

- 26.3.13 Telephone Exchange: A switching or transmitting station owned by a public utility but not including business offices, storage, or repair shops or yards.

26.4 Automobile and Related Service Uses

- 26.4.1 Auto Laundry: See Car Wash.
- 26.4.2 Auto Leasing: Storage and leasing of automobiles, motorcycles, and light load vehicles.
- 26.4.3 Auto Parts Sales (Inside): The use of any building or other premise for the display and sale of new or used parts for automobiles, panel trucks, vans, tractor trailers, or recreational vehicles.
- 26.4.4 Auto Parts Sales (Outside): The use of any land area for the display and sale of new or used parts for automobiles, panel trucks, vans, tractor trailers, or recreation vehicles.
- 26.4.5 Automobile Repair, Major: General repair or reconditioning of engines and air-conditioning systems for motor vehicles; wrecker service; collision services including body, frame or fender straightening or repair; customizing; overall painting or paint shop; vehicle steam cleaning; those uses listed under "automobile repair, minor", and other similar uses.
- 26.4.6 Automobile Repair, Minor: Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems, and other similar minor services for light load vehicles, but not including any operation named under "automobile repair, major" or any other similar use.
- 26.4.7 Automobile and Trailer Sales, New: Building(s) and associated open area other than a street or required automobile parking space used for the display or sale of primarily new automobiles, light trucks, and trailers, to be displayed and sold on premises, and where no repair work is done except minor reconditioning of the automobiles and trailers to be displayed and sold on the premises, and no dismantling of automobiles or trailers for sale or keeping of used automobile and trailer parts or junk on the premises.
- 26.4.8 Automobile and Trailer Sales, Used: Building(s) and associated open area other than a street or required automobile parking space used for the display and sale of used automobiles, light trucks, or trailers in operating condition and where no repair work is done except the minor adjustments of the vehicles to be displayed or sold on the premises. A used car sale area shall not be used for the storage of wrecked automobiles or the dismantling of automobiles or the storage of automobile parts or junk on the premises.
- 26.4.9 Automobile Service Station: A building or place arranged, designed, used, or intended to be used for the primary purpose of dispensing gasoline, oil, diesel fuel, liquified petroleum gases, greases, batteries, and other automobile accessories at retail direct to the on-premise motor vehicle trade provided that the above services shall not be construed to include major overhaul, the removal and/or rebuilding of an engine, cylinder head, oil pan, transmission, differential, radiator springs, or axles; steam cleaning, body or frame work, painting, upholstering and replacement of glass. If the dispensing or offering for sale of auto fuel at retail is incidental, the premises shall be classified as a public garage. Service stations shall not allow automobiles which are inoperative or are being repaired to remain outside such service station for a period greater than seven (7) days.
- 26.4.10 Auto Storage: The storage on a lot or tract of operable automobiles for the purpose of holding such vehicles for sale, distribution, or storage.
- 26.4.11 Automobile Wrecking Yard or Junk Yard: Any building, structure, or open area used for the dismantling or wrecking of any type of used vehicles or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts and accessories, including any farm vehicles or farm machinery or parts thereof, stored in the open and not being restored to operating condition, including the commercial salvaging, storage, and scraping of any other goods, articles, or merchandise.
- 26.4.12 Bus Terminal: Any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.
- 26.4.13 Car Wash: Facility or structure used to wash motorcycles, automobiles, vehicles and trucks.
- 26.4.14 Parking Lot or Parking Garage, Automobile: Area for parking light load vehicles.
- 26.4.15 Parking Lot or Parking Garage, Truck: Area for parking heavy load vehicles.

- 26.4.16 Quick Oil Change Facility: A business engaging in the changing of oil, oil filters, and the chassis lubrication of motor vehicles. All new oil shall be dispensed from drums and all old oil shall be kept in sumps until removed by pumper trucks.
- 26.4.17 Quick Tuneup Facility: A business engaging in engine adjustment and minor part replacement for motor vehicles, limited to spark plugs, condensers, spark plug wires, distributor caps, distributor points, PVC valves, air cleaners, fan belts and radiator hoses. Such a facility shall not repair or replace carburetors, starters, alternators, generators, radiators, water pumps, or other major engine parts, brake shoes, or mufflers.
- 26.4.18 Truck and Bus Leasing: The rental of new or used panel trucks, vans, trailers, recreational vehicles, or motor-driven buses in operable condition and where no repair work is done.
- 26.4.19 Truck and Bus Repair: An establishment providing major and minor automobile repair services to heavy load vehicles.
- 26.4.20 Truck or Motor Freight Terminal: A building or area in which freight brought by motor truck is assembled and/or stored for shipping by motor truck.
- 26.4.21 Truck Sales: Building(s) and associated open area other than a street or required automobile parking space used for the display or sale of primarily new heavy load vehicles, to be displayed and sold on premises, and where no repair work is done except minor reconditioning of the vehicles to be displayed and sold on the premises, and no dismantling of vehicles for sale or keeping of used vehicle parts or junk on the premises.
- 26.5 Retail and Service Type Uses
- 26.5.1a Alcoholic Beverage Store – is an establishment engaged in the sale of beer, wine, and/or liquor to the general public, not for on-premises consumption.
- 26.5.1 Air Conditioning and Refrigeration Contractor: A place from which a person performs design, installation, construction, maintenance, service, repair, alteration or modification of a product or of equipment in environmental air conditioning, commercial refrigeration, or process cooling or heating systems, under terms and conditions described in the Texas Air Conditioning and Refrigeration Contractor License Law, Vernon's Ann.Civ.St.,art. 8861.
- 26.5.2a Amusement, Commercial (Indoor): An establishment providing for activities, services and instruction for the entertainment, exercise and improvement of fitness and health of customers, clients or members but not including hospitals, clinics, massage parlors or arcades. Uses would typically include bowling alleys, ice or roller skating rinks, racquetball and handball courts, indoor tennis courts, weight lifting and nautilus facilities, exercise areas, swimming pools and spas, bingo parlors, martial arts, classrooms and/or practice areas, gymnasiums and indoor running or jogging tracks.
- 26.5.2b Amusement, Commercial (Outdoor): An outdoor area or structure, open to the public, which provides entertainment or amusement for a fee or admission charge, including but not limited to batting cages, miniature golf, go-kart tracks and carnivals.
- 26.5.3 Antique Shop: A retail establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period, with all sale and storage occurring inside a building.
- 26.5.4 Arcade: An establishment in which there are located six (6) or more coin operated skill or pleasure machines.
- 26.5.5a Bakery and Confectionery, Retail Sales: A place for preparing, cooking, baking and selling of products on the premises.
- 26.5.5b Bakery and Confectionery, Commercial: A place for preparing, cooking or baking of products primarily intended for off-premise distribution.
- 26.5.6 Bank, Savings and Loan, Credit Union: An establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.
- 26.5.7a Barber Shop: A place where barbering, as defined in Texas Barber Act, Vernon's Annotated Civil Statutes (Vernon's Ann.Civ.St.), art. 8407, is practiced, offered, or attempted to be practiced, except when such place is duly licensed as a barber school or college.

- 26.5.7b Barber School or College: A place of training for practice of barbering, as defined in Texas Barber Act, Vernon's Ann.Civ.St., art. 8407, meeting standards established in Section 9 of said Texas Barber Act.
- 26.5.7c Beauty Culture School; Cosmetology Specialty Shop: A specialized place of training, as defined in the Texas Occupation Code 1602.002
- 26.5.7d Beauty Shop: A place where cosmetology, as defined in the Texas Occupation Code.
- 26.5.8 Building Materials, Hardware Sales: The sale of new building materials and supplied indoors with related sales for hardware, carpet, plants, electrical and plumbing supplies all of which are oriented to the retail customer, rather than contractor or wholesale customer.
- 26.5.9 Business Service: Establishments primarily engaged in providing services not elsewhere classified to business enterprises on a fee contract basis including but not limited to advertising agencies, computer programming and software services, and office equipment rental or leasing.
- 26.5.10 Cabinet and Upholstering Shop: An establishment used for the production, display and sale of furniture and soft coverings for furniture.
- 26.5.11 Cleaning and Dyeing, Small Plant or Shop: A custom cleaning shop not exceeding five thousand (5,000) square feet of floor area or a pickup station. (Also see Cleaning and Dyeing; Dry Cleaning Plant).
- 26.5.12 Clinic, Medical or Dental: A facility or station designed and used for the examination and treatment of persons seeking medical care as outpatients who do not remain on the premises overnight.
- 26.5.13 Convenience Store: A retail establishment providing for the sale of food items, non-prescription drugs, small household items, and gifts. Gasoline and diesel fuel may be offered for sale provided they are not the primary source of income for the store and that no more than six (6) pumps are offered. Maximum size of the establishment will be no more than 2,500 square feet not including storage areas and administrative offices.
- 26.5.14 Custom Personal Service Shop: Includes such uses as tailor, shoe repair, barber/beauty shop, health studio, or travel consultant.
- 26.5.15 Discount, Variety, or Department Store: A retail store offering a wide variety of merchandise in departments and exceeding 7,000 square feet of floor area.
- 26.5.16 Feed and Farm Supply Store: An establishment for the selling of food stuffs for animals and including implements and goods related to agricultural processes but not including farm machinery.
- 26.5.17 Flea Market: A site where space inside or outside a building is rented to vendors on a short-term basis for the sale of merchandise. The principal sales shall include new and used household goods personal effects, tools, art work, small household appliances, and similar merchandise, objects or equipment in small quantities. The term flea market shall not be deemed to include wholesale sales establishments or rental services establishments, but shall be deemed to include personal services establishments, food services establishments, retail sales establishments, and auction establishments.
- 26.5.18 Florist: An establishment displaying plants, flowers, floral supplies, and similar items.
- 26.5.19 Food Store, Grocery Store: An establishment that displays and sells consumable goods that are not to be eaten on the premises.
- 26.5.20a Food-Beverage Store — is an establishment engaged in the sale of food or beverages — of any kind whatsoever — for off-premises consumption. This definition does not include restaurants that derive at least 90% of gross revenues from sale of food and beverages for on-premises consumption.
- 26.5.20 Furniture, Appliance Store: Retail stores selling goods used for furnishing the home, including but not limited to furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators and other household electrical and gas appliances.
- 26.5.21 Garden Center (Retail Sales): Location including land and buildings at which plants, trees, shrubs, horticultural supplies, and similar items are displayed for sale to the general public. All such displays shall be located behind the front yard line established in the district in which the garden center is located.
- 26.5.22 General Merchandise Store: Retail stores which sell a number of lines of merchandise including but not

limited to dry goods apparel and accessories, furniture and home furnishings, small wares, hardware, and food. The stores included in this group are known as department stores, variety stores, general stores, and other similar stores.

- 26.5.23 Household Appliance Service and Repair: The maintenance and rehabilitation of appliances customarily used in the home including but not limited to washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and rangers, kitchen appliances, vacuum cleaners, and hair dryers.
- 26.5.24 Laboratory, Scientific or Research: Facilities for research including laboratories, experimental equipment, and operations involving compounding or testing of materials or equipment.
- 26.5.25 Laundry and Cleaning Self-Service: An establishment including facilities for laundering and cleaning of clothing and similar items to be operated by the patron; not a commercial laundry or cleaning plant.
- 26.5.26a Metal Dealer, Secondhand: A place of business in which a person purchases, gathers, collects, solicits or procures scrap metal or where scrap metal is gathered together or kept for shipment, sale, or transfer, under terms and conditions found in Vernon's Ann.Civ.St.,art.9009. (Also see Junk or Salvage Yard).
- 26.5.26b Metal Dealer, Crafted Precious: A place of business in which a person engages in the business of purchasing and selling crafted precious metals, including jewelry, silverware, art objects, or any other thing or object made in whole or in part from gold, silver, platinum, palladium, iridium, rhodium, osmium, ruthenium, or heir alloys, including coins and commemorative medallions, under terms and conditions found in Vernon's Ann.Civ.St.,art.990a.
- 26.5.27 Reserved for future use.
- 26.5.28 Office Center: A building or complex of buildings used primarily for conducting the affairs of a business, profession, service, industry, or government, or like activity that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper, or candy stand.
- 26.5.29 Office, Professional or General Administrative: A room or group of rooms used for the provision of executive management, or administrative services. Typical uses include administrative offices and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, and business offices of public utilities, organizations, and association but excluding medical offices.
- 26.5.30 Office - Showroom/Warehouse: An establishment with a minimum of seventy-five percent (75%) of its total floor area devoted to storage and warehousing not accessible to the public. The remaining area may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.
- 26.5.31 Pawn Shop: An establishment where money is loaned on the security of personal property pledged in the keeping of the owner (pawnbroker).
- 26.5.32 Personal Service Shop: An establishment primarily engaged in providing services generally involving the area of the person or his apparel including but not limited to barber and beauty shops, dry cleaning and laundry pick-up stations and reducing salons/health clubs.
- 26.5.33 Pet Shop or Animal Salon: A retail establishment offering small animals, fish, or birds for sale as pets and where all such creatures are housed within the building.
- 26.5.34 Plumbing, Heating, Refrigeration, or Air-Conditioning Business: An establishment primarily engaged in the sales, service, or installation of equipment pertaining to plumbing, heating, refrigeration, or air conditioning. (Also see Air Conditioning and Refrigeration Contractor).
- 26.5.35 Plumbing Service: The operation of a business which involves only retail sales and off-premises service, installation, and repair of units and fixtures. The premises shall not include a workshop for repair or fabrication of parts, fixtures, or units. Sheet metal work of any type shall not be permitted. Storage shall be permitted for units and supplies incidental to retail sales, off-premises service and repair only. No outside storage shall be permitted. This section shall not be interpreted to allow a plumbing, heating, refrigeration, or air conditioning contractor or similar type wholesale operation.
- 26.5.36 Portable Building Sales: An establishment which displays and sells structures which are capable of being carried and transported to another location, not including mobile homes or manufactured housing.
- 26.5.37 Post Office, Government or Private: Local branch of the United States Postal Service or private commercial

venture engaged in the distribution of mail and incidental services.

- 26.5.38 Print Shop: An establishment which reproduces printed or photographic impressions including but not limited to the process of composition, binding, plate making, microform, type casting, press work, and printmaking.
- 26.5.39 Racquetball Facilities: Courts housed in an acoustically-treated building and designed for one (1) to four (4) persons to play racquetball, plus subsidiary uses to include office, pro shops, locker rooms, sauna, exercise rooms, waiting area, child nursery, and related uses up to a maximum of forty percent (40%) of the total floor area.
- 26.5.40 Retail Stores and Shops: Establishments offering all types of consumer goods for sale, not elsewhere classified, but excluding the display and sale in the open outside a building of new or used automobiles, heavy machinery, building materials, used appliances, furniture, or salvage materials.
- 26.5.41 Second Hand Store, Furniture or Clothing: An establishment offering for sale used merchandise, with the storage and display of such items wholly contained inside a building or structure.
- 26.5.42 Service, Retail: An establishment engaged in the selling and/or servicing of goods where a minimum of eighty percent (80%) of the floor area is devoted to service, repair or fabrication of such goods. The service area must not be accessible to the general public. Automotive uses and rental stores are specifically excluded.
- 26.5.43 Shopping Center: A group of primarily retail and service commercial establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, provision of aesthetically appropriate design and protection from the elements.
- 26.5.44 Theater (Outdoor): An open lot with its appurtenant facilities devoted primarily to the showing of motion picture or theatrical productions on a paid admission basis to patrons seated in automobiles.
- 26.5.45 Trailer, Manufactured Housing, or Mobile Home Display and Sales: The offering for sale, storage, or display of trailers, manufactured housing, or mobile homes on a parcel of land but excluding the use of such facilities as dwellings either on a temporary or permanent basis.
- 26.5.46 Trailer Rental: The display and offering for rent of trailers designed to be towed by passenger cars or other prime movers.
- 26.5.47 Washateria: A building or place where clothes and linens are washed and thoroughly dried by the use of not exceeding three (3) employees and four (4) automatic single family machines and where the operation of washing and/or drying and/or mangle machines is done exclusively by the customer on a self-service basis, and where the fuel and power for the heating of water and drying shall be smokeless and odorless. (See Laundry and Cleaning, Self-Service).
- 26.6 Manufacturing, Storage, and Warehousing Uses
- 26.6.1 Bottling Works: A manufacturing facility designed to place a product into a bottle for distribution.
- 26.6.2 Cleaning and Dyeing: Dry Cleaning Plant: An industrial facility where fabrics are cleaned and substantially nonaqueous organic solvents. (Also see Cleaning and Dyeing, Small Plant or Shop, Section 26.5.11).
- 26.6.3 General Commercial Plant: An establishment other than a personal service shop for the treatment and/or processing of products as a service on a for-profit basis including but not limited to newspaper printing, laundry plant, or cleaning and dyeing plant.
- 26.6.4 General Manufacturing: Manufacturing of finished products and component products or parts from the transformation, treatment, or processing of materials or substances, including basic industrial processing. Such operations must meet the performance standards, bulk controls, and other requirements in this ordinance.
- 26.6.5 Industrial Park: A large tract of land that has been planned, developed, and operated as an integrated facility for a number of individual industrial uses, with special attention to circulation, parking, utility needs, aesthetics, and compatibility.

- 26.6.6 Junk or Salvage Yard: A lot upon which waste or scrap materials are bought, sold, exchanged, stored, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" includes an automobile wrecking yard and automobile parts yard. A "junk yard" does not include such uses conducted entirely within an enclosed building. (Also see Metal Dealer, Secondhand)
- 26.6.7 Light Manufacturing: Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing.
- 26.6.8 Self-Storage, Mini-Warehouse: A facility used for storage of goods and/or materials with separate access to individual storage units by persons renting the individual units.
- 26.6.9 Storage or Wholesale Warehouse, Light: A building used primarily for the storage of goods and materials, containing less than 5,000 square feet of floor space.
- 26.6.10 Storage or Wholesale Warehouse, Heavy: A building used primarily for the storage of goods and materials, containing more than 5,000 square feet of floor space.
- 26.7 Accessory Uses
- 26.7.1 Accessory Building or Use: An accessory building or use is one which: (a) is subordinate to and serves a principal building or principal use; and (b) is subordinate in area, extent, or purpose to the principal building or principal use served; and (c) contributes to the comfort, convenience and necessity of occupants of the principal building or principal use served; and (d) is located on the same building lot as the principal use served.
- 26.7.2 Carport: A structure open on a minimum of three (3) sides designed or used to shelter vehicles, not to exceed thirty-six (36) feet on its longest dimension.
- 26.7.3 Construction Yard (Temporary): A storage yard or assembly yard for building materials and equipment directly related to a construction project and subject to removal at completion of construction and subject to same restrictions as Field Office. (Also see Section 27.2).
- 26.7.4 Field or Sales Office (Temporary): A building or structure, of either permanent or temporary construction, used in connection with a development or construction project for display purposes or for housing temporary supervisory or administrative functions related to development, construction or the sale of real estate properties within the active development or construction project. Permits for "temporary buildings" shall be issued for a period of time not to exceed eighteen (18) months. Extensions may be granted only by the City Council, any such permits granted may be revoked if the City Council finds the use of the building or structure is contrary to the intent of this section or results in increased noise, traffic, or other conditions considered to be a nuisance or hazard (Also see Section 26.7.3. above.)
- 26.7.5 Customary Home Occupation: An occupation, profession, domestic craft, or economic enterprise which is customarily conducted in a "residential dwelling" as hereinafter defined, subject to compliance with each of the following conditions:
- a) "Residential dwelling" shall mean a detached building designed, used and occupied exclusively by members of one (1) family as a residence.
 - b) Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence and the area utilized for such occupation, profession, domestic craft, or economic enterprise shall never exceed twenty-five percent (25%) of the total of the floor area of the residential dwelling.
 - c) Not more than one (1) non-illuminated sign advertising the home occupation shall be allowed; said sign shall be not more than one (1) square foot in area and shall be mounted on the building in which the home occupation is being conducted.
 - d) The residential dwelling shall maintain its residential character and shall not be altered or remodeled in order to create any type of exterior commercial appeal.
 - e) No exterior storage of material, equipment, and/or supplies used in conjunction with such occupation, profession, domestic craft, or enterprise shall be placed, permitted, or allowed on the premises occupied by the residential dwelling.

- f) No offensive noise, vibration, smoke, dust, odors, heat, or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.
 - g) The occupation, profession, domestic craft, or enterprise shall be conducted wholly within the residential dwelling and no accessory building shall be used in conjunction therewith.
 - h) The only equipment to be used in such occupation, profession, domestic craft, or enterprise shall be that which is ordinarily used in a private home in a like amount and kind.
 - i) A home occupation shall not generate such additional traffic as to create a traffic hazard or disturbance to nearby residents.
- 23.7.6 Garage, Private: A detached accessory building or portion of the main building for the parking or temporary storage of automobiles of the occupants of the premises; if occupied by vehicles of others, it is a storage space.

SECTION 27 SPECIAL USES

27.1 Child Care Centers

- 27.1.1 No portion of a child care center site may be located within three hundred (300) feet of gasoline pumps or underground gasoline storage tanks, or any other storage area for explosive or highly combustible materials.
- 27.1.2 Child care centers shall be located adjacent to a street having a pavement width of twenty seven (27) feet or greater.
- 27.1.3 Site plan approval by the Planning and Zoning Commission shall be required for all child care center sites, whether or not a Specific Use Permit is required.
- 27.1.4 Child care centers located within any single family or two family residential district shall be required to plat in multiples of the minimum lot width of the district classification requirements. The lot depth shall meet the minimum district requirements and must be platted in a configuration which can be converted into standard lots for residential development.
- 27.1.5 All child care centers shall comply with the following standards:
 - 27.1.5.1 All vehicular entrances and exits shall be clearly visible from the street.
 - 27.1.5.2 All passenger loading and unloading areas shall be located so as to avoid safety hazards from vehicular traffic and adequate walkways shall be provided.
 - 27.1.5.3 Outdoor play areas shall be provided at a rate of 65 square feet per child based on maximum design capacity of the center. This requirement may be waived by the Planning and Zoning Commission if the child care is provided for less than four (4) hours per day for an individual person.
 - 27.1.5.4 In residential districts, a maximum of one-half of the required outdoor play space may be provided off-site. When off-premises outdoor play area s utilized, it must be located within one hundred (100) feet of the child care facility premises and safely accessible without crossing, at-grade, any major or secondary thoroughfare.
 - 27.1.5.5 No child care center shall be part of a one family or two family dwelling.

27.2 Construction Yards, Field Offices, and Other Temporary Buildings.

Temporary permits for construction yards and field offices and special use permits or variances regulating temporary buildings shall be issued for a period of time not to exceed eighteen (18) months. Extensions may be granted by the City Council. Upon due notice and hearing before the City Council, any such permit may be revoked if the City Council finds the use of the building or structure is contrary to the intent of this ordinance or results in increased noise, traffic, or other conditions considered to be a nuisance or hazard.

27.3 Radio, Television, and Microwave Towers

- 27.3.1 No radio, television, microwave tower, amateur radio (i.e., HAM) antenna, or wireless communications

facility shall be constructed, erected, expanded, or located within the City except in compliance with applicable City regulations.

- 27.3.2 No commercial, radio, television, or microwave retransmission antenna support structure shall be located within any residential district boundary line or any area shown as residential on the current Comprehensive Plan than a distance equal to the sum of the required yard specified for the zoning district in which such building or structure is located, plus 25 feet, plus twice the height of the portion of the structure above two (2) stories. Such distance shall be measured as the shortest possible distance in a straight line from the structure to the closest point of such area or residence.
- 27.3.3 The location of radio, television, or microwave retransmission antennas, or support structures and associated foundations and any support wires shall be prohibited within any required front or side yard.
- 27.3.4 All commercial communication operations or radio, television, or microwave retransmission antennas, or structures shall be prohibited in residential districts.
- 27.3.5 All commercial signs, flags, lights and attachments other than those required for communications operations, structural stability, or as required for flight visibility by the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) shall be prohibited.

27.4 Residence Hotels

Residential hotels shall be designed to allow for their potential conversion to multifamily residences and as such shall comply with all minimum standards set forth in Section 16. Residence hotels constructed in the MF district shall comply with the MF district requirements. Open space shall be provided in sufficient quantity and locations to allow for required additional parking should the residence hotel convert to multifamily residences.

27.5 Multifamily Residence:

- 27.5.1 Courts: Where an apartment building is erected so as to create inner courts, the faces of all opposite walls in such courts shall be a minimum distance of thirty (30) feet apart and no balcony or canopy shall extend into such court area for a distance greater than five (5) feet.
- 27.5.2 Usable Open Space: Each lot or parcel of land which is used for multiple-family residences shall provide on the same lot or parcel of land usable open space (as defined in Section 37.2.101), in accordance with the table below:

USABLE OPEN SPACE REQUIREMENT

Number of Bedrooms
or Sleeping Rooms

1 or Less - 600 Sq. Ft.

Each Additional
Bedroom Over 1 - 300 Sq. Ft.

In those instances where a parcel of land has been zoned for multifamily use with a Specific Use Permit or Planned Development classification and the permitted densities do not conform exactly with those permitted in the MF District, usable open space shall be provided in accordance with that required for the multifamily zoning district which most closely approximates the density permitted under the SUP or PD.

In meeting this requirement, a credit of three (3) square feet may be applied for each square foot utilized for swimming pools and adjacent decks, patios, or lounge areas within ten (10) feet of a pool; developed and equipped children's play areas; and usable portions of recreational buildings. Tennis courts are specifically excluded from this increased credit allowance. At the time of site plan approval, the Planning and Zoning Commission and/or City Council may allow a credit not to exceed ten percent (10%) of the total required usable open space for adjacent and immediately accessible public parks. The combined credit for areas calculated at a three-to-one basis and for public parks shall not exceed fifty percent (50%) of the total usable open space for an individual lot or parcel of land.

At the time of site plan approval, the City Council may give full or partial credit for open areas that exceed the maximum slope, if it is determined that such areas are environmental significant and that their preservation would enhance the development.

27.6 Service Stations

Gasoline service station pump islands may not be located nearer than eighteen (18) feet to the front property line. An unenclosed canopy for a gasoline filling station may extend beyond the front building line but shall not be closer than ten (10) feet to the property line.

27.7 Swimming Pools

It is the purpose of the following provisions to recognize an outdoor swimming pool as a potentially attractive nuisance and to promote the safety and enjoyment of property rights by establishing rules and regulations governing the location and improvement of swimming pools whether privately, publicly, or commercially owned or operated.

27.7.1 No swimming pool shall be constructed or used until a swimming pool building permit has been issued therefor. No building permit shall be issued unless the proposed sanitary facilities and water supply comply with applicable local and State health departments regulations.

27.7.2 A swimming pool erected below ground or above ground with a depth of two (2) feet or greater may be constructed and operated when:

27.7.2.1 the pool is not located in any required front or side yard abutting a street;

27.7.2.2 a wall or fence, not less than six (6) feet in height, with self-enclosing and self-latching gates that are lockable at all entrances, completely encloses either the pool area or the surrounding yard area;

27.7.2.3 all lighting of the pool is shielded or directed to face away from adjoining residence. If lights are not individually shielded they shall be so placed, or the enclosing wall or fence shall be so designed, that direct rays from the lights shall not be visible for adjacent properties;

27.7.2.4 no broadcasting system is used for the purpose of advertising the operation of the pool or for the attraction of persons to the premises. This shall not prevent a public address system necessary or useful to the supervision of the pool and the safety of swimmers; and

27.7.2.5 the swimming pool is no closer than eight (8) feet from any property line.

27.8 Fences

27.8.1 Metal fences, except wrought iron, shall not be allowed in the required front yard in any district.

27.8.2 No fence or hedge shall exceed four (4) feet height in the required front yard in any district.

27.8.3 No fence shall exceed eight (8) feet in height.

27.8.4 Fences shall be constructed of customary urban fencing materials (ie. Brick, wood, stone or as approved by City Council upon the Planning and Zoning Commission's recommendation and shall be aesthetically consistent with buildings and fences in the area.

27.9 Sale of alcoholic beverages

27.9.1. This section shall not apply when the storage or serving of alcoholic beverages is strictly for the consumption of the owners of the premises and their guests at no charge. Otherwise, the storage, possession, or sale of alcoholic beverages by anyone for consumption by anyone shall be illegal unless on property zoned specifically for that purpose.

27.9.2. The storage, possession, or sale of any alcoholic beverage, when permitted by the laws of this state, shall be regulated and governed as provided herein and in other applicable ordinances of the city.

27.9.3. No person shall engage in the business of storing, selling, or possessing any alcoholic beverage in the city unless the place of business of such person is located in the use district of the city in which the storing, selling, or possessing of such alcoholic beverage is permitted.

27.9.4. It shall be unlawful for any person who is engaged in the business of selling alcoholic beverages to sell alcoholic beverages within one thousand (1,000) feet of any church or public hospital. The measurement of the distance between the alcoholic beverage store and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.

- 27.9.5. It shall be unlawful for any person who is engaged in the business of selling alcoholic beverages to sell alcoholic beverages within six hundred (600) feet of any public or private school. The measurement of the distance between the place of business and the public or private school shall be:
- (1) in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
 - (2) if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.
- For any permit or license covering a premise where minors are prohibited from entering the premises under Section 109.53 of the Texas Alcoholic Beverage Code, the measure of the distance between the premises and a public or private school shall be along the property lines of the street fronts and from front door to front door, and in a direct line across intersections
- 27.9.6. It shall be unlawful for any person who operates a alcoholic beverage store to sell alcoholic beverages within six hundred (600) feet of any existing day care center or private school. The measurement of the distance between said alcoholic beverage store and the day care center or private school shall be in a straight line in all directions from the said business to the nearest point of the day care center or private school. The measurement for a structure shall be taken from the nearest point that a structure extends in any direction, including overhanging roofs and all projections or portions of said structures.
- 27.9.7. It shall be unlawful for any alcoholic beverage store to be constructed, erected, or placed closer than 1,000 feet to another alcoholic beverage store. The measurement of the distance between said alcoholic beverage store shall be in a straight line in all directions from the said alcoholic beverage store to the nearest point of other such facility. The measurement for a structure shall be taken from the nearest point that a structure extends in any direction, including overhanging roofs and all projections or portions of said structures.
- 27.9.8. Alcoholic beverage stores shall be permitted in any commercial zoning district upon issuance of a specific use permit.
- 27.9.9. Notwithstanding any other provision in this ordinance, it shall be unlawful for any person who is engaged in the business of selling alcoholic beverages to sell alcoholic beverages in or within three hundred (300) feet of any residentially zoned area.

SECTION 28 **SPECIFIC USE PERMIT**

28.1 **General Provision**

- 28.1.1 As permitted under the provisions of this ordinance, a property owner may apply for a specific use of property, as authorized by the zoning district in which the property is located. The Planning and Zoning Commission shall consider such application. After proper notice and a public hearing, the Planning and Zoning Commission shall make a recommendation to the City Council regarding any application for a Specific Use Permit. The Planning and Zoning Commission may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.
- 28.1.2 An application for a Specific Use Permit (SUP) shall be accompanied by a site plan drawn to scale and showing the general arrangements of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials and locations of buildings; the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; visual screening such as walls, landscaping, and fences; and the relationship of the intended use to all existing properties and land uses in all directions to minimum distance of two hundred (200) feet.
- 28.1.3 After proper notice and a public hearing, the City Council may grant a permit for a specific use of property as authorized by the zoning district in which the property is situated. The City Council may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.

28.2 Specific Use Permit Regulations

- 28.2.1 In recommending that a specific use permit for the premises under consideration be granted, the Planning and Zoning Commission shall determine that such use or uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys, and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.
- 28.2.2 The City Council shall authorize issuance of a Specific Use Permit only after determining that the proposed use or uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration.
- 28.2.3 The City Council shall authorize issuance of a Specific Use Permit only after determining that adequate provisions have been made for the paving of streets, alleys, and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.
- 28.2.4 No Specific Use Permit shall be granted unless the applicant, owner, and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the permit, as attached to the site plan drawing (or drawings) and approved by the City Council. No public hearing is necessary for site plan approval.
- 28.2.5 Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations imposed by any governmental authority through legislation, rule, or regulation, the regulations, rules or restrictions which are more restrictive or impose higher standards or requirements shall govern. Regardless of any other provision of this ordinance, no land shall be used and no structure erected or maintained in violation of any State or Federal pollution control or environmental protection law or regulation.
- 28.2.6 When the City Council authorizes granting of a Specific Use Permit, the Zoning Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses.

SECTION 29 OFF-STREET PARKING AND LOADING REQUIREMENTS**29.1 Purpose**

To secure safety from fire, panic and other dangers; to lessen congestion in the streets; to facilitate the adequate provisions of transportation; to conserve the value of buildings; and to encourage the most appropriate use of land, minimum off-street parking and loading shall be provided as set forth in the following schedules and provisions.

29.2 Off-Street Parking Provisions

- 29.2.1 Required off-street parking shall be provided on the same site as the use it serves.
- 29.2.2 No parking shall be allowed except on a paved concrete or asphaltic concrete parking space surface.
- 29.2.3 No parking structure, including garages, carports, or similar structures, shall be located within the required front, side, or rear yards of a lot or tract (Exception: Ten (10) feet from your property line where paved alleys are provided by developer).

29.3 Size of Space

- 29.2.1 Each standard off-street surface parking space shall measure not less than ten (10) feet by twenty (20) feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street, right-of-way, or adjacent property, the length of the standard space may be reduced to eighteen (18) feet.

- 29.3.2 Each small car off-street parking space shall measure not less than nine (9) feet by sixteen (16) feet, exclusive of access drives and aisles, and shall be of usable shape and condition. Where it is possible for a vehicle to overhang the front of a parking space above a paved, stoned, mulched, or grassed area other than a sidewalk, street right-of-way or adjacent property, the length of the small car space may be reduced to fifteen (15) feet. All small car parking spaces shall be grouped and located in specific areas so as not to be scattered throughout a parking lot.
- 29.3.3 A maximum of fifty percent (50%) of the required parking for a general office or light manufacturing plant may be permitted as small car spaces upon approval of a site plan but only when both of the following conditions are met:
- 29.3.3a Signage will identify the small car spaces; and
- 29.3.3b The entire grounds and building served by the small car spaces are occupied and controlled by one tenant who shall be responsible for policing the use of the small car spaces.
- 29.3.4 Each parking space (on-street or off-street) designed for parallel parking shall have a minimum dimension of eight (8) feet by twenty-two (22) feet.
- 29.3.5 Each standard parking space located in a parking garage shall measure not less than nine (9) feet by twenty (20) feet, exclusive of access drives or aisles.
- 29.3.6 Commercial driveway width shall be a minimum of 30' wide with a minimum thickness of six (6) inch of concrete.

29.4 Parking Area Standards

- 29.4.1 To prevent nuisance situations, all parking area lighting shall be designed and operated so as not to reflect or shine on adjacent properties. For safety and fire-fighting purposes, free access through to adjacent parking areas shall be provided where practical.

- 29.4.2 Except for single family and duplex uses, parking spaces shall be permanently and clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods. Nonpermanent type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

29.5 Off-Street Parking Incidental to Main Use

Off -street parking shall be provided in accordance with the requirements specified by this ordinance and located on the lot or tract occupied by the main use or in accordance with Section 29.9 and located within the same zoning district as the main use.

29.6 Schedule of Parking Requirements Based on Use

Off-street parking shall be provided in sufficient quantities to provide the following ration of vehicle spaces for the uses specified in the districts designated. [Where a calculation results in requiring a fractional space, one additional space shall be required.]

- 29.6.1 Bank, savings and loan or similar financial establishment: One (1) space for each two hundred (200) square feet of total floor area.
- 29.6.2 Business or professional office, studio, medical or dental clinic: Three (3) parking spaces plus one (1) additional parking space for each two hundred (200) square feet of floor area over five hundred (500) feet.
- 29.6.3 Church or other place of worship: One (1) parking space for each (4) seats in the main auditorium.
- 29.6.4 Clinic of doctor's or dentist's office: One (1) space for each two hundred (200) square feet of total floor area.
- 29.6.5 Community center, library, museum or art gallery: Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided as the basis of one (1) space for each four (4) seats that it contains.
- 29.6.6 College or university: One (1) space for each two (2) students, plus one (1) space for each classroom, laboratory or instruction area.

29.6.7 Commercial Amusement (indoor):

29.6.7a Bowling Alley - 6 spaces for each lane;

29.6.7b Racquetball or handball courts - 4 spaces for each court;

29.6.7c Indoor tennis courts - 6 spaces for each court;

29.6.7d Gymnasium, skating rinks, and martial arts schools or areas - 1 space for each 3 seats at maximum seating capacity, plus 1 space for each two hundred (200) square feet;

29.6.7e Swimming Pool - 1 space for each one hundred (100) square feet of gross water surface and deck area;

29.6.7f Weight lifting or exercise areas - 1 space for each one hundred (100) square feet;

29.6.7g Bingo Parlors - 1 space for 3 seats (design capacity) or 1 per one hundred (100) square feet of total floor area, whichever is greater;

29.6.7h Indoor jogging or running tracks - 1 space for each one hundred (100) linear feet;

29.6.7i All areas for subsidiary uses not listed above or in other parts of Section 25:6 (those uses such as restaurants, offices, etc., shall be calculated with the minimum specified for those individual uses) - 1 space for each one thousand (1,000) square feet.

29.6.7j Other - 1 space for each three (3) persons accommodated (design capacity).

29.6.8 Dance hall, assembly or exhibition hall (without fixed seats):

One (1) parking space for each sixty (60) square feet of floor area used thereof.

29.6.9 Day nursery, day care, kindergarten school:

One (1) space per ten (10) pupils/clients (design capacity).

29.6.10 Dwellings, single-family attached or detached.

Two (2) parking spaces for each dwelling unit.

29.6.11 Dwellings, multifamily:

Two and one-half (2.5) off-street parking spaces shall be provided per unit. Required parking may not be provided within the required front yard.

29.6.12 Flea market:

One and one-half (1.5) spaces for each two hundred (200) square feet of floor area or market area.

29.6.13 Fraternity, sorority or dormitory:

One (1) parking space for each two (2) beds.

29.6.14 Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service:

Two (2) parking spaces plus one (1) additional parking space for each five hundred (500) square feet of floor area over one thousand (1,000) square feet.

29.6.15 Gasoline service station:

Minimum of 4 (4) spaces plus 1 space for every two hundred (200) square feet of floor space including incidental car washes.

29.6.16 Golf course:

Minimum of thirty (30) spaces per nine (9) holes

29.6.17 Health care facility:

One (1) space for each four (4) rooms or beds, whichever is greater.

29.6.18 Hospital:

One (1) space for each two (2) beds.

- 29.6.19 Hotel or motel:
One (1) parking space for each sleeping room, unit, or guest accommodation plus one (1) space for each three hundred (300) square feet of commercial floor area contained therein.
- 29.6.20 Lodge, or fraternal organization:
One and one-fourth (1.25) spaces per two hundred (200) square feet.
- 29.6.21 Manufacturing, processing or repairing:
One (1) parking space for each two (2) employees on the maximum working shift, plus space to accommodate all vehicles used in connection therewith, but not less than one (1) parking space for each 1,000 square feet of floor area, whichever is greater.
- 29.6.22 Massage establishment:
One (1) space for each two hundred (200) square feet of floor area.
- 29.6.23 Mini-warehouse:
Four (4) spaces per complex plus one (1) space per five thousand (5,000) square feet of storage area.
- 29.6.24 Mortuary or funeral home:
One (1) parking space for each fifty (50) square feet of floor space in slumber rooms, parlors, or individual funeral service rooms.
- 29.6.25 Motor vehicle salesrooms and used car lots:
One (1) parking space for each five hundred (500) square feet of sales floor for indoor uses, or one (1) parking space for each one thousand (1,000) square feet of lot area for outdoor uses.
- 29.6.26 Office, general:
One (1) space for each three hundred and fifty (300) square feet of total floor area.
- 29.6.27 Office, medical:
One (1) space for each two hundred (200) square feet of floor area.
- 29.6.28 Office-showroom or office - warehouse:
One (1) space for each one thousand (1,000) square feet of floor area for storage and warehousing, plus one (1) space for each one hundred (100) square feet of office, sales or display area.
- 29.6.29 Private club:
If free standing or located in a shopping center of 150,000 square feet or less, one (1) space for each ten (10) square feet of bar, lounge and waiting areas, plus one (1) space for each one hundred (100) square feet of remaining floor area.
- 29.6.29a If located in a shopping center of greater than 150,000 square feet, one (1) space for each one hundred (100) square feet of gross floor area.
- 29.6.30 Private country club or golf club:
One (1) parking space for each two hundred fifty (250) square feet of floor area or for every five (5) members, whichever is greater.
- 29.6.31 Recreational area or building (other than listed):
One (1) space for each two (2) persons to be normally accommodated in the establishment.
- 29.6.32 Restaurant, cafeteria, café or similar establishment:
One (1) parking space for every one hundred (100) square feet of floor area plus six (6) additional stacking spaces if drive-through windows are provided.
- 29.6.33 Retail store or personal service establishment, except as otherwise specified herein:
One (1) parking space for each two hundred (200) square feet of floor area.
- 29.6.34 Sanitarium, convalescent home, home for the aged or similar institutions:
One (1) parking space for each six (6) beds.
- 29.6.35 School, elementary and middle:
One (1) parking space for each five (5) seats in the auditorium or main assembly room, or one (1) space for each classroom plus ten (10) spaces, whichever is greater.

29.6.36 School, secondary (grades 9 - 12):

One (1) parking space for each four (4) seats in the main auditorium, or one (1) space for each classroom plus one (1) space for each two (2) students accommodated in the institution, whichever is greater.

29.6.37 Shopping center:

One (1) space for each two hundred (200) square feet of floor area. The total floor area used for restaurants and cafeterias (but not including private clubs) which exceeds ten percent (10%) of the shopping center floor area, shall require additional parking to be provided in accordance with the requirements for restaurants.

29.6.37 Storage or warehousing:

One (1) space for each two (2) employees, or one (1) space for each one thousand (1,000) square feet of total floor area, whichever is greater.

29.6.38 Theater, auditorium (except school), meeting room, sports arena, stadium, gymnasium, or other places of public assembly:

One (1) parking space for each four (4) seats or bench seating spaces.

29.6.39 Vehicle repair garage:

Three (3) spaces per service bay, plus one (1) space per employee (maximum shift), plus one (1) space per tow truck or other service vehicle.

29.7 Off-Street Parking Requirements for Uses Not Listed

For those uses which are not matched with a parking requirement in 29.6, the following standards shall apply:

<u>General Use Category</u>	<u>Parking Space Requirements</u>
a. Educational & Institutional	One space per employee
b. Transportation, Utility & Communications Uses	One space per employee plus one space per stored vehicle
c. Accessory & Incidental Uses	One space per employee
d. Office & Professional Uses	One space per 300 square feet of gross floor area
e. Automobile & Related Uses	One space per employee plus one space per stored vehicle
f. Retail Uses	One space per 200 square feet of gross floor area
g. Service Uses	One space per 200 square feet of gross floor area
h. Wholesale Uses	Same as for "Storage or warehousing"
i. Contract Construction Uses	One space per employee
j. Commercial, Manufacturing, & Industrial Uses	Same as for "Manufacturing, processing, or repairing"

29.8 Rules for Computing Number of Parking Spaces

In computing the number of parking spaces required for each of the uses in Sections 29.1 - 29.7), the following rules shall govern:

29.8.1 "Floor Area" shall mean the gross floor area of the specific use.

29.8.2 Where fractional spaces result, the parking spaces required shall be rounded to the nearest whole number.

29.8.3 The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.

29.8.4 In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

29.9 Location of Parking Spaces

All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:

- 29.9.1 Where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located not more than three hundred (300) feet from an institutional building served and not more than three hundred (300) feet from any other non-residential building served.
- 29.9.2 Not more than fifty percent (50%) of the parking spaces required for theaters, bowling alleys, cafes, or similar uses and not more than eighty percent (80%) of the parking spaces required for a church or school auditorium or similar uses may be provided and used jointly by similar uses not normally open, used or operated during the same hours as those listed; provided, however, that written agreement thereto is properly executed and filed as specified below.
- 29.9.3 In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form by the city and executed by the parties concerned, and shall be filed with the application for a building permit.

29.10 Use of Parking Spaces - All Districts

Required off-street parking and loading spaces shall be used only for these respective purposes and shall not be used for storage or display of boats, trailers, campers, motor vehicles or other goods, materials, products for sale.

29.11 Special Off-Street Parking Regulations

In computing the parking requirements for any development, the total parking requirements shall be the sum of the specific parking space requirements for each use included in the development. Where multiple uses are proposed for a building, the parking requirements shall be calculated on the basis of the most restrictive requirements unless specific areas of different uses are delineated by floor or building segment.

- 29.11.2 Wherever a parking lot is located across the street from or adjacent to residentially zoned property, and is designed so that headlight beams will shine into residences (whether or not such residences have been built at the time the parking lot is constructed), and irrigated earthen berm or a solid masonry wall or reinforced concrete fence of not less than three (3) nor more than four (4) feet in height above the finished grade of the off-street parking area shall be erected and maintained so as to provide a headlight screen for the residential district.
- 29.11.3 The off-street parking spaces designated for each apartment (multifamily) dwelling unit shall be located within one hundred (100) feet of the dwelling unit served by such spaces.
- 29.11.4 In all residential district, no heavy load vehicle, truck trailer, truck tractor, mobile home, motor home, camper, trailer, boat, machinery, farm equipment or machinery or any other similar equipment or machinery (called collectively "equipment") shall be parked or left standing for more than two (2) days out of any consecutive seven (7) day period within the required front yard or within the side yard of a corner lot between the side building line and side property line on the side of the lot abutting a street or public right-of-way.

In no event shall equipment, including motor vehicles, trucks, and vans be parked or left standing at any time on a surface other than a paved or gravel driveway or paved parking lot. The driveway shall be located either:

- 1) between the street or alley on the one hand, and on the other a garage or carport;
- 2) in the side yard adjacent to the main building; or
- 3) as a circular driveway serving the main entrance of the premises;

The driveway shall be no wider than the width of the garage, carport (or 20 feet whichever is greater) or parking space which it serves. No more than fifty percent (50%) of the front yard shall be a driveway. In no event shall vehicles or equipment be parked or left standing closer than five (5) feet from the front property line.

- 29.11.5 All uses except single-family residential uses shall be provided with sufficient space for entering and exiting without backing into a public street. Along highly traveled roadways of a collector or larger, single-family lots shall also provide on-site maneuvering areas so that exiting vehicles do not have to back into the roadway.

29.12 Design Standards For Parking Structures

- 29.12.1 In all districts, above grade parking structures shall conform to height restrictions for zoning districts in which they are located.
- 29.12.2 The distance from parking structure entry and exit points to a corner of a street intersection shall conform to standards contained in the Subdivision Ordinance.
- 29.12.3 Ramps shall not be constructed with slopes exceeding eleven percent (11%) and single lane entrances shall not be less than twelve (12) feet wide at the street.
- 29.12.4 A minimum of one (1) car length shall be provided between an exit control gate and the inside edge of a sidewalk to minimize conflicts between exiting cars and pedestrians.
- 29.12.5 Parking structure facades shall be left fifty percent (50%) open and interior light levels shall be maintained at ten (10) foot candles to enhance security and safety. All parking structure lighting shall be designed so as not to reflect or shine on adjacent properties.
- 29.12.6 Full enclosure of any level of a parking structure may be permitted only if such structure is fully sprinklered and mechanically ventilated.

29.13 Off-Street Loading

- 29.13.1 All retail, commercial, and industrial structures shall provide and maintain off-street facilities for the loading and unloading of merchandise and goods within the building or on the lot adjacent to a private service drive.

At least one-half of such loading spaces shall have a minimum dimension of ten (10) feet by forty (40) feet, and the remaining spaces shall have a minimum dimension of ten (10) feet by twenty (20) feet.

Where such loading spaces is located adjacent to a residential district, the space shall be enclosed on three (3) sides.

Loading spaces shall be provided in accordance with the following schedule:

FOR ALL RETAIL, COMMERCIAL AND INDUSTRIAL USES

Square Feet of Gross Floor Area in Structure	Minimum Required Spaces or Berths
0 to 10,000	None
10,000 to 50,000	1
50,000 to 100,000	2
100,000 to 200,000	3
Each additional 100,000	1 additional

FOR ALL HOTELS, OFFICE BUILDINGS, RESTAURANTS, SIMILAR ESTABLISHMENT

Square Feet of Gross Floor Area in Structure	Minimum Required Spaces or Berths
0 to 50,000	None
50,000 to 150,000	1
150,000 to 300,000	2
300,000 to 500,000	3
500,000 to 1,000,000	4
Each additional 500,000	1 additional

- 29.13.2 Kindergartens, day schools, and similar child training and care establishments shall provide loading and unloading space on a private drive, off-street, to accommodate one (1) motor vehicle for each ten (10) students or children cared for by the establishment.

29.13.3 Loading docks for any establishment which customarily receives goods between the hours of 9:00 p.m. and 8:00 a.m., and is adjacent to a residential use or district, shall be designed and constructed so as to fully enclose the loading operation in order to reduce the effects of the noise of the operation on adjacent residences.

29.13.4 Where adjacent to residential uses or district, off-street loading areas shall be screened from view of the residential use or district.

29.14 Stacking Requirements for Drive-Through Facilities

29.14.1 A stacking space shall be an area on a site measuring eight (8) feet by twenty (20) feet with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area.

29.14.2 For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five (5) stacking spaces (from the right-of-way line).

29.14.3 For each service window of a drive-through restaurant, a minimum of seven (7) stacking spaces (from the right-of-way line) shall be provided.

29.14.4 For kiosks, a minimum of two (2) stacking spaces (from the right-of-way) for each service window shall be provided.

29.15 Parking for the Disabled

29.16.1 Required parking spaces for the disabled shall be provided for all uses in accordance with 29.15.3 and 29.15.4, "Required Parking for the Disabled". Such spaces must be not less than 96" wide with an adjacent aisle or clear space of at least 60" wide. One in every eight wheelchair accessible spaces, not less than one, shall be served by an access aisle a minimum 96 inches wide and shall be designated "van accessible". A common aisle between two spaces may be shared. All such spaces shall be striped and designated by signs legibly stating that such parking space or spaces are restricted to use only by the disabled. Each such sign must display a profile of a wheelchair with occupant and be placed so that it will not be obscured by parked vehicles. The signs shall conform to the standard size, weight, and length as set forth in the Texas Manual on Uniform Traffic Control Devices. Such parking spaces shall be located as near as possible to an access ramp, and such spaces shall not include any fire lane or other area necessary for aisles or maneuvering of vehicles.

29.15.2 The owner of private property open to the public for parking purposes shall designate specific parking spaces for the disabled in conformance with the rules promulgated by the State Purchasing and General Services Commission as modified and/or supplemented by the provisions, if any, of this City Zoning Ordinance.

29.15.3 RESIDENTIAL USES

	Required Number of Disabled Parking Spaces	Required For Each*
Residential Uses (Apartment complexes)	0	1-20 required parking spaces
	1	21-99 required parking spaces
	2	100-199 required parking spaces
	1	Additional 100 required parking spaces, with a maximum of 15 disabled spaces being required

29.15.4 ALL NONRESIDENTIAL USES

Total Parking in Lot	Required Number of Accessible Spaces*
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 and over	20 plus 1 for each 100 over 1,000

*Accessible parking spaces may be used to meet the required number of parking spaces.

SECTION 30 ACCESSORY BUILDING REGULATIONS**30.1 Height**

No accessory building shall exceed twenty-five (25) feet in height, nor shall it be greater in height than the main structure.

30.2 Area Regulations for Accessory Buildings or Structures in Residential and Apartment Districts

30.2.1 Front Yard: Attached accessory buildings, including garages and carports, shall have a front yard not less than the main building, or as specified in the particular district. Detached accessory buildings shall not be located in the Front Yard.

30.2.2 Side Yard: There shall be a side yard not less than five (5) feet from any side lot line, alley line, or easement line, except that adjacent to a side street, the side yard shall never be less than twenty (20) feet.

30.2.3 Rear Yard: There shall be a rear yard not less than ten (10) feet from any lot line, alley line, or easement line. Carports, garages, or other accessory buildings located within the rear portion of a lot, as heretofore described, shall not be located closer than fifteen (15) feet to the main building nor nearer than five (5) feet to any side lot line.

SECTION 31 PLATTING PROPERTY THAT IS PERMANENTLY ZONED**31.1 Zoning Required Prior to Approval of Plat**

The City Council shall not approve any plat of any subdivision within the city limits until the area covered by the proposed plat shall have been permanently zoned by the City Council.

31.2 Annexation Prior to Approval of Plat

The City Council shall not approve any plat or any subdivision within any area where a petition or ordinance for annexation or a recommendation for annexation to the city is pending before the City Council unless and until such annexation shall have been approved by ordinance by the City Council.

31.3 Contemporaneous Action on Zoning and Annexation

In the event the City Council holds a hearing on proposed annexation, it may, at its discretion, hold a contemporaneous hearing upon the permanent zoning that is to be applied to the area or tract to be annexed. The City Council may, at its discretion, act contemporaneously on the matters of permanent zoning and annexation.

SECTION 32 CLASSIFICATION OF NEW AND UNLISTED USES**32.1 Procedure For Classifying New/Unlisted Uses**

It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate the city. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

- 32.1.1 The Zoning Administrator shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission requesting a recommendation to the City Council as to the zoning classification(s) into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material, and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer. The Planning and Zoning Commission shall make a recommendation to the City Council regarding the zoning districts within which such use should be permitted.
- 32.1.2 The Planning and Zoning Commission and the City Council shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts, in determining the zoning district or districts within which such use should be permitted.
- 32.1.3 The City Council shall by ordinance approve or make such determination concerning the classification of such use as is determined appropriate, based upon its findings.

SECTION 33 CREATION OF BUILDING SITE AND CERTIFICATE OF OCCUPANCY**33.1 Procedure for Creating Building Site/Lot**

No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract, or building lot has been created by compliance with one of the following conditions:

- 33.1.1 The lot or tract is part of a plat of record, properly approved by the City Council and signed by the Mayor, and filed in the plat records of the county and counties in which the lot or tract is located.

SECTION 34 NON-CONFORMING USES AND STRUCTURES**34.1 Uses in Existence at Time of Adoption of Ordinance**

A non-conforming status shall exist when a use or structure which does not conform to the regulations prescribed in the district in which such use or structure is located was in existence and lawfully operating prior to the adoption of the Zoning Ordinance.

34.2 Expansion of Non-Conforming Use Prohibited

No non-conforming use or structure may be expanded or increased beyond the lot or tract upon which such non-conforming use is located as of the effective date of this ordinance except to provide off-street loading or off-street parking space upon approval of the City Council. However, an accumulative 10% increase in structure can be achieved on the same lot if approved the City Council.