

## Article 3. Land Uses

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### Section 3.01. Uses Permitted by District

- A. Land and buildings in each of the zoning districts may be used for any of the specified uses in Section 3.03. Permitted Use Chart.
- B. See Section 7.02. Land Use Terms for definitions of land use classifications.

Legend for Permitted Use Chart	
●	Use is permitted in district indicated
○	Use is permitted in district upon approval of a Specific Use Permit (SUP)
	Use is prohibited in district indicated

### Section 3.02. Classification of New and Unlisted Uses

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

A. City Planner Classification as a Similar Use

The new or unlisted use will be referred to the City Planner to determine whether the new or unlisted use should be classified as a similar existing use.

B. Zoning Text Amendment for New or Unlisted Use

If the City Planner is unable to classify the new or unlisted use as similar to an existing use, the use shall be processed as a Zoning Text Amendment, which requires a recommendation from the Planning and Zoning Commission and approval from the City Council to amend the Permitted Use Chart.

C. Factors for Consideration

The determination shall be based on findings in relation to the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, amount of noise, odor, fumes, light, dust, toxic material, and vibration likely to be generated and the general requirements for public utilities.



Section 3.03. Permitted Use Chart

Land Use	Residential							Commercial					DD			Add'l Regs. #	Parking
	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GOR	C	I	CMS	GMS	UL		
<b>Residential Uses</b>																	
Assisted Living Facility						●	●			●							1 : 2 beds
Boarding House						○	○	○	○	○	○	○	○	○		Section 3.04.A.1	1 : 1 bedroom
Child Care Home (≤6 Children)	●	●	●	●	●	●	●										Based on dwelling
Child Care Home (≥7 Children)	○	○	○	○	○	○	○										Based on dwelling
Community Home for Persons with Disabilities	●	●	●	●	●	●	●									Section 3.04.A.2	1 : bedroom
Halfway House						○	○				○						1 : bedroom
HUD-Code Manufactured Home	○																See Section 4.04.B.3
Industrialized Home	●	●	●	●	●											Section 3.04.A.3	See Section 4.04.B.3
Live-Work Unit						●	●	●	●	●			●	●	●		See Section 4.04.B.3
Mixed-Use Development						○	○		●	●			●	●	●	Section 3.04.A.4	Based on individual uses
Multiple-Family Dwelling						●	●								●	Section 3.04.A.5	Studio   1 : unit 1-2 BR   2 : unit 3+ BR   0.5 : add'l BR over 2 + Guest   1 : 10 units
Patio Home/Zero Lot Line Home				●	●										○	Section 3.04.A.6	See Section 4.04.B.3
Single Family Detached	●	●	●	●	●										●		See Section 4.04.B.3
Townhome				●	●	●									●	Section 3.04.A.6	See Section 4.04.B.3
Two-Family Dwelling				●	●	●									●	Section 3.04.A.6	See Section 4.04.B.4
<b>Accessory and Incidental Uses</b>																	
Accessory Dwelling Unit	●	●	●	●											●	Section 3.04.B.1	1 : dwelling
Basketball or Tennis Court	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○		Site analysis required

Land Use	SF							LOR					DD			Add'l Reqs. #	Parking
	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GOR	C	I	CMS	CMS	UL		
Carport	○	○	○	○	○	○	○										N/A
Drive-Thru									○	●	●					Section 3.04.B.2	N/A
Fuel Pumps									○	○	●	●				Section 3.04.B.3	N/A
Funeral Home, Crematory											○						N/A
Home Occupation	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	Section 3.04.B.4	N/A
Outdoor Display, Permanent										○	○	○				Section 3.04.B.5	N/A
Outdoor Display, Temporary								○	○	○	○	○	○	○	○	Section 3.04.B.6	N/A
Outside Storage											●	●				Section 3.04.B.7	N/A
Short-Term Rental	○	○	○	○	○	○	○	○	○	○			●	●	●	Section 3.04.B.8	N/A
Wind Energy Turbine	○	○	○	○	○	○	○									Section 3.04.B.9	N/A
<b>Educational, Institutional, Public, and Special Uses</b>																	
Adult Day Services						○	○	○	●	●							1 : 400 + 1 : employee
Art Gallery and Museum								○	●	●	●	●	○	○	○		1 : 300
Cemetery or Mausoleums	●	●	●														N/A
Chemical Dependency Facility							○				○						1 : 2 patients
Child Care Facility, Children's Home										○	○						1 : 7 children
Child Care Facility, Daycare						○	○	○	●	●						Section 3.04.C.1	1 : 400 + 1 : employee
Community Center, Public	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		N/A
Driving School									○	●	●						1 : 300
Library							●	●	●	●	●	●		●	●		1 : 500
Local Utility Distribution Lines	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		N/A
Lodge or Civic Club									○	○	○						1 : 200
Medical, Clinic or Office									●	●	●		●	●			1 : 400
Medical, Emergency Room										○	●						N/A

● = Permitted ○ = SUP



Land Use	SF							C					DD			Add'l Regs. #	Parking
	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GOR	C	I	CMS	CMS	UL		
Medical, Hospital										●	●	●		●	●		1.5 : bed
Medical, Rehab Care (without Live-in)								○	●	●	●						1 : 400
Medical, Urgent Care Facility							○	○	●	●	●		●	●	○		1 : 400
Place of Worship	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		Non-Fixed Seats   1 : 150 or Fixed Seats   1 : 4 seats
Public Facility, Use, or Utility	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		N/A
Radio or Television Broadcasting without Tower	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		1 : 400
Research and Development Laboratory (Life Sciences)										○	●	●					1 : 500
Research and Development Laboratory (Technology)								○	○	●	●	●	○	○			1 : 500
School, Business, Trade, or Vocational								●	●	●	●	●	○	○			1 : 3 students + 1 : classroom
School, College or University	○	○	○	○	○	○	○	●	●	●	●	●	○	○			1 : 3 students + 1 : classroom
School, Primary or Secondary (Private)	○	○	○	○	○	○	○	●	●	●	●	●	○	○		Section 3.04.C.2	Ele./Middle   2 : classroom Senior High   8 : classroom
School, Primary or Secondary (Public)	○	○	○	○	○	○	○	●	●	●	●	●	○	○		Section 3.04.C.2	Ele./Middle   2 : classroom Senior High   8 : classroom
Wireless Communication Tower	○	○	○	○	○	○	○	●	●	●	●	●	●	●	●	Section 3.04.C.3	1 space
<b>Recreational and Entertainment Uses</b>																	
Amusement, Indoor							○	○	●	●	●	●	●	●	○		1 : 300
Amusement, Outdoor (Permanent)										●	●	●	○	○			1 : 3 patrons
Amusement, Outdoor (Temporary)									○	○	○	○	○	○			1 : 3 patrons
Banquet or Event Center									○	○	●		○	○			Non-Fixed Seats   1 : 150 or Fixed Seats   1 : 4 seats
Country Club	○	○	○	○	○	○	○	●	●	●	●	●					9 : hole + 1 : 150 of clubhouse/rooms
Park, Private	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		N/A
Park, Public	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		N/A
Theater, Indoor Only								○	●	●	●	●	○	○	○		1 : 4 seats
Theater, Performing Arts									●	●	●	○	○	○	○		1 : 4 seats

Land Use	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GOR	C	I	DD			Add'l Regs. #	Parking
													CMS	CMS	UL		
<b>Retail and Service Uses</b>																	
Adult-Oriented Uses												●				Section 3.04.E.1	1 : 300
Appliance Rental and Repair								○	○	●	●	○					1 : 400
Art Instruction Studio								○	●	●	●	○		●	●	○	1 : 300
Art Studio								○	●	●	●	○		●	●	○	1 : 400
Bail Bond Business										○	○						1 : 300
Bar (≥75% Alcohol Sales)								○	●	●				○	○	○	Section 3.04.E.2 1 : 200
Credit Access Business												●					1 : 300
Feed Store									○	○	○	●					1 : 300
Financial Institution								○	●	●	●			●	●	●	1 : 300
Food Truck Park								○	○	○	○	○		○	○		Section 3.04.E.3 Site analysis required
Funeral Home								○	○	●	●						1 : 50 sq. ft. of service or slumber rooms
Grocery, Local Scale								○	●	●				●	●	●	1 : 300
Grocery, Neighborhood Scale								●	●	●				●	●		1 : 300
Grocery, Regional Scale									○	●							1 : 400 1 : 500 if larger than 60,000 sq. ft.
Gym and Fitness Facilities									○	●	●	●		●	●	●	1 : 300
Hookah Lounge																	Section 3.04.E.4 N/A
Nursery, Retail								●	●	●				●	●		1 : 5,000 of outdoor storage area + 1 : 200 of sales or office space
Nursery, Wholesale										○	○	●					1 : 5,000 of outdoor storage area + 1 : 200 of sales or office space
Pawn Shop										●	●						1 : 300
Personal Care Service Shop								●	●	●				●	●	●	1 : 200, minimum of 5 spaces
Plumbing Shop										●	●	●					1 : 400
Postal Mart								●	●	●	●			●	●	●	1 : 400

● = Permitted ○ = SUP



Land Use	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GOR	C	I	DD			Add'l Regs. #	Parking
													CMS	CMS	UL		
Print Shop								○	○	○	○	●	○	○			1 : 400
Professional Office, Local Scale								○	●	●			●	●			1 : 400
Professional Office, Neighborhood Scale								●	●	●			●	●	●		1 : 300
Professional Office, Regional Scale									○	●							1 : 500 1 : 600 if larger than 40,000 sq. ft.
Recycle Collection Point											●	●					N/A
Restaurant, Limited Seating								●	●	●	●		●	●	●		1 : 400
Restaurant, Seated Service								●	●	●	●		●	●	●		1 : 200
Retail, Convenience Store								○	●	●	●		○	○	○		1 : 300
Retail, Convenience Store with Restaurant								○	●	●	●		○	○	○		1 : 300
Retail, Local Scale								○	●	●			●	●	○		1 : 300
Retail, Neighborhood Scale								●	●	●			●	●	●		1 : 200
Retail, Regional Scale									○	●				●			1 : 400 1 : 500 if larger than 50,000 sq. ft.
Retail, Sundry								○	○	○	○		○	○		Section 3.04.E.5	1 : 200
Seasonal Sales								○	○	○	○	○	○	○	○		Subject to City determination
Sign Printing									○	●	●	●					1 : 200 of customer floor area, minimum of 5 spaces
Tattoo or Piercing Studio											●						1 : 400
Tobacco, CBD, or Vape Shop											●					Section 3.04.E.6	1 : 300
<b>Commercial and Industrial Uses</b>																	
Alcohol Production, Macro												●					Office   1 : 400 Production area   1 : 1,000
Alcohol Production and Tasting/Tap Room, Micro with Food Sales								○	●	●	●	●	●	●			Office   1 : 400 Production area   1 : 1,000 Tasting/tap room   1 : 200
Alcohol Production and Tasting/Tap Room, Micro without Food Sales									○	●	●	●	●	●			Office   1 : 400 Production area   1 : 1,000 Tasting/tap room   1 : 200

Land Use	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GOR	C	I	DD			Add'l Regs. #	Parking
													CMS	CMS	UL		
Animal Services, No Outside Pens								○	○	●	●			○	○		1 : 400
Animal Services with Outside Pens										○	○	●					1 : 400
Bed & Breakfast	○	○	○	○	○												1 : rented bedroom
Building Materials Sales										○	○	●					1 : 1,000 of site used for sales/storage
Cabinet Shop										○	●	●					1 : 300
Commercial, General										○	●	●					1 : 350
Contractor & Storage Yard											○	●					1 : 1,000 of site used for sales/storage
Extermination Business										○	○	●					1:350
Furniture Repair Shop										●	●						1 : 400
Heavy Equipment Sales											○	●					Office   1 : 400 Showroom   1 : 500
Hotel, Full Service									○	○	●						1.1 : guest room + 1 : 8 seats for meeting room/restaurant
Hotel, Limited Service											○						1.1 : guest room
Hotel, Select Service										○	●						1.1 : guest room + 1 : 8 seats for meeting room/restaurant
Laundry, Commercial											○	●					1 : 800
Laundry, Dry Cleaning Drop-Off/Pick-Up								●	●	●	●			●	●	●	1 : 400
Laundromat									●	●	●						1 : 400
Machine and Welding Shop											○	●					1 : 2 employees or 1 : 1,000, whichever is greater
Manufactured/Mobile Homes Sales (On Site)											○						1 : 200 of office space
Manufacturing, Production, and Processing, Heavy												●					Office   1 : 400 Warehouse   1 : 1,000
Manufacturing, Production, and Processing, Light											●	●					Office   1 : 400 Warehouse   1 : 1,000
Sign Manufacturing										●	●	●					1 : 1,000 with a minimum of 5 spaces
Storage of Topsoil, Earth, Clay, Stone Extraction	●										●	●					1 : employee, but no less than 1 : 1,000



Land Use	SF-43	SF-13	SF-10	SF-7	TF-7	MF-14	MF-21	NOR	LOR	GOR	C	I	DD			Add'l Regs. #	Parking
													CMS	CMS	UL		
Warehouse, Self Storage										○	○	●					4 spaces located outside the security gates and accessible to the public
Warehouse, Storage or Sales											○	●					Office   1 : 400 Warehouse   1 : 1,000
Wholesale Center											○	●					Office   1 : 400 Warehouse   1 : 1,000
<b>Automobile and Transportation Uses</b>																	
Auto Dealership (Inside Only)									○	●	●	●					1 : 500
Auto Dealership, New and Used									○	○	●	●					1 : 500 for indoor uses 1 : 1,000 for outdoor uses
Auto Dealership, Used Only											○	●					1 : 500 for indoor uses 1 : 1,000 for outdoor uses
Auto Repair and Services, Major											○	●			Section 3.04.G.1		1 : 375
Auto Repair and Services, Minor (No Outside Storage)									○	●	●	●					1 : 375
Auto Storage and Rental										○	○	●					1 : 1,000
Boats, Campers, & Recreation Vehicles Sales											○	●					1 : 500 for indoor uses 1 : 1,000 for outdoor uses
Bus and Truck Storage and Rental											○	●					1 : 1,000 + Storage for all vehicles
Car Wash											●				Section 3.04.G.2		Wash bays + 5 queue spaces
Car Wash, Inside Only										●	●						1 : 200
Fuel Station, Standalone									○	●	●	●			Section 3.04.G.3		N/A
Hauling Services											○	●					1 : 300
Parking Lot										●	●	●	○	○	○		N/A
Passenger Pick-Up and Drop-Off Point								○	○	○	○	○	○	○	○		N/A
Passenger Terminal								○	○	○	○	○	○	○	○		Subject to City determination
Truck Dealership											○	●					1 : 500 for indoor uses 1 : 1,000 for outdoor uses
Truck Repair											○	●					1 : 2 employees or 1 : 1,000, whichever is greater



## Section 3.04. Additional Use Regulations

The following requirements correspond to each use as designated within the “Additional Regulations” column of **Section 3.03. Permitted Use Chart**.

### A. Residential Uses

#### 1. Boarding House Standards

##### a. Application Information

Specific Use Permit applications shall include, but not limited to, the following information:

- (1) Number of permanent occupants
- (2) Maximum number of temporary occupants
- (3) Total square feet of dwelling unit
- (4) Number of bedrooms
- (5) Total square feet of sleeping rooms
- (6) Number of restrooms
- (7) Total square feet of kitchen
- (8) Total square feet of living and/or dining areas
- (9) Maximum number of vehicles, and
- (10) On-site responsible party and contact information.

##### b. Living Area

- (1) Each bedroom in a dwelling unit occupied by one person shall contain 70 square feet of floor area, and that each bedroom occupied by more than one person shall contain at least 60 square feet of floor area for each occupant thereof.
- (2) Bedrooms shall be proportional to bathrooms and living areas in single family residential structures such that for every two rooms used in the structure as a bedroom there shall be at least: (A) one full bathroom (containing a commode, a sink and a shower or bathtub); and (B) one living

area. As used in this section, the term "living area" means a room of at least 120 square feet in size, other than:

- (a) An unfinished garage or basement; or,
- (b) A room used as bedroom, bathroom or kitchen.

#### c. Spacing

No Boarding House shall locate within one thousand six hundred (1,600) feet of another Boarding House. The measurement is taken in a straight, direct line from one property to another.

#### d. Parking

The amount of on-site parking shall not exceed the parking required by **Section 3.03. Permitted Use Chart** by more than three (3) spaces.

#### e. Inspections

All Boarding Houses shall require an interior and exterior inspection of the property prior to the issuance of a Certificate of Occupancy and annually thereafter by the Building Official, Building Inspector, and Code Enforcement Officials.

### 2. Community Home for Persons with Disabilities Standards

#### a. Application Information

Applications for a Community Home for Persons with Disabilities shall include, but not limited to, the following information:

- (1) Current State license information, and
- (2) On-site responsible party and contact information.

#### b. Spacing

In accordance with Section 123.008 of the Human Resources Code, no Community Home for Persons with Disabilities shall locate within one-half mile of another Community Home for Persons with Disabilities.

#### c. Parking

The amount of on-site parking shall not exceed the parking required by **Section 3.03. Permitted Use Chart** by more than three (3) spaces.



d. Inspections

All Community Homes shall require an interior and exterior inspection of the property prior to the issuance of a Certificate of Occupancy and annually thereafter by the Building Official, Building Inspector, and Code Enforcement Officials.

3. Industrialized Home Standards

- a. The industrialized home meets or exceeds all building code requirements that apply to other dwelling units concerning on-site construction.
- b. The industrialized home conforms to all applicable zoning standards for the respective zoning district.
- c. The industrialized home has a value equal to or greater than the median taxable value for each single-family dwelling located within five hundred (500) feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent County certified tax appraisal roll;
- d. The industrialized home has exterior siding, roofing, roofing pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within five hundred (500) feet of the lot on which the industrialized housing is proposed to be located;
- e. The industrialized home complies with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings; and
- f. The industrialized home is securely fixed to a permanent foundation.

4. Mixed-Use Development Standards

a. Build-To Zone

- (1) At least seventy-five (75) percent of the front façade shall be located within five (5) feet from the required front yard setback.
- (2) For corner lots, at least seventy-five (75) percent of the exterior side façade shall be located within five (5) feet from the required side yard setback.

b. Building Articulation

See requirements in **Section 4.03. Design Standards.**

c. Required Fenestration

- (1) Ground floor shall be fifty (50) percent to seventy-five (75) percent doors and/or windows.
- (2) Upper floors shall be twenty-five (25) percent to fifty (50) percent doors and/or windows (measured between 3' to 9' above each finished floor).

d. Building Entrance

- (1) The primary entrance shall front a public street with a walkway connecting to a front sidewalk.
- (2) Architectural elements shall indicate a clear entry point.

e. Parking

- (1) Off-street parking shall be calculated based on the uses within the development. Shared parking provisions may be utilized to reduce the number of required spaces.
- (2) No off-street parking shall be located in front of the building façade.

f. Uses

- (1) At least seventy-five (75) percent of the first story of the structure shall be used for nonresidential use(s). The remaining portion of the structure above the first story may be used for either residential or nonresidential uses, or a combination of both.
  - (a) If a one-story structure exists on the property, one hundred (100) percent of the structure shall be occupied for nonresidential use(s) only.
- (2) Drive-through features for the transaction of business are prohibited.

5. Multiple-Family Dwelling Standards

a. Building Articulation

See requirements in **Section 4.03. Design Standards.**

b. Recreation Space

- (1) All multiple-family developments with twenty (20) dwelling units or more shall devote not less than eight (8) percent of the gross development area to recreational facilities, generally in a central location. In large developments (two acres or larger), these may be decentralized.
- (2) Recreation areas include space for community buildings and community uses, such as adult recreation, child play areas, dog parks, picnic areas, and swimming pools, but do not include vehicle parking, commercial, maintenance, and utilities areas.

6. Patio Home/Zero Lot Line Home, Townhome, and Two-Family Dwelling Standards

See **Section 4.02. Modified Dimensional Standards** for exceptions to the dimensional standards.

B. Accessory and Incidental Uses

1. Accessory Dwelling Unit Standards

- a. No more than one (1) Accessory Dwelling Unit for the purpose of a living quarters shall be permitted on a lot.
- b. No more than one (1) household family unit shall occupy an Accessory Dwelling Unit at a time.
- c. The homeowner must live on the property.

2. Drive-Thru Standards

- a. A Drive-Thru window is not automatically included with any use. A Drive-Thru must be allowed as an accessory use to utilize a Drive-Thru window.
- b. See **Section 4.04.F. Off-Street Stacking Requirements** for applicable stacking and queuing requirements.

3. Fuel Pumps Standards

See **Section 4.04.F. Off-Street Stacking Requirements** for applicable stacking and queuing requirements.

4. Home Occupation Standards

- a. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such Home Occupation. No sign, advertisement or display may be used to indicate the presence of a Home Occupation in the structure.
- b. The Home Occupation shall be clearly incidental and subordinate to the home's use for residential purposes. Not more than five hundred (500) square feet or ten (10) percent of the square footage of the dwelling area, whichever is greater, shall be used in the conduct of the Home Occupation.
- c. The address of the dwelling may not appear in any advertisement.
- d. Any persons employed must be a member of the occupant's immediate family and reside on the premises where the home occupation takes place.
- e. No Home Occupation may utilize equipment other than that designed for residential use or which would be detrimental to or distract from the use of the premises as a residence.
- f. The Home Occupation will not cause an increase in traffic volume in the neighborhood. No more than five (5) patrons may be on the premises at one time.
- g. No equipment shall be used that creates offensive noises, vibration, sound, smoke, dust, odors, heat, glare, x-rays, or electrical disturbances to radio or television instruments.
- h. Delivery of materials to and from the premises shall not involve the use of vehicles over two (2) ton capacity, except parcel post, United Parcel Service or similar delivery trucks.
- i. No traffic shall be generated by a Home Occupation in greater volume than normally expected in a residential neighborhood, and any need for parking must be accommodated within the required off-street parking for the residence or along the street frontage for the lot.
- j. No Outside Storage shall be permitted in conjunction with a Home Occupation.



5. Outdoor Display, Permanent Standards
  - a. Outdoor Display, Permanent areas shall not be located more than thirty feet (30') from the main building and shall not exceed fifty (50) percent of the linear frontage of the building.
  - b. Outdoor Display, Permanent areas shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on-site or off-site, in any way.
  - c. Outdoor Display, Permanent areas must be contained within the property and shall not extend into the right-of-way.
  - d. Outdoor Display, Permanent items shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
  - e. Outdoor Display, Permanent is permitted only as an accessory use and is not a permitted principal use.
6. Outdoor Display, Temporary Standards
  - a. Outdoor Display, Temporary areas shall not be located more than thirty feet (30') from the main building and shall not exceed fifty (50) percent of the linear frontage of the building.
  - b. Outdoor Display, Temporary shall not occupy any of the parking spaces that are required by this Zoning Ordinance for the primary use(s) of the property, except on a temporary basis only, which is a maximum of 45 days per display and a maximum of two (2) displays per calendar year.
  - c. Outdoor Display, Temporary areas shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on-site or off-site, in any way.
  - d. Outdoor Display, Temporary must be contained within the property. Outdoor Display, Temporary areas shall not extend into the right-of-way without written permission from the City.
  - e. Outdoor Display, Temporary items shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
  - f. Outdoor Display, Temporary is permitted only as an accessory use and is not a permitted principal use.
7. Outside Storage Standards
  - a. Outside Storage shall not be located in the front yard.
  - b. See **Section 4.07.C.6 Outside Storage Screening** for screening requirements.
8. Short-Term Rental Standards
  - a. The applicant must obtain a Short-Term Rental permit from the City and provide proof of ownership of the residence.
  - b. The applicant must demonstrate to the satisfaction of the City Planner that the unit and property do not have any outstanding issues related to taxes or building, electrical, plumbing, fire, health, housing, police, planning, noise, or code enforcement provisions.
  - c. The applicant must submit a report to the City Planner each January that indicates the following:
    - (1) The number of nights the unit was rented as a Short-Term Rental in the previous year;
    - (2) Proof of payment of Hotel Occupancy Tax is submitted to the City in accordance with [Chapter 18 Article II of the City's Code of Ordinances](#); and
    - (3) Proof of current property insurance.
    - (4) If the applicant has failed to meet one of these requirements, the City shall provide ten (10) calendar days of notice to comply.
  - d. The City retains the right to suspend or remove a property from the registry. Once a property has been removed from the registry, the property shall not be added to the registry for at least one (1) year.
  - e. Suspension or removal shall be at the discretion of the City Planner for reasons including, but not limited to, the following:
    - (1) The applicant has given false or misleading information during the application process;
    - (2) There has been a violation of any of the terms, conditions, or restrictions of this subsection;
    - (3) The applicant has failed to pay the Hotel Occupancy Tax in the timely manner; or

- (4) The location has received three (3) complaints from the neighboring property owners for excessive noise or traffic within a twenty-four (24) month period.
  - f. Continued operation of a Short-Term Rental following suspension or removal from the registry shall be considered a violation of this Zoning Ordinance.
9. Wind Energy Turbine Standards
- a. General Standards
    - (1) Wind Energy Turbines are permitted only in the rear yard.
    - (2) The minimum distance between the ground and any part of a rotor blade must be at least twenty (20) feet.
    - (3) Wind Energy Turbines shall not be illuminated, nor may they bear any signs or advertising.
    - (4) Wind Energy Turbines must have automatic braking, governing, or feathering system to prevent uncontrolled rotation, over-speeding, and excessive pressure on the support structure, rotor blades, and turbine components.
    - (5) All wiring serving Wind Energy Turbines must be underground.
    - (6) Noise produced by Wind Energy Turbines may not exceed 55 dBA measured at the property line.
    - (7) Wind Energy Turbines must not cause any interference with normal radio and television reception in the surrounding area, with any public safety agency or organization (including but not limited to police, fire, and ambulance) radio transmissions, or with any microwave communications link. The owner shall bear the cost to conduct a study to determine interference, and of immediately eliminating any such interference should any occur, or must immediately shut down the system or parts of the system causing the interference.
    - (8) A finish (paint/surface) must be provided for the Wind Energy Turbine that reduces the visibility of the facility, including the rotors. In most circumstances this condition may be satisfied by painting the support structure and rotors with flat light haze gray paint. If the support structure is unpainted it must be of a single color throughout its height. The owner must

- maintain the finish, painted or unpainted, so that no discoloration is allowed to occur.
  - (9) The diameter of the area swept by the rotors may not exceed twelve (12) feet.
- b. Freestanding Systems – Additional Standards
    - (1) Wind Energy Turbines may be mounted on a tower detached from other structures on the lot.
    - (2) The minimum setback from any property line, overhead utility line, or public right-of-way shall be a distance equal to the vertical distance from the ground to the tip of a wind generator blade when the tip is at its highest point unless the affected utility, property owner, or governmental entity grants written permission for a lesser setback. In addition to the system's structures, guy wires associated with towers shall meet applicable setbacks for the zoning district.
    - (3) Freestanding systems measured from the top blade may not exceed forty-five (45) feet in height.
    - (4) Support structures for freestanding systems must be unclimbable from the ground to a height of at least fifteen (15) feet.
    - (5) A maximum of one (1) freestanding Wind Energy Turbine shall be allowed per lot.
  - c. Roof-Mounted Systems – Additional Standards
    - (1) Wind Energy Turbines may be mounted on the roof of a structure as an appurtenance.
    - (2) Roof-mounted systems measured from the top blade may not be more than five (5) feet over the maximum allowed height for the structure.
    - (3) A maximum of one (1) roof-mounted Wind Energy Turbine shall be allowed per lot.
    - (4) Before any roof-mounted system is mounted, the property owner must submit a report prepared by a licensed professional engineer attesting to the fact that the structure to which the system will be mounted is or will be sufficiently strong to support the system and to withstand the wind, vibratory, and other loads to which it would be subjected as a result of mounting the system on it. This report is subject to approval by the City Engineer prior to the mounting of the system.



## C. Educational, Institutional, Public, and Special Uses

### 1. Child Care Facility, Daycare Standards

See **Section 4.04.F. Off-Street Stacking Requirements** for applicable stacking and queuing requirements.

### 2. School, Primary or Secondary (Private) or School, Primary or Secondary (Public) Standards

See **Section 4.04.F. Off-Street Stacking Requirements** for applicable stacking and queuing requirements.

### 3. Wireless Communication Tower Standards

See **Section 4.12. Wireless Telecommunication Regulations**.

## D. Recreational and Entertainment Uses

None.

## E. Retail and Service Uses

### 1. Adult-Oriented Uses Standards

Adult-Oriented Uses must maintain a minimum separation distance of one thousand (1,000) feet from any residential district, any structure used as a residence, any place of worship, school, hospital, park or playground, or any other Adult-Oriented Uses.

### 2. Bar (≥75% Alcohol Sales) and Uses with ≥75% Alcohol Sales Standards

- a. No establishment that derives seventy-five (75) percent or more of its revenue from the sale of alcohol for on-premise consumption shall be located is within three hundred (300) feet of a place of worship, school, or hospital except as provided by the Texas Alcoholic Beverage Code. The City Planner shall use subdivision plats to verify the distance requirements have been met. If a dispute exists, it shall be the applicant's responsibility to engage the services of a Professional Surveyor to determine the separation distance.
- b. Standards included in [Article XX. – Sale of Alcoholic Beverages](#) of the City's Code of Ordinances shall apply.

## 3. Food Truck Park Standards

- a. All mobile vendors must have valid required health inspection permits from the City.
- b. Applications for a Food Truck Park shall include the following:
  - (1) A detailed site plan showing the location and dimensions of the park area, locations of all proposed mobile vendors, landscaping, building setbacks, vehicle parking, areas for sitting and/or dining, barriers, utility connection locations, and restroom locations;
  - (2) Written permission from the land owner to use the site (unless the applicant is the land owner);
  - (3) A copy of all required health inspection permits;
  - (4) Proposed hours of operation;
  - (5) Shared use agreement for restroom facilities (if applicable), as noted by d below.
- c. Food Truck Park sites are considered a parking lot; therefore, all surfaces must be paved and include the required landscaping outlined in **Section 4.08 Landscape Requirements**.
- d. Adequate restroom facilities shall be provided either on-site or through a shared use agreement with a neighboring business. Portable toilets, if used, must be screened from view of the public.
- e. Electrical, water, and wastewater connections shall be provided.
- f. Above ground utility connections shall not interfere with pedestrian or vehicular safety and shall not be located in customer service areas or customer parking lots.
- g. Food Truck Park sites shall be defined by curbs (i.e., continuous curb cuts are prohibited) to confine ingress and egress to defined access points to ensure the safety of pedestrians within the park.
- h. A barrier shall be located between any vehicular areas and the customer service areas. The barrier may be implied or physical and constructed with landscaping elements; gated fencing; changes in ground surface texture, material or color; or similar treatments.
- i. Drive-thrus are not permitted in conjunction with a Food Truck Park.

- j. Signage is allowed on the mobile vendor vehicle itself but no detached signage is allowed.
- k. A waste receptacle is required for every mobile vendor and waste shall be removed daily.

4. Hookah Lounge Standards

Hookah Lounges are prohibited in accordance with Chapter 16B – Smoking of the City’s Code of Ordinances.

5. Retail, Sundry Standards

- a. A Retail, Sundry store shall not be located within five thousand (5,000) feet of another Retail, Sundry store, measured by the nearest property lines.
- b. A minimum of ten (10) percent of the floor area of the Retail, Sundry store must be dedicated to fresh produce, meat and dairy products and designated as such within an SUP.

6. Tobacco, CBD, or Vape Shop Standards

Tobacco, CBD, or Vape Shops must maintain a minimum separation distance of five hundred (500) feet from any residential district, any structure used as a residence, any place of worship, school, hospital, park, or playground.

F. Commercial and Industrial Uses

None.

G. Automobile and Transportation Uses

1. Auto Repair and Services, Major Standards

- a. Luminaries shall be mounted at a height not to exceed thirty (30) feet as measured vertically from the horizontal surface of the nearest parking pavement.
- b. No exterior auditory devices shall be permitted.
- c. See **Section 4.04.F. Off-Street Stacking Requirements** for applicable stacking and queuing requirements.

2. Car Wash Standards

- a. The use, where adjacent to property zoned as single-family residential uses shall maintain a minimum setback of at least one hundred twenty-five (125) feet.
- b. The hours of operation may be limited when located adjacent to property zoned for single-family residential uses.
- c. No outside/outdoor vending machines, such as soda, video rental, or newspaper vending machines, are permitted.
- d. See **Section 4.04.F. Off-Street Stacking Requirements** for applicable stacking and queuing requirements.

3. Fuel Station, Standalone Standards

- a. The use, where adjacent to property zoned as single-family residential uses shall maintain a minimum setback of at least one hundred twenty-five (125) feet.
- b. The hours of operation may be limited when located adjacent to property zoned for single-family residential uses.
- c. No outside/outdoor vending machines, such as soda, video rental, or newspaper vending machines, are permitted.
- d. No part of the use shall be located nearer than eighteen (18) feet to the front property line.
- e. See **Section 4.04.F. Off-Street Stacking Requirements** for applicable stacking and queuing requirements.