

ORDINANCE _____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING CHAPTER 14, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF MANOR, TEXAS, BY PROVIDING FOR THE AMENDMENT OF DEFINITIONS, RESIDENTIAL LAND USES, AND LAND USE CONDITIONS; MODIFYING GENERAL DEVELOPMENT REGULATIONS FOR SINGLE FAMILY STANDARD DISTRICT; AMENDING NON-RESIDENTIAL AND MIXED-USE DISTRICT LAND USES; AMENDING NON-RESIDENTIAL AND MIXED-USE DISTRICTS CONDITIONS; AMENDING NON-RESIDENTIAL AND MIXED-USE LAND USE CONDITIONS; AMENDING ACCESSORY STRUCTURES; AMENDING DEVELOPMENT STANDARDS FOR OUTDOOR STORAGE AND DISPLAY; AMENDING SINGLE FAMILY ATTACHED ARCHITECTURAL STANDARDS; AND AMENDING PLANNED UNIT DEVELOPMENT PROCEDURES; PROVIDING A SEVERABILITY CLAUSE, PROVIDING SAVINGS, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Manor, Texas (the “City”) is a home-rule City authorized to regulate zoning within its city limits; and

WHEREAS, the City Council of the City of Manor, Texas (the “City Council”) reviews the City’s zoning regulations from time to time to consider amendments to Chapter 14, Zoning of the City’s Code of Ordinances (the “Zoning Ordinance”); and

WHEREAS, the City finds it necessary to amend the Zoning Ordinance and adopt the amendments set forth in this ordinance; and

WHEREAS, the City finds that the Zoning Ordinance should be amended to better provide an attractive living environment and to protect health, safety, morals and welfare of the present and future residents of the City; and

WHEREAS, the City Council has determined that the proposed amendments are reasonable and necessary to more effectively guide and manage the development and use of land.

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

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of Code of Ordinances. The City Council hereby amends Chapter 14, Zoning of the Manor Code of Ordinances (the “Zoning Ordinance”) to amend the definitions, residential land uses and land use conditions, general development regulations for Single Family Standard district, non-residential and mixed-use district land uses, non-residential and mixed-use land use conditions, development standards for accessory structure, outdoor storage

and display, Single Family Attached architectural standards, and Planned Unit Development procedures; as provided for in Sections 3 through 32 of this Ordinance.

SECTION 3. Amendment of Section 14.01.008 Definitions. Section 14.01.008 of the Zoning Ordinance is hereby amended as follows:

- (a) The definition for “Athletic Facility” is hereby added in alphabetical order to read as follows:

“Athletic facility means privately owned indoor and/or outdoor facilities devoted to organized sports, including but not limited to, soccer, basketball, gymnastics, and tennis. This use is distinct from Amusement (Indoor) and Amusement (Outdoor) in that it is less intense and would generate less traffic, noise, and other objectionable nuisances to adjacent properties.”

- (b) The definition for “Commercial Off-Street Parking” is hereby amended in its entirety to read as follows:

“Commercial off-street parking means the use of a site for the parking of motor vehicles on a temporary basis within a privately owned off-street parking facility. This use includes, but is not limited to, commercial parking lots and garages and excludes parking as an accessory use. This use is intended for customers to temporarily park their motor vehicles while visiting nearby uses. This use does not include vehicle storage or the parking of commercial or fleet vehicles.”

- (c) The definition for “Construction Services” is hereby deleted in its entirety.

- (d) The definition for “Off-Site Accessory Parking” is hereby amended in its entirety to read as follows:

“Off-site accessory parking means the use of a site for the provision of parking spaces, together with driveways, aisles, turning and maneuvering areas, clearances, and similar features, located on a different site from the principal use and intended for use by customers or employees of the principal use. The principal use shall be located no further than an adjacent property or across one public or private right-of-way. This use does not include vehicle storage.”

- (e) The definition for “Outdoor Display and Sales” is hereby added in alphabetical order to read as follows:

“Outdoor display and sales means the outdoor display or sale of finished products actively available for sale for less than 24 hours a day. This definition does not include products in shipping boxes, crates, on pallets, or other shipping containers, which shall be considered Outdoor Storage.”

- (f) The definition for “Outdoor Storage” is hereby added in alphabetical order to read as follows:

“Outdoor storage means the outdoor storage of products or goods that have a large size, mass, or volume that occur on site for more than 24 hours such as, but not limited to, heavy equipment, freight or commercial motor vehicles, trailers, construction materials, and raw, processed or packaged materials including any products on pallets, in shipping containers or in crates.”

- (g) The definition for “Portable Building Sales” is hereby added in alphabetical order to read as follows:

“Portable building sales means a site on which factory-manufactured portable buildings, such as manufactured homes, are displayed and offered for sale or order to the general public.”

- (h) The definition for “Truck Stop” is hereby amended in its entirety to read as follows:

“Truck stop or Travel Center means a use primarily engaged in the maintenance, servicing, storage, parking or repair of commercial vehicles, including the sale of fuels or other petroleum products, and the sale of accessories or equipment for trucks and similar commercial vehicles. A travel center or truck stop may also include overnight accommodations, showers, restaurant facilities, game rooms, vehicle scales, and/or other activities intended primarily for use of truck crews and interregional travelers.”

SECTION 4. Amendment of Section 14.02.005 Residential Land Use Table. Section 14.05.005 of the Zoning Ordinance is hereby amended to revise the following uses as follows:

- (a) Residential Use “Single Family Attached (3 or more units)” is hereby amended in its entirety as follows:

	A	SF-E	SF-1	SF-2	TF	TH	MF-1	MF-2	MH-1	MH-2
Single-family attached (3 or more units)						P	C	C		

- (b) Non-Residential Use “Athletic Facility” is hereby added immediately following Non-Residential Use “Amenity Center” to read as follows:

	A	SF-E	SF-1	SF-2	TF	TH	MF-1	MF-2	MH-1	MH-2
Athletic Facility	C/S	C/S	C/S	C/S						

SECTION 5. Amendment of Section 14.02.006 Residential Land Use Conditions Table. Section 14.02.006 of the Zoning Ordinance is hereby amended to add the following conditions to read as follows:

(a) The Residential Land Use and Conditions for “Athletic Facility” and “Single Family Attached (3 or more units)” are hereby added in alphabetical order to read as follows:

Athletic Facility	<ul style="list-style-type: none"> • Must be screened and buffered to minimize their impact. • May operate only between 7:00 a.m. and 9:00 p.m. • Cannot have loudspeakers or equipment that emits audible signals such as beeps, buzzers and bells that would be audible off the site
Single Family Attached (3 or more units)	<ul style="list-style-type: none"> • When located in a MF-1 or MF-2 district, the following development standards of the Townhome district apply to each Single Family Attached structure: <ul style="list-style-type: none"> ○ Maximum height, Minimum dwelling unit size, Maximum dwelling units, and Maximum units per structure. • When constructed in a common development (same property) with Multi-Family structures, all setback types for the entire property follow the more restrictive standard. • Architectural, parking and landscaping standards for the Single Family Attached (Townhome) district apply to Single Family Attached structures and areas.

SECTION 6. Amendment of Section 14.02.007(b) General Development Regulations for Single Family Standard. Section 14.02.007(b) of the Zoning Ordinance is hereby amended to revise the Single Family Standard (SF-2) District “Exterior Side Setback to Residential” to read as follows:

Exterior Side Setback to Residential	5’
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SECTION 7. Amendment of Section 14.02.007(c) Residential Development Standards Table Notes. Section 14.02.007(c) of the Zoning Ordinance is hereby amended to revise and add the following subsections to read as follows:

(a) Subsection (3) is hereby amended in its entirety to read as follows:

“(3) On approval by the Commission, SF-1 and SF-2 lots having approximately 5,750 square feet of lot area may request approval of reduced setbacks from one or more of the setback requirements for the zoning district. The Commission shall consider the lot uses to determine whether reduction of the setback requirements is appropriate. Upon approval of building plans, the setbacks may be not less than five-foot side yard, ten-foot rear yard, 15-foot street side yard setback and 20-foot front yard setback. Lots owned by the same person may be combined into one building site.”

(b) Subsection (5) is hereby added to read as follows:

“(5) SF-1 and SF-2 lots within the Historic District as defined in section 14.02.031 may have minimum lot sizes of 5,750 square feet and minimum lot widths of 50 feet when being replatted by a Short Form Final Plat or Amended Plat.”

SECTION 8. Amendment of Section 14.02.007(d)(6) Table 6(A) Residential Accessory Building Setback Table. Section 14.02.007(d)(6) Table 6(A) of the Zoning Ordinance is hereby amended to revise “Accessory structures 120 s.f. and over, excluding detached garage” as follows:

Accessory structures 120 s.f. and over, excluding detached garage	25'	5'	5'	15'
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SECTION 9. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to add the Non-Residential and Mixed-Use District use “Athletic Facility” immediately following the use “Art studio or gallery” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Athletic Facility	C	C	C								

SECTION 10. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use “Construction and Equipment Sales (Major)” to read as follows:

[illegible]

SECTION 11. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use “Construction and Equipment Sales (Minor)” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Construction and Equipment Sales (Minor)							P	P	P	P	

SECTION 12. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to delete in its entirety the Non-Residential and Mixed-Use District use “Construction Services”.

SECTION 13. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use “Contractor’s Shop” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Contractor’s Shop								C	C	C	C

SECTION 14. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use “Gasoline Station (Full Service)” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Gasoline Station (Full Service)								C/S	C		

SECTION 15. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use “Gasoline Station (Limited)” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
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Gasoline Station (Limited)					C/S		C/S	C/S	C		
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SECTION 15. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to add the Non-Residential and Mixed-Use District use “Portable Building Sales” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Portable Building Sales									P	P	

SECTION 16. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use “Smoke Shop or Tobacco Store” to read as follows:

	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Smoke Shop or Tobacco Store							P	P	P		

SECTION 17. Amendment of Section 14.02.017(b) Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts. Section 14.02.017(b) of the Zoning Ordinance is hereby amended to revise the Non-Residential and Mixed-Use District use title from “Truck Stop” to “Truck Stop or Travel Center”.

SECTION 18. Amendment of Section 14.02.018 Non-Residential and Mixed-Use District Conditions. Section 14.02.018 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use District Condition “Light Commercial (C-1)” to read as follows:

Light Commercial (C-1)	<ul style="list-style-type: none"> Uses shall be conducted entirely within an enclosed building except for customary outdoor uses, as approved by the Development Services Director, on an area that is improved with concrete, asphalt, or another all-weather solid surface. All-weather solid surface does not include gravel, base material, or similar. All sales of merchandise shall be consummated indoors, and no cash register or package-wrapping counter shall be located outdoors.
	<ul style="list-style-type: none"> Outdoor display must be in accordance with section 14.02.049.

	<ul style="list-style-type: none"> • Merchandise must be new, first-hand and sold on premises, except for antique shops.
	<ul style="list-style-type: none"> • Establishments located on property that is within 300 feet of any property zoned for residential use when the commercial use is first established may not be open to the general public before 5:00 a.m. and must be closed to the general public by 12:00 a.m., except for commercial uses along US Hwy 290.

SECTION 19. Amendment of Section 14.02.018 Non-Residential and Mixed-Use District Conditions. Section 14.02.018 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use District Condition “Medium Commercial (C-2)” to read as follows:

Medium Commercial (C-2)	<ul style="list-style-type: none"> • Uses shall be conducted primarily within an enclosed building except for customary uses on an area that is improved with concrete, asphalt, or another all-weather solid surface. All-weather solid surface does not include gravel, base material, or similar.
	<ul style="list-style-type: none"> • Outdoor display must be in accordance with section 14.02.049.

SECTION 20. Amendment of Section 14.02.018 Non-Residential and Mixed-Use District Conditions. Section 14.02.018 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use District Condition “Heavy Commercial (C-3)” to read as follows:

Heavy Commercial (C-3)	<ul style="list-style-type: none"> • Uses shall be conducted primarily within an enclosed building except for customary uses on an area that is improved with concrete, asphalt, or another all-weather solid surface. All-weather solid surface does not include gravel, base material, or similar.
	<ul style="list-style-type: none"> • Outdoor display must be in accordance with section 14.02.049.

SECTION 21. Amendment of Section 14.02.018 Non-Residential and Mixed-Use District Conditions. Section 14.02.018 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use District Condition “Neighborhood Business (NB)” to read as follows:

Neighborhood Business (NB)	<ul style="list-style-type: none"> • Uses shall be conducted entirely within an enclosed building except for customary outdoor uses, as approved by the Development Services Director, on an area that is improved with concrete, asphalt, or another all-weather
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	solid surface. All-weather solid surface does not include gravel, base material, or similar. All sales of merchandise shall be consummated indoors, and no cash register or package-wrapping counter shall be located outdoors.
	<ul style="list-style-type: none"> • Outdoor display must be in accordance with section 14.02.049.
	<ul style="list-style-type: none"> • Merchandise must be new, first-hand and sold on premises, except for antique shops.
	<ul style="list-style-type: none"> • Establishments located on property that is within 300 feet of any property zoned for residential use when the commercial use is first established may not be open to the general public before 5:00 a.m. and must be closed to the general public by 12:00 a.m., except for commercial uses along US Hwy 290.
	<ul style="list-style-type: none"> • Drive-through facilities are prohibited

SECTION 22. Amendment of Section 14.02.018 Non-Residential and Mixed-Use District Conditions. Section 14.02.018 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use District Condition “Downtown Business (DB)” to read as follows:

Downtown Business (DB)	<ul style="list-style-type: none"> • Uses shall be conducted entirely within an enclosed building except for customary outdoor uses, as approved by the Development Services Director, on an area that is improved with concrete, asphalt, or another all-weather solid surface. All-weather solid surface does not include gravel, base material, or similar. All sales of merchandise shall be consummated indoors, and no cash register or package-wrapping counter shall be located outdoors.
	<ul style="list-style-type: none"> • Outdoor display must be in accordance with section 14.02.049.
	<ul style="list-style-type: none"> • Merchandise must be new, first-hand and sold on premises, except for antique shops.
	<ul style="list-style-type: none"> • Drive-through facilities are prohibited.

SECTION 23. Amendment of Section 14.02.019 Non-Residential and Mixed-Use Land Use Conditions. Section 14.02.019 of the Zoning Ordinance is hereby amended to add the Non-Residential and Mixed-Use Land Use Condition for “Athletic Facility” immediately following the Non-Residential and Mixed-Use Land Use Condition for “Amusement (Outdoors)” to read as follows:

Athletic Facility	<ul style="list-style-type: none"> • Athletic facilities within 300 feet of residential zoning districts, places of residence, such as nursing homes and
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	extended care facilities, and lodging establishments when first established must meet the following conditions:
	<ul style="list-style-type: none"> • Must be screened and buffered to minimize their impact
	<ul style="list-style-type: none"> • May operate only between 7:00 a.m. and 9:00 p.m.
	<ul style="list-style-type: none"> • Cannot have loudspeakers or equipment that emits audible signals such as beeps, buzzers and bells that would be audible off the site.

SECTION 24. Amendment of Section 14.02.019 Non-Residential and Mixed-Use Land Use Conditions. Section 14.02.019 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use Land Use Condition for “Contractor’s Shop” to read as follows:

Contractor’s Shop	<ul style="list-style-type: none"> • Liquids, gels, and pastes (e.g., paints, sealers, etc.) are stored only in enclosed buildings.
	<ul style="list-style-type: none"> • There is no storage of explosives.
	<ul style="list-style-type: none"> • There is storage of no more than 50 gallons of motor fuel.
	<ul style="list-style-type: none"> • There is no disposal of inoperable machines or waste on-site.
	<ul style="list-style-type: none"> • The areas used for storage of materials, fleet vehicles, or similar must be wholly enclosed within a structure or otherwise fully screened from view from adjacent residential areas, public rights-of-ways, and parkland.

SECTION 25. Amendment of Section 14.02.019 Non-Residential and Mixed-Use Land Use Conditions. Section 14.02.019 of the Zoning Ordinance is hereby amended to delete in its entirety the Non-Residential and Mixed-Use Land Use Condition for “Construction Services”.

SECTION 26. Amendment of Section 14.02.019 Non-Residential and Mixed-Use Land Use Conditions. Section 14.02.019 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use Land Use Condition for “Gas Station, Full Service” to read as follows:

Gas Station, Full Service	<ul style="list-style-type: none"> • Permitted only within 200 feet of the right-of-way lines of intersecting streets, unless the use is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more.
	<ul style="list-style-type: none"> • Permitted at a maximum of two corners at an intersection of two arterial streets; and a maximum of one corner of an intersection with a collector or local street.
	<ul style="list-style-type: none"> • Only automotive repair (minor) uses is permitted.

	<ul style="list-style-type: none"> Automobile washing facilities shall follow conditions of that use.
	<ul style="list-style-type: none"> No more than four multi-fuel dispensers (eight fuel positions) shall be permitted except where one of the following conditions is met: <ul style="list-style-type: none"> The property is located along and has direct access from US Highway 290 East The proposed gas station is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more.
	<ul style="list-style-type: none"> In no case shall a gas station be permitted more than ten multi-fuel dispensers (twenty fuel positions)
	<ul style="list-style-type: none"> Multi-fuel dispensers, air, vacuum, and water stations must be 100 feet from a residential district.
	<ul style="list-style-type: none"> Fuel positions, air, vacuum, water stations and other similar equipment is prohibited between the principal structure and the property line of a residential district and shall comply with the building setbacks in all other circumstances.
	<ul style="list-style-type: none"> Freestanding light fixtures shall be reduced in height to 15 feet if the use is adjacent to a residential district.

SECTION 27. Amendment of Section 14.02.019 Non-Residential and Mixed-Use Land Use Conditions. Section 14.02.019 of the Zoning Ordinance is hereby amended to revise in its entirety the Non-Residential and Mixed-Use Land Use Condition for “Gas Station, Limited” to read as follows:

Gas Station, Limited	<ul style="list-style-type: none"> Permitted only within 200 feet of the right-of-way lines of intersecting streets, unless the use is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more
	<ul style="list-style-type: none"> Permitted at a maximum of two corners at an intersection of two arterial streets; and a maximum of one corner of an intersection with a collector or local street.
	<ul style="list-style-type: none"> Automotive repair and automobile washing facilities are prohibited.
	<ul style="list-style-type: none"> No more than four multi-fuel dispensers (eight fuel positions) shall be permitted except where one of the following conditions is met: <ul style="list-style-type: none"> The property is located along and has direct access from US Highway 290 East

	<ul style="list-style-type: none"> ○ The proposed gas station is an accessory use to a commercial development such as a grocery store or retail center with a gross floor area of 50,000 square feet or more.
	<ul style="list-style-type: none"> • In no case shall a gas station be permitted more than ten multi-fuel dispensers (twenty fuel positions)
	<ul style="list-style-type: none"> • In the Neighborhood Business (NB) and Light Commercial (C-1) districts the canopy and arrangement of multi-fuel dispensers shall be designed in a relatively square pattern as opposed to a linear distribution of the multi-fuel dispensers, as depicted below (where X = one multi-fuel dispenser = two fuel positions): <p>Acceptable Pump Arrangement</p> <pre> X X X X </pre> <p>Unacceptable Pump Arrangement</p> <pre> X X X X </pre>
	<ul style="list-style-type: none"> • Multi-fuel dispensers, air, vacuum, and water stations must be 100 feet from a residential district.
	<ul style="list-style-type: none"> • Fuel positions, air, vacuum, water stations and other similar equipment is prohibited between the principal structure and the property line of a residential district and shall comply with the building setbacks in all other circumstances.
	<ul style="list-style-type: none"> • Freestanding light fixtures shall be reduced in height to 15 feet if the use is adjacent to a residential district.

SECTION 28. Amendment of Section 14.02.046(1) Accessory Structures. Section 14.02.046(1) of the Zoning Ordinance is hereby amended to revise the following subsections to read as follows:

(a) Subsection (B) is hereby amended in its entirety to read as follows:

“(B) Accessory structures may encroach into required yards according to each zoning districts permitted encroachment allowances.”

(b) Subsection (I) is hereby amended in its entirety to read as follows:

“(I) Accessory structures shall be architecturally consistent with the principal structure. Portable classrooms installed for the school district on district owned property are exempt from this requirement.”

SECTION 29. Amendment of Section 14.02.049(c) Outdoor Storage and Display.

Section 14.02.049(c) of the Zoning Ordinance is hereby amended to revise the following subsections to read as follows:

- (a) Subsection (5) is hereby amended in its entirety to read as follows:

“(5) The outdoor display area shall not exceed ten percent of the square footage of the principal structure or 500 square feet, whichever is less, with the following exceptions:

(A) Outdoor home accessory sales are exempt from this requirement.

(B) Passenger vehicle sales and rental. Outdoor display of passenger vehicles for sale or rent is exempt from this requirement. This does not include vehicles used for moving.

(C) Moving vehicle rental. Rental of vehicles utilized for moving of goods, personal or commercial, are limited to a maximum of four parking spaces. All other moving vehicles shall be screened in accordance with the outdoor storage requirements.

(D) Garden Centers are exempt from this requirement.

(E) Heavy Equipment, Machinery, and Trailers. Large heavy equipment, construction machinery, and trailers associated with a Construction and Equipment Sales, Major or Truck and Trailer Sales use are exempt from this requirement.

(F) Portable building sales. Outdoor display of portable buildings for sale associated with Portable Building Sales use are exempt from this requirement.”

- (b) Subsection (8) is hereby amended to read as follows:

“(8) Outdoor display facing a public right-of-way or drive aisle is not required to be screened. Outdoor display visible to adjacent residentially zoned property or parkland shall be screened. This screening may be satisfied by bufferyard landscaping.”

SECTION 30. Amendment of Section 14.02.049(e) Outdoor Storage and Display.

Section 14.02.049(e) of the Zoning Ordinance is hereby amended to revise the following subsections to read as follows:

- (a) Subsection (3) is hereby amended in its entirety to read as follows:

“(3) A six-foot wall is required to screen outdoor storage when the property is located adjacent to property zoned more restrictive than the subject site, or when the storage is visible from a public right-of-way or parkland. This requirement is

in addition to the screening requirements of this code, except where there is conflict this provision controls.”

- (b) Subsection (6) is hereby amended in its entirety to read as follows:

“(6) The outdoor storage area is limited to a maximum one percent of the square footage of the principal structure or tenant space, or 100 square feet, whichever is less, within NB, DB, C-1, and C-2 districts with the following exceptions:

(A) Mini storage facilities which may provide for outside storage of vehicles (automobiles and recreational vehicles) are limited to a maximum area of 20 percent of the gross site area, if the aforementioned screening is provided.

(B) Accessory use of vehicle storage is exempt from the limitation on area as long as all other provisions for outdoor storage are met. For example, trucks utilized for moving, fleet vehicles or vehicles receiving auto repair.”

- (c) Subsection (8) is hereby added to read as follows:

“(8) Outdoor storage of equipment and vehicular storage shall be on a paved surface of asphalt, concrete, or another all-weather solid surface. All-weather solid surface does not include gravel, base material, or similar.”

SECTION 31. Amendment of Section 14.02.062(b)(13)(A) Single Family Attached. Section 14.02.062(b)(13)(A) of the Zoning Ordinance is hereby amended in its entirety to read as follows:

- “(A) One, 12-foot by 20-foot (inside dimensions) garage parking space shall be provided per unit.”

SECTION 32. Amendment of Section 14.05.002(b)(C) Planned Unit Development Procedures. Section 14.05.002(b)(C) of the Zoning Ordinance is hereby amended in its entirety to read as follows:

- “(C) Standards required by the base zoning apply in a planned unit development except that the following regulations and standards may be varied in the adoption of the planned unit development, provided that the plan is consistent with sound urban planning and good engineering practices:

- (i) Setbacks
- (ii) Maximum height
- (iii) Maximum lot coverage

- (iv) Minimum lot width
- (v) Minimum lot area
- (vi) Off-street parking requirements
- (vii) Maximum dwelling units per acre
- (viii) Minimum dwelling unit size
- (ix) Accessory building regulations
- (x) Sign regulations along with a development agreement
- (xi) Landscaping regulations along with a development agreement
- (xii) Land uses and land use conditions
- (xiii) Architectural standards along with a development agreement
- (xiv) Special district requirements pertaining to the base zoning”

SECTION 33. Construction

The terms and provisions of this Ordinance shall not be construed in a manner to conflict with Chapter 211 of the Texas Local Government Code and if any term or provision of this Ordinance shall appear to conflict with any term, provision or condition of Chapter 211, such Ordinance term or provision shall be read, interpreted and construed in a manner consistent with and not in conflict with such Chapter, and, if possible, in a manner to give effect to both. The standard and accepted rules of statutory construction shall govern in construing the terms and provisions of this Ordinance.

SECTION 34. Repealing all Conflicting Ordinances

All ordinances or parts of ordinances governing zoning in force when the provisions of this Ordinance become effective which are inconsistent with or in conflict with the terms and provisions contained herein are amended only to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

SECTION 35. Savings Clause

This City Council of the City of Manor, Texas hereby declares if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this ordinance without the inclusion of that portion

or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

SECTION 36. Severability

If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 37. Open Meetings

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

SECTION 38. Effective Date

This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED on First Reading this the ____ day of _____ 2021.

FINALLY PASSED AND APPROVED on this the ____ day of _____ 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary