STATE OF TEXAS	**§**	
	§	**ORDINANCE #2026-01**
COUNTY OF STARR	**§**	

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LA GRULLA, STARR COUNTY, TEXAS ENTITLED "ZONING CODE" OF THE CITY OF LA GRULLA".

WHEREAS, the City Commission of the City of La Grulla, Starr County, Texas, desires to develop a comprehensive plan for the purpose of promoting health, safety from fire, panic, and other dangers; morals, and the welfare of the general public, including a suitable living environment and expanding economic opportunities; provide adequate light and air; prevent the overcrowding of land; avoid undue concentrations of population;

WHEREAS certain conditions exist which represent a threat to public health and safety; and

WHEREAS it is necessary and in the best interests of the City of La Grulla to adopt this zoning code to promote future community and business development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LA GRULLA, STARR COUNTY, TEXAS:

1. That Ordinance #2026-01 entitled "Zoning Code" and attachments herein incorporated are hereby adopted, incorporating all attachments and amendments.

Passed and approved this __ day of _____, 2026.

_____
Macario Villarreal III, Mayor
City of La Grulla, Starr County, Texas

ATTEST:

_____
Roberto A. Salinas, City Administrator
City of La Grulla, Starr County, Texas

ADOPTION CERTIFICATION.

I hereby certify that this is a true and correct copy of the Flood Damage Prevention Ordinance as adopted by the City Commission of the City of La Grulla, Texas, on this _____ day of _____, 2026.

Signed:

_____

Macario Villarreal III, Mayor

Attest:

_____

Roberto A. Salinas, City Administrator

Certified as to form and content:

_____	_____
Saul Maldonado, PE	Ricardo Gonzalez, Attorney
SAM Engineering Services	Oxford and Gonzalez, LLC
Date:_____	Date:_____

TITLE (X)

ZONING ORDINANCE

CHAPTER (X)

SECTION:

1. Authority, Roles, and Procedures
2. : Residential Code
3. : Fire Code
4. : Mechanical Code
5. : Plumbing Code

6. Energy Conservation Code
7. Electrical Code
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9. Enforcing Officers
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SECTION 1 – AUTHORITY, ROLES, AND PROCEDURES

I. ZONING AUTHORITY AND ROLES

A. Planning and Zoning Commission. As authorized under the Texas Government Code, Chapter 211.007, the Planning and Zoning Commission serves as an advisory board to the City Council, which includes review and recommendation of applications subject to zoning authority, such as rezoning and text amendments to these zoning regulations.

B. City Council. The City Council is responsible for appointing and removing members of the Planning and Zoning Commission. The City Council shall hear and render decisions on applications for original zoning, render decisions on proposed amendments to the official zoning map, and take final action on amendments to the text of the zoning ordinance.

C. Zoning Administrator. The Zoning Administrator, designated by the City Council, will be the administrative official responsible for the day-to-day duties and procedures provided in this ordinance. The provisions of this ordinance will ordinarily be carried out by said official or a designee, such as assistants, deputies, or department heads.

D. Board of Adjustments. The Board of Adjustments (BOA) has the powers and duties set forth in Chapter 211 of the *Texas Local Government Code* as amended.

(1) *Membership*. The Board of Adjustment shall consist of five (3) regular members and two (2) alternate members, each to be appointed for a term of two (2) years and removable for any cause by the City Council. The two (2) alternate members shall serve in the absence of one (1) or more regular members when requested to do so by the City Administrator or his/her designee. Vacancies will be filled for the unexpired term of any member whose term becomes vacant. The appointed members shall select a Chairperson and other officers from among their membership as may be deemed necessary.

(2) *Meetings*. The Board shall adopt rules in accordance with the provisions of this ordinance. Meetings of the Board shall be held at the call of the Chairperson and at such other times as the Board may determine. Such Chairperson, or in his/her absence, the Acting Chairperson, may administer oaths and compel the attendance of witnesses. The Board shall keep minutes of its proceedings, showing the vote of each member upon question, or if absent or failing to vote, indicating such fact, and shall keep records of the examinations and other official action, all of which shall be immediately filed in the Office of the City Secretary and shall be a public record.
Five (5) members of the Board of Adjustment shall constitute a quorum. The Chairperson shall vote on all questions. A concurring vote by 75 percent of the Board

shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variations in such ordinance.

II. ADMINISTRATIVE PROCESSES.

A. Administration and Enforcement. An administrative official designated by the City Administrator, usually the Planning Director, shall administer and enforce this Ordinance. The Planning Director may be provided with the assistance of other people, as the City Administrator may direct.

(1) The Planning Director or its designees shall review the application and decide the completeness of the application.

(2) A complete application will be reviewed by the Planning Department staff for consideration of applicable criteria, and a report shall be prepared and forwarded to the Planning and Zoning Commission and the City Council.

(3) The Planning Department report may include a recommendation for final action.

(4) All questions on interpretation and enforcement shall first be presented to the Planning Director. After review, such questions may be presented to the Zoning Board of Adjustment (ZBA) only on appeal from the decision of the Planning Director. Recourse from the decisions of the Zoning Board of Adjustment (ZBA) shall be as provided by law.

B. Zoning Map. The Official Zoning Map is divided into districts, with all the land use explained. This map is hereby adopted by reference and declared part of this ordinance. The Official Zoning Map shall be identified by the signature of the City Mayor, attested by the City Secretary, and bearing the official Seal of the City under the following words:

"This is to certify that this is the Official Zoning Map of the City of La Grulla, Texas."

The Official Zoning Ordinance and Map shall be updated from time to time to reflect changes and amendments that were approved by resolution of the City Council. Any unauthorized change in the Official Ordinance and Map by any person is prohibited. The Official Map shall be available to the public at all hours when the City Hall is open to the public, and it will be available on the City's official website.

C. Plat Requirement. No building permit application for a building or structure shall be approved unless there is an approved and filed plat for that property or land seeking such permit, meeting the City's Zoning & Subdivision Ordinance. A Conveyance Plat shall not be considered an approved plat.

III. DEVELOPMENT PROCESSES.

A. Rezoning. The Official Zoning Map may be amended based upon changed or changing conditions in a particular area or in the City, or to rezone an area, or to extend the boundary of an existing zoning district. All amendments must be in accordance with the Future Land Use Plan, which may be amended according to the procedure described in the *Texas Local Government Code*, Chapter 213.00. The City Council is responsible for final action on rezonings.

(1) Submittal requirements. An application for Rezoning shall be deemed complete when the applicant or agent has provided on or before the application submittal date prescribed by the City Administrator or his/her designee:

a. A letter or application form, signed by the property owner(s), stating the current and requested zoning classifications.

b. A copy of the current deed, indicating ownership and authority to file the application.

c. A legal description of the property, whether by Lot and Block, or by metes and bounds

d. The full required fee for processing the application.

e. A list of property owners within two hundred (200) feet of the property for which the change in district boundary is proposed.

(2) Zoning Administrator *Review*

a. The Zoning Administrator shall review the application and decide the completeness of the application.

b. A complete application will be reviewed by the Zoning Administrator and his/her designees for consideration of applicable criteria and a report shall be prepared and forwarded to the Planning & Zoning Commission and City Council.

c. The Zoning Administrator's report may include a recommendation for final action.

(3) *Planning and Zoning Commission Required Notice, Hearing, and Recommendation*. The Planning and Zoning Commission shall hold a public hearing to consider proposed changes in district boundaries or amendments to regulations. Notice of such public hearing shall be prepared in accordance with the requirements of the Texas Local Government Code, Chapter 211, as amended. If an application or petition has been filed, the party responsible shall appear in person or by agent. The Commission shall act upon changes and amendments as originally submitted or modified. If the Commission is satisfied that a proposed change or amendment is justified, it shall recommend City Council approval. If modifications are required, such modifications shall be included in the recommendation to the City Council. If the Commission is not satisfied that a proposed change or amendment is justified, it shall recommend City Council disapproval. The reasons for disapproval shall be included in the recommendation to the City Council.

(4) *City Council Required Notice, Hearing, and Action*. A public hearing shall be held by the City Council before adopting any proposed supplement, amendment, or change. Notice of such hearing shall be given in accordance with the Texas Local Government Code, Chapter 211, as amended. If an application or petition has been filed, the owner shall appear in person or by agent. The Council shall receive the recommendation of the Planning and Zoning Commission, hold the required public hearing, and act on the

request.

(5) *Approval Criteria*. In determining whether to approve, approve with modifications, or disapprove a proposed amendment, the City Council shall consider the following:

a. The application is complete, and the information contained within the application is sufficient and correct enough to allow adequate review and final action;

b. The rezoning is consistent with the City's adopted Future Land Use Plan;

c. The rezoning promotes the health, safety, or general welfare of the City and the safe and orderly development of the City;

d. The rezoning is compatible with the present zoning and conforming uses of nearby property and with the character of the neighborhood; and,

e. The property to be rezoned is suitable for uses permitted by the District that would be applied by the proposed amendment,

B. Conditional Use Permit. A Conditional Use Permit is intended to provide some flexibility to traditional zoning by offering a mechanism to balance specific site constraints and development plans with the larger interest of the community and the integrity of the Zoning Ordinance. An application for a Conditional Use Permit follows the same process as a Rezoning. The Permit, if granted, may include conditions placed upon the development of the property. The Planning and Zoning Commission and City Council shall consider the following, at a minimum, in conjunction with their deliberations for approval or denial of the application and the establishment of conditions:

1. Consistency with the Future Land Use Plan.
2. Conformance with applicable regulations in this Ordinance and standards established by the regulations.
3. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk, scale, setbacks, and open spaces, landscaping and site development, and access and circulation features.
4. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent that such impacts exceed those which may result from use of the site by a permitted use.
5. Modifications to the site plan which would result in increased compatibility or would mitigate potentially unfavorable impacts or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
6. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic expected to be generated by the proposed use.
7. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards of impacts.
8. Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.
9. Adequacy and convenience of off-street parking and loading facilities.
10. *Finding of Fact*. The Planning and Zoning Commission, in recommending favorably

upon an application for conditional use, must make all of the following findings of fact:

a. The proposed use is in accord with the objectives of these regulations and the purposes of the district in which the site is located.

b. That the proposed use will comply with each of the applicable provisions of these regulations.

c. That the proposed use and site development, together with any modifications applicable thereto, will be completely compatible with existing or permitted uses in the vicinity.

d. That the conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and ensure compatibility with existing or permitted uses in the same district and the surrounding area, and that the prescribed zoning standards do not provide enough mitigation of the impacts identified, thus warranting stricter standards, if so recommended.

e. The Commission has given due consideration to all technical information supplied by the applicant.

f. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

C. Zoning Board of Adjustments Variance Process. The Board of Adjustment shall have the authority to hear requests for variance in accordance with the terms of this ordinance.

(1) *Application Requirements for Variance*. The following terms prescribe the initiation and initial process of a variance application:

a. Initiation of a variance process must be made in accordance with Chapter 211.010 of the *Texas Local Government Code*.

b. Applications must be made in a format consistent with requirements determined by the City Administrator, or his/her designee. Applications must include all materials determined necessary by the City Administrator, or his/her designee. Information regarding format requirements and submittal materials required for the application will be made available by the City Administrator or his/her designee in advance of any application.

c. Upon submission of an application, the City Administrator or his/her designee will determine whether the application is complete.

d. The City Administrator, or his/her designee, may establish procedures for as administrative review necessary to ensure compliance with this Code and state law.

(2) *Consideration*. The City Administrator or his/her designee shall prepare a report, which may include a recommendation for final action. The Board of Adjustment will review the application, the City Administrator's report, conduct a hearing in accordance with the Board of Adjustment's established procedures and state law, and take final action on the application. In accordance with *Texas Local Government Code*, Chapter 211.009, amended, the concurring vote of 75 percent of the board's members is required to authorize a variance from the terms of the zoning ordinance.

(3) *Criteria for Granting a Variance, Findings Required*. The Board of Adjustment shall prescribe only conditions that it deems not prejudicial to the public interest and shall enumerate its decision with findings of fact. In making the required findings, the Board of

Adjustment shall consider the nature of the proposed use of the land involved, the existing use of land in the vicinity, the number of persons who will reside or work in the proposed development, the possibility that a nuisance may be created, and the probable effect of such variance upon trafT1c conditions and upon public health, convenience, and welfare of the vicinity. No variance shall be granted unless the Board of Adjustment finds all of the following:

a. *Extraordinary Conditions*. That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of reasonable use of the land. For example, a variance might be justified because of topographic or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.

b. *Preservation of a Substantial Property Right*. The variance is necessary for the preservation of a substantial property right of the applicant.

c. *Substantial Detriment*. The granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.

d. *Other Property*. The conditions that create the need for the variance do not apply to other property in the vicinity.

e. *Applicant's Actions*. The conditions that create the need for the variance are not the result of the applicant's own actions.

f. *Comprehensive Plan.* The granting of the variance would not conflict with the Comprehensive Plan and the purposes of this Code.

g. *Utilization*. Because of the conditions that necessitate the variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict its use.

(4) *Insufficient Findings*. The following types of findings do not constitute sufficient grounds for granting a variance:

a. That the property cannot be used for its highest and best use.

b. That there is only a financial or economic hardship.

c. That there is a self-created hardship by the property owner or its agent. That the development objectives of the property owner are or will be frustrated.

d. The fact that property may be utilized more profitably should a variance be granted.

(5) *Limitations*. The Board of Adjustment may not grant a variance when the effect of the variance would be any of the following:

a. To allow the establishment of a use not otherwise permitted in the applicable zoning district.

b. To increase the density of a use above that permitted by the applicable district.

c. To extend a nonconforming use of land.

d. To change the zoning district boundaries shown on the Official Zoning Map.

e. *Time to exercise variances*. A variance shall not be valid if the action authorized is not begun within a period of ninety (90) days. Action shall include the

issuance of a building permit.

D. Limit of Reapplication. If any development permit or approval under this ordinance, any petition for a plan amendment or any petition for an amendment to the zoning ordinance is disapproved by the City Council, another application or petition for the same permit, approval or amendment for the same property or any portion thereof may not be filed within a period of 90 days (or 12 months for rezoning applications) from the date of final disapproval, except with specific direction from the Planning & Zoning Commission or City Council. Such reapplication must demonstrate:

(1) There is a substantial change in circumstances relevant to the issues and/or facts considered during review of the application that might affect the decision-making body's application of the relevant review standards to the development proposed in the application; or

(2) New or additional information is available that was not available at the time of the review that might affect the decision-making body's application of the relevant review standards to the development proposed; or

(3) A new application is proposed to be submitted that is materially different (e.g., proposes new uses or a substantial decrease in proposed densities and intensities) from the prior application; or

(4) The final decision on the application was based on a material mistake of fact.

SECTION 2 – ZONING DISTRICTS AND REGULATIONS

I. ESTABLISHMENTS OF ZONING DISTRICTS

A. The following Zoning Districts are hereby established for the City of La Grulla as authorized by the City Charter and Chapter 211 of the Texas Government Code.

Districts

District Code	**District Name**
AGO	Agriculture/Open Space
RR	Rural Residential
SR	Suburban Residential
MR	Mixed-Density Residential
MF	Multi Family
MH1	Manufactured Housing
MH2	Mobile Home Park
TH1 and TH2	Townhouse
MU	Mixed Use
C1	Neighborhood Commercial
OPR	Office/Professional/Limited Retail
C2	General Commercial
PFI	Public Facilities/Institutional
LI	Light Industrial
HI	Heavy Industrial
PD	Planned Development

B. Official Zoning Map. The Official Zoning Map is hereby adopted by reference and declared to be a part of the Code of Ordinances of the City of La Grulla. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary, and bear the Seal of the City of La Grulla.

C. If, in accordance with the provisions of this Ordinance and Chapter 211.006 of the *Texas Local Government Code*, as amended, changes are made in the District boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map, within thirty business days after the amendment has been approved by the City Council and signed by the Mayor.

(1) Approved zoning changes shall be entered on the Official Zoning Map, and each change shall be identified on the Map with the ordinance number making the change.

(2) No change of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with procedures set forth in this Ordinance. Any unauthorized change shall be null and void and have no force or effect.

(3) Regardless of the existence of copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map shall be located in the office of the City Secretary and is the final authority as to the current zoning status of all areas in

the City.

D. *Digital Mapping.* Digital maps, created through the use of geographical information system technology, containing registration points recorded on the Texas State Plane Coordinate System, as amended, may be used in the administration and enforcement of this Ordinance, but will not replace the paper originals of official maps required by this Ordinance.

E. Replacement of Official Zoning Map

(1) In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature and/or number of changes and additions, the City Council shall, by ordinance, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary, and bearing the Seal of the City and date under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of map being replaced) as part of Ordinance No._of the City of La Grulla, Texas."

(2) Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment. The City shall initiate creation of a revised Official Zoning Map consistent with the provisions of this Ordinance.

F. *Rules for Interpretation of District Boundaries*. Where uncertainty exists as to the boundaries of Districts as shown on the Official Zoning Map, the following rules shall apply:

(1) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.

(2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

(3) Boundaries indicated as approximately following city limits shall be construed as following such city limits.

(4) Boundaries indicated as following railroad lines shall be construed to be midway between the rails of the main line.

(5) Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.

(6) Boundaries indicated as parallel to, or extensions of features indicated above, shall be construed. Distances not specifically indicated in a classification amendment shall be determined by the scale of the map.

(7) Where physical features, such as streets, railroad lines, rivers, streams, and such, existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered above, the Director of Development Services shall make a written interpretation of the District boundaries, for approval by the City Administrator.

G. *Uniform Application of District Regulations*. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected,

constructed, reconstructed, moved, or structurally altered except in conformity with all the zoning regulations herein specified for the District in which it is located.

H. *Overlay District Applicability*. The overlay district(s) defined herein include requirements specific to the designated area(s) as defined on the official zoning map. The requirements in the overlay district(s) are in addition to existing zoning requirements in the corresponding underlying zoning districts. Standards and requirements not specifically addressed in the overlay requirements but provided for in the La Grulla Code of Ordinances for similar development shall apply. In the case of conflicting zoning requirements between existing zoning and the overlay district, requirements of the overlay district shall apply.

II. ZONING DISTRICT'S PURPOSE STATEMENT

A. Residential Districts

A. *Rural Residential (RR District)*. This district is established for large-lot residential (single-family) housing. It is consistent with a very low-density suburban/exurban environment with housing (one house per lot) arranged in a conventional detached format with a maximum density of 2 units per acre. These lots contribute to the semi-rural setting of the City and are protected from incompatible uses.

B. *Suburban Residential (SR District).* This district is established for traditional suburban development of single-family detached dwellings in a medium-density setting of 2-5.5 units per acre. High-density residential development serves as a buffer to protect this area from incompatible and nuisance issues.

C. *Mixed-Density Residential (MR District)*. The mixed-density residential district enables higher density (5.5-12 units per acre) housing types, such as townhomes, garden homes, or duplex/triplex, to be developed in closer proximity to collector streets. The district is intended to complement the suburban district and, in infill areas, serve as a transitional use between commercial and single-family uses.

D. *Multi-Family (MF District*). This district provides for attached, multiple-family residential use to a maximum density of 18 units per acre, situated with access to an arterial roadway. It is intended to be located near retail and office use to provide convenient service. Its scale provides pedestrian access to surrounding service uses.

E. *Manufactured Home (MH1 District)*. The Manufactured Home District, MH-I, provides a single-family residential zoning district most appropriate to an established neighborhood that contains manufactured home residences. This district allows HUD-Code manufactured homes, modular homes, or other site-built homes on individual lots, and provides for a diversity of housing options.

F. *Mobile Home Park (MH2 District)*. The MH-2 Mobile Home Park District is intended to provide locations for the development of mobile home community parks. Homes in this district shall be restricted to mobile homes as defined by the U.S. Department of Housing and Urban Development.

G. *Townhouse 1 (TH1)*. Townhouses are single-family semi-detached or attached housing units. This TH 1 district is established to provide additional housing opportunities that promote the most efficient use of city facilities and services. In TH 1, the homes have a zero (0) foot side lot line on one side and a five (5) foot setback on the other

Townhouse 2 (TH2). These townhouses are row house style attached units with interior setbacks of zero (0) feet and ten (10) feet exterior setbacks.

H. *Mixed-Use (MU).* Mixed-use provides the opportunity for blending residential, commercial, cultural, institutional, and, where appropriate, industrial uses to create efficiency and housing variety while reducing energy consumption and transportation costs. A mix of uses in buildings can activate, strengthen, or establish neighborhood character and encourage appropriate activities.

Mixed-Use uses on lots, tracts, and areas are intended to provide flexibility for the City and development community to encourage innovative, unique, and sustainable developments. When permitted, mixed-use can encourage infill development in underutilized areas. Types of Mixed-Use include the following.

Vertical Mixed-Use combines different uses within the same building. It provides uses on the lower floor such as retail shops, restaurants, or other commercial businesses. More private uses are located on the upper floors, such as residential units or hotel rooms.

Horizontal Mixed-Use consists of single-use buildings within a lot, lots, or parcel, which allows for a range of land uses in a designated area. It can provide for a variety of complementary and integrated uses that are walkable and within a given neighborhood, tract, land, or development.

(1) The following regulations apply to Mixed-Use developments.

(2) All mixed-use developments require a site plan.

(3) A minimum of two lots or at least 12,000 square feet is required for a mixed-use development site plan.

(4) The minimum lot size in mixed-use developments shall be at least 2,400 square feet

(5) Setbacks should be compatible with adjacent properties.

(6) Access should be limited so as not to negatively impact the adjacent development or flow of pedestrians and traffic.

(7) Streetscaping and ADA-compliant sidewalks are required for mixed-use developments

B. Non-Residential Districts.

(1) *Neighborhood Commercial (CI District)*. The Neighborhood Commercial district is established to provide for a limited variety of commercial uses and services associated with neighborhood storefront retail, personal service, financial, and office activities, which are compatible and designed in scale with surrounding residential areas. Food establishments are not envisioned within the CI District. This District intends to provide convenient neighborhood access to commercial services and minimize undesirable impacts such as noise, traffic, and odors through performance standards.

(2) *Office/Professional/Limited Retail OPR District)*. The Office/ Professional Limited Retail District includes a range of business operations, services, and commercial development requiring arterial or commercial collector street access. This district is intended for a variety of office and institutional uses that are designed to make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between districts and uses. This district should facilitate economic development activities that will strengthen neighborhoods, promote the development of targeted retail, services, and occupations; allows community balance, provide educational and employment opportunities, and encourage local economic

investment for the citizens of La Grulla. Retail use should not be more than thirty (30) percent of the development in this district.

(3) *General Commercial (C2 District)*. The General Commercial district provides for a broad range of commercial uses and activities in high-visibility areas to serve the needs of the surrounding region. It is the most intensive commercial zoning district and situated along a highway or major roadway due to high traffic requirements and not intruding to single family neighborhoods.

(4) *Light Industrial (LI District)*. The II district permits most commercial uses, office parks, flex space, and low-impact industrial uses, which are compatible with surrounding commercial districts. Limited retail and service uses that serve the industrial development zone are also permitted. Access to Commercial Collector or Arterial streets is imperative, such that traffic does not travel through residential neighborhoods to serve these areas.

(5) *Heavy Industrial (HI District)*. This district is established to provide for a broad range of industrial uses. It is the least restrictive industrial zoning district and is intended for the grouping of industrial uses in locations that have adequate and convenient access to major arterials, highways, and rail lines. Uses that are not appropriate near neighborhoods or schools may be accommodated in this district.

(6) *Public Facilities/Institutional (PFI District)*. The Public Facilities District is intended to provide public, semi-public and institutional facilities such as schools, City and County facilities and buildings, and State and Federal facilities within close proximity to various neighborhood and commercial land uses.

(7) *Agricultural/Open (AGO)*. There are multiple purposes for the Agricultural/Open Space District.

(a) To provide for compatible land, building, and structures used primarily oriented to agricultural farming and ranching, and extremely low-density residential purposes.

(b) The district may also serve as a transitional land use element pending future, more intensive urbanization.

(c) Open space for the protection and enhancement of scenic areas, vistas, floodplain, and recreational uses; and

(d) Low-density development where unusual or problematic soils, topographic conditions, or sensitive ecological features are present that would normally not be conducive or appropriate to more intensive forms and patterns of urbanization.

C. Special Districts.

Generally, Special Districts are provided as follows in order to further the goals and objectives of the City's Comprehensive Plan.

(1) *Planned Development (PD)*. Planned Development zoning is intended to allow flexibility in planning and designing for unique or environmentally sensitive properties that are three acres in size or greater and which are to be developed in accordance with a common development scheme of planned associations of uses. PD zoning is designed to accommodate various types of development, such as single-family residential, multiple housing development, neighborhood and community shopping centers, professional and administrative areas, industrial and business parks, and other uses or a combination or mix of uses. A PD may be used to permit new or innovative concepts in land use and standards not permitted by zoning or subdivision standards in this Ordinance, or to permit development projects that existing Zoning Districts do not easily accommodate.

III. ZONING USE REGULATIONS

A. Zoning Use Table.

(1) *Authority.* The provisions of this Chapter are adopted pursuant to Texas Local Government Code Chapter 211 and the City Charter.

(2) *Types of Use*. All of the uses listed in the following use Table summary are defined and described in Appendix A: Definitions. The following paragraphs serve as a key to the summary table and indicate how each specific use is treated.

(a) Uses Permitted by Right. A "P" indicates that a use is allowed by right. Such uses are subject to all other applicable Ordinances.

(b) Conditional Use Permit Required. A "C" indicates that a use is allowed only if approved by a Conditional Use Permit by the City Council in accordance with the procedures in Section xxxxxx of these regulations. Conditional uses are subject to all other applicable regulations of this Ordinance.

(c) Uses Not Allowed. A blank cell with no letter indicates that the use is not allowed. Uses not listed in Appendix A, Definitions, and Appendix B, Use Table, are **NOT** allowed.

(d) The Zoning Administrator shall use the district purpose statements in Section xxxxxx to determine the proper placement of a use that is not listed. The addition of a use and definition shall require an amendment to the text of the Zoning Ordinance.

(3) *Use Table*. Appendix B presents the uses that are allowed in each Zoning District, in accordance with all standards and regulations of this Ordinance.

IV. LOT DESIGN REGULATIONS

A. *Purpose*. The purpose of this section is to describe lot development standards for both residential and non-residential lots. This section contains standards on lot size, minimum setback requirements, and maximum building heights to provide for a variety of housing and land development patterns and to meet the diverse needs of the current and future residents of La Grulla, in a manner consistent with the goals and objectives set forth in the Future Land Use Plan, or other applicable provisions of the Comprehensive Plan.

B. *Density and Maximum Lot Coverage Standards*. Appendix C identifies the standards for lots within each zoning district, and they are defined as follows:

(1) *Maximum Development Density*. Each residential Zoning District provides a maximum number of dwelling units per acre that can be placed on a tract. In many cases, the total number of units that can be placed on a site, after considering the land area needed to accommodate infrastructure and environmental factors (right-of-way, drainage, floodplains, steep slopes, impervious cover limitations, minimum lot size standards, yard setbacks, and maximum lot coverage), will be less than that based simply on the maximum development density.

(2) *Maximum Lot Coverage*. Each development lot has a Maximum Lot Cover, expressed as a percentage, which represents the maximum percent of impervious surface area allowed on a lot within each particular Zoning District. It is computed as the total amount of impervious surface on the lot divided by the total lot area. Impervious surfaces on a lot include buildings, driveways, garages, porches, patios, private walks, accessory buildings, and any other impervious surfaces constructed on the lot. Building coverage is measured from the faces of the walls, not the eaves of the roof.

(3) Lot Dimension Standards.

a. Minimum Lot Area / Maximum Lot Area. Minimum Lot Area is the minimum amount of square footage allowed within a lot, based on its zoning district classification. The maximum lot area applies only to multifamily zoning districts in order to guide appropriate concentrations of multifamily developments.

b. Minimum Lot Width. The Minimum Lot Width is the minimum width of a lot (in feet), measured parallel to and along the front property line.

c. Setback Measurements. Side yard setbacks are measured from the side lot line with no vertical obstructions within the setback. Front and rear yard setbacks are measured from the front and rear lot lines, respectively.

d. Width to Depth Ratio. The average depth of any lot shall not exceed four times the average width of the lot. This requirement shall not apply to lots platted prior to the adoption of this Ordinance.

C. *Lot Standards Table*. Appendix C presents the minimum lot standards by zoning district.

D. *Accessory Building Standards*. An accessory building refers to a detached subordinate structure, the use of which is incidental to that of the principal building. The size, bulk, and location of accessory buildings are limited according to Appendix D. In every case, the maximum lot coverage specified for each district under Appendix C shall apply.

E. *Performance Standards*. Any use permitted within the base district of the Los Saenz Overlay District, or as permitted in 95-6(d)(2)a above, shall conform with the following performance standards:

(1) Open Storage. No open storage of materials, commodities, or equipment shall be permitted except as an accessory use to a main use which is located in a building. No open storage operation or refuse disposal containers shall be located in front of the main building, and no storage use shall constitute a wrecking, junk, or salvage yard. All open storage areas and refuse disposal containers shall be screened from view of the public by a fence or wall (minimum height 6 feet, maximum height 8 feet), and shrubs, trees, or other landscaping as approved by the Building Official; and no open storage shall extend above the specified screening fence or wall.

(2) Parking. Off-street parking shall meet the standards defined in Appendix A. However, shared parking may be utilized within the C2 district, provided a Shared Parking Study is prepared and submitted with the Site Plan Application that clearly demonstrates the feasibility of shared parking. The study must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

(3) Setbacks. Front yard building setbacks may be reduced to the average front yard setback of existing lots on the same side of the street block. Building separation distances must be maintained pursuant to the current Fire Code.

(4) Buffering. A buffer yard is required where the property lies adjacent to any residential district. The buffer yard must consist of one of the following options:

(a) A 10-foot-wide planting with an average of two evergreen trees for every 50 linear feet of buffer yard, spaced no more than 30 feet apart to provide additional screening above the wall. In addition, this option requires a solid six-foot screening wall constructed of brick, stone, reinforced concrete, or other similar

two-sided masonry materials; or,

(b) A 30-foot-wide planting with a berm at least three feet tall and eight feet wide, with an average of two deciduous shrubs and two evergreen shrubs at the top of the berm per 50 linear feet or other landscaping as approved by the City Administrator or his/her designee.

V. PLANNED DEVELOPMENT DISTRICT REGULATIONS

A. *Purpose*. The purpose of Planned Development District regulations is to encourage and allow more creative and imaginative design of land development than is possible under district zoning regulations. The Planned Development District (PDD) is intended to allow substantial flexibility in planning and designing a development proposal. This flexibility often accrues in the form of relief from compliance with conventional zoning ordinance site and design requirements. Ideally, this flexibility results in a development that is better planned, that contains more amenities, and a development that is more desirable than one produced in accordance with typical zoning ordinances and subdivision controls. An important condition upon which the approval of a planned development district must be considered is that while greater density or more lenient siting requirements may be granted, the planned development district should contain features not normally required of traditional developments. Therefore, to enable thorough analysis of a planned development district, more information is demanded about the proposal than would be required if development were being pursued under conventional zoning requirements.

B. *Objectives*.

Through proper planning and design, each planned development district should include features that further and comply with the following objectives:

(1) To allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of land than is possible through strict application of standard zoning and subdivision controls.

(2) To encourage land development that, to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affecting flooding, soil, drainage, and other natural ecological conditions;

(3) To combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different land uses in an innovative and functionally efficient manner.

(4) To provide for abundant, accessible, and properly located public open and recreation space, private open and recreation space, schools, and other public and private facilities.

(5) To promote the efficient use of land resulting in networks of utilities, streets, and other infrastructure features that maximize the allocation of fiscal and natural resources;

(6) To enable land developments to be completely compatible and congruous with adjacent and nearby land developments.

(7) To ensure that development occurs at proper locations, addressing environmentally sensitive areas, and on land physically suited to construction.

(8) To allow unique and unusual land uses to be planned for and located in a manner that ensures harmony with the surrounding community.

(9) To create a method for the permanent preservation of historic buildings, landmarks,

and/or open space.

C. *Standards for planned development districts*. The proposed planned development district must meet the following standards:

(1) A planned development district must conform to the objectives of the Future Land Use Plan and relevant sections of the Comprehensive Plan of the City of La Grulla.

(2) The site of the planned development district must be under single ownership and/or unified control.

(3) Size and area requirements are as follows:

(a) The minimum area required to qualify for a PDD development shall be five (5) contiguous acres for residential uses and

(b) A minimum area of one (I) contiguous acre shall be required for new nonresidential development and

(c) No minimum area shall be required for pre-existing, legally subdivided lots upon which a nonresidential use is being proposed.

(4) Compatibility.

(a) The uses permitted in a planned development district must be of a type and so located as to exercise no undue detrimental influence upon surrounding properties.

(b) In addition, the planned development district shall not endanger the public health, welfare, or safety, nor shall it diminish or impair property values in the neighborhood in which it is to be located.

(c) The planned development district must be of a character and contain such uses that are needed in the area of the proposed project.

(5) *Net Density*. The net density of a planned development district (either in dwelling units - for residential uses, or in floor area for all other uses) shall correspond to the net density regulations imposed by the underlying zoning district. The net density of the planned development district is not necessarily required to precisely correspond with the normal net density of the underlying zoning district, but instead should reflect that district's character through complementary building types and architectural design. It is required that a zoning change request accompany the planned development district application if the net density of the proposed development exceeds the net density permitted in the underlying zoning district by more than twenty (20) percent.

(6) *Building Separation*. The minimum horizontal distance between the buildings shall be:

(a) Ten (10) feet between clustered or "zero (0) lot line" single-family detached buildings.

(b) Fifteen (15) feet between single-family detached dwellings.

(7) Setbacks.

(a) The required setbacks within the planned development district shall be at least equal in width or depth to that of the adjacent zoning district or that setback normally required for the underlying zoning district.

(b) In circumstances where the City Council, acting upon the recommendation of the planning and zoning commission, in reviewing a particular preliminary planned development district plat, may upon ample evidence of exceptional design or construction features, which are deemed both architecturally and

environmentally superior, include the provision of an inordinate amount of amenities, are in strict compliance with City building, fire, health, utility, and other requirements, and/or contribute to the increased health, safety, and welfare of existing and future residents of the City, may lower the required setbacks within the planned development district from the standard required to the extent deemed appropriate in direct relationship to the exceptional architecturally and environmental superior design and construction features. As normally required, all setbacks should be indicated on any proposed new plat.

(8) *Parking requirements*. Adequate parking shall be provided and shall be in general conformance with the parking regulations provided for in other sections of this chapter unless changes are warranted by the particular characteristics Of the proposed planned development district; Additional parking space for guests, customers, the handicapped, recreational vehicles, and other common storage and/or parking uses in planned development districts, shall be required by the City Council, acting upon the recommendation of the planning and zoning commission, if warranted by the particular characteristics of the proposed planned development district;

(9) *Landscaping and open space requirements*. Landscaping and open space provisions, not including those buffer or perimeter treatments being proposed for the project as a whole, shall meet or exceed those normally required by the underlying zoning regulations or other adopted landscape regulations.

(10) *Access.* Adequate provision shall be made to provide ingress and egress so designed as to minimize both internal and external traffic hazards and congestion.

(11) *Compliance with other regulations*. The provisions of the City of La Grulla Subdivision Regulations, Sign Regulations, and other City Codes, as amended, shall be adhered to, unless a waiver is granted by the City Council, acting upon the recommendation of the planning and zoning commission.

(12) *Provision for utilities*. Adequate provision for the installation and maintenance of all utilities, including drainage, shall be provided.

(13) *Departure from standards*. The planned development district may depart from strict conformance with the required density, dimension, area, height, bulk, use (excluding manufactured homes and adult-oriented businesses) and specific content regulations of this chapter to the extent specified in the preliminary plat and documents authorizing the planned development district so long as the proposal provides tangible benefits to the neighborhood or community in which it is located. These benefits shall be in the form of provisions of exceptional amenities, design excellence, etc. The waiver of any requirement shall be the direct cause of accrual of positive benefits to the residents of the development as well as to the general community (e.g., waivers of yard requirements might result in more usable open space). Departure from any requirement specified in this chapter or other City ordinances and regulations is a privilege and shall be granted only upon recommendation of the planning and zoning commission and approval by the City Council.

D. *Administration of Planned Development District*. The unique character of the planned development district requires its administrative processing as an overlay zoning district in this chapter. The procedure, standards, objectives, and purpose set forth in this section, when in conflict with other provisions of this chapter, as they may pertain to planned development districts, and only planned development districts, shall supersede.

The approval process shall include:

(1) *Pre-application conference*. In step one (1), the applicant should discuss with the Zoning Administrator the procedure for adopting a PDD and the requirements for the general layout of major roadways and utilities, access to arterials, conceptual design and narrative, the availability of existing services, and similar matters. The Zoning Administrator and the applicant, when appropriate, shall present the proposed PDD to the site plan committee, which must eventually approve the various aspects of the proposal at the staff level, for pre-application approval.

(2) *Application for rezoning request.* The PDD application for zoning change must be submitted in accordance with regular procedures and on application forms supplied by the City. The application will not be accepted until the Site Plan Committee has granted the pre-application approval.

(3) *Submission of Site Development Plan*. The site development plan must be submitted to the planning and zoning commission for approval as a requirement for the PDD zoning for the application change. The site development plan should consist of at least two (2) individual elements:

(a) Map of existing conditions, including contours at two (2) foot intervals, floodplains, watercourses, and existing vegetation.

(b) Master development plan, including, but not limited to, the following plans and/or narratives:

1. Location of proposed land uses.
2. Sufficient surrounding area to demonstrate the relationship.
3. Topography; and
4. Location, size, and description of open spaces, landscaping, recreational spaces, and other amenities.
5. Physical characteristics showing elevation, slope, soil analysis, and tree coverage.
6. Development of concepts of types, sizes, styles, materials, locations, setbacks, and densities of proposed structures, as relevant to the application.
7. Design standards for any landscaping, lighting, signage, retaining walls, sidewalks, or other standards to be enforced throughout the PDD; and
8. Schedule of development if developed in multiple stages.

(4) *Master Development Plan.* The master development plan, as part of the PDD zoning change request, must be approved by the City Council. A copy of the approved master development plan shall be filed with the City in the zoning file.

(5) *Platting*. In cases where platting is also a required element for a PDD development, plats that only require planning and zoning commission approval should only be approved when such approval has been granted contingent upon City Council approval of the PDD. If the PDD is not approved, then the plat will be considered to be denied as well.

E. *Time limit*. The construction of a planned development district shall start within two (2) years of the effective date of approval of the plan by the City Council. Failure to begin the development within the two (2) years shall automatically void the development plan, and the land shall revert to the same zoning classification that existed immediately preceding the approval of the planned development district.

F. *Plan changes*. Any substantial deviation from the plan submitted at the time of rezoning

shall constitute a violation of the rezoning, and a substantial change in plans shall be submitted for review following the same procedure required in the original adoption of the plan. The city planner shall interpret what constitutes a "substantial" deviation or change in the plan.

SECTION 3 – ADDITIONAL REGULATIONS

I. NON-CONFORMING BUILDING USES

A. *Regulations*. The lawful use of any building, structure, or land existing on the effective date of this regulation may be continued, although such use does not conform with the provisions of this ordinance; provided, however, the right to continue such nonconforming use shall be subject to all of the following regulations:

(1) Normal repairs and maintenance may be made to a nonconforming building or structure, provided that no structural alterations shall be made except those required by law or ordinance or those necessary for installing or enclosing required sanitary facilities, such as toilets and bathrooms.

(2) If a nonconforming building or structure is damaged or destroyed to an extent of less than fifty (50) percent of its fair market value by fire, explosion, act of God, or the public enemy, then restoration or new construction shall be permitted. If destruction is greater than fifty (50) percent of its fair market value, such building or structure and its use, if repaired or replaced, shall conform to all regulations of the district in which it is located, and it shall be treated as a new building. For the purpose of determining cost and fair market value, the following definitions apply:

a. The "cost" of renovation or repair or replacement shall mean the fair market value of all construction materials necessary to accomplish such renovation, repair, or replacement, and shall include the total cost of all such intended work. No person may seek to avoid the intent of this subsection by doing such work incrementally.

b. The "value" shall mean either the appraised valuation for property tax purposes, updated as necessary by the increase in the consumer price index since the date of last valuation, or the valuation determined by a professionally recognized property appraiser.

(3) A vacant, nonconforming building or structure lawfully constructed before the date of enactment of this ordinance may be occupied by a use for which the building or structure was designed or intended, if occupied as such within a period of one (1) year after the effective date of this ordinance. The use of a nonconforming building or structure lawfully constructed before the date of enactment of this ordinance, which becomes vacant after the effective date of this article, may be re-occupied by the use for which the building or structure was designed or intended, if occupied as such within a period of one (1) year after the building or structure becomes vacant. All such buildings, after one (1) year of vacancy, shall be converted to conforming use. Vacant shall mean the absence of characteristic furnishings, equipment, and personnel. The history and status of utility accounts may be used in determining vacancies.

B. *Change or Expansion Prohibited*. The nonconforming use of a building or structure may be continued as hereinafter provided:

(1) The nonconforming use of a building or structure may not be changed to a use that does not conform to the requirements of the district in which it is situated.

(2) A nonconforming use of a conforming building or structure shall not be extended or

expanded into any other portion of such conforming building or structure, nor changed except to a conforming use. If such nonconforming use or portion thereof is voluntarily

discontinued or changed to a conforming use, any future use of such building or structure or portion thereof shall conform to the regulations of the district in which such building or structure is located.

C. *Cessation of Non-Conforming Use*. When nonconforming buildings, structures, or areas have ceased to be used for any nonconforming use for more than twelve (12) full calendar months, whether with intent to abandon such use or not, nonconforming use shall not thereafter be made of such structures, buildings, or areas.

D. *Change in District Boundaries*. Whenever the boundaries of a zoning district shall be changed to transfer an area from one district to another district, or when the boundaries of districts are changed as the result of annexation of new territory, or changed in the regulations or restrictions of this ordinance, the foregoing provisions relating to nonconforming uses shall also apply to any uses existing therein which may become nonconforming.

II. ACCESSORY USES.

A. *General*. Any accessory use may be permitted provided that it is customarily associated with a primary use that may be permitted by right consistent with this Ordinance. The establishment of such accessory uses shall be consistent with the following standards:

(1) The accessory use shall be subordinate to and serve a primary use or principal structure.

(2) The accessory use shall be subordinate in area, extent, or purpose to the primary use served.

(3) The accessory use shall be located within the same Zoning District as the primary use; and

(4) Accessory uses located in Residential Districts shall not be used for commercial purposes other than Home Occupations in compliance with zoning and other applicable regulations.

(5) Accessory Buildings Setback

Table 95.9.1: Accessory Buildings Setback in Feet

			Setbacks			
District Code	**Zoning District**	**Maximum Height (ft)**	**From Principal Building**	**Side[1,2]**	**Rear[1,2]**	**Typical Accessory Building[3]**
AG0 RR	Rural Residential	12	10	10	10	Storage sheds, hobby workshops, non-commercial greenhouses
SF	Suburban Residential	12	10	5	10	
MR	Mixed-Density Residential	10	10	5	5	
MF	Multi-Family	10	10	5	5	On-site laundry facilities, activity center
MH1	Manufactured Home	10	10	5	10	Storage sheds
MH2	Manufactured Housing Park	10	10	5	10	Storage sheds

Notes for Table 95-10 Accessory Uses:

General Note: The maximum lot coverage found in Appendix C, with specific exceptions noted therein, applies in all cases.

- As listed, or the depths of the setbacks of existing lots on the same side of the street.
- Buildings on skids may be placed within three (3) feet of the property line, provided the placement does not interfere with the use of any easements present.
- Off-street parking, utility service, sidewalks, and parks are always allowed and do not count toward the requirements of this table. Typical structures are provided for reference only. The Zoning Administrator is responsible for determining accessory use.

(6) Maximum size for accessory use structures by gross square footage of the lot:
For residential lots 2,500 to 4,500 square feet in size: Four hundred (400) square feet.
For residential lots 4,501 to 7,000 square feet in size: Eight hundred (800) square feet.
For residential lots 7,001 to 12,000 square feet in size: One thousand (1,000) square feet.
For residential lots over 12,000 square feet in size: Square footage not to exceed ten (10) percent of the gross area of the lot.

B. General Home Occupations. Home Occupation is that accessory use of a dwelling that shall constitute all or some portion of the livelihood of a person or persons living in the dwelling. The Home Occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the uses permitted in the district of which it is a part.

C. *Home Occupation Types*. Home Occupations are permitted, subject to such occupation meeting the following provisions.

(1) Be conducted entirely within a dwelling or integral part thereof and have no outside storage of any kind related to the home occupation.

(2) Be clearly incidental and secondary to the principal use of the dwelling.

(3) It is conducted only by persons residing on the premises (nonresident employees are not permitted).

(4) Does not affect the residential character of the dwelling nor cause the dwelling to be expanded.

(5) Deliveries by commercial vehicle occur only between the hours of 8 a.m. and 6 p.m.

(6) Creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly condition, traffic, or parking problem not normally associated with the average residential use in the district.

(7) The home occupation shall not result in the off-street or on-street parking of more than two vehicles at any one time not owned by members of the occupant family; and

(8) Involve no on-site retail sales or services.

III. TEMPORARY USES

A. *Purpose and Applicability*. Temporary Uses, as set forth below, are declared to have characteristics that require certain controls in order to ensure compatibility with other uses in the district within which they are proposed for location. The following temporary uses may not start until the applicant obtains a Temporary Use Permit from the City Administrator or his/her designee. The permit states the specific use, the period of time for which it is approved, and any special conditions attached to the approval. The provisions of this Section relating to Temporary Use Permits are adopted in accordance with the Texas Local Government Code, Chapter 211.

B. *Criteria for Approval*. The Temporary Use Permit, if granted, may include conditions placed upon the development of the property. The City Administrator or his/her designee shall consider the following, at a minimum, in conjunction with its deliberations for approval or denial of the application and the establishment of conditions:

(1) Consistent with the Future Land Use Plan, or other applicable provisions of the Comprehensive Plan.

(2) Conformance with applicable regulations in the zoning regulations and standards established by the regulations.

(3) Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk, scale, setbacks, and open spaces, landscaping and site development, and access and circulation features.

(4) Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent that such impacts exceed those which may result from use of the site by a permitted use.

(5) Modifications to the site plan which would result in increased compatibility or would mitigate potentially unfavorable impacts or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.

(6) Safety and convenience for vehicular and pedestrian circulation in the vicinity, including traffic expected to be generated by the proposed use.

(7) Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards of impacts.

(8) Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.

(9) Adequacy and convenience of off-street parking and loading facilities

C. *Temporary Use Permit Required*. The following uses may be permitted subject to the issuance of a Temporary Use Permit:

(1) No permit shall be required for seasonal uses such as pumpkin sales and Christmas tree sales, provided such uses are operated as part of a school, place of worship, or civic organization.

(2) Sales Offices and Model Homes are allowed pursuant to the following standards:

a. A sales office/model home may be located within any Zoning District provided it is located within the legal subdivision for which lots are being sold.

1. In addition, the sales office occupying the model home shall only market homes within the legal subdivision in which the model home is located.

(3) A conditional Certificate of Occupancy to operate the model home as a sales office may be issued and will expire after 12 months unless it is renewed by the respective business. The burden to demonstrate that the conditions of approval still exist lies with the applicant/owner. There is no limit to the number of extensions that may be applied for and considered.

(4) Business offices, construction offices, or sales facilities where construction of a permanent facility is being diligently completed, provided that the structure complies with all other applicable codes and ordinances.

(5) Portable classroom buildings situated on school property, provided that all other applicable codes and ordinances are met. Inspection of portable classroom buildings shall be conducted by the Chief Building Official and may be granted up to a 24-month certificate of occupancy, which may be renewed. The burden of demonstrating that the conditions of approval still exist lies with the owner/applicant, and there is no limit to the number of extensions that may be applied for and considered by the City Council.

IV. FENCE AND SCREENING

Fences that are constructed shall comply with the following regulations:

A. *Fence requirements*. The erection of a fence is not mandatory, with the following exceptions in which it is required:

(1) As required to enclose a swimming pool area.

(2) As required to enclose a day care center play area.

(3) As required by other applicable sections of this Ordinance.

B. Fence location.

(1) Fences may be built on or along property lines in all districts. Fences may be installed within a residential district on the property line at a corner lot adjacent to a public street, provided there is no visual impairment of motorists and pedestrians; provided there is a visual triangle clearance of a minimum of thirty (30) feet, and provided there is no interference with utility and/or drainage easements.

(2) Fences may be built across other areas of private property, provided that the fence is not taller than any intersecting fence, and in no case taller than seven feet (7') in total height.

(3) Fences cannot cross on any public or private property and may not block access to any fire hydrant or utility meter.

C. Maintenance

(1) The owner or person in control of any property adjacent to any intersection where a traffic control device is erected shall not permit any vegetation, fences, or other structures to obstruct any such intersection.

(2) Any vegetation, fence, or other structure in excess of twenty-four (24) inches above the roadway within the visibility triangle is hereby declared to be a public nuisance and a traffic hazard. In the event the developer, owner, tenant, lessee or agent fails to remove or remedy the condition within ten (10) days after notice has been served by the Code Enforcement Officer or other duly appointed officer of the City, the City may do as necessary to remove or remedy the condition or cause same to be done, may issue a citation for violation of said offense and may charge the expense incurred in removing the violation to the developer, owner, agent or lessee of the subject lot or parcel.

D. The owner or person in control of the property must maintain the integrity of the fence and the space between the fence and the property line.

E. Fence height

(1) Fences constructed in the front yard must be 3' or shorter; however, fences in the front yard may be increased by 1’ if they are decorative and are less than 60% opaque.

(2) Fences in all other yards may not exceed seven feet (7') in total height.

F. Building materials

(1) Fences must be built of wood, metal, bricks, or masonry.

(2) Only two or fewer materials may be used to construct a fence.

(3) Wood fences should be rot-resistant.

(4) The use of barbed wire, electrically charged wire, chain link with slats, razor wire, or other sharp-edged surfaces on fences within residential zoning districts is prohibited.

(5) Finished sides of fence posts must face opposite private or public property.

G. *Screening Of Trash Storage Areas*. All trash storage areas shall be fully screened from public view in accordance with the following standards:

(1) Trash receptacles shall not be placed in a street yard.

(2) Trash receptacles shall be fully screened by an eight-foot (8') screen constructed of masonry materials of like and similar materials to those of the primary structure on three (3) sides and an opaque gate on one (1) side.

V. OUTDOOR DISPLAY STORAGE

A. *General*. Outdoor display and storage shall be allowed in Non-Residential Districts in accordance with this Section. Any merchandise, material, or equipment situated outdoors in Non-Residential Districts shall be subject to the requirements of this Section. For this Section's purpose, outdoor storage and display shall be classified into three categories enumerated as shown on table below.

B. *Permitted Outdoor Storage Table*. The three types of storage shall be allowed in the districts designated in the Table below. P indicates that the use is permitted. Where the cell is blank, the use is not permitted

Zoning District	**C1**	**C2**	**LI**	**HI**
Outdoor Display	P	P		
Limited Outdoor Storage		P	P	P
General Outdoor Storage		P	P	P

C. Categories of Outdoor Storage and Display

(1) Outdoor Display

a. Outdoor Display is a display of items actively for sale.

b. Outdoor Display, which is associated with the primary business on the site, shall be allowed adjacent to the principal building wall, and may not extend into the right-of-way, and may only extend a distance no greater than 5 feet from the wall. Such Outdoor Display shall not be permitted to block windows, entrances, or exits, and shall not impair the ability of pedestrians to use the building.

c. Outdoor Display may not occupy more than thirty (30) percent of the linear

distance along any principal building wall.

d. Items displayed must be brought into an enclosed structure at the close of business day, except for large items exceeding six (6) feet in any dimension.

(2) Limited Outdoor Storage

a. Limited Outdoor Storage is temporary storage of goods in individual packaging and not in storage containers. Organic materials stored on pallets are considered limited outdoor storage.

b. Limited Outdoor Storage shall not exceed 1,000 square feet or 10 percent of the total site area (whichever is greater), except in the and C2 Districts where additional outdoor storage and display is allowed, so long as it is completely screened from view outside the site by a solid opaque wall or fence at least six (6) feet in height, and no more than seven (7) feet in overall height. Items stored may not protrude above the height of the fence. Such an area may extend from the primary building, but not for a distance greater than fifty (50) feet.

c. No limited Outdoor Storage shall be permitted within the following areas:

1. A required front or side setback.

2. Between a front setback and the building front; and

3. Between a side setback along a public right-of-way and any building or structure.

4. Within the public right-of-way or fire access lane.

d. General outdoor storage may not occupy more than thirty (30) percent of the linear distance along any principal building wall facing a public right-of-way.

e. Limited outdoor storage shall not be allowed in off-street parking spaces.

(3) General Outdoor Storage

a. General outdoor storage consists of all remaining forms of outdoor storage not classified as outdoor display or limited outdoor storage, including items stored in shipping containers, CONEX boxes, and semi-trailers not attached to a truck.

b. General outdoor storage is permitted only subject to a Temporary Use Permit.

c. Notwithstanding additional conditions of the Temporary Use Permit, general outdoor storage shall be allowed in unlimited quantity, provided that the storage area is screened from any public right-of-way by a seven (7) foot tall (in overall height) wall for general screening made of materials that include, but are not limited to planting screens, masonry, redwood, cedar, preservative treated wood or other acceptable materials.

d. No general outdoor storage shall be permitted within the following areas:

1. A required front or side setback.

2. Between a front setback and the building front; and

3. Between a side setback along a public right-of-way and any building or structure.

4. General outdoor storage may not occupy more than 30 percent of the linear distance along any principal building wall facing a public

right-of-way.

5. No general outdoor storage shall be allowed in off-street parking areas.

(4) Outdoor Display and Storage Requirements

a. *Required to show in Site Plan*. All outdoor display and storage areas must be clearly shown in the Site Plan submitted for the property.

b. *Right-of-Way*. Unless specifically authorized elsewhere in the City's ordinances, all outdoor storage and display shall be located outside the public right-of-way and/or at least 15 feet from the back edge of the adjacent curb or street pavement and outside of any required landscape area.

c. *Side Yards*. No form of outdoor display and storage shall be allowed in required side setbacks or buffer yards.

(5) Exceptions

a. Vehicles for sale as part of a properly permitted vehicle sales use (including boats and manufactured housing) shall not be considered merchandise, material, or equipment subject to the restrictions of this Section.

b. Such vehicles must be located and displayed in a paved vehicle use area, clearly indicated on the Site Plan, and screened under the same requirements for a parking lot.

c. Waste generated on-site and deposited in ordinary refuse containers shall not be subject to the restrictions of this Section.

VI. OFF-STREET PARKING AND LOADING REQUIREMENTS

A. General

(1) Applicability

(a) *New Development*. The Off-Street Parking and Loading Standards of this Section apply to any new building constructed and to any new use established.

(b) *Expansions and Alterations*. The Off-Street Parking and Loading Standards of this Section apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces will be required to serve the entire building or use. The number of off-street parking and loading spaces provided for the entire use (preexisting + expansion) shall equal at least 100 percent of the minimum requirement established in the Off-Street Parking Requirements table.

(2) *No Reduction Below Requirement*. Existing parking and loading spaces may not be reduced below the requirements established in this Section. Any use change that increases applicable Off-Street Parking and Loading requirements will be deemed a violation of this Chapter unless parking and loading spaces are provided in accordance with the provisions of this Section.

B. *Off-Street Parking Requirements*. The following table lists minimum off-street parking requirements by use. In instances in which the listed use differs from the uses of the Table of the Zoning Ordinance, the Zoning Administrator shall determine the appropriate classification for this table. GFA refers to Gross Floor Area.

Table: Off-Street Parking Requirements		
Use	**General Requirement**	**Additional Requirement**
Residential Uses		
Single Family	2 per dwelling unit	2 garage enclosed parking spaces
Townhouse	2 per dwelling unit	2 garage enclosed parking spaces
Apartment	1.5 per 1-bedroom unit 2 per 2-bedroom unit 2.5 per 2+ bedroom unit	An additional 5 percent of the total number of required spaces
Group homes of six or less	1 per bedroom	10% of general requirement
Group homes of more than six persons	1 per 2 bedrooms	1.5 per 2 employees
All other Group Living	1 per 2 bedrooms	1.5 per 2 employees
Public and Civic Uses		
Day Care	3.5 per 1 000 ft^2 GFA	
Elementary Schools	3 per classroom, plus auditorium/ gymnasium/ outdoor sports venue requirement	On-site loading/unloading queue capacity for 40 vehicles; OR provision of a study that demonstrates that the peak demand can be met with the configuration provided.
Middle Schools	3 per classroom, plus auditorium/ gymnasium/ outdoor sports venue requirement	On-site loading/unloading queue capacity for 30 vehicles; OR provision of a study that demonstrates that the peak demand can be met with the configuration provided.
High Schools	5 per classroom, plus auditorium/ gymnasium/ outdoor sports venue requirement	On-site loading/unloading queue capacity for 20 vehicles; OR provision of a study that demonstrates that the peak demand can be met with the configuration provided.
All other Educational Facilities	20 per classroom	
Auditorium / Gymnasium	1 per 4 seats seating capacity	
Outdoor Sports Venue	1 per 4 seats seating capacity	
Government Facilities	1 per 250 ft^2 GFA	1 per fleet vehicle
Hospitals	1 per 4 patient beds	
Community Parks	varies	Parking requirement based on uses in the park; must be reviewed and approved by the Zoning Administrator

Table: Off-Street Parking Requirements		
Use	**General Requirement**	**Additional Requirement**
Amenity Centers	1.5 per 250 ft^2 GFA	
Linear Parks/Linkages Trailheads	varies	Parking requirement based on uses in park; must be reviewed and approved by Zoning Administrator
Golf courses and Country clubs	4 spaces per hole	1.5 per 250 ft^2 GFA of accessory use structures
Cemeteries, Columbaria, Mausoleums, Memorial Parks, and Crematoria	4 per 50 internment plots (cemeteries and memorial parks); 1 per 350 ft^2 GFA (mausoleum and crematorium	
Funeral Home	1 per 100 ft^2 GFA	Minimum of 20 spaces
Park and Ride Facility	determined by transit authority	
All other Passenger Terminals	2 per 250 ft^2 GFA	
Religious Assembly	1 per 4 seats	
Wireless Transmission Facilities	none	
Major Utilities	1 per facility	1 additional per 250 ft^2 GFA; 1 per fleet vehicle
Minor Utilities	none	
Commercial Uses		
Eating Establishments	1 per 100 ft^2 GFA (includes any outdoor seating and waiting areas	
Entertainment, Outdoor	1 per 250 ft^2 GFA structural area	1 per two seats
Office	1 per 250 ft^2 GFA	
Medical Office Building	1 per 200 ft^2 GFA	
Bed and Breakfast	1 per bedroom	1.5 per 2 resident owners
All other Overnight Accommodation	1 per bedroom	1.5 per 2 employees. 1 per 150 ft^2 conference space
Parking, Commercial	none	
Indoor entertainment activities	1 per 250 ft^2 GFA or,	1 additional per 500 ft^2 GFA up to 50,000 ft^2 GFA;
	1 per 4 seats for theaters	1 per 1000 ft^2 thereafter, excluding theaters
Equipment sales and leasing	1 per 250 ft^2 GFA	1 additional per 500 ft^2 GFA up to 50,000 ft^2 GFA

Table: Off-Street Parking Requirements		
Use	**General Requirement**	**Additional Requirement**
Shopping Centers larger than 100,000 ft^2	1 per 225 ft^2 GFA	
All other Retail Sales and Service	1 per 250 ft^2 GFA	
Self-Service Storage	1 space per 50 storage units	
Car wash, full service	1 per 150 ft^2 GFA	Shall meet off-street stacking space requirements from this Section.
Car wash, self-service	1 per facility	Shall meet off-street stacking space requirements from this Section
Vehicle repair and body shop facilities	2 per service bay	Shall meet off-street stacking space requirements from this Section
Auto service facilities	2 per service bay	Shall meet off-street stacking space requirements from this Section
Vehicle sales, rental, or leasing facilities	1 per 500 ft^2 GFA indoor facility	1 additional per 1000 ft^2 GFA outdoor lot area
All other Vehicles	1 per 250 ft^2 GFA	5 per service bay
Sales and Service	1 per 250 ft^2 GFA	
Industrial Uses		
Light Industrial Service, Manufacturing, and Assembly	1 per 500 ft^2 GFA indoor facility, except indoor storage	1 additional per 1000 ft^2 GFA outdoor facility; 1 per 2,500 ft^2 indoor storage area
Warehouse and Freight Movement	1 per 500 ft^2 GFA indoor facility, except indoor storage	1 additional per 1000 ft^2 GFA outdoor facility; 1 per 2,500 ft^2 indoor storage area
Mineral Extraction	1 per 300 ft^2 GFA indoor facility	1 .5 per 2 employees
Waste-Related Service	1 per 300 ft^2 GFA indoor facility	1 additional per 1000 ft^2 GFA

C. *Alternative Parking Plan and Shared Parking.*

(1) *Alternative Parking Plan*. An alternative parking plan may be approved by the Zoning Administrator for specific developments that are deemed to require a different amount of parking than the standards shown in the Off-Street Parking Requirements table. The Zoning Administrator shall establish conditions necessary to ensure the adequacy of future on-site parking when approving an alternate parking plan. Any alternative standard shall meet the criteria below.

a. The use of the building is specific and occupied by a single user. The applicant provides a detailed breakdown of his or her parking requirements, indicating employee counts, shift distribution, and visitor or customer needs.

b. The applicant provides a site plan showing how additional parking to meet standard requirements would be provided if the use changed or parking needs increased.

(2) *Shared Parking*. Required parking for one use may satisfy the requirements for another use if the non-residential uses have different peak hour parking needs and the following:

a. The following documentation shall be submitted to the City as part of the review process if requesting shared parking:

1. The names and addresses of the uses, and the owners or tenants that are sharing the parking;

2. The location and number of parking spaces that are being shared;

3. An analysis showing that the peak parking demands for the different uses occur at different times and that the parking area will supply at least the minimum number of required spaces for each use during its respective peak parking time;

4. A legal instrument, such as an easement, that guarantees access to the joint parking for all uses;

5. A shared parking agreement executed by all the users and the owner of the property proposed to be used for parking; and

6. The agreement shall be notarized and recorded, with a provision that the consent of the City must be obtained for termination of the agreement.

b. In the event of the termination of an existing shared parking agreement, a new shared parking agreement shall be executed within sixty (60) days prior to termination. If a new shared parking agreement is not executed, then documentation shall be submitted to the Zoning Administrator supporting that the uses on all affected properties meet their respective parking requirements. This process of amending a shared parking agreement applies to all existing parking agreements impacted by the sale, change of use, or expansions on any affected property.

(3) Alternative Agreements. In limited cases, off-site parking agreements, reciprocal access, and parking agreements may be approved by the Zoning Administrator.

D. *Rules for Computing Requirements*. The following rules apply when computing off-street parking and loading requirements,

(1) *Multiple Uses*. Lots containing more than one use shall provide parking and loading in an amount equal to the total of the requirements for all uses.

(2) *Fractions*. When measurements of the number of required spaces result in a fractional number, any fraction of ½ or less will be rounded down to the next lower whole number, and any fraction of more than ½ will be rounded up to the next higher whole number.

(3) *Area Measurements*. Unless otherwise expressly stated, all square-footage-based parking and loading standards shall be computed based on gross floor area, which, for purposes of computing off-street parking requirements, shall mean the gross floor area of the building measured from the exterior faces of the exterior walls or from the centerline of walls

separating two buildings and shall include the area of each floor of the structure, including all attic space used for active commercial space.

(4) *Occupancy-Based Standards*. For the purpose of computing parking requirements based on employees, residents, or occupants, calculations shall be based on the

largest number of persons working on any single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

(5) *Unlisted Uses*. Upon receiving a development application for a use not specifically listed in the Off-Street Parking Requirements Table, the Zoning Administrator shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or require a parking study in accordance with an Alternative Parking Plan, as described in the section above.

E. *Location of Required Parking*. Except where an alternative parking plan has been approved by the Zoning Administrator, all required off-street parking spaces shall be located on the same lot as the principal use.

F. Parking Space and Parking Lot Design

(1) *Parking Space Dimensions*. Required off-street parking spaces shall have minimum dimensions of nine (9) feet in width by eighteen (18) feet in length.

(2) *Aisle Widths*. Drive aisle widths adjoining off-street parking spaces shall comply with the following standards:

Table: Minimum Aisle Width for Specified Parking Angle

Angle in degrees ^{0}	90^0	75^0	60^0	45^0 or less
Aisle Width (min)	26 ft	23 ft	16 ft	12.5 ft

Note: Two-way aisles shall always require a minimum width of 26 feet.

(3) Markings

a. Each required off-street parking space and off-street parking area shall be identified by surface markings at least 4 inches in width. Marking shall always be visible. Such markings should be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles.

b. Directional arrows should identify one-way and two-way access to required parking facilities.

(4) *Surfacing and Maintenance*. All off-street parking areas, drive aisles, internal roadways, and loading areas for all uses shall always be paved and kept dust-free. The use of pervious and/or semi-pervious materials is permitted, provided the areas are always kept in a dust-free condition.

(5) Access and Circulation

a. Required parking spaces shall not have direct access to a street or highway. Access to required parking spaces shall be provided by on-site driveways. Off-street parking spaces shall be accessible without being backed into or otherwise reentering a public right-of-way.

b. Site Plans for retail developments greater than a cumulative 50,000 gross square feet shall designate a primary vehicle circulation route entering and exiting the development.

c. Landscape median islands or end islands shall be immediately adjacent to the primary vehicle circulation route for the entire length of the route (excluding pedestrian access and the face of primary buildings).

d. Parking is not permitted along primary vehicle circulation routes in order not to cause overflow stacking onto rights-of-way and primary circulation routes. Parking is not permitted adjacent to the entire elevation of a building, which includes primary pedestrian access, in order not to cause internal circulation conflicts.

(6) *Tandem Parking*. Tandem parking in the Multifamily Districts shall be permitted only when it is located in front of a garage, which is attached to a dwelling unit, and the tandem space is assigned only to the dwelling unit to which the garage is attached.

G. Use of Required Parking Spaces

(1) Required off-street parking areas shall be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for storage of trash dumpsters, the display of goods for sale or lease, for motor vehicle repair or service work of any kind, storage of vehicles, boats, motor homes, campers, mobile homes, or building materials, or for display or storage of vehicles for lease, sale, or rent.

(2) Recreational vehicles shall not be stored on any lot or street other than a residential lot of the owner, or a site specifically designed for Vehicle Parking.

H. Vehicle Stacking Areas

(1) *Minimum Number of Stacking Spaces*. Off-street stacking spaces shall be provided as indicated in the following table.

Table: Minimum Off-Street Stacking Spaces

Activity Type	**Minimum Spaces**	**Measured From**
Bank teller lane	4	Teller or Window
Automated teller machine	3	Teller
Restaurant drive-through	6	Order Box
Restaurant drive-through	4	Order Box to Pick-Up Window
Auto service facility stalls; vehicle repair and body shop stalls	2	Entrance to the stall
Car wash stall, automatic	4	Entrance to the wash bay
Car wash stall, self-service	3	Entrance to the wash bay
Gasoline pump island	2	Pump Island
Other	Determined by Zoning Administrator	

I. *Design and Layout*. Required stacking spaces are subject to the following design and layout standards.

(1) Size. Stacking spaces shall be a minimum of 10 feet by 20 feet in size.

(2) Location. Stacking spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.

J. Parking and Storage of Large Vehicles and Equipment

(1) Outdoor storage or overnight outdoor parking of tractor-trailers, semi-trucks, semitrailers, or other vehicles having a gross vehicle weight rating of 17,000 pounds or more shall not be permitted in any residential district or in the C I, or C2 zoning districts. This prohibition shall not apply to pick-up trucks or personal recreational equipment. Construction equipment shall not be stored on lots in residential or commercial districts except during the period of permitted construction.

(2) Screening from public rights-of-way or lower intensity residential uses shall be required in multifamily developments for areas designated or available for parking and storage of recreation vehicles, boats, small trailers, and other non-commercial equipment. Such screening shall consist of permanent material such as concrete, masonry, wood, steel, etc.

K. Off-Street Loading

(1) *No Use of Public Right-of-Way.* At no time shall goods be loaded or unloaded from the right-of-way of a collector or arterial street. No part of any vehicle shall be allowed to extend into the right-of-way of a collector or arterial street while being loaded or unloaded.

(2) *Site Plan Required*. Plans for the location, design, and layout of all loading spaces shall be indicated on the required site plans. Loading space size shall be based on need and in accordance with standard engineering requirements as determined by the Zoning Administrator.

L. *Driveways*. Driveways shall be constructed in accordance with the following table, but shall not conflict with any requirements of the Texas Department of Transportation, as applicable:

Table: Width Of Access

Use Classification	Standard	Minimum Access Width
Single Family Residential	One-car garage	16 feet
	Two-car garage	25 feet
	Three-car garage	32 feet
Two Family Residential	Two, one-car garages	25 feet
	Two, two car garage	40 feet
Commercial (two-way drive)	Recommended	30 feet
	Minimum	25 feet
	Maximum (up to 175 ft frontage)	35 feet
	Maximum (greater than 175 ft frontage)	52 feet
Commercial (one-way drive)	Recommended	18 feet
	(Ingress)	18 feet
	Recommended	25feet
	(Egress) Minimum	16 feet
	Maximum	

VII. SITE PLAN REVIEW

A. *Purpose*. This Section establishes a review process for non-residential and multi-family developments, and certain single-family residential developments. The purpose is to ensure that a development project complies with all applicable City ordinances and guidelines prior to commencement of construction.

B. Site Plan

(1) *Applicability*. Submission and approval of a Site Plan shall be required for development as follows:

a. For new development within any non-residential district or use and any multi-family residential district or use.

b. For any increase in an existing non-residential or multi-family structure that is greater than twenty (20) percent of an existing building's square footage; or

c. For that portion of a single-family residential development that contains a private amenity or facility - i.e., recreation center, park, horse stable, etc.

(2) *Approval Process*. A Site Plan shall be required for development within any non-residential district or use and any multi-family residential district or use. The approval process for a Site Plan shall be reviewed by the Zoning Administrator and City Engineer, with a recommendation to the Planning and Zoning Commission, for their final consideration. For purposes of this Zoning Ordinance, the term "required plan(s)" is intended to refer to any of the plans specified in this Zoning Ordinance, as applicable.

(3) *Pre-Application Meeting Required*. Prior to formal application for approval of a required site plan, the applicant(s) should consult with the City's Development Review Committee in order to become familiar with the City's development regulations and the development process. At the pre-application conference, the developer may be represented by a land planner, engineer, surveyor, and/or other qualified professional.

(4) *Application Completeness*. Applications for any required plan must include all required information listed here, and all such required information must be submitted in order for a Site Plan application to be considered complete and to be accepted for official submission by the City. The Zoning Administrator shall determine the number of copies, format, and deadline for submittal and review.

a. An application for a Site Plan with notarized signatures of the owner or his/her designated representative if the applicant is not the owner of the subject property.

b. Application fee as established on the City schedule of fees.

c. Verification that all taxes and assessments on the subject property have been paid.

d. Copies of the Site Plan, including all information specified by this ordinance, on 24" x 36" sheet(s) drawn to a known engineering/architectural scale that is large enough to be clearly legible and other required information, the quantity of which shall be determined by the City Secretary, or his/her designee.

e. Utility and paving layout and design for the required public and site improvements (water, wastewater, grading/storm drainage, streets, water

quality, fire lanes and hydrants, screening and landscaping, etc.).

f. Landscaping and irrigation plans; and

g. Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Zoning Administrator, or designee, to ensure that the development request is understood.

(5) Supplemental Requirements

a. The city may require other information and data for specific conditional use permit applications. This data may include, but is not limited to, geologic information, water yields, flood data and/or hydrological studies, environmental information, traffic impact analysis, road capacities, market information, economic data for the proposed development, hours of operation, and similar information.

b. Approval of a site plan as required by this ordinance may establish conditions for design and construction based upon such information.

(6) *Building Permit and Certificate of Occupancy*. No building permit shall be issued until a Site Plan, as required, and all other required architectural/engineering/construction plans are first approved by the City. No certificate of occupancy shall be issued until all construction and development conforms to the approved Site Plan and architectural/engineering/construction plans, as approved by the City.

C. Application Requirements

(1) *Responsible Official*. The Zoning Administrator or his/her designee shall be responsible for processing a site plan application.

(2) *Contents*. An application for approval of a site plan shall contain the following information and documents:

a. An application for a Site Plan with notarized signatures of the owner or their designated representative if the applicant is not the owner of the subject property.

b. Application fee as established by the City.

c. Verification that all taxes and assessments on the subject property have been paid (Certified Tax Certificate).

d. Copies of the plan(s) and elevations, including all information specified by this ordinance on 24" x 36" sheet(s) drawn to a known engineering and/or architectural scale, respectively, that is large enough to be clearly legible and other required information, the quantity of which shall be determined by the City.

e. Reduced copies (11" x 17") of the required plan(s) and a CD containing all plans and elevations in AutoCAD and PDF file formats.

f. Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the City to ensure that the development request is understood.

(3) *Site Plan Review Criteria*. Site plan review and evaluation by the Zoning Administrator or his/her designee shall be performed with respect to the following:

a. The plan's compliance with all provisions of the Zoning Ordinance and other ordinances of the City.

b. The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.

c. The provision of a safe and efficient vehicular and pedestrian circulation system.

d. The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.

e. The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.

f. The coordination of streets to arrange a convenient system consistent with the Thoroughfare Plan of the City, as amended.

g. The use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and to complement and integrate the design and location of buildings into the overall site design.

h. Exterior lighting to ensure safe movement and for security purposes, which shall be arranged to minimize glare and reflection upon adjacent properties.

i. The location, size, accessibility, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.

j. Protection and conservation of soils from erosion by wind or water or from excavation or grading.

k. Protection and conservation of watercourses and areas that are subject to flooding.

l. Provision of adequate capacity of public or private facilities for water, sewer, paved access to and through the development, electricity, storm drainage, and adequate traffic management.

m. Consistent with the Future Land Use Plan, or other applicable elements of the Comprehensive Plan of the City, as amended.

n. In approving a Site Plan, the Planning Commission may impose additional reasonable conditions necessary to protect the public interest and welfare of the community. When considering an application for site design and use, the Planning and Zoning Commission may include any or all of the following conditions if they find it necessary to meet the intent and purpose of the standards of this Ordinance:

    1. Require a maximum increase of up to twenty percent (20%) in the width or required plant materials for perimeter buffer yards to ensure compatibility between different land uses.

    2. Require such modifications in the landscaping plan to ensure proper screening and aesthetic appearance.

    3. Require plantings and ground cover to be predominant, not accessory, to other inorganic or dead organic ground cover.

    4. Require retention of significant physical features of a site. Said significant physical features include, but are not limited to, existing stands of trees,

heritage trees,

bodies of water, watercourses, floodplains and other flood hazard areas, and other natural features.

5. Require the modification or revision of the placement, design, or remodeling of structures, signs, accessory buildings, etc., to be consistent with the standards of this Ordinance.

6. Specify the type and placement or shielding of lights for outdoor circulation, parking, and security.

7. Require new developments that produce more than one hundred (100) peak vehicle trips per hour to provide traffic mitigation by means of traffic signals, traffic controls, turning islands, landscaping, or any other means necessary to ensure the viability, safety, and integrity of existing and proposed thoroughfares, based upon the results of a Traffic Impact Analysis.

8. Require pedestrian access, separate pedestrian access ways, sidewalks, and protection from rain for pedestrians in new developments.

9. Require developments to provide access to improved streets and, where possible, provide access to the lower-order street rather than a major collector or arterial street as designated on the Thoroughfare Plan, as amended.

(4) *Submission Requirements*. A Site Plan shall be prepared by a qualified civil engineer, land planner, architect, or surveyor, depending on the nature of the improvements proposed, and it shall clearly show in detail how the site will be constructed (such as paving, buildings, landscaped areas, utilities, etc.). To ensure the submission of adequate information, the following information and items shall be submitted with an application for Site Plan approval, in addition to any additional specific requirements for the review of Site Plan applications that may be devised and amended from time to time. It shall be the applicant's responsibility to obtain and be familiar with the requirements for Site Plan approval.

a. A title block within the upper right-hand corner of the concept plan with the proposed name of the project/subdivision.

b. The name and address of the owner/developer and the land planner, engineer, architect, or surveyor responsible for the design or survey.

c. The scale of the drawing (both written and graphic scale) and the north arrow.

d. The date the drawing was prepared.

e. Total site acreage and the location of the property according to the abstract and survey records.

f. A vicinity or location map that shows the location of the proposed development within the city (or its ETJ) and in relationship to existing roadways.

g. The boundary survey limits of the tract and scale distances with north clearly indicated.

h. The names of adjacent subdivisions (or the name of the owners of record and recording information for adjacent parcels of un-platted land), including parcels on the other sides of roads, creeks, etc.

i. The existing uses of the subject property.

j. The general arrangement of future land uses, including the approximate number of lots and any residential uses anticipated.

k. A generalized circulation plan for the subject property showing the proposed locations and patterns of motor vehicle and pedestrian traffic. The said circulation plan shall contain arrows indicating traffic flow.

l. The existing zoning and existing/proposed uses on adjacent land.

m. The location, width, and names of all existing or platted streets or other public ways within or adjacent to the tract.

n. The location, type, size, and recording information for any existing easements located on the subject property or within two hundred (200) feet of the subject property. In the event no existing easements have been dedicated, a note to that effect shall be provided.

o. The location and building footprints of existing buildings located on the property. Existing buildings shall be noted as to those that are to remain and those that are to be removed.

p. Railroad rights-of-way located within two hundred (200) feet of the subject property.

q. Topography, including contours at a minimum five-foot interval, with the location of the centerline of existing drainage channels or creeks.

r. Any 100-year flood plain as designated on the appropriate Flood Insurance Rate Map (FIRM) located on or within two hundred (200) feet of the subject tract. In the event that a 100-year floodplain is not located on the subject tract or within two hundred (200) feet of the subject tract, a note to that effect must be provided with reference to the appropriate panel number.

s. Location of Gas/Oil/Water wells or pipelines.

t. Location, type, size, and ownership of all existing water and wastewater lines, including all appurtenances - i.e., valves, hydrants.

u. Location, type, and size of all drainage and other underground structures.

v. Proposed connection to all existing water, wastewater, and drainage systems.

w. Adjacent political subdivisions, corporate limits, and/or school district boundaries.

x. The layout and width (right-of-way lines) of existing and proposed thoroughfares, collector streets and/or intersections, and a general configuration of proposed streets, lots and blocks, including proposed median openings and left turn lanes on future divided roadways.

y. Existing and planned driveways located within two hundred (200) feet of the subject tract, including those located on the opposite side of divided roadways.

z. The arrangement of land uses and buildings, including but not limited to:

    1. Proposed non-residential and residential densities.

    2. Building footprints for each proposed structure.

    3. Building heights.

4. Building square footage for each proposed structure. For multitenant or multi-purpose buildings, show the square footage for each intended use.
5. Building mass and orientation.
6. Location of loading/service areas.
7. Location of recycling containers, compactors, dumpsters, and their enclosures.
8. Sidewalks and pedestrian walkways.
9. Parking plan showing the proposed on-site parking stalls with dimensions and driveway aisles with dimensions.
10. Retention/detention ponds with proposed aesthetic treatments.
11. Screening walls.
12. Fences.
13. Signage.
14. Fire lanes with dimensions for fire lane aisles and turn-arounds.
15. A lighting plan for all external lighting

(5) *Technical Requirements*. Provision of the above items shall conform to the principles and standards of this Ordinance and the Comprehensive Plan. To ensure the submission of adequate information, the City is hereby empowered to maintain and distribute a separate list of specific requirements for site plan review applications, as well as other administrative rules and policies. The Zoning Administrator may, upon written request, waive any of these requirements based on the complexity of the project and its applicability.

VIII. ENFORCEMENT AND ADMINISTRATION OF REGULATIONS

A. Certificate of Occupancy

(1) No vacant land shall be occupied or used except for agricultural purposes unless otherwise authorized by this Zoning Ordinance and no building hereafter erected or structurally altered shall be used or occupied until a certificate of occupancy shall have been issued by the Building Official of the City stating that the building or proposed use thereof complies with the provisions of this ordinance and all other existing building and sanitation ordinances.

(2) No non-conforming use shall be maintained, renewed, changed, or extended without a certificate of occupancy having first been issued by the Building Official of the City of La Grulla, therefore.

(3) Application for a certificate of occupancy shall be made in writing, coincident with the application for a building permit, or may be directly applied for where no building permit is necessary and shall be issued or refused in writing within 5 (five) days after the Building Official has been notified that the building or premises are ready for occupancy.

(4) The Building Official shall maintain a record of all certificates, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected.

(5) No permanent water, sewer, electrical, or gas utility connections shall be made to the land, building, or structure until after a certificate of occupancy has been issued by the Building Official of the City of La Grulla.

(6) Upon request of the owner or authorized representative, the Building Official may issue a temporary certificate of occupancy for the temporary use and occupancy of a portion of a building prior to the completion and occupancy of the entire building, provided such temporary occupancy or use will not in any way or manner jeopardize life or property. Such a temporary certificate may be issued for a period not exceeding six months. Such a temporary certificate shall not be construed as altering the respective rights, duties, or obligations of the owners relating to the use or occupancy of the premises, or in any other matter covered by this ordinance, and such a temporary certificate shall not be issued except under such restrictions and provisions.

B. Powers and Duties of the Building Official

(1) Whenever any building work is being performed in violation of this ordinance, the Building Official may order the work stopped and may revoke any building permit previously issued by written notice served on the property owner, the owner's agent, or any person engaged in or causing such work. Upon receipt of such notice, all work shall immediately cease and shall not recommence until authorized by the Building Official or until a building permit is issued in cases where the permit has been revoked. The stop-work order and permit revocation shall be posted at the site of the work being performed in violation of this ordinance.

(2) Whenever any building or portion thereof is being used or occupied contrary to the provisions of this ordinance, the Building Official shall order such use or occupancy discontinued and the building or portion thereof vacated by notice served on any person using or causing such use or occupancy to be continued, and such person shall vacate such building or portion thereof within 10 (ten) days after receipt of such notice, or make the building or portion thereof comply with the requirements of this ordinance.

C. Penalty and Enforcement

(1) The owner of a building or premises in or upon which a violation of any provision of this ordinance has been committed or shall exist, or the lessee or tenant of an entire building or entire premises in or upon which a violation has been committed or shall exist, or the agent, architect, building contractor, or any other person, firm or corporation who commits, takes part or assist in any violation, or who maintains any building or premises in or upon which such violation exists, shall, upon conviction, be fined not more than two-thousand dollars ($2,000.00) per offense. Each day that such violation occurs continues as a separate offense.

(2) If a building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or if a building, other structure, or land is used in violation of this ordinance, the appropriate City authority, in addition to other remedies, may institute appropriate action to:

a. Prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use;

b. Restrain, correct, or abate the violation;

c. Prevent the occupancy of the building, structure, or land; or

d. Prevent any illegal act, conduct, business, or use on or about the premises,

(3) No person shall erect or construct or proceed with the erection or construction of any building or structure, nor add to, enlarge, move, improve, alter, repair, convert, extend, or demolish any building or structure or cause the same to be done in any zoned district in the City of La Grulla without first applying for and obtaining a building permit therefore from the Building Official.

(4) All applications for such permits shall be in accordance with the requirements of this ordinance and building code for the City of; no such building permit or certificate of occupancy shall be issued for any building where such construction, addition, alteration, or use thereof would violate any of the provisions of this ordinance

(5) No building permit or certificate of occupancy shall be issued except where the provisions of this ordinance have been complied with.

(6) No oversight or dereliction on the part of any City Official or employee of the City shall legalize, authorize, or excuse the violation of any of the provisions of this ordinance.

(7) In interpreting and applying the provisions of this ordinance, they shall be held to the minimum requirements for the promotion of the public health, safety, and/or welfare of the public.

(8) This ordinance shall not be construed to interfere with or annul any easement, covenant, or other agreement between parties, except where this ordinance imposes a greater restriction.

Accessory building

An enclosed structure on the same lot of a nature customarily incidental and subordinate to the principal structure. Storage sheds, temporary construction trailers, utility sheds, and hobby workshops are examples of accessory buildings.

Accessory structure

An unenclosed structure on the same lot of a nature customarily incidental and subordinate to the principal structure. Patios, decks, pergolas, trellises, and swimming pools are examples of accessory structures.

Accessory use

A use that is incidental and subordinate to that of the principal use of a building or land and that is located on the same lot and under the same ownership in all respects.

Administrative and business offices

Offices, private firms, or organizations that are primarily 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, photocopy and reproduction, and business offices or public utilities, organizations, and associations, or other use classifications when the service rendered is that customarily associated with administrative office services.

Agricultural/Open Space

The purposes for the Agricultural/Open Space District are to provide for compatible land, building, and structures used primarily oriented for agricultural farming and ranching, and extremely low-density residential purposes, serve as transitional use pending future that may include more intensive development. Open space is for the protection and enhancement of scenic areas, vistas, floodplains, and recreational uses. These uses may be allowed where unusual or problematic soils, topographic conditions, or sensitive ecological features are present that would normally not be conducive or appropriate to more intensive forms and patterns of urbanization

Agricultural sales and services

Establishments or places of business engaged in the sale (from the premises) of feed, grain, fertilizers, pesticides, and similar goods or in the provision of agricultural-related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, feed, and grain stores, and tree service firms.

Agricultural Uses

Agricultural uses include farming in any of its branches, including cultivating soil; growing and harvesting of any agricultural, horticultural, or floricultural commodity; dairying; raising of livestock, bees, fish, fur-bearing animals, or poultry; turf and tree farming; and performing any practices on a farm as an incident to, or in conjunction with, these farming operations. Agricultural property does not include property used for commercial storage, processing, distribution, marketing, or shipping operations.

Alley

Any public way or thoroughfare more than 10’ (ten) feet, but less than 16’ (sixteen) feet in width,

which has been dedicated to the public for public use, abutting and having access to a public road.

Appendix A. Use Definitions

Alteration

Any change, addition, or modification in construction, occupancy, or use.

Amendment

A change in the wording, context, or substance of this ordinance, or a change in the boundary upon the zoning map, which map is a part of this Ordinance.

Amenity center

A private facility associated with a specific development that provides social gathering areas, recreational facilities, or other types of common space for the exclusive benefit of residents of the development.

Apartment residential

The use of a site for three (3) or more dwelling units, within one (1) or more buildings.

Artisan sales

The manufacture and retail sale of hand-crafted wares such as pottery, jewelry, art, and similar products of artisanship.

Assembly

A use providing meeting, recreational, worship, or social facilities for a private or non-profit association or church, primarily for use by members and guests. Typical uses include churches, private social clubs, and fraternal organizations.

Automotive rentals

Rental of automobiles, noncommercial trucks, trailers, and recreational vehicles, including incidental parking and servicing of vehicles available for rent or lease. Typical uses include auto rental agencies, trailer rental agencies, and taxicab parking and dispatching.

Automotive repair, Major

An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, body, and fender, and major engine and engine part overhaul, which is conducted within a completely enclosed building.

Automotive repair, Minor

An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, upholstery work, tire repair and change, lubrication, tune-ups, and transmission work, which is conducted within a completely enclosed building.

Automotive sales

Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.

Automotive self-service station

That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment. Such an establishment shall be permitted to offer for sale at retail other convenience items as a clearly secondary activity and shall be permitted also to include a freestanding automatic car wash.

Appendix A. Use Definitions

Automotive service station

That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. Accessory activities shall be permitted to include automotive repair and maintenance, car wash service, and food sales.

Automotive washing

Washing and cleaning of automobiles and related light equipment. Typical uses include full service, attended, and automated car washes.

Aviation facilities

Landing fields, aircraft parking service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

Bar, Lounge, or Tavern

A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, pubs, cocktail lounges, and similar uses other than a restaurant.

Basic industry

A use engaged in the basic processing and manufacturing of materials or products from extracted or raw materials, or a use utilizing flammable, explosive, or commonly recognized offensive conditions or materials.

Bed and Breakfast

Bed and Breakfasts (B&B) are a guest house or small hotel offering sleeping accommodation and a morning meal with no more than three bedrooms. A small hotel or inn of up to five bedrooms could also be included in this definition.

Brewery, micro

A microbrewery is a facility that produces less than 15,000 barrels (17,600 hectoliters) of beer per year, with more than 75 percent of its beer sold off-site. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer to retailer to consumer); and, directly to the consumer through carry-out and/or on-site tap-room or restaurant sales.

Block

A tract of land bounded by streets, or a combination of streets and public parks, or corporate boundaries of the City of La Grulla.

Building

Any structure used or intended for supporting or sheltering any use or occupancy.

Building code

The International Building Code, latest adopted edition, promulgated by the International Code Council, as adopted by the City of La Grulla.

Building coverage

All areas covered by principal and accessory buildings or roofed areas, as measured along the outside wall at ground level, and including all projections other than open porches, canopies, and the first two feet of a roof overhang.

Appendix A. Use Definitions

Building height

The vertical distance above the average existing grade measured to the highest point of the building. The height of a stepped or terraced building shall be the maximum height of any segment of the building.

Building line

The perimeter of that portion of a building or structure is nearest to a property line, but excluding open steps, terraces, cornices, and other ornamental features projecting from the walls of the building or structure.

Building, Detached

A building that is surrounded by yards or open space on its building lot.

Building, main

A building in which the principal use of the site is conducted.

Building, temporary

A building used temporarily for the storage of construction materials and equipment incidental and necessary to on-site permitted construction of utilities, or other community facilities, or used temporarily in conjunction with the sale of property within a subdivision under construction.

Business or Financial services

An establishment intended for the conduct or service or administration by a commercial enterprise, or offices for the conduct of professional or business service. Typical uses include banks, investment brokers, title companies, and real estate agencies.

Business support services

Establishments or places of business primarily engaged in the sale, rental, or repair of equipment and supplies used by office, professional, and service establishments to the firms themselves rather than to individuals, excluding automotive, construction, and farm equipment. Typical uses include office equipment and supply firms, small businesses, machine repair shops, and hotel equipment and supply firms.

Business or Trade School

A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.

Campground

Campground facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks.

Cemetery

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Change of use

Any alteration in the primary use of a lot for zoning purposes may entail the need for additional parking or loading facilities.

City

The City of La Grulla, Texas.

Appendix A. Use Definitions

City Council

The City Council of La Grulla, Texas.

City Administrator

The City Administrator of the City of La Grulla or his/her designee.

College and university facilities

An academic institution of higher learning accredited or recognized by the state and offering a program or series of programs of academic study.

Commercial Off-street parking

Parking of motor vehicles on a temporary basis within a privately owned off-street parking facility, other than accessory to a principal use. Typical uses include commercial parking lots or parking garages.

Commission

The Planning and Zoning Commission of the City of La Grulla, Texas.

Communications services

Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished using electronic and telephonic mechanisms, but exclude those classified as major utility facilities. Typical uses include television studios, telecommunication service centers, or telegraph service offices.

Community residential facility

Any dwelling licensed, certified, or authorized by state, federal, or local authorities as a residence for children or adults with physical, developmental, or mental disabilities, dependent children, or elderly individuals in need of supervision, support, and/or independent living training. May include specialized group homes for the developmentally disabled, group care facilities for children, and boarding homes.

Community treatment facility

Any dwelling or place licensed, certified, or authorized by state, federal, or local authorities as a residence and treatment facility for children or adults with mental disabilities, alcoholism, or drug abuse problems needing a supervised living arrangement and rehabilitation services on a short-term or long-term basis. Does not include detoxification centers. May include alcohol and/or drug abuse treatment facilities and adult treatment facilities.

Community recreation

A non-profit recreational facility for use by residents and guests of a particular residential development or limited residential neighborhood, including both indoor and outdoor facilities.

Comprehensive plan

The declaration of purposes, policies, and programs for the development of the jurisdiction, including the city's adopted Master Plan.

Conditional use

The use or occupancy of a structure, or a use of land, permitted only upon issuance of a conditional use permit and subject to stated conditions required to make the use compatible with other uses permitted in the same zone or vicinity.

Appendix A. Use Definitions

Condominium residential

A single-dwelling unit in a multi-unit dwelling or structure that is separately owned and may be combined with an undivided interest in the public areas and facilities of the property.

Construction sales and services

Establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites, as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings to other structures, other than retail sale of paint, fixtures, and hardware excluding those classified as one of the automotive and equipment services use types. Typical uses include building materials stores, tool and equipment rental or sales, or building contractors.

Consumer repair services

Establishments primarily engaged in the provision or repair services to individuals and households rather than firms, but excluding automotive and equipment use types. Typical uses include appliance repair shops, watch or jewelry repair, or musical instrument repair firms. All incidental storage shall be enclosed.

Convalescent services

A use providing bed care and in-patient services for people requiring regular medical attention, but excluding a facility providing surgical or emergency medical services, and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

County

Starr County

Cultural services

A library, museum, art gallery, or similar non-profit use affording display, preservation, and exhibition of objects of permanent interest in one (1) or more of the arts and sciences.

Custom manufacturing

Establishments primarily engaged in the on-site, indoor production and storage of goods by hand manufacturing, which involves only the use of hand tools or mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts. Basic industrial processing activities are excluded.

Day care facility

A facility for the care of children or adults with resident or nonresident license(s).

Day care services, Family

A Family Day Care home provides regular care to no more than four children under 14 years of age, excluding children related to the caretaker, and provides care after school hours for not more than six additional elementary school children, but the total number of children, including those related to the caretaker, shall not exceed 12 at any given time.

Day care services, Group

A Group Day Care home provides regular care for between five (5) and twelve (12) adults or children for less than 24 hours a day. Child nurseries, preschools, and adult care facilities are included in this definition.

Day care services, Commercial

A Commercial Day Care center provides regular care to any number of adults or children for less than 24 hours a day.

Appendix A. Use Definitions

Day(s)

This shall mean calendar days unless otherwise specified.

Density

The amount of land per dwelling unit, excluding the area for roads, parks, churches, and schools, common open space, public/private capital facilities, and dedicated public lands, and any other nonresidential use except tax-exempt open space.

Detention facilities

A publicly operated use providing housing and care for individuals confined by law, as defined by Section 1.07 of the Texas Penal Code.

Depth of Rear Yard

The horizontal distance between the rear line of the main building and the rear lot line.

District

Any section of the City of La Grulla for which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.

Distillery, micro

A micro distillery is a facility that produces less than 52,500 cases (4,725 hectoliters) of liquor or other spirits per year, with 75 percent or more of its liquor sold off-site. Micro-distilleries sell to the public by one or more of the following methods: the traditional three-tier system (distiller to wholesaler to retailer to consumer); the two-tier system (distiller to retailer to consumer); and, directly to the consumer through on-site and/or carry-out sales.

Driveway

A private access road, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel in which it is located.

Duplex residential

The use of a site for two (2) dwelling units within a single building.

Dwelling

A building or portion thereof, designed exclusively for residential occupancy, including one-family, two-family, and multifamily dwellings, but not including boarding and lodging houses, apartment hotels, hotels, tourist courts and motels.

Dwelling unit

One (1) or more rooms in a dwelling, designed, occupied, or intended for occupancy as separate living quarters, with an individual entrance, cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of 1 (one) family maintaining a household.

Dwelling, Multi-Family

A building designed for occupancy by 3 (three) or more families living independently of each other within 3 (three) or more dwelling units.

Dwelling, Multiple Units

A building or portion thereof designed for occupancy by three or more families living independently, in which they may or may not share common entrances and/or other spaces. Individual dwelling units may be owned as condominiums or offered for rent.

Appendix A. Use Definitions

Dwelling, Single Family

A detached dwelling unit with kitchen and sleeping facilities, designed for occupancy by 1 (one)family.

Dwelling, Two-Family

A building designed for or occupied exclusively by 2 (two) families.

Easement

That portion of land or property reserved for present or future use by a person or agency other than the legal owner(s) of the property. The easement shall be permitted to be for use under, on, or above said lot or lots.

Eating establishment

A retail establishment primarily engaged in the sale of food and drinks for consumption on the premises.

Equipment repair services

Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling or salvage.

Equipment sales

Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments

Floor Area, Gross (GFA)

The sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls or, if appropriate, from the center line of dividing walls; this includes courts, and decks, or porches when covered by a roof.

Floor Area, Net (NFA)

The gross floor area excluding vents, shafts, courts, elevators, stairways, exterior walls, and similar facilities.

Food Sales

Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

Frontage

The width of a lot or parcel abutting a public right-of-way as measured along the front property line.

Funeral services

Establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals.

Group living

The residential occupancy of living accommodation by groups of more than five (5) people (not defined as a family) on a weekly or longer basis. Typical uses include occupancy of fraternity or sorority houses, dormitories, residence halls, or boarding houses.

Appendix A. Use Definitions

Guidance services

A use providing counseling, guidance, recuperative, vocational, or similar services to persons requiring rehabilitation assistance because of mental illness, alcoholism, detention, drug addiction, family violence, or similar conditions, either on a residential or daytime care basis.

Health care offices

A use providing consultation, diagnosis, therapeutic, preventative, or corrective personal treatment services by physicians, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts.

Height

Shall mean when referring to a tower or other structure, the distance measured from the natural ground level to the highest point on the tower or other structure, even if said highest point is an antenna.

Home profession

A profession or craft, excluding an adult retail use establishment or adult entertainment establishment, carried on within a residence by the occupants, which activity is clearly incidental to the use of said residence as a dwelling and does not change the residential character of the dwelling or neighborhood, and is conducted in such a manner as not to give any outward appearance of a business in the ordinary meaning of the term.

Hospital services

A facility providing medical, psychiatric, or similar services for sick or injured people, primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

Impervious surface or cover

Any hard surface or man-made area that does not readily absorb or retain water, including, but not limited to, building roofs, parking and driveway areas, graveled areas, sidewalks, and other paved areas.

Indoor entertainment

Spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, meeting halls, and dance halls.

Indoor sports and recreation

Uses conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice- and roller-skating rinks, and arcades.

Kennels

Boarding and care services for dogs, cats, and similar small animals. Typical uses include boarding kennels or dog training centers.

Kitchen

Any room or portion of a room within a building designed and extended that is used for cooking or the preparation of food.

Landfill

A method of final disposal of solid waste by utilizing land in a manner that allows the disposal of solid waste without creating hazards to public health, significant impacts to the environment, or nuisances.

Appendix A. Use Definitions

Landscaping

The finishing and adornment of unpaved yard areas. Materials and treatments include naturally growing elements such as grass, trees, shrubs, and flowers.

Laundry services

Establishments primarily engaged in the provision of laundering, dry cleaning, or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply services.

Life care services

Retirement housing for the elderly, providing residential housing and care for retired, elderly, and/or disabled people including congregate housing with common meals and/or community facilities for social events, community recreation, convalescent services, guidance services, personal services and personal improvement services, or self-contained dwelling units specifically designated for the needs of the elderly, either rented or owner-occupied. To qualify as life care housing or facilities, a minimum of 80% of the total units shall have a household head 55 years of age or greater, and no long-term or permanent skilled nursing care or related services are provided.

Light manufacturing

A use engaged in the manufacture, from previously prepared materials, or finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and storage, sales, and distribution of such products, but excluding basic industrial processing.

Loading space

A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks, and having a minimum dimension of 12’ (twelve feet) by 35’ (thirty-five feet) and a vertical clearance of at least 14’ (fourteen feet).

Local convenience store

A commercial activity engaged in the sale of commonly used goods and merchandise, including petroleum products, for personal or household use in a structure three thousand (3,000) square feet or less in size.

Local utility services

Services that are necessary to support principal development and involve only minor structures, such as lines and poles that are necessary to support principal development.

Lot

A parcel of land occupied or to be occupied by 1 (one) building, or group of buildings, and the accessory buildings or uses customarily incident thereto, including such open spaces as are required under this ordinance, and having its principal frontage upon a public street or a place.

Lot area

The area of a lot between lot lines, including any portion of an easement which may exist within such lot lines, inclusive of any area in a public or private way open to public use.

Lot coverage

That portion of a lot, parcel, or tract covered by the primary structure and inclusive of all areas enclosed under a permanent roof, including attached and detached garages. Lot coverage includes driveways, sidewalks, accessory buildings, unenclosed porches and patios, similar paved areas, and pools.

Appendix A. Use Definitions

Lot depth

The horizontal length of a straight line drawn from the midpoint of the lot front line and at right angles to such line to its intersection with a line parallel to the lot front line and passing through the midpoint of the lot rear line. In the case of a lot having a curved front line, the lot front line for purposes of this section shall be deemed to be a line tangent to the curve and parallel to a straight line connecting the points of intersection of the lot side lines with the curved lot front line.

Lot frontage (frontage)

The length of that portion of a lot abutting the public (private) street that provides principal access to the lot.

Lot lines

Lot lines are the legal boundary lines of a parcel of land, as shown on a recorded plat, survey, or deed. They define the limits of ownership.

Lot width

The horizontal distance between side lines, measured at the front building line, as established by the minimum front yard requirement of this ordinance.

Maintenance and service facilities

A facility supporting maintenance, repair, vehicular or equipment servicing, materials storage, and similar activities, including corporation yards, equipment service centers, and similar uses having characteristics of commercial services, or contracting or industrial activities.

Major utility facilities

Generating plants, electrical switching facilities, primary substations, refuse collection or disposal facilities, water and wastewater treatment plants, and similar facilities of public agencies or public utility firms having a potentially significant impact on surrounding uses.

Manufactured Home Residential

The residential occupancy of HUD-code manufactured homes on lots owned by residents that are typically meant for more permanent habitation than the following mobile home use.

Manufactured housing park

Any lot upon which are located 1 (one) or more manufactured homes, occupied for dwelling purposes, regardless of whether or not a change is made to each accommodation.

Manufactured modular housing

Structures that are constructed in one (1) or more modules or modular components built at a location other than the permanent site, are transported to the permanent site, and are erected or installed on a permanent foundation system. Certification of compliance with applicable building codes is evidenced by a decal affixed to the module, as certified by the manufacturer. Examples of industrialized housing and buildings include one-family and two-family (duplex) dwellings, apartment complexes, equipment shelters, restaurants, offices, classrooms, medical complexes, hazardous storage buildings, and more.

Manufacturing, Heavy

All other types of manufacturing that are not included in the definitions of light manufacturing and medium manufacturing.

Appendix A. Use Definitions

Manufacturing, Light

The manufacturing, compounding, processing, assembling, packaging, or testing of goods or equipment, including research activities, conducted entirely within an enclosed structure, with no outside storage, serviced by a modest volume of trucks or vans, and imposing a negligible impact on the surrounding environment by noise, vibration, smoke, dust, or pollutants.

Manufacturing, Medium

The manufacturing, compounding, processing, assembling, packaging, or testing of goods or equipment, conducted within an enclosed structure or an open yard, which is capable of being screened from neighboring properties and serviced by a modest volume of trucks or other vehicles.

Mixed-Use

Mixed-use is the blending of residential, commercial, cultural, institutional, and, where appropriate, industrial uses to create efficiency and housing variety while reducing energy consumption and transportation costs. A mix of uses in buildings can activate, strengthen, or establish neighborhood character and encourage appropriate activities.

Mixed-use uses on lots, tracts, and areas are intended to provide flexibility for the city and development community to encourage innovative, unique, and sustainable developments. When permitted, mixed-use can encourage infill development in underutilized areas. There are two types of mixed-use: vertical, where the uses are stacked one above the other, and horizontal, where the uses are adjacent or in general proximity to each other on the lot or tract.

Mobile home community/ mobile home park

A unified development of mobile home spaces restricted to mobile home use, with community facilities and permitted permanent buildings; this development is located on a single tract of land under one (1) ownership and meets the requirements of all applicable ordinances.

Mobile home subdivision

A mobile home subdivision is any parcel of land changed, re-subdivided, or rearranged into two (2) or more parts for the purpose of accommodating the location of mobile homes thereon.

Mobile home

A structure that was constructed before June 15, 1976, transportable in one (1) or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on-site is three hundred and twenty (320) or more square feet, and which is built on a permanent chassis designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems.

Mobile home residential.

The residential occupancy of mobile homes by families on a weekly or longer basis. Typical uses include mobile home parks or mobile home subdivisions.

Mortuary, Funeral Home

An establishment in which the dead are prepared for burial or cremation. The facility shall be permitted to include a chapel for the conduct of funeral services, spaces for funeral services, informal gatherings, and/or display of funeral equipment.

Motel, Hotel, <u>or Inn</u>

Any building containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests. Not intended for permanent residence.

Appendix A. Use Definitions

Multiple-family residential.

The use of a site for two (2) or more dwelling units, each in a separate building.

Nonconforming

A lot, use, building, or structure that was lawfully established but does not comply with subsequently enacted or amended regulations.

Nursery school

A private agency, school, or institution engaged in educational work with preschool children and in which no child is enrolled on a regular basis for four (4) or more hours per day. Enrollment for four (4) or more hours per day shall classify the facility as a "Day Care Facility" or "Kindergarten."

Occupancy

The use or intended use of the land or buildings by proprietors or tenants.

Off-street parking

Space occupied by automobiles on premises other than streets.

Open space

Land areas that are not occupied by buildings, structures, parking areas, streets, alleys, or required yards.

Outdoor display area

An area of designated size used for the display of merchandise or tangible property normally vended with the contiguous business or organization.

Outdoor entertainment

Spectator uses conducted in open facilities. Typical uses include sports arenas, racing facilities, and amusement parks.

Outdoor sports and recreation

Uses conducted in open, or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools, tennis courts, racquetball courts, and marinas.

Outdoor storage

The storage of any material, personal or for business, for a period greater than 24 consecutive hours, including items for sale, lease, processing, and repair, not in an enclosed building. This definition does not include automobile sales, leasing, or rental.

Overlay district

A district established to prescribe special regulations to be applied to a site in combination with the underlying or base-zoning district.

Park

A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.

Park and Recreation Services

Publicly or privately owned parks, playgrounds, recreational facilities, and open spaces.

Parking aisle

The clear space for one-way or two-way traffic movement and maneuvering between rows of parking stalls.

Appendix A. Use Definitions

Parking lot

An open area, other than a street, used for the parking of automobiles.

Parking space, automobiles

A paved space within a building or private or public parking lot, excluding driveways, ramps, columns, office and work areas, for parking an automobile.

Patio home

A detached, single-family unit typically situated on a reduced-sized lot, which orients outdoor activity within the rear or side patio areas for better use of the site for outdoor living space.

Paved area

Any area surfaced with asphalt, concrete, or similar all-weather material, excluding gravel

Performance standard

Regulations that permit uses based on a particular set of standards of operation rather than on a particular type of use. Performance standards provide specific criteria limiting noise, air pollution, emissions, odors, vibration, dust, dirt, glare, heat, fire hazards, wastes, traffic impacts, and visual impacts of a use.

Permitted use

A use which is permitted by right in a district without the need for special administrative review and approval upon satisfaction of the standards and requirements of this Ordinance.

Personal improvement services

Establishments primarily engaged in the provision of informational, instructional, personal improvement, and similar services of a nonprofessional nature. Typical uses include photography studios, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

Personal services

Establishments or places of business primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops, seamstresses, tailors, shoe repair shops, and self-service laundry.

Pet services

Retail sales and grooming of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, dog bathing and clipping salons, or pet grooming shops.

Planned development district (PDD)

A residential or commercial development guided by a total design plan in which one (1) or more of the zoning or subdivision regulations, other than use regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines.

Postal facilities

Postal services, including post offices, bulk mail processing or sorting centers, operated by the United States Postal Service or private enterprise.

Primary educational facilities

A public, private, or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of the State of Texas.

Appendix A. Use Definitions

Principal use

The main use to which a premise is devoted and the primary purpose for which a premise exists.

Principal structure

A structure in which the principal use of the lot is conducted.

Professional office

A use providing professional or consulting services in the fields of law, architecture, design, engineering, accounting, and similar professions.

Prohibited use

A use not specifically identified as a permitted use, conditional use, or nonconforming use. Prohibited uses include, but are not limited to, those listed as prohibited uses within each district of this Ordinance.

Public use/facility

Any use or facility controlled by the City, County, State, Federal, or any other governmental entity.

Railroad facilities

Railroad yards, equipment servicing facilities, and terminal facilities.

Recreational vehicle (RV)

A vehicular type of portable structure without a permanent foundation, not more than thirty-five feet (35) in length, primarily designed as temporary living quarters for recreational, camping, or travel use, with or without motor power, and occupied in anyone (1) place for a period not exceeding thirty (30) days. This includes, but is not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Recreational vehicle park

An area where facilities are provided for recreational or camping vehicles, travel trailers, tents, or other portable habitation, utilized by the public as a place for camping, vacationing, or temporary usage, which are in place for not more than thirty (30) days. The park may include certain recreational or service facilities for the use of the residents of the park. Recreational or camping vehicle parks shall comply with all applicable State and local regulations.

Recycling facility

A location used primarily for the storage, processing, or handling of waste or scrap materials, including, but not limited to, scrap metals, paper, rags, tires, bottles, and similar items.

Research services

Establishments primarily engaged in research of an industrial or scientific nature, but exclude product testing. Typical uses include electronics research laboratories, space research and development firms, or pharmaceutical research labs.

Restaurant, Drive-Through.

An establishment engaged in the preparation and retail sale of food and beverages in a ready-to-consume state, through a pass-through window accessed by a vehicle via a drive-through lane. This term also includes fast food and drive-in restaurants. For restaurants licensed to serve alcoholic beverages, the gross receipts for alcoholic beverages shall not exceed 50% of the total gross receipts.

Appendix A. Use Definitions

Restaurant, General.

An establishment engaged in the preparation and retail sale of food and beverages for on-premises consumption. This term includes facilities typically referred to as diners, cafés, cafeterias, dinner houses, coffee shops, bakeries, and ice cream parlors, but does not include fast food restaurants or drive-through services. For restaurants licensed to serve alcoholic beverages, the gross receipts for alcoholic beverages shall not exceed 50% of the total gross receipts.

Restaurant, Neighborhood.

A use engaged in the preparation and retail sale of food and beverages, including the sale of alcoholic beverages when conducted as an accessory or secondary feature, and producing less than twenty-five (25) percent of the gross income. A neighborhood restaurant does not include outdoor entertainment. Typical uses include restaurants, both full-service and fast-food, coffee shops, dinner houses, and similar establishments with incidental alcoholic beverage service.

Renovation

Interior or exterior remodeling of a structure, other than ordinary repair.

Residence

A building or structure, or portion thereof, that is designed for and used to provide a place of abode for human beings, but not including hotels or motel units, or places of abode having no kitchen within each unit. A residence must include one (1) or more dwelling units.

Residential use

Any use consisting principally of dwelling units.

Safety services

Facilities for the conduct of public safety and emergency services, including police and fire protection services and emergency medical and ambulance services.

Secondary educational facilities

A public, private, or parochial school offering instruction at the junior and senior high school levels in the branches of learning and study required to be taught in a public school of the State of Texas.

Self-service storage facility

A facility, including buildings and/or structures containing space of varying sizes, leased or rented on an individual basis, and used exclusively for the storage of excess property and outdoor storage of vehicles and boats.

Service station

An establishment for retail sale of petroleum products, automobile accessories, and/or minor auto tune-ups. All services provided and all storage supplies, parts, equipment, and accessories are indoors.

Setback

The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

Single-family residential

The use of a site for only one (1) dwelling unit.

Appendix A. Use Definitions

Site plan

Refers to a plan, drawn to scale, showing uses and structures proposed for a parcel of land as required by the regulations. It includes lot lines, streets, building sites, reserved open space, buildings, major landscape features, and the location of utilities. Its purpose is to show how the intended use relates to the site and the surrounding area.

Solid fence

A fence, including solid entrance and exit gates, constructed of solid material, wood, or masonry through which no visual images may be seen for viewers in or on adjoining properties, streets, alleys, or public rights of way, materials stored, and operations conducted behind it.

Structure

Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground, including, but not limited to, advertising signs, billboards, and poster panels, but exclusive of customary fences, boundaries, retaining walls, or landscaping.

Telecommunication uses and towers

See Telecommunications and Tower Ordinance for definition and regulations.

Temporary construction office

A portable building used as an office for construction personnel during the construction of a principal building on the premises, or during the construction of houses in a new subdivision.

Temporary use

Land uses and/or structures that are needed, or in place for only short periods of time.

Theater

A building used primarily for the presentation of live stage productions, performances, or motion pictures.

Townhouse residential

A townhouse is a type of housing unit that uses a site for two (2) or more townhouse dwelling units, constructed with common or adjacent walls, and each located on a separate ground parcel/lot within the total development site, together with or without a common area serving all dwelling units. There are two types of townhouses.
Townhouse 1 is a semi-attached patio-style home with zero (0) setback from one property line and at least five (5) feet from the other. (Ordinance Amendment to MR district to create the Townhouse District)

Townhouse 2 provides for up to eight (8) attached housing units with zero (0) setbacks on interior units and ten (10) feet on the exterior end units.

Townhomes may be developed as individually owned units or as condominiums.

Transportation terminal

A facility for loading, unloading, and/or interchange of passengers, baggage, and incidental freight or package express between modes of transportation, including bus terminals, railroad stations, airport terminals, and public transit facilities.

Use

Any purpose for which a lot, building, structure, or tract of land may be designated, arranged, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Appendix A. Use Definitions

Vehicle storage

Long-term storage of operating or non-operating vehicles. Typical uses include storage of private parking tow-away or impound yards, but exclude dismantling or salvage.

Veterinary services

Veterinary service for all animals. Typical uses include animal clinics and hospitals. Veterinary services should not include the boarding of large animals.

Warehousing and distribution

Establishments or places of business primarily engaged in wholesaling, storage, distribution, and handling of materials and equipment other than live animals and plants. The following are wholesaling, storage, and use types:

1. Convenience storage. Storage services primarily for personal effects and household goods within enclosed storage areas having individual access, but excluding use as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini warehousing.
2. General warehousing and distribution. Open-air storage, distribution, and handling of materials and equipment. Typical uses include monuments, stone yards, or open storage yards.
3. Limited warehousing and distribution. Wholesaling, storage, and warehousing services within enclosed structures. Typical moving and storage firms, and now retail mail and internet order distribution centers.

Wrecking or salvage yard

A place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment when conducted entirely within a completely enclosed building, sale of used cars in operating condition, or salvaged materials incidental to a manufacturing operation.

Yard

An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building foundation shall be used.

Yard, front

A yard extending across the front of a lot between the side lot lines, and being the minimum

horizontal distance between the street or place line and the main building or any projections of the usual uncovered steps, uncovered balconies, or uncovered porch. On corner lots, the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Appendix A. Use Definitions

Yard, rear

A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies, or unenclosed porches. On all lots, the rear yard shall be in the rear of the front yard.

Yard, side

An open, unoccupied space on the same lot as the building, and between the building line and the side lot line, or to the ordinary high-water line.

Zero lot line home

A single-family dwelling that is built directly adjacent to one (1) side property line.

Zoning district

Any section of the City for which the regulations uniformly govern the use, placement, density, bulk, height, and coverage of land and buildings.

APPENDIX B-USE TABLE		Residential							
ZONING DISTRICT USE (P-Permitted C-Conditional Blank-Not Permitted)	AGO	RR	SF	MR	TH	MF	MH1	MH2	MU
Accessory Living Quarters									
An accessory building used solely as the temporary dwelling of guests of the occupants of the premises; such dwellings having no kitchen facilities and not rented or otherwise used as a separate dwelling unit.	P	P	C	C					
Accessory Residential Units, Residential District									
The residential occupancy of a portion of the principal use, not exceeding one-third of the gross floor area. Commonly referred to as "mother-in-law flat", it may include a full kitchen and must comply with all building and fire codes. One additional off-street parking space is required.		P	P	C			C		
Agricultural use									
Agricultural use means property that is substantially devoted to the production of plants and animals useful to people, including forages and sod crops; grains and feed crops; dairy and dairy products; poultry; livestock, including breeding and grazing; fish; timber; fruits; vegetables; flowers; Christmas trees; plants or trees grown in an agricultural nursery; and other similar uses and activities.	P	C					C		
Apartment Residential									

The use of a site for three (3) or more dwelling units, within one (1) or more buildings.				**P**		**P**			
Bed and Breakfast									
Bed and Breakfasts (B&B) are a guest house or small hotel offering sleeping accommodation and a morning meal with no more than three bedrooms. A small hotel or inn of up to five bedrooms could also be considered in this definition.		**C**	**C**	**C**	**C**				**C**
Boarding House									
A dwelling containing a single dwelling unit and not more than ten (10) guest rooms or suites of rooms, where lodging is provided with or without meals, for compensation for more than 1 week.						**P**			

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Community Rental Facility									

Any dwelling licensed, certified, or authorized by state, federal, or local authorities as a residence for children or adults with physical, developmental, or mental disabilities, dependent children, or elderly individuals in need of supervision, support, and/or independent living training. May include specialized group homes for the developmentally disabled, group care facilities for children, and boarding homes.						**P**			
Condominium Residential									
A single-dwelling unit in a multi-unit dwelling or structure that is separately owned and may be combined with an undivided interest in the common areas and facilities of the property.				**P**		**P**			**P**
Duplex Residential									
The use of a site for two (2) dwelling units within a single building.			**C**	**P**		**P**			**P**
Group Residential									
The residential occupancy of living accommodation by groups of more than five (5) people (not defined as a family) on a weekly or longer basis. Typical uses include occupancy of fraternity or sorority houses, dormitories, residence halls, or boarding houses				**C**		**P**			
Home-Occupation									
A profession or craft, excluding an adult retail use establishment or adult entertainment establishment, conducted within a residence by the occupants, which activity is clearly incidental to the use of said residence as a dwelling.		**P**	**P**	**C**	**C**	**C**	**P**	**P**	**P**
Manufactured Home Residential									

The residential occupancy of manufactured homes on lots owned by residents, and typically meant for more permanent habitation than the following mobile home use.							**P**	**P**	
Mobile Home Residential									
Residential occupancy of mobile homes by families on a weekly or longer basis. Typical uses are mobile home parks or mobile home subdivisions.							**P**	**P**	

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Manufactured Modular Housing									
Structures that are constructed in one (1) or more modules or modular components built at a location other than the permanent site, transported to the permanent site, and erected or installed on a permanent foundation system. Certification of compliance with applicable building codes is evidenced by a decal affixed to the module, as certified by the manufacturer. Examples of industrialized housing and buildings include one-family and two-family (duplex) dwellings, apartment complexes, equipment shelters, restaurants, offices, classrooms, medical complexes, hazardous storage buildings, and more.		**P**					**P**	**P**	
Mixed-Use									

Mixed-use is the blending of residential, commercial, cultural, institutional, and, where appropriate, industrial uses to create efficiency and housing variety while reducing energy consumption and transportation costs. There are two types of mixed use: vertical and horizontal. See Section Mixed Use and Appendix A- Definitions for details and requirements.				**C**	**C**				**P**
Multiple-Family Residential									
The use of a site for two (2) or more dwelling units, each in a separate building				**P**		**P**			
Patio Home									
A detached, single-family unit typically situated on a reduced-sized lot that orients outdoor activity within the rear or side patio areas for better use of the site for outdoor living space. See Townhouse 1			**P**	**P**					**P**
RV Park									
An area where facilities are provided for recreational or camping vehicles, travel trailers, tents, or other portable habitation, utilized by the public as a place for camping, vacationing, or temporary usage, which are in place for not more than thirty (30) days.	**C**						**P**	**P**	
Single-Family Residential									
The use of a site for only one (1) dwelling unit.		**P**	**P**	**P**					**P**

APPENDIX B-USE TABLE		**Residential**	

ZONING DISTRICT USE (P-Permitted C-Conditional Blank-Not Permitted)	AGO	RR	SF	MR	TH	MF	MH1	MH2	MU
Townhouse 1 Residential									
The use of a site for two (2) or more townhouse dwelling units, constructed with common or adjacent walls and each located on a separate ground parcel within the total development site, together with or without a common area serving all dwelling units. Townhouse 1 is a patio-style home.				**P**	**P**	**P**			**P**
Townhouse Residential 2									
The use of a site for eight (8) or more townhouse dwelling units, constructed with common or adjacent walls and each located on a separate ground parcel within the total development site, together with or without a common area serving all dwelling units. Townhouse 2 is a row-style home.				**P**	**P**	**P**			**P**
Administrative and Business Offices									
Offices, private firms, or organizations that are primarily used to provide 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, photocopy and reproduction, and business offices or public utilities, organizations, and associations, or other use classifications when the service rendered is that customarily associated with administrative office services									**P**
Agricultural Sales and Services									

Establishments or places of business engaged in the sale (from the premises) of feed, grain, fertilizers, pesticides, and similar goods or in the provision of agricultural-related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries, hay, feed, grain stores, and tree service firms	**C**								
Amusement Center									
Establishment offering five (5) or more amusement devices, including, but not limited to, coin-operated electronic games, shooting galleries, table games, and similar recreational diversions within an enclosed building									

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Artisan Sales									
The manufacture and retail sale of hand-crafted wares such as pottery, jewelry, art, and similar products of artisanship.									**P**
Automotive Rentals									
Rental of automobiles, noncommercial trucks, trailers, and recreational vehicles, including incidental parking and servicing of vehicles available for rent or lease. Typical uses include auto rental agencies, trailer rental agencies, and taxicab parking and dispatching.									
Automotive Repair Services, Major									

An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar large mechanical equipment, including paint, body, and fender, and major engine and engine part overhaul, which is conducted within a completely enclosed building.									
Automotive Repair Services, Minor									
An establishment primarily engaged in the repair or maintenance of motor vehicles, trailers, and similar mechanical equipment, including brake, muffler, upholstery work, tire repair and change, lubrication, tune-ups, and transmission work, which is conducted within a completely enclosed building.									
Automotive Sales									
Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships, motorcycle dealerships, boat, trailer, and recreational vehicle dealerships.									
Automotive Service Station									
That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles. Accessory activities shall be permitted to include automotive repair and maintenance, car wash service, and food sales.									

APPENDIX B-USE TABLE		**Residential**	

ZONING DISTRICT USE (P-Permitted C-Conditional Blank-Not Permitted)	AGO	RR	SF	MR	TH	MF	MH1	MH2	MU
Automotive Washing									
Washing and cleaning of automobiles, commercial motor vehicles, and related equipment. Typical uses include auto laundry or car washes									
Bar, Lounge, or Tavern									
A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, pubs, cocktail lounges, and similar uses other than a restaurant.									**P**
Business Support Services									
Establishments or places of business primarily engaged in the sale, rental, or repair of equipment and supplies used by office, professional, and service establishments to the firms themselves rather than to individuals, excluding automotive, construction, and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops, or hotel equipment and supply firms									
Business or Trade School									
A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college or university, or public or private educational facility.									
Commercial Off-Street Parking									

Parking of motor vehicles on a temporary basis within a privately owned off-street parking facility, other than accessory to a principal use. Typical uses include commercial parking lots or parking garages.									**P**
Communications Services									
Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished using electronic and cellular mechanisms, but exclude those classified as major utility facilities. Typical uses include television studios, telecommunication service centers or facilities.	**C**								

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Construction Sales and Services									
Establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites, as retail or wholesale sale, from the premises of materials used in the construction of buildings to other structures, other than retail sale of paint, fixtures, and hardware, excluding those classified as automotive and equipment services use types. Typical uses include building materials stores, tool and equipment rental or sales, or building contractors									
Consumer Repair Services									

Establishments primarily engaged in the provision or repair services to individuals and households rather than firms, but excluding automotive and equipment use types. Typical uses include appliance repair shops, watch or jewelry repair, or musical instrument repair firms. All incidental storage shall be enclosed									**P**
Equipment Sales									
Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, similar heavy equipment, incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales.									
Equipment Repair Services									
Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but exclude dismantling or salvage.									
Financial Services									
Establishments are primarily engaged in the provision of financial and banking services. Typical uses include banks, savings and loan institutions, loan and lending activities, and similar services.									**P**

APPENDIX B-USE TABLE		Residential							
ZONING DISTRICT USE (P-Permitted C-Conditional Blank-Not Permitted)	AGO	RR	SF	MR	TH	MF	MH1	MH2	MU
Food Sales									
Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops									P
Funeral Services									
Establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals.									
General Retail Sales									
Sales or rental of commonly used goods and merchandise for personal or household use. Typical uses include department stores, apparel stores, furniture stores, mail-order stores, or similar establishments.									P
Health Care Offices									
A use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by physicians, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts.									P
Hotel, Motel, or Inn									

Any building containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests. Not intended for permanent residence.									C
Indoor Entertainment									
Spectator uses conducted within an enclosed building. Typical uses include movie theaters, meeting halls, and dance halls.									C
Indoor Sports And Recreation									
Uses conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller-skating rinks, and arcades.									C

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Kennels									
Boarding and care services for dogs, cats, and similar small animals. Typical uses include boarding kennels or dog training centers.									
Laundry Services									
Establishments primarily engaged in the provision of laundering, dry cleaning, or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply									C

services.									
Local Convenience Store									
A commercial activity engaged in the sale of commonly used goods and merchandise, including petroleum products, for personal or household use in a structure three thousand (3,000) square feet or less in size.									**P**
Outdoor Entertainment									
Predominantly, spectator uses conducted in open facilities. Typical uses include sports arenas, racing facilities, and amusement parks. Subject to site plan review.	**C**								
Outdoor Sports And Recreation									
Uses conducted in open, or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools, tennis courts, racquetball courts, and marinas.	**C**								
Personal Improvement Services									
Establishments primarily engaged in the provision of informational, instructional, personal improvement, and similar services of a nonprofessional nature. Typical uses include photography studios, driving schools, health or physical fitness studios, dance studios, handicraft and hobby instruction									**P**

APPENDIX B-USE TABLE		Residential							
ZONING DISTRICT USE (P-Permitted C-Conditional Blank-Not Permitted)	AGO	RR	SF	MR	TH	MF	MH1	MH2	MU
Personal Services									
Establishments or places of business primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops, seamstresses, tailors, shoe repair shops, and self-service laundry									P
Pet Services									
Retail sales and grooming of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, dog bathing and clipping salons, or pet grooming shops									
Professional Office									
A use providing professional or consulting services in the fields of law, architecture, design, engineering, accounting, and similar professions.									P
Restaurant, Drive Thru									
An establishment engaged in the preparation and retail sale of food and beverages in a ready-to-consume state, through a pass-through window accessed by a vehicle via a drive-through lane. This term also includes fast food and drive-in restaurants. For restaurants licensed to serve alcoholic beverages, the gross receipts for alcoholic beverages shall not exceed 50% of the total gross receipts.									C
Restaurant, General									

An establishment engaged in the preparation and retail sale of food and beverages for on-premises consumption. This term includes facilities typically referred to as diners, cafes, cafeterias, dinner-houses, coffee shops, bakeries, and ice cream parlors, but does not include fast food restaurants or drive-through services. For restaurants licensed to serve alcoholic beverages, the gross receipts for alcoholic beverages shall not exceed 50% of the total gross receipts.									**P**

APPENDIX B-USE TABLE		Residential							
ZONING DISTRICT USE (P-Permitted C-Conditional Blank-Not Permitted)	AGO	RR	SF	MR	TH	MF	MH1	MH2	MU
Restaurant, Neighborhood									
A use engaged in the preparation and retail sale of food and beverages, including the sale of alcoholic beverages when conducted as an accessory or secondary feature, and producing less than twenty-five (25) percent of the gross income. A neighborhood restaurant does not include outdoor entertainment. Typical uses include restaurants, both full-service and fast food, coffee shops, dinner houses, and similar establishments with incidental alcoholic beverage service.									P
Brewery, micro									
A facility that produces less than 15,000 barrels (17,600 hectoliters) of beer per year, with more than 75 percent of its beer sold off-site. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer to retailer to consumer); and, directly to the consumer through carry outs and/or on-site tap-room or restaurant sales.									
Distillery, micro									

A facility that produces less than 52,500 cases (4,725 hectoliters) of liquor or other spirits per year, with 75 percent or more of its liquor sold off-site. Micro-distilleries sell to the public by one or more of the following methods: the traditional three-tier system (distiller to wholesaler to retailer to consumer); the two-tier system (distiller to retailer to consumer); and, directly to the consumer through on-site and/or carry-out sales.									
Veterinary Services									
Veterinary service for all animals. Typical uses include animal clinics and hospitals. Veterinary services shall not include the boarding of large animals									
Basic Industry									
A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use utilizing flammable, explosive, or commonly recognized offensive conditions or materials									

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Custom Manufacturing									

Establishments primarily engaged in the on-site, indoor production and storage of goods by hand manufacturing, which involves only the use of hand tools or mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts. Direct sale to consumers of those goods produced on-site is prohibited.									
Light Manufacturing									
A use engaged in the manufacture, predominantly from previously prepared materials, or finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and storage, sales, and distribution of such products, but excluding basic industrial processing.									
Warehouse And Distribution									
Convenience storage. Storage services primarily for personal effects and household goods within enclosed storage areas having individual access, but excluding use as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini warehousing.									
General warehousing and distribution. Open-air storage, distribution, and handling of materials and equipment. Typical uses include monuments, stone yards, or open storage yards.									

Limited warehousing and distribution. Wholesaling, storage, and warehousing services within enclosed structures. Typical moving and storage firms and retail mail order distribution centers.									
Recycling Facility									
Any location whose primary use is where waste or scrap materials are stored, bought, sold, accumulated, exchanged, packaged, disassembled, or handled, including, but not limited to, scrap metals, paper, rags, tires, and bottles, and other such materials.									

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Research Services									
Establishments primarily engaged in research of an industrial or scientific nature, but exclude product testing. Typical uses include electronics research laboratories, research and development firms, or pharmaceutical research labs.									
Scrap and Salvage Services									

Places of business primarily engaged in the storage, sale, dismantling, or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards, or paper salvage yards. (Subject to site plan review)									
Vehicle Storage									
Long-term storage of operating or nonoperating vehicles. Typical uses include storage of private parking towaways or impound yards, but exclude dismantling or salvage									
Assembly, Neighborhood Scale									
Religious, cultural, or fraternal activity that is conducted primarily within an enclosed facility of 10,000 square feet or less gross floor area		**P**	**P**	**P**		**P**	**P**	**P**	
Assembly, Large Scale									
Religious, cultural, or fraternal activity that is conducted primarily within an enclosed facility of 10,000 square feet or more gross floor area									
Aviation Facilities									

Landing fields, aircraft parking service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security									

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Campground									
Campground facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks. Subject to site plan review	**C**								
Cemetery									
Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundary of such cemetery.									
Open Space									

Open space is for the protection and enhancement of scenic areas, vistas, floodplains, and recreational uses. These uses may be allowed where unusual or problematic soils, topographic conditions, or sensitive ecological features are present that would normally not be conducive or appropriate to more intensive forms and patterns of urbanization	P	P							
College and University Facilities									
An academic institution of higher learning, accredited or recognized by the state, and offering a program or series of programs of academic study.									
Community Recreation									
A non-profit recreational facility for use by residents and guests of a particular residential development or limited residential neighborhood, including both indoor and outdoor facilities.									
Community Treatment Facility									
Any dwelling or place licensed, certified, or authorized by state, federal, or local authorities as a residence and treatment facility for children or adults with mental disabilities, alcoholism, or drug abuse problems needing a supervised living arrangement and rehabilitation services on a short-term or long-term basis. Does not include detoxification centers. May include alcohol and/or drug abuse treatment facilities and adult treatment facilities									

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**

Convalescent Services									
A use providing bed care and in-patient services for people requiring regular medical attention but excluding a facility providing surgical or emergency medical services, and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.									
Cultural Services									
A library, museum, art gallery, or similar non-profit use affording display, preservation, and exhibition of objects of permanent interest in one (1) or more of the arts and sciences.									**P**
Day Care Services, Family									
A Family Day Care home provides regular care to no more than four children under 14 years of age, excluding children related to the caretaker, and provides care after school hours for not more than six additional elementary school children, but the total number of children, including those related to the caretaker, shall not exceed 12 at any given time.			**C**	**C**		**C**	**C**	**C**	
Day Care Services, Group									
A Group Day Care home provides regular care for between five (5) and twelve (12) adults or children for less than 24 hours a day. Child nurseries, preschools, and adult care facilities are included in this definition.			**C**	**C**		**C**	**C**	**C**	
Day Care Services, Commercial									
A Commercial Day Care center provides regular care to any number of adults or children for less than 24 hours a day									
Detention Facilities									

A publicly operated use providing housing and care for individuals confined by law.									

APPENDIX B-USE TABLE		Residential							
ZONING DISTRICT USE (P-Permitted C-Conditional Blank-Not Permitted)	AGO	RR	SF	MR	TH	MF	MH1	MH2	MU
Government Services and Buildings									
Offices, administrative, clerical, or public contact services and buildings that deal directly with the citizens, together with incidental storage and maintenance of necessary vehicles. Typical uses include federal, state, county, and city offices									P
Guidance Services									
A use providing counseling, guidance, recuperative, vocational, or similar services to persons requiring rehabilitation assistance because of mental illness, alcoholism, detention, drug addiction, family violence, or similar conditions, either on a residential or daytime care basis									C
Hospital Services									
A facility providing medical, psychiatric, or similar service for sick or injured people primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.									
Life Care Services									

Retirement housing for the elderly, providing residential housing and care for retired, elderly, and/or disabled people including congregate housing with common meals and/or community facilities for social events, community recreation, convalescent services, guidance services, personal services and personal improvement services, or self-contained dwelling units specifically designated for the needs of the elderly, either rented or owner-occupied. To qualify as life care housing or facilities, a minimum of 80% of the total units shall have a household head 55 years of age or greater, and no long-term or permanent skilled nursing care or related services are provided									
Local Utility Services									
Services which are necessary to support principal development and involve only minor structures such as lines and poles which are necessary to support principal development.									

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Maintenance and Service Facilities									
A facility supporting maintenance, repair, vehicular or equipment servicing, materials storage, and similar activities, including corporation yards, equipment service centers, and similar uses having characteristics of commercial services or contracting or industrial activities									

Major Utility Facilities									
Generating plants, electrical switching facilities, primary substations, refuse collection or disposal facilities, water and wastewater treatment plants, and similar facilities of public agencies or public utility firms having a potentially significant impact upon surrounding uses. (Subject to site plan review)									
Nursery School									
A private agency, school, or institution engaged in educational work with preschool children in which no child is enrolled regularly for 4 (four) or more hours per day. Enrollment for 4 (four) or more hours per day shall classify the facility as a "Day Care Facility" or "Kindergarten."									
Park and Recreation Services									
Publicly owned and operated parks, playgrounds, recreation facilities, and open spaces	**P**	**P**	**P**	**P**	**P**	**P**			
Postal Facilities									
Postal services, including post offices, bulk mail processing or sorting centers, operated by the United States Postal Service or private enterprise.									
Primary Educational Facilities									

A public, private, or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools of the State of Texas.			**C**	**C**	**C**	**C**			

APPENDIX B-USE TABLE		**Residential**							
ZONING DISTRICT **USE (P-Permitted C-Conditional Blank-Not Permitted)**	**AGO**	**RR**	**SF**	**MR**	**TH**	**MF**	**MH1**	**MH2**	**MU**
Safety Services									
Facilities for the conduct of public safety and emergency services, including police and fire protection services and emergency medical and ambulance services.									
Secondary Educational Facilities									
A public, private, or parochial school offering instruction at the junior and senior high school levels in the branches of learning and study required to be taught in a public school of the State of Texas.									
Transportation Terminal									
A facility for loading, unloading, and/or interchange of passengers, baggage, and incidental freight or package express between modes of transportation, including bus terminals, railroad stations, airport terminals, and public transit facilities									**P**

Appendix C: Lot Design Standards

					Setbacks					
District Code	**Zoning District**	**Minimum Develop Density (units/ac)**	**Minimum Lot Area* (ft^2)**	**Minimum Lot Width (ft)**	**Minimum Front Yard[6*] (ft)**	**Minimum Rear Yard * (ft)**	**Minimum Side Yard*(ft)**	**Minimum Side Yard Corner Lot*(ft)**	**Maximum Building Height (ft)**	**Maximum Lot Coverage (%)**
	Residential									
AGO	Agriculture/Open Space	0	0	100	50	50	10	15	45	20
RR	Rural Residential	2.00	21,000[1]	85	35	25	10	15	45	35[2]
SF	Suburban Residential	6.00	5,000	55	20	10	5	10	35	50[3]
MR	Mixed-Density Residential	12.00	6,000	50	20	10	5	10	35	60
MF	Multi Family	18.00	**7,500**	40	20	10	5	10	35	75
MH1	Manufactured Home	5.50	9,000	75	20	10	5	10	35	40
MH2	Manufactured Home Park	4.00	7,500	50	20	10	5	10	35	50
TH	Townhouse 1	12.00	2,400	40	10	5	0/5	10	45	65
	Townhouse 2	15.00	1,750	20	10	5	0[5]/10	15	45	80
MU	Mixed Use	12.00	2,500	25	10	10	0[5]/10	15	45	80
	Commercial									
C1	Neighborhood Commercial			50	20	20	10	15	30	70
OPR	Office/Professional/ Limited Retail			70	25[4]	15	15	20	35	75

Chapter 95-ZONING

Appendix C: Lot Design Standards

					Setbacks					
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C2	General Commercial			70	40	35	20	25	45	80
I1	Light Industrial			100	50	40	25		45	80
I2	Heavy Industrial			100	20	10	10	25	45	80
PFI	Public Facility/Institutional		As determined by the City							

Notes

* **If there is an easement in the front, rear, side, and corner yards, the greater width shall be used.**

1. Lots for which on-site sewage is proposed are subject to Title 30, *Texas Administrative Code*, Chapter 285. The applications of Chapter 285 may require larger minimum lot sizes than the City of Roma Zoning Ordinance. In such cases, the more restrictive applies.
2. Minimum lot coverage is 35%, not to exceed 15,000 square feet
3. Minimum 18 feet front yard setback for garage if not served from rear alley.
4. May be reduced to 15 feet if parking is provided on the side or rear of the building.
5. Attached townhouses shall have a firewall between the adjacent homes with zero (0) lot lines.
6. On a corner lot, the narrower side of the lot shall be considered the front of the lot.
7. Corner lots: Any garage or carport facing the side street must be set back not less than 20 feet.