 2014. Amendments keep the UDC relevant with changes that reflect the latest thinking on land use and development.

Omnibus updates are made to eliminate unclear language, correct errors, and update content based on interpretations and practices of the department.

# Recent UDC Amendments

10.16.18.....Annual UDC Updates

9.24.19.....UDC updates related to HB2439 and HB3167

06.23.20.....UDC update related to Minimum Living Area and Parking Requirements for Multi-family, Independent Senior Living, Assisted Living, and Nursing Homes

12.17.20.....Tree Preservation and Mitigation

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 2.2.5	RS7.2 table - missing setback banner	Add "D.Setbacks" which should be placed between #4 lot depth and #5 street front	Add a missing banner to table to separate setback section from lot dimensions section
Section 2.2.8	RMF-22 table	Resolve inconsistency created by missing #5 in table	Revise table by adding a missing #5
Section 2.2.7	RM-12 table #8 - "adjacent to single family (side and/or rear)"	Revise to "non-residential adjacent to single family (side and/or rear)"	Revise #8 on the table to reflect minimum 5-foot setback for both side and rear setback on interior lots; add "non-residential"
Section 2.2.8	RMF-22 table #8 - "adjacent to single family (side and/or rear)"	Revise to "non-residential and multi-family adjacent to single family (side and/or rear)"	Revise to provide additional clarification on adjacency
Section 2.3.12	NMU table D - "adjacent to single family (side and/or rear)"	Revise to "non-residential and multi-family adjacent to single family (side and/or rear)"	Revise to provide additional clarification on adjacency
Section 2.3.13	RMU table D - "adjacent to single family (side and/or rear)"	Revise to "non-residential and multi-family adjacent to single family (side and/or rear)"	Revise to provide additional clarification on adjacency

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
<p>Section 3.1.5 (Table 3.1-2), Section 3.2.3, Table 5.4-1, Section 12.3.3</p>	<p>7. Nightclub An establishment, facility, or room that offers or provides entertainment of any kind for remuneration, whether through fees, ticket sales, cover charges, membership, dues, or portion of funds generated in any other manner, usually collected at the time of customer entry into the establishment. Such establishments may provide accommodations for patron dancing; dispense alcoholic beverages for consumption on the premises; provide live, recorded, or televised music or comedy performances; and/or serve food as an ancillary service.</p>	<p>Revise Nightclub land use to Nightclub/Live Entertainment Venue</p>	<p>Revise the nightclub land use to Nightclub/Live Entertainment Venue based on the definition. Nightclub evokes a specific business type but the current definition is more suited as a live entertainment venue (i.e. comedy, live music, dancing, etc.); additional research required (classification of Texas Live and other existing venues)</p>

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 3.2.2	3.2 Supplemental Use Standards	Revise use table to remove supplemental standards reference that are not applicable or add supplemental standards that may be missing (remove reference - Gasoline Sales, Skating Rick, Theatre, Indoor) (add supplemental standards - Trailer Camp/RV Park)	Supplemental standards for Trailer Camp/RV Park inadvertently deleted with last UDC update; Overnight Parking Facilities also removed - need to confirm removal from supplemental standard - likely due to removal from use table
Section 3.2.3.G.2.a	2. Nightclub a. In the CC, GC, DB, and RMU Districts	2. Nightclub a. In the CC, GC, DB, IM and RMU Districts	IM District needs to be added to conditional standards since use is permitted by SUP in district
Section 4.1.6.H.8	“Swimming Pools. The decking around a swimming pool may project into the required side or rear setback, provided the outside wall of the pool is at least five feet from the lot line.”	“Swimming Pools. A swimming pool, and the decking around a swimming pool, may project into the required side or rear setback, provided the outside wall of the pool is at least five feet from the lot line.”	Clarifies that swimming pools are permitted in the required setback as long as the outside pool wall is at least five feet from lot line.

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 5.5.2.A.1	<p>1. Applicability            These residential infill compatibility standards shall apply to any development of a new residential use or substantial renovation of an existing residential use that meets the following requirements:</p> <ul style="list-style-type: none"> <li>a. Located in the NMU, RMU, DNO, or LPO districts;</li> <li>b. Not a part of a planned development;</li> <li>c. Meets the applicability standards of this article;</li> <li>d. Is proposed on a lot that abuts existing structures on at least three sides; and</li> <li>e. Is served by existing water, sanitary sewer, and streets.</li> </ul>	<p>Revise to allow contextual standards outside the NMU, RMU, DNO, or LPO districts            Located on property platted prior to 1984?</p>	<p>There are many older neighborhoods outside the four zoning districts. Should consider allowing setbacks, one-car garages, other standards in neighborhoods platted prior to _____ . (E.g., 120 Oriole); additional research required</p>

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 5.5.5	Table 5.5-3 VG Dimensional Standards	Move to Section 2.2.9 Village on the Green at Tierra Verde	Add dimensional standards table to Article 2 Zoning Districts (VG) to be consistent with other zoning districts
Section 5.5.5	Table 5.5-2 VG Minimum Contiguous Acreage and Dwelling Unit Size	Revise table to include range of minimum contiguous acreage: 3.5 - greater than 10; 4.5 - up to 20	Clarifies acreage range instead of current fixed number; currently staff applies the more restrictive number
Section 5.8.2.H	Airport Overlay H. Compatible Uses	Consider adding uses to compatible land use table	Many commercial uses not listed in compatible land use table but permitted in underlying zoning (i.e. office); review Airport Master Plan for new uses added; additional discussion required



# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 6.2.2.A	<p>A. Street Access</p> <p>All platted lots shall have safe and reliable street access for daily use and emergency purposes. All platted lots shall have direct access to a paved public street, private street, or an approved access easement. (See Section 6.4, Street and Right-of-Way Requirements)</p>	<p>Revise Section 6.2.2.A regarding "Street Access" as it pertains to flag lots</p>	<p>Arlington has properties well back of the public street that can only be accessed via private easement. Must the property have a minimum frontage on the private easement? Can lead to odd platting situations where multiple "lots" are connected through a series of private drives or easements; additional research required</p>
Section 7.8		<p>Add Vehicle Sign and prohibition in the sign code</p>	<p>See notes from the Scenic Cities analysis. Vehicle Sign was omitted from the UDC. See standards 4.4-4.8 in Scenic City application response; additional research required</p>

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 10.3.12 Appeals	<p>B. Request</p> <ol style="list-style-type: none"> <li>1. An appeal must be filed with the board and the official from whom the appeal is taken 10 days after the decision is rendered.</li> <li>2. An appeal is filed by submitting a notice of appeal that specifies the grounds for the appeal.</li> <li>3. The officer from whom the appeal is taken shall transmit to the appeal authority all the papers constituting the record of the action that is appealed.</li> </ol>	<p>If the Planning and Zoning Commission recommends denial of a zoning amendment, the City Council may decide whether or not to conduct a public hearing on the application, following an appeal from the applicant to conduct a public hearing for the application.</p> <ul style="list-style-type: none"> <li>• The appeal shall be filed by the applicant no later than 10 business days after the Planning and Zoning Commission recommends denial.</li> <li>• The appeal shall be filed with the Planning and Development Services department.</li> </ul>	<p>Provides more clarity on the process to appeal a denial of a zoning change.</p>

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 10.3.12 Appeals		<p>CONTINUED:</p> <ul style="list-style-type: none"><li>• The appeal shall be placed on the agenda for the next available City Council meeting. No published, written, or posted notices shall be required for the appeal to consider whether or not to conduct a public hearing on the application.</li><li>• Published, written, and posted notice shall be required pursuant to Section 10.3.6, if City Council decides to conduct a public hearing on the application.</li></ul>	Provides more clarity on the process to appeal a denial of a zoning change.

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 10.4.22.F	Criteria for approval	Revise to clarify criteria for approval	As currently written, AEC would need to meet all provisions which rarely happens; additional wordsmithing necessary
Section 10.4.5	<p>10.4.5. MULTI-FAMILY DEVELOPMENT PLANS</p> <p>...</p> <p>2. Approval of a multi-family development plan is required for:</p> <p>a. New construction of a multi-family residential building in the RH-22, DB, NMU, or RMU district.</p>	Revise RH-22 to RMF-22	Correct typo

# Items for Consideration

SECTION REFERENCE	EXISTING	PROPOSED	RATIONALE
Section 12.3.3	<p>11. Specialty Paraphernalia Sales Establishment where the primary use of the building or lease space includes any one or any combination of the following: the sale of cigarette papers, bongs, or other smoking accessories. This definition shall include head shops. This definition shall not include massage therapy clinics, acupuncture clinics, retail tobacco shops, or cigar or cigarette shops.</p>	<p>Consider revising/wordsmithing definition (wording to be determined)</p>	<p>Consider revising definition to provide more clarity; staff researching other cities ordinances for definitions</p>
Section 12.7.1 and Section 4.1.5	<p>Lot Width The horizontal distance between side lot lines measured at the required front setback line.</p>	<p>Add diagram to Section 4.1.5 and add reference to section in definition (Section 12.7.1)</p>	<p>Clarify how lot width is measured</p>

# Additional Items for Consideration

- Additional items for consideration – input from DRT
- Scope of this update is limited to correcting errors, eliminating unclear language, and clarifying wording
- Substantive/policy related changes can be considered through future text amendments as outlined in Section 10.4.1 of the UDC

# Next Steps

Developer Round Table	January 21, 2021
P&Z Work Session	February 17, 2021
Municipal Policy Committee	March 2, 2021
P&Z Public Hearing	April 7, 2021*
City Council Work Session	April 13, 2021
City Council First Reading	April 27, 2021

*\*draft to be sent to DRT for input*

# Questions/Feedback

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