

	P1	P2	P3	P4	P5	EC
PORCH	NP	P	P	P	NP	NP
DOORYARD	NP	NP	NP	P	P	P
TERRACE	NP	NP	NP	P	P	P
STOOP	NP	P	NP	P	P	P
LIGHTWELL	NP	NP	NP	P	P	P
GALLERY	NP	NP	NP	P	P	P
ARCADE	NP	NP	NP	NP	P	P
<b>LOT OCCUPATION - SEC. 6.3.008</b>						
LOT COVERAGE		40% max	60% max	70% max	80% max	80% max
BUILDING FRONTAGE AT BUILD-TO-LINE		40% min	40% min	60% min	80% min	80% min
BUILD-TO-LINE		10 ft - no max	10 ft - 25 ft*	5 ft - 15 ft	2 ft - 15 ft	
<u>MINIMUM LOT SIZE</u>		<u>1 acres***</u>	<u>0.33 acres***</u>			
<u>FIRST LAYER SETBACK</u>		<u>Built Environment**</u>	<u>Built Environment**</u>			

\* Lots exceeding 1/2 acre may extend Build-to-Line up to 60 ft from the Frontage Line.

\*\*The First Layer Setback shall be the average of the front yard setback of two (2) lots to the right and two lots to the left, +/-5 ft.

\*\*\*For lots not compatible with the minimum lot size please see Section 2.4.001

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(2) An Application for a building permit for any proposed use other than those specified in the "P2" District must be made to the Director of Planning & Development. If the Applicant shows that plans and other preparation for developing the property commenced prior to annexation by the City, as established by the Texas Local Government Code Chapter 43, City Council shall authorize the Construction of the Project by a majority vote.

**SEC. 2.3.004 ANNUAL ADOPTION OF SCHEDULE OF UNIFORM SUBMITTAL DATES FOR SITE PLANS AND PLACE TYPE ZONING CHANGES**

City Council will annually meet in September to adopt a Schedule of Uniform Submittal Dates in order to comply with Texas Local Government Code Chapter 211 for Zoning Changes, and Site Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, when the Planning & Zoning Commission will meet, and/or when Administrative decisions by the Director of Planning & Development will occur.

.....  
**ARTICLE 2.4 ADMINISTRATION**  
.....

**SEC. 2.4.001 NONCONFORMING USES, ~~AND STRUCTURES~~, AND LOTS**

- (a) Intent of Provisions
- (1) Within the districts established by this Code or amendments thereto, exist lots, Structures, uses of land, and characteristics of use that were lawful before this Code was enacted, amended or otherwise made applicable to such lots, Structures or uses, but that do not now conform to the Standards of the Code where they are located. It is the intent of this Code to permit such nonconforming lots, Structures or uses to continue, as long as the conditions within this Section and other applicable sections are met.
  - (2) It is further the intent of this ordinance that nonconforming uses shall not be enlarged upon, expanded or extended, intensified and not be used as a basis for adding other Structures or uses prohibited elsewhere in the same district.
  - (3) Nonconforming uses are hereby declared to be incompatible with the permitted uses in the districts involved.

considered to have been abandoned. Manufactured homes and mobile homes may be replaced once per the Texas Occupations Code.

(4) No nonconforming use, ~~or~~ ~~S~~ structure, ~~or~~ lot may be expanded, further subdivided, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless:

- A. An application is authorized by the ZBA;
- B. An application is administratively approved by the Director of Development Services if;

\*(1) Properties within 500 feet of the adjacent structures or lots have similar encroachments, building standards, setbacks, ~~or~~ build-to-lines, or lot sizes and the application is generally consistent with the surrounding built environment; or

\*(2) The application is for an Accessory Structure that does not directly increase or expand the characteristics that render the use or structure nonconforming;

\*(3) The expansion to the structure does not directly increase or expand the characteristics that render the use or structure nonconforming.

(5) Conforming Residential uses on platted lots approved prior to this Code, that may now be nonconforming due to stricter Standards, shall be deemed in conformance with this Code as long as the use of the Lot is allowed in the respective district.

(6) Any existing vacant Lot platted prior to the adoption of this Code, that was legally conforming, shall be deemed a conforming Lot subject to the provisions applicable to Lots of Records as defined in Sec. 1.3.013.

(d) Changing Nonconforming Use:

(1) An expansion of a nonconforming Structure is allowed in accordance with the following:

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**SEC. 6.3.003 BUILDING PLACEMENT**

(a) Principal buildings shall be positioned on a Lot in accordance with Section 6.5.003 Building Standards per Place Type.

(1) The First Layer, also known as the First Layer Setback in P2 and P3, is the area of land between the Frontage Line and the Build-to-Line. The First Layer is measured from the Frontage Line.

(1) The First Layer Setback in P2 and P3 shall be the average of the front yard setback of two (2) lots to the right and two lots to the left, with the ability to vary +/-5 feet from the average First Layer Setback.

~~(2) The required Build-to-Line is the minimum percentage of the front Building Facade that must be located within the First Layer, measured based on the width of the Building divided by the width of the Lot.~~

~~(3) A Building Facade must be placed within the First Layer for the first 30 feet along the Street extending from any Block corner.~~

A. All Structures and encroachments customarily allowed on the Lot are permitted in the First Layer, with the exception of parking.

**SEC. 6.3.005 BUILDING SEPARATION**

(a) Fences and screening walls may extend into the IBC Building separation line and Alley Setback.

(b) Side and rear Building separation will be determined by the IBC as adopted by the City.

**SEC. 6.3.005 ALLEYS & DRIVEWAY LOCATIONS**

~~(a) Intent: Building walkable cities means that while vehicles are part of modern life, they should have minimal disruption to the Public Realm. The Standards of the Code intend to ensure all modes of Transportation are respected~~ **and create safe means of transportation along all transportation types, including walk, bike, car, and other.**

~~(b) The preferred means of vehicular access to lots is through the use of Alleys. Alleys provide a location to hide unsightly functions of our communities such as garages, garbage cans, transformers, electric meters, and telephone equipment~~

~~(c) Other benefits of Alleys include:~~

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ARTICLE 6.4 LOT STRUCTURE DESCRIPTION & DIAGRAM

<b>BUILDINGS</b>	
Principal Building	The main Building on a Lot.
Accessory Structures	A secondary Building usually located toward the rear of the same Lot as a Principal Building such as a garage, carport, or workshop and may include a dwelling unit, but no more than two per Lot.
<b>LOT LAYERS</b>	
First Layer	The area of a Lot from the Frontage Line to the Facade of the Principal Building, <a href="#">for P2 and P3 see B3 Development Table for Standards, Lot Occupation - Sec. 6.3.008.</a>
Second Layer	The area of a Lot set behind the First Layer to a depth of 20 feet in all Place Types.
Third Layer	The area of a Lot set behind the Second Layer and extending to the rear Lot Line.
<b>LOT</b>	
Build-to-Line	The minimum percentage of the front Building Facade that must be located within the First Layer.
Lot Width	The length of the Principal Frontage Line of a Lot.
Frontage Line	Where the Property Line meets R.O.W.
Rear Lot Line	Where the Property Line meets Alley R.O.W. or an adjoining side/ rear property line.

SEC. 6.5.003 BUILDING STANDARDS PER PLACE TYPE

Place Types	P1	P2	P3	P4	P5
<b>A. LOT OCCUPATION</b>					
Lot Coverage		40% max	60% max	70% max	80% max
Facade Buildout at Build-to-Line		40% min	40% min	60% min	80% min
Build-to-Line		<del>10 ft - no max</del>	<del>10 ft - 25 ft*</del>	5 ft - 15 ft	2 ft - 15 ft
<u>Minimum Lot Size</u>		<u>1 acres***</u>	<u>0.33 acres***</u>		
<u>First Layer Setback</u>		<u>B.E.**</u>	<u>B.E.**</u>		

\* Lots exceeding 1/2 acre may extend the 1 Layer of the Lot up to 60 ft from the Frontage Line.

<b>B. BUILDING HEIGHT (STORIES)</b>					
Principal Building		2 max	2 max	3 max**	5 max / 3 max*
Accessory Dwelling Unit	<u>1 MAX</u>	<del>2</del> max	<del>2</del> -max	<del>2</del> max	<del>2</del> max

\* CD Downtown/ Old Town

\*\* 2 1/2 Max in Overlay

**C. ENCROACHMENTS**

**First Layer Encroachments**

Open Porch		<del>50% max</del>	<del>50% max</del>	<del>80% max</del>	n/a
Balcony and/or Bay Window		<del>25% max</del>	<del>25% max</del>	<del>50% max</del>	<del>100% max</del>
Stoop, Lightwell, Terrace or Dooryard		NP	NP	<del>100% max</del>	<del>100% max</del>

**R.O.W. Encroachments \*\*\***

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