

City of Windcrest



CITY COUNCIL MEETING & PUBLIC HEARING

OCT 28 '21 15:53

NOVEMBER 1, 2021

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

CCM @ 6 P.M.

NOTICE IS HEREBY GIVEN THAT A CITY OF WINDCREST CITY COUNCIL MEETING WILL BE HELD AT WINDCREST CITY HALL LOCATED AT 8601 MIDCROWN, WINDCREST, TEXAS ON THE 1ST DAY OF NOVEMBER 2021, STARTING AT 6:00 P.M.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF NOVEMBER 1, 2021 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, NOVEMBER 2, 2021 AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Windcrest Council Chambers are wheelchair accessible, and accessible parking spaces are available. In compliance with Americans with Disabilities Act, the City of Windcrest will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received 48 hours prior to the meeting. Please contact the City Secretary's Office, at 210-655-0022 ext. 2150 or Fax 210-655-8776, or 711 Texas Relay.

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE AND INVOCATION

IV. CITIZENS TO BE HEARD/CITIZEN PARTICIPATION

- Citizens may address the City Council on topics not on the agenda for no more than three (3) minutes.
- Citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes.
- A City Official may make a statement of specific factual information in response to an inquiry made by a member of the public, or a recitation of existing policy in response to an inquiry made by a member of the public.

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE
REGULAR COUNCIL MEETING:**

V. PRESENTATION

- a) Special recognition of awards to Girl Scout Troop 375. [Dan Reese, Mayor]

VI. PROCLAMATIONS

- a) Proclamation designating November 1st through November 5th as Municipal Court Week. [Dan Reese, Mayor]

VII. PUBLIC HEARINGS

Opening of Public Hearing

Public Hearing to receive comments from the public to consider proposed zoning change from R-1 to B-1 zoning designation to:

- 5200 Crestway Dr. more particularly described as BCAD Property #343738
- 5202 Crestway Dr. more particularly described as BCAD Property #344294.

Closing of Public Hearing

Opening of Public Hearing

Public Hearing to receive comments from the public to consider proposed zoning change from TR-1 to B-2 zoning designation to:

- 4906 Walzem Rd. more particularly described as BCAD Property #1118351.

Closing of Public Hearing

VIII. ORDINANCE

- a) City Council will review, discuss, and take action on Ordinance 2021-022(O), an ordinance amending the adopted FY21/22 Master Fee Schedule, Ordinance 2021-015(O). [Rafael Castillo, Jr., City Manager] **2nd Reading**
- b) City Council will review, discuss, and take action on Ordinance 2021-023(O), an ordinance accepting zoning change at 5200 Crestway Dr., more particularly described as BCAD property #343738 from R-1 to B-1 as recommended by the Planning and Zoning commission. [Rafael Castillo, Jr., City Manager] **1st Reading**
- c) City Council will review, discuss, and take action on Ordinance 2021-024(O), an ordinance accepting zoning change at 5202 Crestway Dr., more particularly described as BCAD property #344294 from R-1 to B-1 as recommended by the Planning and Zoning commission. [Rafael Castillo, Jr., City Manager] **1st Reading**
- d) City Council will review, discuss, and take action on Ordinance 2021-025(O), an ordinance

accepting zoning change at 4906 Walzem Rd. more particularly described as BCAD property #1118351 from TR-1 to B-2 as recommended by the Planning and Zoning commission. [Rafael Castillo, Jr., City Manager] **1st Reading**

- e) City Council will review, discuss, and may take action on Ordinance 2021-026(O), an ordinance amending Chapter 113, Article VI. Special Use Permits, of the Windcrest Code of Ordinances. [Rafael Castillo, Jr., City Manager] **1st Reading**

IX. DISCUSSION & ACTION

- a) City Council will receive an update and may have discussion on the status of the Charter Review Committee applications. [Rafael Castillo, Jr., City Manager]
- b) City Council will receive and update from the City Secretary on the Strategic Plan Initiative of the City of Windcrest website realignment and redesign. [Rafael Castillo, Jr., City Manager]

X. EXECUTIVE SESSION

The City Council will convene in closed session to discuss the following matters:

- a) Pursuant to §551.074 (discussion regarding personnel/officials)
 - i. Evaluation of City Manager

XI. CITY MANAGER'S REPORT

XII. GENERAL ANNOUNCEMENTS & FUTURE AGENDA ITEMS REQUESTED

Per Ordinance No. 618, repealing Ordinance No. 593; Section 9: Every agenda shall include an item entry granting a member the opportunity to propose an item for consideration of future agendas for Regular or Special Meetings. Any member may request the inclusion of such items at any meeting

XIII. ADJOURNMENT

DECORUM REQUIRED: *Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.*

ACTION BY COUNCIL AUTHORIZED: *The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code § 551.072 (Deliberations about Real Property); § 551.073 (Deliberations about Gifts & Donations); § 551.076 (Deliberations about Security Devices); §551.087 (Economic Development); §551.074 (Personnel Matters) and, § 551.071 to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.*

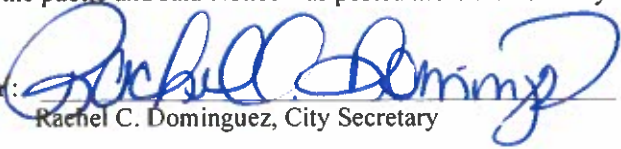
EXECUTIVE SESSIONS APPROVED BY CITY ATTORNEY: *This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.*

ATTENDANCE BY OTHER ELECTED OR APPOINTED OFFICIALS:

It is anticipated that members of other city boards, commissions and committees may attend the meeting in numbers that may constitute a quorum of such other city boards, commissions and committees, so that notice is hereby given that the meeting is also a meeting of the other city boards, commissions and committees whose members are in attendance. The members of the other city boards, commissions and committees may participate in discussions which occur at the meeting, but no action will be taken by the other boards, commissions and committees whose members are in attendance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Windcrest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two (72) hours prior to the meeting on November 1, 2021.

BY:


Rachel C. Dominguez, City Secretary

ORDINANCE NO. 2021-022(O)

AN ORDINANCE AMENDING THE MASTER FEE SCHEDULE BY SETTING FEES FOR VARIOUS CITY SERVICES AND CONSOLIDATING THOSE FEES FOR CONVENIENCE; AMENDING VARIOUS CITY ORDINANCES; AND CONTAINING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Windcrest has adopted numerous ordinances that provide for various fees and charges that are subject to change from time to time; and

WHEREAS, the City has determined that it would be convenient to consolidate those fees in one ordinance that can be reviewed and amended as needed from time to time; and

WHEREAS, the City has determined that the fees and charges specified herein are reasonable, necessary, fair and designed to fund the various activities to which they pertain; and

WHEREAS, the City has determined that the fees set forth herein will promote the health, safety, and welfare of the citizens of Windcrest; and

WHEREAS, this ordinance was adopted at a meeting of the Windcrest City Council held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council was present and voting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS:

SECTION 1. Rates Imposed.

The City hereby adopts the amended Fee Schedule attached as Exhibit "A" and imposes the fees set forth therein upon the services, activities, events, materials, and supplies that are described therein. These rates shall be collected by the City in accordance with the various City ordinances that more particularly describe each of the fees.

SECTION 2. Ordinances Amended.

Each City ordinance that originally provided a fee, charge, or fine that is mentioned on Exhibit "A" is hereby amended as shown on Exhibit "A."

SECTION 3. Severability.

Should any portion or part of this ordinance be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.

SECTION 4. Effective Date.

This ordinance shall be effective upon passage and publication as required by state and local law.

DULY PASSED ON FIRST READING, on the 18th day of October, 2021 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the ____ day of November, 2021 at a regular of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

City of Windcrest
FY 2021/22 Master Fee Schedule
Ordinance 2021-015(O)



ANIMAL CONTROL

Deposits	
Rabies Vaccination	\$50.00
Sterilization:	
Male Cat	\$75.00
Female Cat	\$90.00
Male Dog	\$75.00
Female Dog	\$90.00
Pet Tags	
Sterilized and Microchipped	Free
Sterilized Only	\$ 5.00
Not Sterilized	\$25.00
Duplicate Pet Tag	\$ 2.00
Reclamation	
1st time dog is reclaimed instance per resident, one dog	\$0.00
2nd time dog is reclaimed instance per resident, per dog	\$0.00
3rd time dog is reclaimed instance per resident, per dog	\$75.00
4th time & subsequent times dog is reclaimed instance per resident, per dog	\$200.00
Citations and Fines	
Animal Cruelty	Citation
Dog Off Leash	Citation
Improper Animal Transport	Citation
Inadequate Care and Shelter	Citation
Each instance per residence per cat outside not sterilized	\$50.00
Rabies immunization for reclaimed animals without current proof of vaccination	\$10.00
Fine for animals in violation of Windcrest Code of Ordinances, Sec. 6-59(b), requiring identification tags or microchip	\$25.00

Violation of Windcrest Code of Ordinances, Sec. 6-62, requiring leashing or containment of dogs when under owner's control but outside of owner's fenced premises (The owner will also pay all boarding fees)	\$100.00
Dogs captured who have not been registered with the City, an additional (No proof of vaccination cost will be paid by owner)	\$100.00

BUILDING AND BUILDING CODE****A. RESIDENTIAL PERMIT FEES**

NEW CONSTRUCTION	
Single-Family Residential	\$950.00 plus \$0.52 per square foot of living space
Curb Cuts/Driveways	\$50.00
Certificate of Occupancy (nonrefundable)	\$100.00
Variance Request	\$150.00
Moving Permit	\$100.00
Demolition Permit	\$200.00
Dumpster Permit	\$100.00
Plan Review Fee	\$475.00
Revised Plan Review Fee	\$100.00
Non-Compliance Fee (Work started or performed without a permit)	\$100.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	Citation
Accessory Buildings - (Buildings used as a tool shed, greenhouse, playhouse, storage shed, or other similar use, located in an R-1 zoned district)	Tier 1: 144 sq. ft – 200 sq. ft.: \$50.00 Tier 2: 201 sq. ft. – 250 sq. ft.: \$75.00 Tier 3: > 250 sq. ft.: \$100.00
RESIDENTIAL REMODELS/MAINTENANCE	
Foundation	\$55.00
Driveways	\$55.00
Sidewalks	\$55.00
Re-roofs	\$55.00
Fence	\$55.00
Windows Installation/Replacement (Frame)	\$55.00
Accessory Buildings - (Buildings used as a tool shed, greenhouse, playhouse, storage shed, or other similar use, located in an R-1 zoned district)	Tier 1: 144 sq. ft – 200 sq. ft.: \$50.00 Tier 2: 201 sq. ft. – 250 sq. ft.: \$75.00 Tier 3: > 250 sq. ft.: \$100.00
Variance Request	\$35.00
Demolition Permit	\$100.00
Dumpster Permit	\$50.00
Plan Review Fee (Building Inspector)	\$55.00
Revised Plan Review Fee (Building Inspector)	\$50.00

Non-Compliance Fee (work started or performed without a permit)	\$50.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Inspector Consultation or Site Visit Fee / Additional Inspection	\$50.00
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	Citation
RESIDENTIAL TRADE PERMITS	
Plumbing Permits	
New Construction	\$250.00
Remodel	\$200.00
Issue Permit (Base Fee)	\$50 +
Water Softener	\$5.00
Sewer	\$5.00
Water Heater	\$5.00
Water Piping	\$5.00
Water Line	\$5.00
Gas Test	\$5.00
Bath/Shower	\$5.00
Lavatory/Sink	\$5.00
Lawn Irrigation/Sprinklers	\$100.00
HVAC/Mechanical Permits	
Issue Permit (Base Fee)	\$50.00
New Construction	\$200.00
Replace Unit	\$100.00
A/C Air Duct Replacement	\$150.00
Electrical Permits	
Issue Permit (Base Fee)	\$50.00
New Construction	\$200.00
Remodels	\$150.00
Temporary Meter Loop (TML)	\$50.00
Temporary on Permanent Set (TOPS)	\$50.00
Solar Panels	\$150.00
RESIDENTIAL FIRE RELATED PERMIT FEES	
Fire Sprinkler System	
Installation	\$240.00
Repair	\$180.00
Plan Review	\$100.00
Revised Plan Review Fee	\$60.00
Fire Alarm System	
Installation	\$240.00
Repair	\$180.00
Plan Review	\$100.00
Revised Plan Review Fee	\$60.00

False Alarm Fees

4 or 5 False Alarms within preceding 12 months	Citation
6 or 7 False Alarms within preceding 12 months	Citation
8 or more False Alarms within preceding 12 months	Citation

MISCELLANEOUS RESIDENTIAL PERMITS AND FEES

Oak Tree Trimming and Removal Permit	\$ 5.00
Swimming Pool/Hot Tub/Spa	\$160.00, includes 3 feet wide deck. Electrical permit required and pulled by the contractor.
Decks, Gazebos, Pergolas, Pool Decks	\$100.00
Drain Pool (without sewer connection)	\$5.00
Temporary Storage Container (30 Days)	Tier 1: Under 8 ft.: \$25 Tier 2: 8-12 ft.: \$30 Tier 3: 12 - 16 ft.: \$35
Permit Cancellation Fee	25% of original permit cost.

B. COMMERCIAL PERMIT FEE SCHEDULE**PERMIT FEES RELATED TO CONSTRUCTION, REMODEL, INSTALLATION, REPLACEMENT, AND DEMO**

\$500 or less of total value	\$75.00
\$501 to \$2,000 of total value	\$75.00 + \$3.05 for each hundred or fraction thereof over \$500.00
\$2,001 to \$25,000 of total value	\$75.00 + \$14.00 for each thousand or fraction thereof over \$2,000.00
\$25,001 to \$50,000 of total value	\$391.75 + \$10.10 for each thousand or fraction thereof over \$25,000.00
\$50,001 to \$100,000 of total value	\$643.75 + \$7.00 for each thousand or fraction thereof over \$50,000.00
\$100,001 to \$500,000 of total value	\$993.75 + \$5.60 for each thousand or fraction thereof over \$100,000.00
\$500,001 to \$1,000,000 of total value	\$3,233.75 + \$4.75 for each thousand or fraction thereof over \$500,000.00
\$1,000,000 and higher of total value	\$5,608.75 + \$3.65 for each thousand or fraction thereof over \$1,000,000.00

Permanent Sign

Tier 1	≤144 SQFT	\$100.00
Tier 2	144-400 SQFT	\$250.00
Tier 3	>400 SQFT	\$500.00

Temporary Sign*	Height not to exceed 8ft	\$100.00
<i>*Temporary sign means any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames intended to be displayed for a limited period of time.</i>		
Fence Permit		\$55.00
Dumpster Permit		\$100.00
Plan Review Fee		\$475.00
Revised Plan Review Fee		\$100.00
Variance Request		\$150.00
Non-Compliance Fee (Work started or performed without a permit)		\$100.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Re-Inspection Fee (for failed inspections)		\$75.00 per failed inspection
Failure to Correct Fee (Code violations)		Citation
COMMERCIAL TRADE PERMIT FEES		
Plumbing Permit		\$500.00
Repair/Replacement/Remodel		\$50.00
Gas Test		\$50.00
HVAC/Mechanical Permit		\$400.00
Repair/Replacement/Remodel		\$50.00
Electrical Permit		\$400.00
Repair/Replacement/Remodel		\$50.00
Temporary Meter Loop (TML)		\$50.00
Temporary On Permanent Set (TOPS)		\$50.00

COMMERCIAL FIRE SYSTEM PERMIT FEES	
Fire Related Permits	Refer to Commercial Fire Fee Schedule
Fire Alarm System	Refer to Commercial Fire Fee Schedule
False Alarm Fees	
4 or 5 False Alarms within preceding 12 months	Citation
6 or 7 False Alarms within preceding 12 months	Citation
8 or more False Alarms within preceding 12 months	Citation
MISCELLANEOUS COMMERCIAL PERMITS AND FEES	
Oak Tree Trimming and Removal Permit Fee	\$ 5.00
Contractor Registration Fee (annual)	\$20.00
Business Registration Fee (annual)	\$10.00

Certificate of Occupation (CoO) Fee (Building Inspector & Fire Marshall Inspection)	\$110.00
Health Inspector Certification of Occupancy (CoO) Fee	\$95.00
CoO Reinspection Fee (Building Inspector & Fire Marshal inspections)	\$110.00
Health Inspector CoO Reinspection Fee	\$95.00
Building Inspector Consultation/Site Visit/Additional Inspection Fee	\$50.00
Health Inspector Consultation/Site Visit/ Additional Inspection Fee	\$95.00
Fire Marshall Consultation/Site Visit/Additional Inspection Fee	\$60.00
Temporary Storage Container (30 Day expiration)	Tier 1: Up to 10ft.: \$50 Tier 2: 10-25 ft.: \$100 Tier 3: 25-40 ft.: \$150
Permit Cancellation Fee	25% of original permit cost

****Note: All permits include one (1) inspection. Refer to Chapter 103 in the Windcrest Code of Ordinances for list of required permits and inspections to be pulled by the homeowner and/or contractor.**

PLAT FEES*

Filing Fee with City – 0-5 Acres	
Final Plats (including Minor Plats)	\$650.00
Replat*	\$650.00
Amending Plats	\$650.00
Vacating Plat	\$650.00
Filing Fee with City – 5+ Acres	
Final Plats (including Minor Plats)	\$650.00 plus \$50.00 per acre
Replat*	\$650.00 plus \$5.00 per lot
Amending Plats	\$650.00
Vacating Plat	\$650.00
Miscellaneous	
Filing Fee (fee to file and record plat with Bexar County Clerk)	Actual + 20%
Engineer Review Fee	Varies (Based on Billable Hours to City)

*****A newspaper publication fee will be assessed to all replats without vacating the preceding plat that require a variance or exception. Fee will be “Actual” + 20%.**

CHARGES FOR PUBLIC INFORMATION REQUESTS***

MATERIALS ONTO WHICH INFORMATION IS COPIED	
Standard paper copy	\$0.10
Nonstandard copy	Listed Below
Diskette	\$1.00
Magnetic tape	Actual cost
Data cartridge	Actual cost
Tape cartridge	Actual cost
Rewritable CD (CD-RW)	\$1.00
Non-rewritable CD (CD-R)	\$1.00
Digital Video Disc (DVD)	\$3.00
JAZ drive	Actual cost
Other electronic media	Actual cost
VHS video cassette	\$2.50
Audio cassette	\$1.00
Oversize paper copy (e.g., 11x17, greenbar, etc .)	\$0.50
Specialty paper (e.g.: Mylar, blueprint, blueline, map, photographic, etc)	Actual Cost

*****Please refer to Texas Administrative Code Title 1, Part 3, Chapter 70, Rule §70.3 for additional charges applied.**

CIVIC CENTER FEES

RESIDENT	
Deposit	\$100.00 (refundable)
Rental	\$50.00 per hour (minimum 4 hours)
Cleaning Fee	\$100.00
Sound system	\$100.00
*Security	\$35.00 per hour
Set-up fee by City Staff/Civic Center Technician	\$25.00 per hour
Linen Rental Fee	\$10.00 per table
NON-RESIDENT	
Deposit	\$300.00 (refundable)
Facility use, kitchen use, audio system use, and clean-up – 4 hours minimum	\$1,500.00
Additional hours	\$250.00 per hour
Cleaning Fee	\$100.00
Sound system	\$100.00
*Security	\$35.00 per hour
Set-up fee by City Staff/Civic Center Technician	\$25.00 per hour
Linen Rental Fee	\$10.00 per table
CIVIC ORGANIZATIONS & NON-PROFIT ORGANIZATIONS	
Rental Fee for each meeting	\$25.00 for each meeting
Rental Fee per banquet/fundraising event	\$50.00 for each banquet/fundraiser event
Cleaning Fee	\$100.00
Sound system	\$100.00
*Security	\$35.00

Schools and Churches	Refer to Resident rates
Set-up fee by City Staff/Civic Center Technician	\$25.00 per hour
Linen Rental Fee	\$10.00 per table

***Security fee must be paid and added to the contract when scheduled event will be serving and/or providing alcohol.**

GARAGE AND ESTATE SALES

Garage Sale Permit	\$10.00
Estate Sale Permit	\$25.00

NOTARY FEES – WINDCREST RESIDENTS ONLY (proof of Windcrest residency required)

ACKNOWLEDGEMENTS	
Taking the acknowledgement or proof of any deed or other instrument in writing, for registration, including certificate and seal:	\$0.00
(1) for the first signature	\$0.00
(2) for each additional signature	\$0.00
Administering an oath or affirmation with certificate and seal	\$0.00
All certificates under seal not otherwise provided for	\$0.00
Copies of all records and papers in the Notary Public's Office, per page	\$0.00
Taking the depositions of witnesses, per each 100 words	\$0.00
Swearing a witness to a deposition, certificate, seal, and other business connected with taking the deposition	\$0.00
PROTESTS	
Protesting a bill or for non-acceptance or non-payment, register & seal	\$0.00
Each notice of protest	\$0.00
Certificate and seal to a protest	\$0.00
Protesting in all other cases	\$0.00
MISCELLANEOUS	
All other notarial acts not provided for	\$0.00

SWIMMING POOL FEES **Note City Pool is closed until further notice.****

DAILY FEE	\$ 3.00
POOL PASSES	
Resident	
Single	\$60.00
Couple	\$90.00
Family	\$120.00
Swim lessons, 2x/week, 1-hour daily sessions	\$40.00

Non-Resident	
Single	\$125.00
Couple	\$145.00
Family	\$170.00
Swim lessons, 2x/week, 1-hour daily sessions	\$50.00
SWIM TEAM	
1 participant in family	\$86.00
Each additional member of the family	\$76.00
POOL PARTIES	
Party time length: minimum of 3 hours	
10-25 guests	\$100.00
Additional hours (per hour)	\$30.00
26-50 guests	\$125.00
Additional hours (per hour)	\$30.00
51-75 guests	\$197.50
Additional hours (per hour)	\$37.50
76-100 guests	\$245.00
Additional hours (per hour)	\$45.00
CAMPS, DAYCARES, OTHER ORGANIZATIONS	
Per person	TBD

VEHICLE STORAGE FEES

Deposit	\$50.00
Small (size 8'x15')	\$240.00
Medium (size 10'x20')	\$360.00
Large (size 12'x33')	\$480.00
Large (size 12'x33') with electricity	\$600.00
X-Large (size 12'x40')	\$624.00
X-Large (size 12'x40') with electricity	\$744.00

MISCELLANEOUS PERMITS FEES AND GENERAL FEES

Hay Rides and Horse-drawn Carriage Permits – (Ordinance 2019-716(O))	
Application Fee	\$50.00
Permit Fee for each carriage	\$50.00
General Permit Fee (MISC)	\$50.00
Gathering Permit	\$100.00 per event
Bank NSF Fee	Actual Cost
Charge Back Fee	\$25.00
Credit Card Payment Convenience Fee	\$1.00 per transaction
PayPal Payment Service Fee	\$2.00 per transaction
Vehicle Storage Lost/Replacement Key Fee	\$25.00 per key

COMMERICAL FIRE FEE SCHEDULE

SEMI-ANNUAL INSPECTIONS		
Tier 1 Semi-Annual:	0 - 10,000 sq. ft.	\$75.00
Tier 2 Semi-Annual:	10,000 - 49,999 sq. ft.	\$200.00
Tier 3 Semi-Annual:	50,000+ sq. ft.	\$300.00
Reinspection Fee:		\$90.00
FIRE ALARM SYSTEMS NEW INSTALLATION TESTS		
Fire Alarm Systems Tier 1:	1 – 20 sprinkler heads	\$180.00
Fire Alarm Systems Tier 2:	21 – 200 sprinkler heads	\$240.00
Fire Alarm Systems Tier 3:	201+ sprinkler heads	\$360.00
FIRE ALARM REMODEL TESTS		
Fire Alarm Remodel Tier 1:	Less than 10 sprinkler heads	\$60.00
Fire Alarm Remodel Tier 2:	11 – 20 sprinkler heads	\$90.00
Fire Alarm Remodel Tier 3:	26 – 100 sprinkler heads	\$180.00
Fire Alarm Remodel Tier 4:	101 – 200 sprinkler heads	\$240.00
Fire Alarm Remodel Tier 5:	201+ sprinkler heads	\$480.00
FIRE ALARM PANEL REPLACEMENT		
Fire Alarm Panel Replacement	Per panel up to 9	\$120.00
SPRINKLER SYSTEM INSPECTIONS		
Sprinkler System Modification Tier 1:	0 heads	\$60.00
Sprinkler System Modification Tier 2:	1 - 10 heads	\$90.00
Sprinkler System Modification Tier 3:	11 - 200 heads	\$120.00
Sprinkler System Modification Tier 4:	201+ heads	\$150.00
FIRE PROTECTION PLAN REVIEW		
Fire Protection Plan Review		\$100.00
UNDERGROUND FIRE LINE		
Underground Fire Line		\$240.00
FIXED PIPE SYSTEMS		
Fixed Pipe Systems		\$180.00
Fixed Pipe for UL 300 Compliance	No Major Pipework	\$90.00

GASEOUS SUPPRESSION SYSTEMS		
Gaseous Suppression Systems		\$300.00
STANDPIPES		
Standpipe Tier I	1-2 Standpipes	\$240.00
Standpipe Tier 2	3+ Standpipes	\$400.00
ABOVE GROUND STORAGE TANK		
Above Ground Storage Tank	Commercial	\$180.00
Above Ground Storage Tank	Residential	\$90.00
UNDERGROUND STORAGE TANK		
Underground Storage Tank	Commercial	\$270.00
Underground Storage Tank	Residential	\$90.00
SPRAY PAINT BOOTHS		
Spray Paint Booths		\$300.00
ACCESS CONTROL SYSTEMS		
Access Control Systems		\$60.00
LIMITED ACCESS SECURITY GATES AND PERIMETER FENCING		
Limited Access Security Gates and Perimeter Fencing	Per system	\$120.00
ANNUAL STATE REQUIRES INSPECTION OF DAYCARE		
Annual State Requires Inspection of Daycare	Includes Foster Care and Group Care	\$-
PERMIT FOR WORK GOVERNMENT BY NFPA 58		
Permit for Work Government by NFPA 58		\$75.00
FIRE WATCH		
Fire Watch	Per person, minimum 2 hours	\$75.00
TENTS AND MEMBRANES		
Tents and Membranes		\$75.00
HYDRANT FLOW TEST		
Hydrant Flow Test		\$125.00

ORDINANCE 2021-023(O)

AN ORDINANCE AMENDING THE ZONING DESIGNATION OF BEXAR COUNTY APPRAISAL DISTRICT PROPERTY NUBMER 343738 LOCATED AT 5200 CRESTWAY FROM “R-1” ONE FAMILY DWELLING DISTRICT TO “B-1” NEIGHBORHOOD BUSINESS DISTRICT; AMENDING THE “B-1” NEIGHBORHOOD BUSINESS DISTRICT OF THE CITY OF WINDCREST ZONING MAP.

WHEREAS, the City of Windcrest City Council desires to amend the boundary of the “B-1” Neighborhood Business District; and,

WHEREAS, a public hearing was held after notice and publication regarding this amendment to Bexar County Appraisal District Property Number 343738 located at 5200 Crestway; at which time the parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the City of Windcrest Planning and Zoning Commission held a public hearing and meeting on October 20, 2021, approving a recommendation to the City of Windcrest City Council amending the boundary of 5200 Crestway, Bexar County Appraisal District Property number 343738, from “R-1” One Family Dwelling District to “B-1” Neighborhood Business District boundary; and

WHEREAS, the City Council at a public hearing and meeting held by it on November 1, 2021, received said recommendation from the Planning and Zoning Commission and, after considering said recommendation and hearing the proponents and opponents to said recommendation, is of the opinion that such regulations be adopted; and

WHEREAS, the City Engineer shall change the zoning maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

I.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS: the zoning designation of 5200 Crestway, Bexar County Appraisal District Property number 343738 is hereby amended from “R-1” One Family Dwelling District to “B-1” Neighborhood Business District boundary; amending the boundary “B-1” Neighborhood Business District on the City of Windcrest zoning map.

II.

CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Windcrest Code of Ordinances except where the provisions of this Ordinance are in direct conflict with the provisions of such existing Ordinance, in which event the conflicting provisions of such existing Ordinance are hereby repealed and this Ordinance controls.

III. SEVERABILITY

That it is hereby declared to be the intent of the City Council for the City of Windcrest that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

V. EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by state and local law.

VI. READINGS

DULY PASSED ON FIRST READING, on the ____ day of November, 2021 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the ____ day of November, 2021 at a regular of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

Pending CC Approval

ORDINANCE 2021-024(O)

AN ORDINANCE AMENDING THE ZONING DESIGNATION OF BEXAR COUNTY APPRAISAL DISTRICT PROPERTY NUMBER 344294 LOCATED AT 5202 CRESTWAY FROM “R-1” ONE FAMILY DWELLING DISTRICT TO “B-1” NEIGHBORHOOD BUSINESS DISTRICT; AMENDING THE CITY OF WINDCREST ZONING MAP.

WHEREAS, the City of Windcrest City Council desires to amend the boundary of the “B-1” Neighborhood Business District; and,

WHEREAS, a public hearing was held after notice and publication regarding this amendment to Bexar County Appraisal District Property Number 344294 located at 5202 Crestway; at which time the parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the City of Windcrest Planning and Zoning Commission held a public hearing and meeting on October 20, 2021, approving a recommendation to the City of Windcrest City Council amending the zoning designation of 5202 Crestway from “R-1” One Family Dwelling District to “B-1” Neighborhood Business District boundary; and

WHEREAS, the City Council at a public hearing and meeting held by it on November 1, 2021, received said recommendation from the Planning and Zoning Commission and, after considering said recommendation and hearing the proponents and opponents to said recommendation, is of the opinion that such regulations be adopted; and

WHEREAS, the City Engineer shall change the zoning maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

I.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS: the zoning designation of 5202 Crestway, Bexar County Appraisal District Property Number 344294 is hereby amended from “R-1” One Family Dwelling District to “B-1” Neighborhood Business District boundary; amending the boundary “B-1” Neighborhood Business District on the City of Windcrest zoning map.

II.

CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Windcrest Code of Ordinances except where the provisions of this Ordinance are in direct conflict with the provisions of such existing Ordinance, in which event the conflicting provisions of such existing Ordinance are hereby repealed and this Ordinance controls.

III.

SEVERABILITY

That it is hereby declared to be the intent of the City Council for the City of Windcrest that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional

by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

**IV.
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**V.
EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by state and local law.

**VI.
READINGS**

DULY PASSED ON FIRST READING, on the ____ day of November, 2021 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the ____ day of November, 2021 at a regular of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

ORDINANCE 2021-025(O)

AN ORDINANCE AMENDING THE ZONING DESIGNATION OF BEXAR COUNTY APPRAISAL DISTRICT PROPERTY NUMBER 1118351 LOCATED AT 4906 WALZEM ROAD FROM “TR-1” TEMPORARY ONE FAMILY DWELLING DISTRICT TO “B-2” BUSINESS DISTRICT; AMENDING THE “B-2” BUSINESS DISTRICT BOUNDARY ON THE CITY OF WINDCREST ZONING MAP.

WHEREAS, the City of Windcrest City Council desires to amend the boundary of the “B-2” Neighborhood Business District; and,

WHEREAS, the City of Windcrest City Council and Planning and Zoning Commission recognize in accordance with Chapter 113, Article III Districts – General Zoning, Section 113-82(b), 4906 Walzem Road, Bexar County Appraisal District Property Number 1118351 be designated a permanent zoning district; and

WHEREAS, a public hearing was held after notice and publication regarding this amendment to Bexar County Appraisal District Property Number 1118351 located at 4906 Walzem Road; at which time the parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the City of Windcrest Planning and Zoning Commission held a public hearing and meeting on October 20, 2021, approving a recommendation to the City of Windcrest City Council amending the zoning designation of 4906 Walzem Road, Bexar County Appraisal District Property 1118351, from “TR-1” Temporary One Family Dwelling District to “B-2” Business District boundary; and

WHEREAS, the City of Windcrest City Council at a public hearing and meeting held by it on November 1, 2021, received said recommendation from the Planning and Zoning Commission and, after considering said recommendation and hearing the proponents and opponents to said recommendation, is of the opinion that such regulations be adopted; and

WHEREAS, the City Engineer shall change the City of Windcrest zoning maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

I.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS: the zoning designation of 4906 Walzem Road, Bexar County Appraisal District Property 1118351 is hereby amended from “TR-1” Temporary One Family Dwelling District to “B-2” Business District; amending boundary of “B-2” Business District on the City of Windcrest zoning map.

II. CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Windcrest Code of Ordinances except where the provisions of this Ordinance are in direct conflict with the provisions of such existing Ordinance, in which event the conflicting provisions of such existing Ordinance are hereby repealed and this Ordinance controls.

III. SEVERABILITY

That it is hereby declared to be the intent of the City Council for the City of Windcrest that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

V. EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by state and local law.

VI. READINGS

DULY PASSED ON FIRST READING, on the ____ day of November, 2021 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the ____ day of November, 2021 at a regular of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

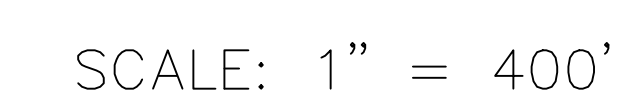
ATTEST:

Rachel C. Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

Pending CC Approval



LEGEND

- "B1" NEIGHBORHOOD BUSINESS DISTRICT
- "B2" BUSINESS DISTRICT
- "B3" BUSINESS DISTRICT
- "O1" PROFESSIONAL OFFICE DISTRICT
- "R1" ONE FAMILY DWELLING DISTRICT
- "R2" DUPLEX AND APARTMENT DISTRICT
- "TR1" TEMPORARY ONE FAMILY DWELLING DISTRICT

- - "B1" NEIGHBORHOOD BUSINESS DISTRICT
- - "B2" BUSINESS DISTRICT
- - "B3" BUSINESS DISTRICT
- - "O1" PROFESSIONAL OFFICE DISTRICT
- - "R1" ONE FAMILY DWELLING DISTRICT
- - "R2" DUPLEX AND APARTMENT DISTRICT
- - "TR1" TEMPORARY ONE FAMILY DWELLING DISTRICT

Sec. 113-82. General requirements.

- (a) *Vacated public areas.* Whenever any street, alley or other public way is lawfully vacated by the City of Windcrest, Texas, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacated area and thereafter all land included in said vacated area shall be subject to all applicable regulations of the extended districts.
- (b) *Temporary "R-1" zoning.* After the effective date of this chapter, all territory annexed to the City of Windcrest, Texas, shall be classified as "R-1" One-Family Dwelling District until permanently zoned by the governing body of the City of Windcrest, Texas. The planning and zoning commission shall as soon as practicable, after annexation of any territory to the City of Windcrest, Texas, institute proceedings on its own motion to give the newly annexed territory permanent zoning, and the procedure to be followed shall be the same as is provided by law for adoption of original zoning regulations, except as provided in this chapter.
- (c) *Use regulations.* No building shall be erected, converted, enlarged, reconstructed, or structurally altered, and no building or land shall be used for any purpose that is not permitted in the district in which the building or land is situated.
- (d) *Building height regulations.* No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit herein established for the district in which the building is situated.
- (e) *Yard regulations.* The minimum yards and other open spaces, including lot area per family, required by this chapter for each and every building existing at the time of the passage of this chapter, or for any building hereafter erected, shall not be encroached upon or considered as yard or open space required for any other building. No lot area shall be reduced to an area less than the district requirements of this chapter. The provisions of this section shall not apply to any community unit plan processed in accordance with the provisions of Article III, division 8 of this Chapter.
- (f) *One building for one lot.* Every building hereafter erected, converted, enlarged, reconstructed or structurally altered shall be on one lot. Each lot shall have been formally platted in the manner provided for subdivisions under chapter 111 of this Code, and approved by the planning and zoning commission and the city council. No more than one main building shall be located on one lot, except as otherwise provided in this chapter.
- (g) *Masonry requirement.* No building (except for those detached accessory buildings located in R-1 Zoning Districts of the City of Windcrest specifically described in chapter 103, section 10-58, shall be erected, converted, enlarged, reconstructed, or structurally altered unless at least 90 percent of its first story exterior walls shall be of masonry construction.
- (h) *Fence height regulation.* No fence shall be erected, converted, enlarged, reconstructed, or structurally altered to an overall height of more than eight feet, when constructed to separate or enclose garden homes or similar units having a sideline building setback of less than ten feet, and in all other cases, no fence shall be erected, converted, enlarged, or reconstructed or structurally altered to an overall height of more than six feet unless otherwise required by this Code.
- (i) *Golf course.* The golf course and golf club area presently situated within the corporate limits of the City of Windcrest, Texas, and being Block 111, Lot 1, Windcrest Unit 27, according to plat thereof recorded in Volume 7200, pages 161 and 162, Real Property Records of Bexar County, Texas, is hereby designated an area of cultural importance and significance, and no construction, alteration, reconstruction, or razing of buildings and other structures shall be made or permitted thereon without prior specific approval by the city council of the City of Windcrest, Texas.
- (j) *Additional regulations.* The applicable portions of chapter 109, Signs, and chapters 103 and 107, yards (fences, pools, sprinklers, satellite dish antennas, amateur radio antenna towers, and wireless cable

television antennas), shall apply to the placing and construction of signs, fences, pools, sprinklers, satellite dish antennas, amateur radio antenna towers, and wireless cable television antennas.

(Ord. No. 192, 3-9-1987; Ord. No. 213, 11-14-1988; Ord. No. 271, 7-6-1994; Ord. No. 311, 9-15-1997)

DIVISION 2. "R-1" ONE-FAMILY DWELLING DISTRICT

Sec. 113-110. Use regulations.

The following regulations shall apply to the "R-1" One-Family Dwelling District:

A building or premises shall be used only for the following purposes:

- (1) Single-family dwellings.
- (2) Church (except temporary revival), to include normal functions such as schools, child care and bazaars.
- (3) School, public or private, having a curriculum equal to a public elementary, high school, or institution of higher learning.
- (4) Public parks, playgrounds, swimming pools (public or private), golf courses (except miniature golf) and golf clubs (public or private and related golf pro shops, residential tennis courts, tennis courts and clubs (public or private) and related tennis pro shops, arts and crafts shops and/or facilities (public or private), public recreation and community buildings.
- (5) Municipal buildings, non-profit libraries or museums, police and fire stations.
- (6) Authorized home occupations which are permitted as set forth in article VIII of this chapter.
- (7) Country clubs.
- (8) Water tanks and towers.
- (9) Accessory buildings and accessory uses, customarily incident to the above uses when located on the same lot, including a private garage for one or more cars, and/or bona fide servant's quarters not for rent or used for commercial purposes.
- (10) Signs authorized in accordance with chapter 109 of the Code.

(Ord. No. 58, 8-14-1967; Ord. No. 58RR, 8-13-1982; Ord. No. 2021-004(O) , § I, 6-7-2021)

DIVISION 5. "B-1" NEIGHBORHOOD BUSINESS DISTRICT

Sec. 113-190. Use regulations.

The following regulations shall apply to "B-1" Neighborhood Business District:

A building or premises shall be used only for the following purposes:

- (1) Any use permitted in "O-1" Professional Office District.
- (2) Signs authorized in accordance with chapter 109 of the Code.
- (3) Automobile parking lots.
- (4) Bakery, employing not more than five persons.

-
- (5) Bank.
 - (6) Beauty parlor.
 - (7) Barber shop.
 - (8) Cleaning, pressing, and dyeing plants employing not more than five persons each.
 - (9) Clinic.
 - (10) Hotels and motels.
 - (11) Laundries, employing not more than five persons on the premises.
 - (12) Laundries, self-service.
 - (13) Job printing, provided total mechanical power use in operation of such printing plant shall not exceed five horsepower.
 - (14) Lodge halls.
 - (15) Offices.
 - (16) Radio repair and sale shops.
 - (17) Radio studios.
 - (18) Restaurant, cafes and cafeterias.
 - (19) Stores and shops for sale of products at retail only, but not to include second hand clothing stores, flea markets and similar establishments, public saloons, taverns or bars. The storage and/or sale of motor vehicle fuel at wholesale or retail is prohibited

If a permit has first been obtained from the city, the business which currently occupies the permanent structure on the premises from which the business is conducted may display and sell goods, wares and merchandise outside its permanent structure which are customarily displayed and sold by it inside its permanent structure. The outdoor display and sale of such merchandise shall be classified as temporary (30 days or less) or permanent (more than 30 days).

A temporary permit may be issued by the city for the display and sale of goods, wares and merchandise upon a showing by a business that the outdoor display and sale of such merchandise will not interfere with parking and access and that such activity will be safe and compatible with adjoining businesses and the neighborhood.

A permanent permit may be issued by the city for the display and sale of goods, wares and merchandise upon a showing by a business that the outdoor display and sale of such merchandise will not occur in parking areas, driveways and required landscape areas, and that such activity will be safe and compatible with the adjoining businesses and the neighborhood.

- (20) Studio (art, photo, music).
- (21) Recreation and entertainment facilities, (theaters, bowling alleys, billiard parlors, skating halls, gymnasiums and health or exercise centers and similar activities) excepting public saloons, taverns, or bars.

(Ord. No. 58, 8-14-1967; Ord. No. 58W, 4-12-1976; Ord. No. 58II, 9-14-1981; Ord. No. 58UU, 9-12-1983; Ord. No. 213, 12-12-1988; Ord. No. 311, 9-15-1997)

Sec. 113-191. Height regulations.

No building or structure shall exceed two and one-half stories or 35 feet in height except for antennas in 23.80 and certain signs in chapter 109.

(Ord. No. 58, 8-14-1967)

Sec. 113-192. Yard regulations.

- (a) *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 20 feet.
- (b) *Side yards.* For uses permitted in the "R-2" District, the side yard regulations for that district shall apply. For additional uses permitted in the "B-1" District, no side yards are required except that on a corner lot the side yard on the street side shall be 20 feet. Where a lot is used for any of the commercial purposes permitted in this district and abutting on the side of a lot in an "R-1" or "R-2" District, there shall be a side yard not less than 25 feet.

(Ord. No. 58, 8-14-1967)

Sec. 113-193. Intensity of use.

For uses permitted in the "R-2" District, the minimum lot area and minimum width regulations for that district shall apply. There are no minimum lot area or lot width requirements for other uses.

(Ord. No. 58, 8-14-1967)

Sec. 113-194. Parking regulations.

- (a) The parking regulations for dwelling are the same as those in the "R-2" District.
- (b) Where any structure is erected, reconstructed or converted for any of the business or commercial uses permitted in this Subchapter, off-street parking spaces shall be provided, whether on the same lot with structure or on an area within 300 feet thereof, in such number as the city council shall deem adequate, based on such factors as the nature of proposed business use, expected customer density and rate of customer turn-over. Generally, parking space requirements shall be based on the gross floor area of the structure to be served and shall conform to the respective requirements set forth in the table of off-street parking requirements contained in section 42-94, 1970 zoning ordinance of the City of San Antonio, Texas, which table is, by this reference, hereby expressly adopted for the City of Windcrest as a planning guide only. The city council may require more parking spaces for any specific business structure than are indicated in said adopted table, but no plan providing for less than the number of parking spaces therein indicated shall be approved, in the absence of clear and convincing evidence that the number of parking spaces indicated in the table will not reasonably be required by the proposed business use. Two or more building owners may join together in providing a common parking area, but the total number of parking spaces therein shall be sufficient to satisfy the combined individual use parking space requirements herein stated for all structures that are proposed to be open for business at the same time. The minimum size for a parking space will be nine feet × 18 feet.

TABLE OF OFF-STREET PARKING REQUIREMENTS

Uses	Parking Requirements
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Churches, Theaters, Gymnasiums	One space for each four seats
Clinics	One space for each 200 sq. ft. gross floor area
Clubs, lodges	One space for ea. 300 sq. ft. of gross floor area
General business, commercial & personal service establishments	One space for each 200 sq. ft. of gross retail/sales service area and one space per 800 sq. ft. gross storage area, or one space per 400 sq. ft. of combined retail sales/service area with no dedicated warehousing area.
General office	One space for each 300 sq. ft. of gross floor area
Hotels, Motels	One space for each guest room or trailer space and one space for each two employees (associated commercial or retail areas require additional spaces)
Nursing, rehabilitation and assisted living facilities	One space for each four beds
Multi-family dwellings	Two spaces for each family dwelling unit
Restaurants, cafeterias	One space for ea. 100 sq. ft. of gross floor area
Schools, elementary	Two spaces for each classroom plus two spaces for each office
Schools, junior	Three spaces for each classroom plus three spaces for each office
Schools, secondary	Six spaces for each classroom plus six spaces for each office
Single-family dwellings	Two spaces for each dwelling unit
Skating rinks and commercial amusement	One space for each 100 sq. ft. gross floor area. For uses not requiring a building, one space for each 800 sq. ft. of ground area shall be provided

(Ord. No. 58, 8-14-1967; Ord. No. 243, 4-8-1991; Table changed by Council Action, 2-14-2001)

Sec. 113-195. Additional regulations.

Additional use, height, and area regulations and exceptions are found in section 113-263 of this Chapter.

(Ord. No. 58, 8-14-1967)

Sec. 113-196. Screening of refuse storage areas.

All commercial establishments shall screen areas wherein garbage containers and other refuse are stored with a permanent type masonry or wooden enclosure on all sides exposed to public view with a concrete base and apron.

(Ord. No. 58Q, 4-8-1974)

Sec. 113-197. Platted lots.

Platted lots used for commercial purposes may contain one or more main buildings provided the buildings are situated in substantial compliance with the comprehensive plan created by this chapter.

(Ord. No. 58I, 1-8-1973)

Sec. 113-198. Screening of air conditioning elements.

All commercial establishments shall screen air conditioning elements with a permanent type masonry, metal or wooden screen on all sides open to public view.

(Ord. No. 58Q, 4-8-1974)

Sec. 113-199. Landscaping.

- (a) Landscaping and appropriate irrigation systems are required when B-1 and B-2 properties are developed.
- (b) Where B-1 and B-2 property abuts tracts zoned (for residential use (R-1, R-2)), the required width of the landscape area shall be a minimum of 15 feet and require privacy screening of eight feet masonry fencing in combination with shrubs and trees.
- (c) Landscaping within a triangular area formed by intersecting street lines shall comply with the requirements of section 113-153.
- (d) An eight-foot wide landscape area must be provided along the entire length of each property line bordering streets. Not more than 50 percent of each landscape area shall receive impervious cover. Where a sidewalk is in place, the landscape area will not be less than four feet between sidewalk and parking.
- (e) Landscaping shall not obstruct the view between the street and the access drives and parking aisles near the front yard entries and exits, nor shall any landscaping which creates an obstruction of view be located within the radius of any curb return.

Secs. 113-201—113-219. Reserved.

DIVISION 6. "B-2" BUSINESS DISTRICT

Sec. 113-220. Regulations.

The following regulations shall apply to the "B-2" Business District:

A building or premises shall be used only for the following purposes:

- (1) Any use permitted in "B-1" Neighborhood Business District; outdoor sales are restricted as in section 113-151.
- (2) Automobile sales and service facilities including sales, service, and installation of automobile parts, components and accessories, provided that such service and installation shall be performed completely indoors, within the retail sales establishment which has sold those items. Storage or sale of motor vehicle fuel is prohibited.
- (3) Pawnshops.

(Ord. No. 2015-727(O) , 6-1-2015)

Sec. 113-221. Height regulations.

No building or structure shall exceed two and one-half stories or 35 feet in height.

Sec. 113-222. Yard regulations.

- (a) *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 20 feet.
- (b) *Side yard.* For uses permitted in the "R-2", "O-1" and "B 1" districts, the side yard regulations for that district shall apply. For additional uses permitted in the "B-2" district, the side yard regulations for the "B-1" district shall apply.

Sec. 113-223. Intensity of use.

For uses permitted in the "R-2" district, the minimum lot area and minimum width regulations for that district shall apply. There are no minimum lot area or lot width requirements for other uses.

Sec. 113-224. Parking regulations.

- (a) For parking regulations in the "R-1", "R-2", "O-1" and "B-1" districts, parking regulations for such districts based on permitted use shall apply.
- (b) For parking regulations in the "B-2" district, the parking regulations and table of off-street parking requirements for the "B-1" district shall apply.

Sec. 113-225. Additional regulations.

Additional use, height, and area regulations and exceptions are found in article III, division 9 of this chapter.

Sec. 113-226. Screening of refuse storage areas.

All commercial establishments shall screen areas wherein garbage containers and other refuse are stored with a permanent type masonry or wooden enclosure on all sides exposed to public view with a concrete base and apron.

Sec. 113-227. Platted lots.

Platted lots used for commercial purposes may contain one or more main buildings provided the buildings are situated in substantial compliance with the comprehensive plan created by this chapter.

Sec. 113-228. Screening of air conditioning elements.

All commercial establishments shall screen air conditioning elements with a permanent type masonry, metal or wooden screen on all sides open to public view.

(Ord. No. 205, 8-8-1988)

Sec. 113-229. Landscaping.

Landscaping requirements are the same as in 23.1210.

Secs. 113-230—113-250. Reserved.

ORDINANCE 2021- 026(O)

AN ORDINANCE AMENDING THE WINDCREST CODE OF ORDINANCES, CHAPTER 113, ARTICLE VI. -SPECIAL USE PERMITS, SECTION 113-326. - TERMINATION OF SPECIAL USE PERMIT

WHEREAS, the City of Windcrest is a home-rule municipality located within Bexar County, Texas; and

WHEREAS, the evaluation of the Special Use Permit termination process in the Windcrest Code of Ordinances had not been updated since approximately 2010; and

WHEREAS, the City of Windcrest City Council in compliance with the laws of the State of Texas and the City's municipal code in the exercise of its legislative discretion, has determined it is appropriate, for good government and for the welfare and benefit of the public to amend the portion of the Code that deals with the termination of special use permits

I.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that Article VI.-Special Use Permits, Section 113-326.-Termination of Special Use Permit of Chapter 113 of the Windcrest Code of Ordinances shall be amended with strike through text being deletions and underlined text being additions and shall read as follows:

Chapter 113

Article VI. – Special Use Permits

Sec. 113-326. - Termination of special use permit.

Any change of use of property from that authorized in a special use permit shall terminate the existing special use permit. Unless specified otherwise by the city council when granting the special use permit, if no building permit has been applied for and the designated work not begun within 180 days after the date of approval by the city council of a special use permit, the special use permit shall automatically expire. ~~The city council may extend the termination date as long as the designated work shall not exceed 365 days after the date of approval for the special use permit. An application for an extension of time shall be accompanied by the fee required for such applications by the city council.~~

II.

CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Windcrest Code of Ordinances except where the provisions of this Ordinance are in direct conflict with the provisions of such existing Ordinance, in which event the conflicting provisions of such existing Ordinance are hereby repealed and this Ordinance controls.

**III.
SEVERABILITY**

That it is hereby declared to be the intent of the City Council for the City of Windcrest that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

**IV.
PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**V.
EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication as required by state and local law.

**VI.
READINGS**

DULY PASSED ON FIRST READING, on the _____ day of _____, 2021 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2021 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan Henry, City Attorney

Pending CC Approval