

ARTICLE III. DISTRICTS AND ZONING MAP

DIVISION 1 GENERALLY

Sec. 98-84 Establishment of districts and boundaries.

- (a) For the purposes of this chapter, the city is hereby divided into ~~sevensix~~ districts as follows:
- (1) District R-1: Single-family residential district.
 - (2) District R-2: Multifamily residential district.
 - (3) District B: Commercial district.
 - (4) District ID: Industrial district.
 - (5) District I: Institutional district.
 - (6) District PD: Planned development district.
 - (7) **District DT: Downtown district.**
- (b) The location and boundaries of the districts established in this section are shown upon the official zoning map. The zoning map, together with all notations, references and other information shown thereon and all amendments thereto, shall be as much a part of this chapter as if fully set forth and described in this chapter. The zoning map, properly attested, is on file in the office of the city secretary. Any zoning regulations cannot supersede valid deed restrictions, but shall supplement any such restrictions.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-85 Official zoning map.

The official zoning map of the city shall be kept in the office of the city secretary. The official map shall be kept current and the copies thereof, therein provided for, by entering on such maps any changes which the city council may from time to time order by amendments to the zoning chapter and map. The city secretary, on the adoption of the ordinance from which this chapter is derived, shall affix a certificate identifying the map in his office as the official zoning map of the city.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-86 Interpretation of district boundaries.

Where uncertainty exists with respect to the boundaries of any of the districts established by this chapter as shown on the zoning map, the following rules shall apply:

- (1) Where district boundaries are indicated as approximately following the centerlines of streets or highways, street lines or highway right-of-way lines, such centerlines, street lines, or highway right-of-way lines shall be construed to be the boundaries.
- (2) Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be the boundaries.
- (3) Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, or the centerlines of right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning

map. If no distance is given, such dimension shall be determined by the use of the scale on the zoning map.

- (4) In unsubdivided property, the district boundary lines on the zoning map shall be determined by use of the scale appearing on the map.
- (5) Whenever any street, alley or other public way is vacated by official action of the city council, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacated area, and thereafter all land included in the vacated area shall then and henceforth be subject to all regulations of the extended districts.
- (6) Where the streets or alleys on the ground differ from the streets or alleys as shown on the zoning map, the streets or alleys on the ground shall control.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-87 Compliance with district regulations.

Except as specifically provided in this chapter:

- (1) No land shall be used except for purposes permitted in the district in which it is located.
- (2) No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building be used, except for a use permitted in the district in which such building is located.
- (3) No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit established in this chapter for the district in which such building is located.
- (4) No building shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the area regulations of the district in which such building is located.
- (5) No building shall be erected or structurally altered to the extent specifically provided in this chapter except in conformity with the off-street parking regulations of the district in which such building is located.
- (6) The minimum yards, parking spaces, and open spaces, including lot area per family, required by this chapter for each and every building existing at the time of passage of the ordinance from which this chapter is derived, or for any building hereafter erected, shall not be encroached upon or considered as part of the yard or parking space or open space required for any other building, nor shall any lot area be reduced below the requirements of this chapter for the district in which such lot is located.
- (7) Every building hereafter erected or structurally altered shall be located on a lot as defined in this chapter, and, except as provided in this chapter, there shall not be more than one main building on one lot.
- (8) Every building hereafter erected or structurally altered shall in every way conform to any other city ordinance affecting such property.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-88 Table of permitted uses and special uses.

- (a) Permitted uses and special uses in the various zoning districts are as specified in the following table:

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Accessory uses						X	X
Aerial or ground survey			X				
Air conditioning sales, retail, complete enclosed (services incidental)			X				
Air conditioning—Refrigeration services repair (completely enclosed) with no installation of central units—Heating or cooling							X
Airport (nongovernmental)							X
Air product manufacturing				X			
Alcoholic beverage sales off premises			X				
Alcoholic beverage sales on premises						X	X
Alcoholic beverage storage			X				
Altering and repairing of wearing apparel			X			X	
Ambulance service			X				
Amusement arcade							X
Amusement park (commercial)							X
Animal shelter or dog pound (nongovernmental)							X
Antique store (completely enclosed)			X			X	
Apartment hotel							X
Apothecary, limited to the sale of pharmaceutical and medical supplies			X			X	
Apparel and accessory store			X			X	
Appliance repair (completely enclosed)			X			X	
Armory							X
Art gallery and/or museum (commercial retail sale of objects d'art only)			X			X	
Asphalt or creosote manufacturing or treatment							X
Assisted living		X***	X				
Automobile and truck sales and service (new and used) (service completely enclosed)			X				
Automobile car wash			X				
Automobile filling station and/or service (all repair in district to be completely enclosed)			X				
Automobile glass sales and installation			X				
Automobile muffler sales and installation (completely enclosed)			X				
Automobile parking lots or parking garages (commercial)							X

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Automobile rental			X				
Automobile repair			X				
Automobile upholstery sales and installation (completely enclosed)			X				
Automobile wrecking, dismantling or salvage (enclosed by fence)							X
Aviary							X
Bait store			X				
Bakery (retail)			X			X	
Bakery (wholesale)			X				
Barber shop			X			X	
Beauty salon			X			X	
Bed and breakfast	X		X			X	
Churches					X		
Community home as required by V.T.C.A., Human Resources Code § 123.003	X	X***					
Compressed gas manufacturing, repacking and/or storage							X
Dairy equipment (wholesale) (completely enclosed)			X				
Dairy products sales (retail)			X			X	
Dairy products sales (wholesale)			X				
Delicatessen			X			X	
Department store			X			X	
Dog pound or animal shelter (nongovernmental)							X
Drug manufacture							X
Drug sales (wholesale)			X				
Drugstore			X			X	
Dry cleaning pickup and pressing shops			X			X	
Dry cleaning plant							X
Dry goods store			X			X	
Dry goods (wholesale) (completely enclosed)			X				
Electric power generator station (primary station)							X
Electric repair (appliances) (completely enclosed)			X			X	
Electric repair shop (heavy equipment)				X			
Electrical substation, to be enclosed by a fence or wall of minimum six feet in height, with physical installation being enclosed by a barrier which constitutes a visual screen. Visual screening would not be required in ID district				X			

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Electrician			X				
Electroplating			X				
Elevator maintenance and service				X			
Event venue			X			X	
Exterminator (completely enclosed)			X				
Farm equipment sales and service (completely enclosed in B-2 district)			X				
Farm supplies			X				
Farming and truck gardening, but not for retail sales (permitted in any district)				X			
Feed store or seed and fertilizer			X				
Felt manufacture (cloth)				X			
Fish market (fenced outside storage)				X			
Fish market (retail)			X			X	
Fish market (wholesale)			X				
Fix-it shop (completely enclosed)			X			X	
Floor covering sales (retail completely enclosed)			X				
Floral shop (completely enclosed)			X			X	
Florist (wholesale) (completely enclosed)			X				
Food locker plant (retail)			X				
Food products (wholesale storage and sales)			X				
Food products manufacture and processing (not rendering)				X		X	
Food store			X			X	
Food to go (retail, no curbside service)			X			X	
Foundry							X
Freight depot (railroad and/or truck)				X			
Fruit and produce (wholesale)			X				
Fruit and vegetable stand or store			X			X	
Funeral home, mortuary or undertaking establishment			X				
Fur dyeing, finishing and storing (no tanning, no hide storage)				X			
Furniture (wholesale sales)			X				
Furniture repair and upholstery (completely enclosed)			X			X	
Furniture repair and upholstery (fenced outside storage)			X				

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Furniture store, retail (completely enclosed) (no repair)			X			X	
Furniture store, retail (fenced outside storage)			X				
Garage, public or storage				X			
Garden specialty store			X			X	
Gas filling station and/or service (all repairs to be completely enclosed)			X				
Gas regulation station (screening)				X			
Gift shop (completely enclosed)			X			X	
Glass (retail sales) (service incidental to sales) (completely enclosed)			X			X	
Glass (wholesale sales)			X				
Glass manufacturing and glass products manufacturing				X		X	
Golf course and country club, but no driving range, pitch and putt or miniature golf course							X
Golf driving range, pitch-and-putt or miniature golf course							X
Greenhouse or nursery, retail			X				
Greenhouse or nursery, wholesale				X			
Grocery (wholesale)			X				
Grocery store			X			X	
Gymnasium (commercial)			X				
Hair products manufacturing and processing				X			
Hardware manufacture				X		X	
Hardware sales (wholesale)			X				
Hardware store			X			X	
Heliport			X				
Hobby supply store			X			X	
Hosiery manufacture			X				
Hospital or sanitarium			X				
Hotel			X			X	
Ice cream and ice milk (retail)				X		X	
Ice cream manufacturer (wholesale)				X			
Ice cream store			X			X	
Ice house (no on-premises consumption of alcoholic beverages in B-1 district)			X				
Ice manufacture				X			

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Insulation manufacture and fabrication				X			
Interior decorating studio			X			X	
Jewelry store			X			X	
Junkyard, salvage yard, including storage, baling or selling of rags, papers, iron or junk, need not be enclosed within a structure, but must be enclosed within a fence at least six feet high and adequate to obstruct view, noise and passage of persons; chain-link or similar fencing may be permitted if screen planting is provided							X
Laboratory (dental or medical)			X				
Laboratory (research)			X				
Laboratory (testing)			X				
Landfill							X
Laundry and dry cleaning (self service)			X			X	
Laundry or dry cleaning (pickup station)			X				
Laundry plant				X			
Leather goods or luggage store			X				
Library (nongovernmental)						X	X
Linen supply, diaper service or uniform supply			X				
Loan office			X			X	
Locksmith			X			X	
Lumber yard and building materials (wholesale)			X				
Machine shop				X			
Machine, tools and construction equipment sales and service			X	X			
Marine and boat manufacturing				X			
Marine and boat storage							X
Mattress manufacturing and rebuilding				X			
Massage parlor			X				
Metal products fabrication				X			
Micro-brewery				X		X	
Micro-manufacturing				X		X	
Milliner (custom)			X				
Millinery manufacture				X			
Millwork and similar wood products manufacture				X		X	
Mobile food unit			X*	X	X	X*	
Mobile food court						X**	X**

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Motel			X				
Motorcycle sales and service			X				
Moving and transfer company				X			
Music store			X			X	
Nail salon			X			X	
News stand			X				
Night club/dance hall						X	X
Novelty and souvenir manufacture				X			
Nursery, daycare, or kindergarten (care of up to six children)	X	X***					
Nursery, daycare, or kindergarten (care of up to 20 children)			X				
Nursery, daycare, or kindergarten (care of over 20 children)			X				
Nursing home		X***	X				
Office equipment and furniture manufacture				X			
Office equipment and supplies (retail)			X			X	
Office equipment and supplies (wholesale)			X	X			
Offices (professional)			X			X	
Oil and well supplies and machinery sales				X			
Optical goods (retail)			X			X	
Optical goods (wholesale)			X				
Optician			X			X	
Packing and gasket manufacture				X			
Packing plant (no rendering)							X
Paint and wallpaper store			X			X	
Paper produce manufacture				X			
Paper supplies (wholesale)				X			
Parks, playgrounds, community buildings and other public recreational facilities owned and/or operated by the city or other public agency					X	X	
Passenger depot (railroad or bus)						X	X
Pawnshop (completely enclosed)			X			X	
Pecan shelling				X			
Pet shop (completely enclosed)			X			X	
Petroleum storage (wholesale)				X			
Photographic equipment and supplies sales			X	X			

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Photographic studio			X				
Picture framing			X			X	
Pipe storage				X			X
Pipeline and electrical transmission lines							X
Playground equipment manufacture				X			
Plumber			X				
Plumbing fixture sales (completely enclosed) (retail)			X			X	
Plumbing fixture sales (wholesale)			X	X			
Printer			X	X			
Public buildings, including libraries, museums, police stations and fire stations					X	X	
Radio station or studio, without transmitter tower						X	X
Radio station with transmitter tower							X
Reading room			X			X	
Recycling plant							X
Reducing salon			X			X	
Refrigerator equipment manufacture				X			
Restaurant			X			X	
Riding stable or academy							X
Roominghouse or boardinghouse							X
Rug and/or carpet sales			X			X	
Rug cleaning				X			
Sand or gravel storage yard				X			
Schools					X		
Shoe manufacture				X			
Shoe repair shop			X			X	
Shoe sales (retail)			X			X	
Shoe sales (wholesale) (completely enclosed)			X				
Sign, advertising (excluding business signs)			X				
Sign shop			X	X			
Sign shop (completely enclosed)			X				
Skating facility (outdoor)							X
Skating rink (enclosed)			X				
Small animal clinic or kennel			X				
Small animal clinic or kennel (completely enclosed)			X			X	

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Sporting goods store			X			X	
Sporting goods (wholesale) (completely enclosed)			X	X			
Stamp, coin sales (retail)			X			X	
Stationery sales			X			X	
Stone cutting or monument manufacturing				X			
Stone monument sales			X				
Stone quarry or gravel pit				X			
Studio for professional work or teaching of any form of fine arts, photography, music, drama, dance, painting, etc.			X			X	
Surgical or dental supplies store			X			X	
Tanning salon			X			X	
Tattoo parlor							X
Tavern						X	X
Taxidermist							X
Television station or studio without transmitter tower			X			X	
Television station with transmitter tower							X
Textile manufacture				X			
Theater (indoor)			X			X	
Theater (outdoor, including drive-in theaters)							X
Tile manufacturer (ceramic)				X			
Tobacco processing				X			
Tobacco store			X				
Tool manufacture				X			
Tool rental (completely enclosed)			X				
Tool rental (fence outside storage)			X	X			
Toy manufacture			X	X			
Toy store			X			X	
Trailer manufacture				X			
Trailer sales			X				
Transit vehicle storage and service				X			
Truck repair and maintenance			X	X			
Truck stop							X
Variety store			X			X	
Venetian blinds and metal awning fabrication, repair and cleaning				X			
Veterinarian (animal on premises)			X				
Warehousing				X			

Table 1. Table of Permitted Uses

Permitted Uses	R-1	R-2***	B	ID	I	DT	CC
Watch repair			X			X	
Water or sewage pumping (nongovernmental)							X
Water storage (overhead)							X
Welding shop				X			
Well drilling contractors			X	X			

* Mobile food units in the historic overlay zone requires special use permit.

** Mobile food courts require a special use permit.

***All uses in the R2 Multifamily district require a special use permit.

- (b) If a proposed use is not specifically listed in this table, the City Administrator may interpret the proposed use as functionally similar to a use that is listed. The proposed use is then permitted, permitted with special use permit, or prohibited in the same districts as its functionally similar use as denoted in the table..
- (c) Any use not specifically permitted in this table, ~~or~~ in the use regulations of each district set out below, or classified as functionally similar to a listed use by the City Administrator as described in paragraph (b), above, shall require a special use permit (see section 98-27, special use permits).

(Ord. No. 2014-03 , § 1, 5-20-2014; Ord. No. 2023-14 , § 2, 6-13-2023)

Secs. 98-89—98-119 Reserved.

DIVISION 2 DISTRICT R-1 SINGLE-FAMILY RESIDENTIAL

Sec. 98-120 Intent and purpose; applicability of recorded plans and plats.

- (a) District R-1 includes land within the city limits used or subdivided for single-family residential purposes and associated uses, and in accordance with the land use plan. This district is designed to provide sufficient suitable residential neighborhoods, protected from incompatible uses, provided with necessary facilities and services.
- (b) For the purposes of regulating District R-1, the land use restrictions as contained in the recorded plans, plats, re-plats or other use instruments shall control as adopted in Ordinance No. 1994-4, as authorized by V.T.C.A., Local Government Code § 212.004 .

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-121 Use regulations.

Buildings or premises in District R-1 shall be used only for the following purposes:

- (1) Uses permitted in an R-1 district in the table in section 98-88.

- (2) Single-family dwellings, including structures which also house immediate relatives of the family (including their parents, adult children, brothers, sisters, uncles, aunts, nephews and nieces) who are living together and sharing expenses for convenience or necessity and not as commercial renters.
- (3) Existing churches.
- (4) Existing parks, playgrounds, community buildings and other public recreational facilities owned and/or operated by the city or other public agency.
- (5) Existing public buildings, including libraries, museums, police stations and fire stations.
- (6) Existing schools, such as public elementary, intermediate or high schools.
- (7) Water supply reservoirs, pumping plants and towers.
- (8) Accessory uses customarily incident to the uses listed in this section and located on the same lot therewith, not involving the conduct of a retail business, and as defined in this subsection. The term "accessory use" shall include all home occupations which shall comply with the following standards and criteria in addition to any other standards imposed by the city council when such use is permitted by specific use permit:
 - (a) The home occupation shall be conducted only within the principal dwelling.
 - (b) No more than one additional person other than the residents residing on the premises shall be employed or engaged in the home occupation at the premises.
 - (c) There shall be no alteration or change to the outside appearance, character or use of the dwelling or premises, or other visible evidence of the conduct of such home occupation, other than one sign not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
 - (d) No home occupation shall occupy more space than 25 percent of the total floor area of a residence, exclusive of any open porch, attached garage, or similar space not suited for or intended to be occupied as living quarters; provided, however, that in no event shall such home occupation occupy more than 600 square feet.
 - (e) No equipment or process shall be used in such home occupation which creates noise, vibrations, glare, fumes, odors or electrical interference detectable to the normal senses outside the dwelling unit. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.
 - (f) No articles or materials used in connection with such home occupation shall be stored outside on the premises.
 - (g) No more than one automobile or truck, whose size shall not be larger than a stock one-ton panel or pickup truck, used in connection with such home occupation, shall be permitted to park on the premises in question, or off the premises in question and within view from surrounding properties.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-122 Area regulations.

- (a) *Size of yards.* Size of yards in District R-1 shall be as follows:

- (1) *Front yard.* There shall be a front yard having a depth of not less than 25 feet from the property line, except that, where lots face on a major street, the front building line shall be 35 feet from the property line.
- (2) *Side yard on main thoroughfare.* There shall be a side yard on each side of the lot having a width of not less than ten feet. A side yard adjacent to a side street shall not be less than 15 feet from the property line to the building line, except, where the lots side on a major street, the building line shall be not less than 25 feet from the side street property line.
- (3) *Rear yard.* There shall be a rear yard having a depth of not less than ten feet from the property line.
- (b) *Size of lots.* Size of lots shall be approved by the city council on the basis of the district in which they live.
 - (1) *Lot area.* No building shall be constructed on or moved onto any lot of less than 9,000 square feet.
 - (2) *Lot width.* The width of the lot shall not be less than 75 feet. Radial lots shall have a minimum width of 75 feet at and for a distance of 30 feet behind the building line.
 - (3) *Lot depth.* The average depth of the lot shall not be less than 120 feet.
 - (4) *Corner lots.* Corner lots with a width of less than 90 feet are to be at least five feet wider than average of the interior lots in the block. Corner lots with a width of less than 90 feet adjacent to a major thoroughfare are to be at least 15 feet wider than the average of interior lots in the block.
 - (5) *Lots on cul-de-sacs.* Lots on cul-de-sacs shall be 9,000 square feet, with the width and depth to be determined by the development of the cul-de-sac.
 - (6) *Existing substandard lots.* Where a lot having less area, width or depth than required in this section existed upon the effective date of the ordinance from which this chapter is derived, the regulations in this section shall not prohibit the lot owner from erecting a single-family dwelling thereon or moving a single-family dwelling onto the property.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-123 Parking requirements.

Off-street parking spaces shall be provided in District R-1 in accordance with the requirements for specific uses set forth in article IV of this chapter.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Secs. 98-124—98-144 Reserved.

DIVISION 3 DISTRICT R-2 MULTIFAMILY RESIDENTIAL

Sec. 98-145 Use regulations.

A building or premises in District R-2 shall not be used except for the following purposes:

- (1) Uses permitted in an R-2 district in the table in section 98-88, require a special use permit.
- (2) Any use permitted in the R-1 district requires a special use permit.
- (3) Multifamily dwellings, including duplexes and town homes require a special use permit.
- (4) City homes and condominiums require a special use permit.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-146 Height regulations.

No building in District R-2 shall exceed 45 feet or three stories in height.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-147 Area regulations.

(a) *Size of yards.* Size of yards in District R-2 shall be as follows:

- (1) *Front yard.* Front yard requirements are the same as for District R-1.
- (2) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than ten feet; however, a side yard adjacent to a side street shall not be less than 25 feet on a major thoroughfare and 15 feet on a minor thoroughfare. No side yard for allowable nonresidential uses shall be less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard having a depth of not less than ten feet from the property line.

(b) *Size of lots.*

- (1) *Lot area.* No structure shall be constructed on any lot less than 9,000 square feet. No building containing two or more dwelling units shall be constructed on any lot or tract of less than 9,000 square feet. No lot shall contain less than 900 square feet per ground level dwelling unit; provided, however, that this shall not be applicable to hotels, apartments, or motels where no cooking is done in any individual unit.
- (2) *Lot width.* The width of the lot shall not be less than 75 feet at the front street building line, nor shall its average width be less than 75 feet before it is subdivided for construction of townhouses or condominiums.
- (3) *Lot depth.* The average depth of the lot shall not be less than 120 feet, except that any corner lots with a width of not less than 90 feet adjacent to a major thoroughfare must be at least 15 feet wider than the average of interior lots in the block before construction of townhouses or condominiums.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-149. Building design regulations.

All developments within the R-2 Multifamily Residential district shall comply with the building design standards of [ARTICLE VIII. BUILDING DESIGN](#).

Secs. 98-149—98-177 Reserved.

~~Secs. 98-149—98-177 Reserved.~~

DIVISION 4 DISTRICT B COMMERCIAL

Sec. 98-178 Purpose.

District B is established to provide for a wide range of business uses within enclosed areas as well as the other uses provided for in this division.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-179 Use regulations.

A building or premises in District B shall be used only for the following purposes:

- (1) Uses permitted in a B district in the table in section 98-88.
- (2) Retail stores and other local business uses supplying everyday shopping and services, subject to the following restrictions and performance standards:
 - (a) The use shall be conducted wholly within the enclosed building.
 - (b) Required yards shall not be used for the storage of merchandise, vehicles or equipment.
 - (c) No use, activity or process shall produce excessive light, smoke, dust, noise, vibrations or noxious odors that are perceptible without instruments by the average person at the property lines of a site.
 - (d) Storing of containers and waste material will not be permitted in front and side yards.
 - (e) All outdoor lighting shall be shielded or directed away so that direct light or glare does not impact adjacent residential land uses.
 - (f) All storage and mechanical equipment shall be enclosed in a structure and completely screened from view.
- (3) Any use permitted in District R-1, single-family residential.
- (4) The performance standards set out in subsection (2) of this section shall not apply to special events formally sanctioned by the city.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-180 Height regulations.

No building in District B shall exceed 45 feet in height.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-287 Area regulations.

(a) *Size of yards.* Size of yards in District B shall be as follows:

- (1) *Front yard.* There shall be a front yard having a minimum depth of 25 feet from the front property line if located on a minor street, and 35 feet if located on a major thoroughfare. No parking, storage or similar use shall be allowed in front yards, except that automobile parking will be permitted in such yards if separated by at least 100 feet from any R district.
- (2) *Side yard.* A side yard of not less than 15 feet in width shall be provided on the side of a lot adjoining a minor street (not including easements). A side yard of not less than 25 feet in width shall be provided on the side of a lot adjoining an R district or adjoining any lot located in the District B that is being used for an R district purpose. Otherwise, no side yard is required. No parking, storage or similar use shall

be allowed in any required side yard or in any required side street adjoining an R district, without proper enclosure.

- (3) *Rear yard.* A rear yard of 25 feet is required on all lots abutting an R-1 district or abutting any lot located in the District B that is being used for an R district purpose. No storage or similar use shall be allowed in any required rear yard adjoining or abutting an R district.
 - (4) *Barrier.* A visual barrier shall be constructed and permanently maintained on any lot adjoining or abutting an R district.
- (b) *Size of lots; minimum building size.*
- (1) There are no limitation requirements; except, there shall be a minimum building size of 750 square feet. Where a commercial lot existed on the effective date of the ordinance from which this chapter is derived that was too small to accommodate a 750-square-foot structure, a smaller structure would be allowed.
 - (2) Existing residential structures located in District B on the effective date of the ordinance from which this chapter is derived can be converted to commercial or professional use, even if they are below the minimum building size specified in this section.
 - (3) Residential, commercial or institutional buildings in existence for more than 25 years, located inside or outside the city limits, may be moved into District B for commercial or professional use, even if they are below the minimum building size specified in this section, as long as they comply with all other ordinances of the city.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-182. Building design regulations.

All developments within the B Commercial district shall comply with the building design standards of [ARTICLE VIII. BUILDING DESIGN.](#)

Secs. 98-183—98-200 Reserved.

DIVISION 5 DISTRICT ID INDUSTRIAL

Sec. 98-201 Description.

District ID industrial is for industrial purposes as described herein.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-202 Purpose.

District ID is established to provide for a wide range of industrial uses which are conducted within completely enclosed buildings, and where such use will not be objectionable because of excessive light, smoke, dust, noise, vibration or odor.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-203 Use regulations.

A building or premises in District ID shall be used only for light and heavy industrial purposes as set out in Table 1 in section 98-88.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-204 Height regulations.

No building in District ID shall exceed 45 feet in height.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-205 Area regulations.

(a) *Size of yards.* Size of yards in District ID shall be as follows:

- (1) *Front yard.* There shall be a front yard having a minimum depth of 25 feet from the front property line if located on a minor street, and 35 feet if located on a major thoroughfare. No storage or similar use shall be allowed in front yards.
- (2) *Side yard.* A side yard of not less than 15 feet in width shall be provided on the side of a lot adjoining a minor street (not including easements). A side yard of not less than 25 feet in width shall be provided on the side of a lot adjoining an R or PD district. Otherwise, a side yard of ten feet is required. No storage or similar use shall be allowed in any required side yard or in any required side street adjoining an R or PD district, without proper enclosure.
- (3) *Rear yard.* A rear yard of 25 feet is required on all lots abutting an R-1 district or PD district. No storage or similar use shall be allowed in any required rear yard adjoining or abutting an R or PD district. Otherwise, a rear yard of ten feet is required.
- (4) *Barrier.* A visual barrier shall be constructed and permanently maintained on any lot adjoining or abutting an R or PD district.

(b) *Size of lots.*

- (1) *Lot area.* The minimum lot area shall be 10,000 square feet.
- (2) *Lot width.* The minimum lot width shall be 100 feet.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-206 Parking requirements.

Off-street parking spaces shall be provided in District ID in accordance with the requirements for specific uses set forth in article IV of this chapter.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Secs. 98-207—98-235 Reserved.

DIVISION 6. DISTRICT I INSTITUTIONAL

Sec. 98-236 Purpose.

District I is established to provide for a wide range of institutional type uses described herein.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-237 Description.

A building or premises in District I shall not be used except for the purposes set out in the table in section 98-88.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-238 Height regulations.

No building or accessories to a building in District I institutional shall exceed 75 feet in height.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-239 Area regulations.

(a) *Size of yards.* Size of yards in District I institutional shall be as follows:

- (1) *Front yard.* There shall be a front yard having a minimum depth of 25 feet from the front property line if located on a minor street, and 35 feet if located on a major thoroughfare. No storage or similar use shall be allowed in front yards, except that automobile parking will be permitted in such yards if separated by at least 100 feet from any R or PD district.
- (2) *Side yard.* A side yard of not less than 15 feet in width shall be provided on the side of a lot adjoining a minor street (not including easements). A side yard of not less than 25 feet in width shall be provided on the side of a lot adjoining an R or PD district. Otherwise, a side yard of ten feet is required. No storage or similar use shall be allowed in any required side yard or in any required side street adjoining an R or PD district, without proper enclosure.
- (3) *Rear yard.* A rear yard of 25 feet is required on all lots abutting an R-1 district. No storage or similar use shall be allowed in any required rear yard adjoining or abutting an R or PD district. Otherwise, a rear yard of ten feet is required.
- (4) *Barrier.* A visual barrier shall be constructed and permanently maintained on any lot adjoining or abutting an R or PD district.

(b) *Size of lots.* There are no limitations on the size of lots.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-240 Parking requirements.

Off-street parking shall be provided in District I institutional in accordance with the requirements for specific uses set forth in article IV of this chapter.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Secs. 98-241—98-258 Reserved.

DIVISION 7 DISTRICT PD PLANNED DEVELOPMENT

Sec. 98-259 Purpose.

- (a) The purposes of the Planned Development (PD) special purpose zoning district are:
- (1) *Flexibility and Innovation.* To allow regulatory flexibility to:
 - a. Achieve development that is in accordance with the City's Comprehensive Plan;
 - b. Achieve economy and efficiency in the use of land, natural resources, energy, and in the provision of public services and utilities;
 - c. Protect and preserve natural resources and natural features;
 - d. Encourage the creation of useful open space particularly suited to the proposed development and the parcel on which it is located; and
 - e. Provide appropriate development to satisfy the needs of residents of the City of Montgomery.
 - (2) *Land Use Compatibility.* To require development to be laid out so that proposed uses, buildings, and site improvements relate to each other and to adjoining existing uses and to the public realm in such a way that they will be compatible, with no material adverse impact of one use on another.
 - (3) *Redevelopment.* To generate the reuse and/or redevelopment of sites where an orderly change of use is determined to be desirable, especially where reuse is restricted because of existing nonconformities, physical development, or the constraints of conventional zoning standards.
 - (4) *Ensure Against Misuse.* To establish standards to ensure against misuse of the increased flexibility.
- (b) Planned Developments shall meet a higher standard in the eyes of the city. The PD district shall not be used for the sole purpose of circumventing the requirements of the zoning ordinance, securing an agreement between an applicant and nearby property owners to receive zoning approval, or assigning responsibility to the City for private deed covenants or restrictions. Planned development proposals should clearly illustrate a benefit to the city that exceeds any normal benefit to the city found in the normal zoning regulations.

~~District PD is intended to provide significant design flexibility, in order to encourage innovative and/or mixed-use developments within the city that would not otherwise be permitted under this chapter. It is not intended for nominal changes to the existing ordinance requirements that are established in the various zoning districts. The district allows for deviation from standard ordinance requirements as long as those deviations continue to meet the intent of this chapter. The district allows for an appropriate combination of uses, which may be planned, developed, or operated as integral land units, such as developments that incorporate various types of residential and nonresidential uses into the overall project.~~

~~{Ord. No. 2014-03, § 1, 5-20-2014}~~

Sec. 98-260 Approved planned developments.

- (a) Planned developments that may be approved will appear on the zoning map and will be referenced by a planned development number (PD-#) and the zoning district classification and/or uses authorized by the particular zoning case.

(Ord. No. 2014-03, § 1, 5-20-2014)

- (b) ~~In the event of the expiration of an approved PD, the developer or the City shall initiate the rezoning of the subject property to zoning designation shall revert back solely to the base district or another PD district. If base district is unknown, it shall revert to the base district shown on the most recently adopted future land use map. Another zoning district may be designated through the same process as a rezoning if another zoning district is determined by the Director to be more appropriate.~~

Sec. 98-261 Use regulations.

Uses permitted within a planned development (PD) district shall be determined by the city council upon adoption of such zoning designation, and shall be listed within the amending ordinance adopted by the city council establishing each PD district.

(Ord. No. 2014-03 , § 1, 5-20-2014)

Sec. 98-262. Eligibility

- (a) A PD district is only permitted where the proposed design could not be largely or substantially achieved using conventional zone districts, standards, or allowances within this Zoning Ordinance.
- (b) The minimum acreage for a PD district request shall be three acres for non-residential development and ten acres for residential development.
 - (1) *Exception.* The Planning and Zoning Commission may allow an application for smaller project areas if such land is found to be suitable for a PD by virtue of its unique historical character, topography, unique use, or other natural features, or by virtue of its qualifying as an isolated problem area.

Sec. 98-263. Requirements and Development Standards

- (a) The PD district shall be subject to the standards of the base zoning district and all other sections of this Zoning Ordinance unless specifically excluded in the granting ordinance.
- (b) The following provisions shall be used as a guide for the design of PD developments to ensure that the physical and operational characteristics of proposed buildings and uses are compatible when considered in the context of the surrounding area:
 - (1) *Residential Density.* No proposed PD shall allow a residential density that exceeds 120% of the density permitted in the base zoning district.
 - (2) *Amenity Space.*
 - a. *High-Density Residential Uses.* For high-density residential developments, amenity space shall be provided and designated for the enjoyment of the occupants and/or general public.
 - b. *Mixed and Nonresidential Uses.* For mixed-use and nonresidential developments, amenity space shall be provided designated for the enjoyment of the general public or, in the case of industrial developments, the employees.
 - (3) *Access and Circulation.* The vehicular and pedestrian circulation system within each development shall safely and conveniently accommodate the movement of vehicles, bicycles, and pedestrians throughout the proposed development and to and from surrounding areas.
 - (4) *Streets.* All streets within the PD shall be designed for safe multi-modal use by vehicles, bicyclists, and pedestrians.
 - (5) *Parking.*
 - a. The minimum number of parking spaces required may be modified from what is required by [ARTICLE IV](#). OFF-STREET PARKING REGULATIONS, based on evidence provided by the applicant that other standards would be more reasonable because of the level of current or future employment, the level of current or future customer traffic, shared parking by uses that have peak parking demands that do not overlap, and other considerations.

- b. Such evidence shall be technical information gathered by a qualified planning, parking, or traffic consultant that verifies that the reduction will not impair the functioning of the developments served or have an adverse impact on traffic flow on or adjacent to the development.
Bicycle parking facilities shall be provided.
- (6) *Pedestrian Connectivity.* There shall be sidewalk connections to adjacent development and sidewalk and/or trail connections within the PD between buildings, amenities areas, parking areas, etc. These sidewalk and trail connections shall be designed so that walking and bicycling are safe and viable modes of transportation.
- (7) *Landscaping.* The landscaping requirements may be modified with respect to design, but not in regard to the total landscaping percentage, provision of live plant material, or the need for irrigation. Deviations to requirements must be based on evidence that other standards would be more reasonable or desirable due to the inherent design of the PD Development, the benefit that would accrue to the end-user, as well as other considerations.
- (c) In their review of a proposed PD development, the Planning and Zoning Commission and City Council may review other considerations that are found to be relevant to a particular project, including, but not necessarily limited to, road capacity, capacity and design of utility systems, achievement of an integrated development with respect to signage, lighting, landscaping, and building materials, and the extent to which noise reduction and visual screening are used, particularly in cases where nonresidential uses adjoin residential uses.
- (d) Specific development standards for each separate PD district shall be provided in writing by the applicant and set forth in the ordinance granting the PD district or as part of a master development plan attached to the ordinance. These requirements may include, but not be limited to, density, lot area, lot width, lot depth, yard depths and widths, building size, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the City Council and Planning and Zoning Commission may deem appropriate.

DIVISION 8. DISTRICT DT DOWNTOWN

Sec. 98-264. Purpose and applicability.

- (a) *Purpose.* District DT is established to implement the recommendations of the City of Montgomery Downtown Design Master Plan. DT is intended to promote a mix of uses that encourage day-and night-time activity. Development within this District is characterized by street-oriented buildings with uses that encourage pedestrian activity. Comfortable pedestrian movement is supported by on-street and unobtrusive off-street parking, wide sidewalks, pedestrian amenities, and cohesive wayfinding to help promote a dynamic public realm.
- (b) *Applicability.*
 - (1) *Generally.* The standards of this Division apply to new development, redevelopment, and expansions of uses, sites, and buildings, as shown in Table 98-264-1, *DT District Regulations Applicability.*
 - (2) *Timing of Compliance.* No permanent Certificate of Occupancy shall be issued until all site improvements required in this Division and the remainder of this Ordinance are constructed in conformance with an approved permit or plan demonstrating compliance this Ordinance.

(c) **Street Designations.** For purposes of this Division and the building design requirements in Sec. 98-395., DT district, streets within the district have the following designations:

- (1) **Type A Streets:** State Highway 105 / Eva Street and State Highway 149 / Liberty Street.
- (2) **Type B Streets:** All other streets in the DT District except for Pond, Prairie, and Clepper Streets.
- (3) **Type C Streets:** Pond, Prairie, and Clepper Streets.

Table 98-264-1, DT District Regulations Applicability							
Type of Development	Sections of this Division						
	Sec. 98-265, Use Regulations	Sec. 98-266, Height and Area Regulations	Sec. 98-267, Sign Regulations	Sec. 98-268, Lighting Regulations	Sec. 98-269, Parking and Access Regulations	Sec. 98-270, Landscaping Regulations	Sec. 98-271, Building Design Regulations
X = Section Applies							
New residential, nonresidential, or mixed-use development or change in use from residential to nonresidential or mixed-use	X	X	X	X	X	X	X
Increase in GFA or impervious surface by 25 percent or more cumulatively over a 3-year period	X	X	X	X	X	X	X
Change in use requiring additional parking	X	X		X	X	X	
Increase in GFA, or impervious surface by less than 25 percent cumulatively over a 3-year period	X	X			X		
New installation or structural modification of an existing sign	X	X	X				
New installation or structural modification of existing site lighting	X	X		X			
New construction or modification to existing parking or access	X	X			X		
New or modification to existing landscaping	X	X				X	

Table 98-264-1, DT District Regulations Applicability

New construction or structural modification to an existing building	X	X					X
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Sec. 98-265. Use regulations

- (a) A building or premises in District DT shall be used only for the following purposes:
 - (1) Uses permitted in a DT district in the table in section [98-88](#).
 - (2) **Townhouses**, excluding duplexes, subject to the following restrictions and performance standards:
 - a. Townhouses are permitted along Type B and C streets, as established in [Subsection 98--286\(c\), Street Designations](#).
 - b. A maximum of four consecutive townhouse units are permitted. End units shall have a minimum side setback of ten feet.
 - (3) **Upper-story residential**, subject to the following restrictions and performance standards:
 - a. An upper-story residential unit is permitted on the upper floors of a permitted nonresidential use.
 - b. The use shall adhere to all dimensional standards of the permitted nonresidential use.
 - c. A minimum of one off-street parking space shall be provided for the unit.
 - (4) **Event venues** subject to the following restrictions and performance standards:
 - a. Food and beverage preparation is limited to on-site consumption for guests.
 - b. ~~Events are limited to 250 people, not including employees.~~
 - c. The use shall comply with noise regulations set forth in [Chapter 34, Article III, Noise](#), of the Code of Ordinances.
 - d. ~~Events may be held on the property no more than 52 days out of the year.~~
 - e. Events shall not be conducted between 11:00 p.m. and 7:00 a.m.
 - f. ~~The business is conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding properties.~~
 - (5) **Micro-breweries** subject to the following restrictions and performance standards:
 - a. The use shall meet all state and other separation requirements.
 - b. The maximum gross floor area shall not exceed 6,000 square feet.
 - c. The use shall be located a minimum of 300 feet, measured from property line to property line, from any property zoned R-1 or R-2 zoning district.
 - (6) **Food products manufacturing, glass manufacturing and glass products manufacturing, hardware manufacturing, millwork and similar wood products manufacture, and other micro-manufacturing** subject to the following restrictions and performance standards:
 - a. The maximum gross floor area shall not exceed 2,000 square feet.
 - b. No outdoor storage is permitted.
 - c. Where such uses are located within 50 feet of any residential use, no openings facing a residential use are permitted other than stationary windows, fire exits, or garage doors that are open only when necessary to permit immediate vehicle access and then are immediately closed.

- (7) Retail stores and other local business uses supplying everyday shopping and services, subject to the following restrictions and performance standards:
- The use shall be conducted wholly within the enclosed building.
 - Required yards shall not be used for the storage of merchandise, vehicles or equipment.
 - No use, activity or process shall produce excessive light, smoke, dust, noise, vibrations or noxious odors that are perceptible without instruments by the average person at the property lines of a site.
 - Storing of containers and waste material will not be permitted in front and side yards.
 - All outdoor lighting shall be shielded or directed away so that direct light or glare does not impact adjacent residential land uses.
 - All storage and mechanical equipment shall be enclosed in a structure and completely screened from view.
- (c) The performance standards set out in subsections (a)(4) and (a)(6) of this section shall not apply to special events formally sanctioned by the city.

Sec. 98-266. Height and area regulations

- (a) *Regulations.* Table 98-266-1, *Height and Area Regulations*, establishes the minimum and maximum building height, lot area, lot width, and other dimensional requirements for the DT district based on the street type on which the property fronts. If a property has frontage on multiple streets then the fronting street shall be deemed the street from which the building is addressed.

		Table 98-266-1, Height and Area Requirements			
Standards		Fronting Street			
		Type A - State Highway 105 / Eva Street	Type A - State Highway 149 / Liberty Street	Type B Streets	Type C Streets
A	Lot Area, Minimum Townhouse All Other Uses	Not Permitted NA	Not Permitted NA	1,500 square feet 2,000 square feet	1,500 square feet 2,000 square feet
B	Lot Width, Minimum Townhouse All Other Uses	Not Permitted 25 feet	Not Permitted 25 feet	15 feet 40 feet	15 feet 40 feet
C	Bldg Height, Minimum/Maximum	30 feet / 60 feet	30 feet / 45 feet	NA / 45 feet	NA / 45 feet
D, E	Front and Side Street Setback, Minimum/Maximum	5 feet / 10 feet	0 feet / 5 feet	5 feet / 10 feet	10 feet ¹ / NA
	Frontage Buildout, Minimum ²	80%	80%	60%	0%
F	Side Setback, Minimum	0 feet	0 feet	0 feet	5 feet ³
G	Rear Setback, Minimum	10 feet	10 feet	10 feet	10 feet

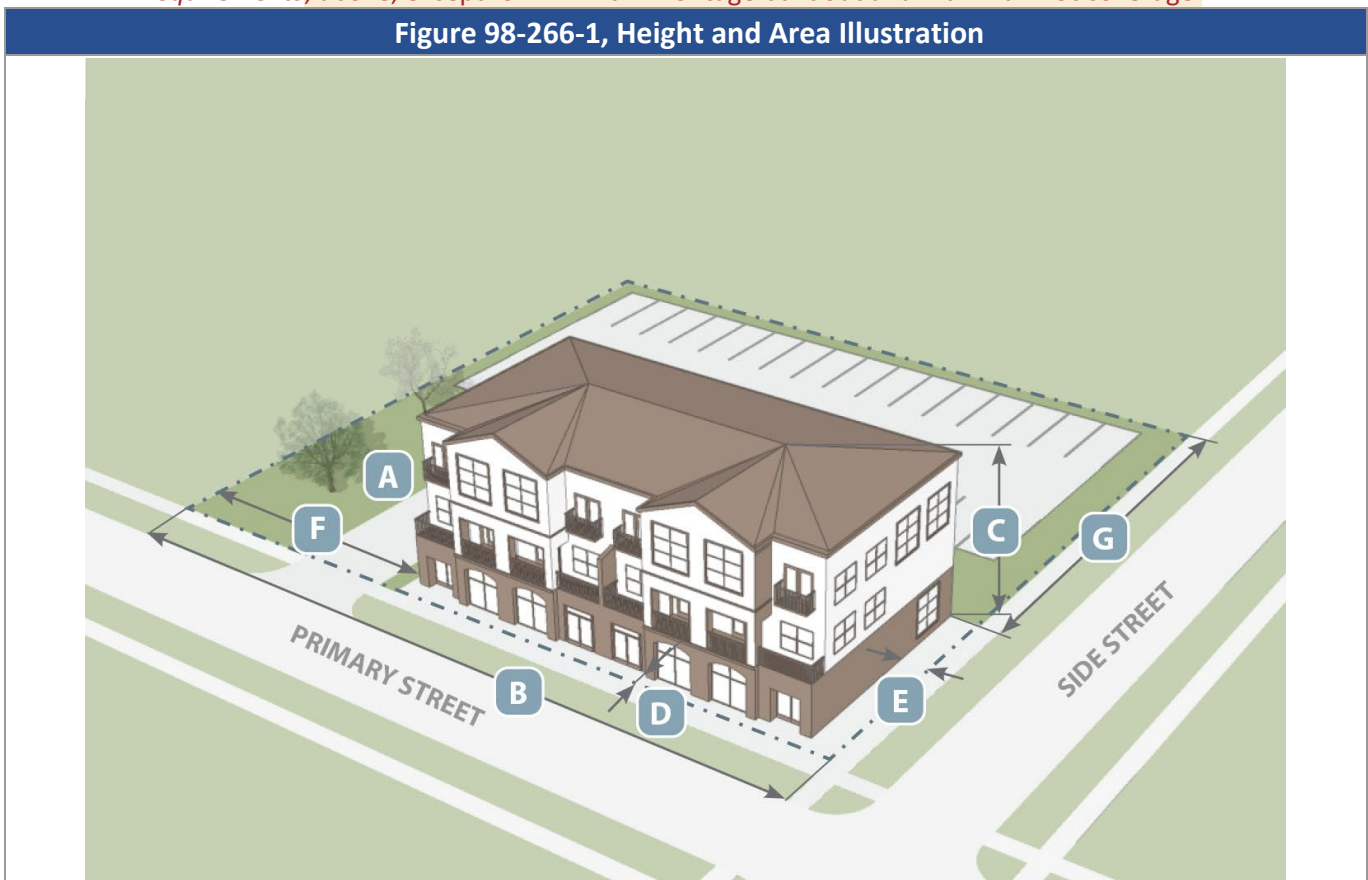
Table 98-266-1, Height and Area Requirements					
Standards		Fronting Street			
		Type A - State Highway 105 / Eva Street	Type A - State Highway 149 / Liberty Street	Type B Streets	Type C Streets
Lot Coverage, Maximum ⁴		95%	95%	85%	70%

Table Notes:

1. A front loaded garage shall be set back a minimum of 20 feet from the front or side street property line.
2. Refer to Figure 98-266-2, below, for a graphic depiction of this measurement.
3. Townhouses shall have a 0' side setback.
4. Refer to Figure 98-266-3, below, for a graphic depiction of this measurement.

(b) *Measurements.*

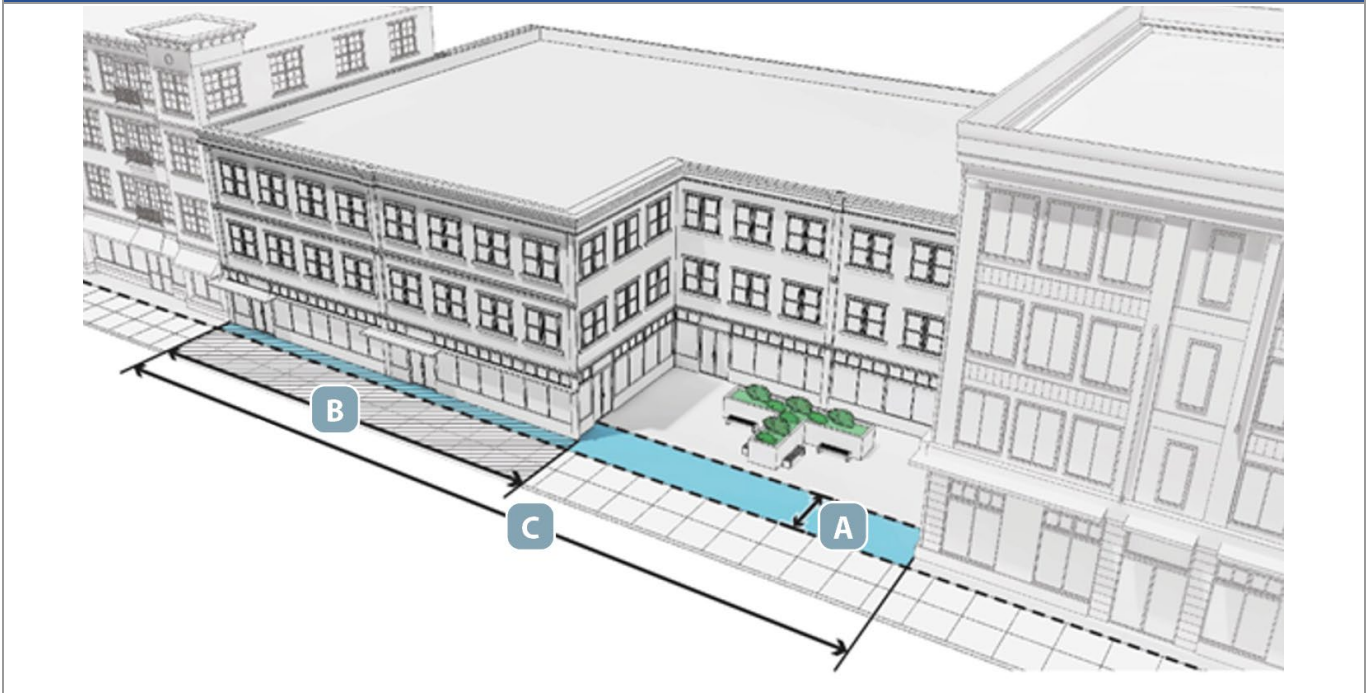
- (1) Figure 98-266-1, *Height and Area Illustration*, depicts the standards in Table 98-266-1, *Height and Area Requirements*, above, except for minimum frontage buildout and maximum lot coverage.



- (2) As depicted in Figure 98-266-2, *Frontage Buildout Calculation*, below, frontage buildout means the portion of the building ("B" in the graphic below) that is within the range of the minimum and maximum front or side street setbacks ("A" in the diagram below), represented as a percentage of the

width of the lot. For example, on a 60-foot wide lot, if 50 linear feet of the building lies within the range of the minimum and maximum setbacks, then the frontage buildout is 83% ($50 / 60 = .83$).

Figure 98-266-2, Frontage Buildout Calculation



- (3) As depicted in Figure 98-266-2, *Lot Coverage*, below, lot coverage is the portion of a lot occupied by buildings or structures that are roofed or otherwise not open to the sky ("B"), and any impervious cover such as patios, driveways, sidewalks, etc. ("C") divided by the total acreage ("A") For example, a 3,000 square-foot lot with a 1,000 square-foot building and 1,000 square feet of paved area has a 66% lot coverage ($(1,000 + 1,000) / 3,000$).

Figure 98-266-3, Lot Coverage



Sec. 98-267. Sign regulations

- (a) *General.* Signs in the DT district shall comply with [Chapter 66, Signs](#), of the Code of Ordinances except for where the standards of this Section differ from or add to the requirements of Chapter 66.
- (b) *Prohibited Signs.* The following sign types, as depicted in Figure 98-267-1, *Prohibited Sign Types*, below, are prohibited in the DT district.
 - (1) [Roof signs](#);
 - (2) [Cabinet signs](#);
 - (3) [Pole or pylon signs](#);
 - (4) [Electronic message boards](#); and
 - (5) [Any other sign type not listed in subsection \(c\), *Allowed Permanent Signs*, below.](#)

Figure 98-267-1, Prohibited Sign Types

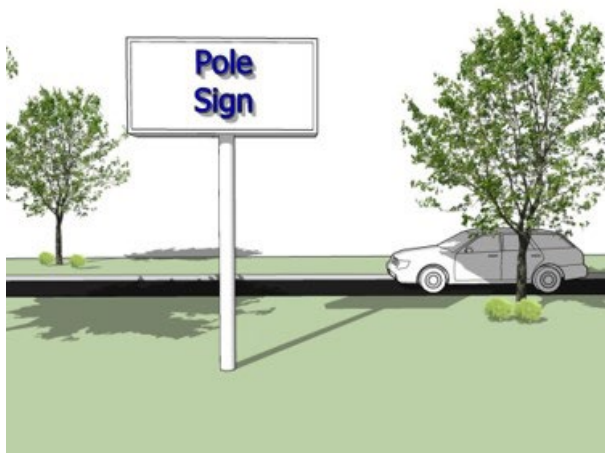
Roof Signs



Cabinet Signs



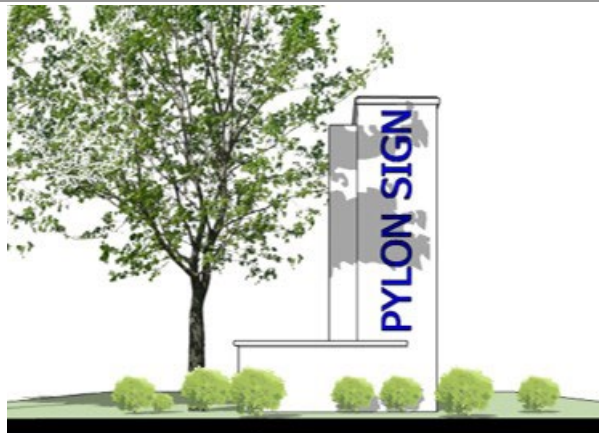
Pole Signs



Electronic Message Boards



Pylon Sign



- (c) *Allowed Permanent Signs.* Table 98-267-2, *Allowed Permanent Signs*, sets out the sign types allowed in the DT district and the standards that apply to each sign type.



Table 98-267-2 Allowed Attached Permanent Signs	
	
Awning Signs	
Maximum Number Allowed	1 per building front or per storefront
Maximum Area	5 square feet per linear foot of awning or canopy length
Minimum / Maximum Distance from Building Wall to Farthest Part of Sign (Projection)	4 feet / No more than half the distance from the building facade into the public right-of-way
Maximum Height	8 feet above grade
Illumination	External
Other Standards	N/A
Canopy Signs	
	
Maximum Number Allowed	1 per building front or per storefront

Table 98-267-2 Allowed Attached Permanent Signs

Maximum Area	50% of canopy width
Maximum Height	2 feet above canopy
Illumination	External or Internal
Other Standards	N/A

Hanging Signs



Maximum Number Allowed	1 per storefront
Maximum Area	6 square feet
Maximum Height	8 feet above grade
Illumination	Indirect illumination only
Other Standards	1. Shall not extend beyond the marquee, canopy, or awning under which it hangs.

Marquee Signs



Maximum Number Allowed	1 per street facing façade
Maximum Area	50 square feet per side; 100 square feet total
Maximum Height	4 feet from lowest point of marquee to highest point, excluding any ornamentation supported directly by the marquee
Minimum Clearance	8 feet above grade
Illumination	Down lighting only; only the changeable copy area may be internally illuminated
Other Signs	If used, then a wall sign is prohibited on same facade

Table 98-267-2 Allowed Attached Permanent Signs

Other Standards	<ol style="list-style-type: none"> May not project more than 6 feet from the building; may require an encroachment permit. Sign may be on up to three sides of a marquee.
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Projecting Signs



Number Allowed	1 per building or 1 per 20 ft. of building frontage if multiple storefronts.
Maximum Area	1 square feet for each linear foot of building frontage
Maximum Distance from Building Wall to Farthest Part of Sign (Projection)	No more than half the distance from the building facade into the public right-of-way
Minimum Clearance	8 feet above sidewalk or walkway
Illumination	Internal or External (down lighting only)
Other Signs	If used, then a wall sign is prohibited on same facade

Wall Signs



Number Allowed	1 per building facade or tenant (multi-tenant bldg.); Maximum 2 per building
Maximum Area	Total sign area shall not exceed 1.5 square feet for each foot of linear frontage; a 2nd wall sign shall not exceed 0.5 square feet per linear frontage.
Maximum Height	The eaveline or the bottom of the second story window sill, whichever is lower.
Illumination	Indirect lighting only
Other Standards	<ol style="list-style-type: none"> No wall sign shall project more than 18 inches from the building wall. No wall sign or its supporting structure shall cover any window or part of a window.

- (d) *Cabinet Signs and Channel Letters*. As established in Figure 98-267-1, *Prohibited Sign Types*, cabinet signs are prohibited. The channel letter styles depicted in Figure 98-267-2, *Allowed Channel Letter Styles*, are permitted, in addition to other styles as acceptable to the Director.

Figure 98-267-2, Allowed Channel Letter Styles



- (e) *Permitted Temporary Signs*.
- (1) *Stenciled window signs* subject to the following standards:
 - a. A maximum of one window sign is permitted per window;
 - b. The sign area shall be a maximum of 15 percent of the window area or non square feet, whichever is less; and
 - c. Illumination may be indirect or internal and the light shall be turned off outside of business hours.
 - (2) *Manual changeable copy message boards* subject to the following standards:
 - a. Adding changeable copy elements to an existing sign is allowed only if the modified sign will conform with all applicable standards in this Section and with all other applicable standards related to the location, height, size and other characteristics of the sign as established in [Chapter 66, Signs](#);
 - b. Reader boards are only permitted on marquee signs;
 - c. Manual changeable copy message centers, including their frames, shall make up not more than 30 percent of the sign area with all other areas of the sign allowing only for permanently affixed letters or symbols; and
 - d. Lettering of manual changeable copy signs shall be of a single style and shall be of uniform color and size.
 - (3) *A-frame signs* provided they are removed after every business day.

Sec. 98-268. Lighting regulations

- (a) *Accent Lighting*. As depicted in Figure 98-268-1, *Permitted Accent Lighting*, below, all wall mounted accent lighting within the DT district shall be shielded or directed downward to prevent light from shining beyond the property on which the lighting fixtures are located. Other designs are permitted as approved by the Director.

Figure 98-268-1, Permitted Accent Lighting

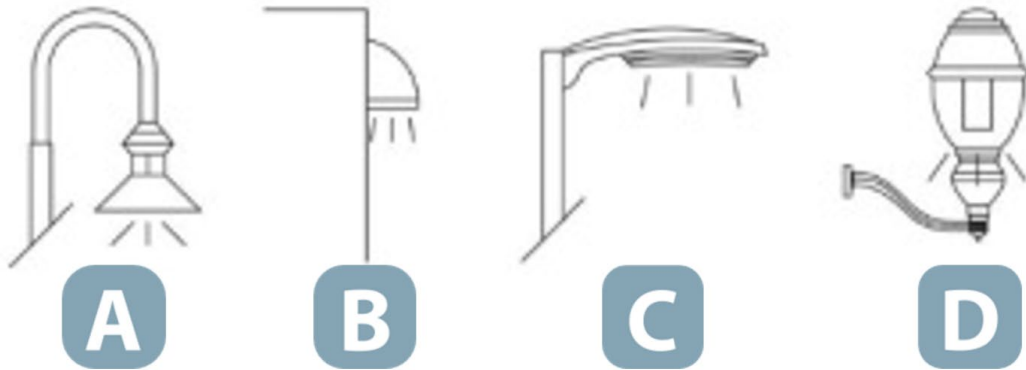


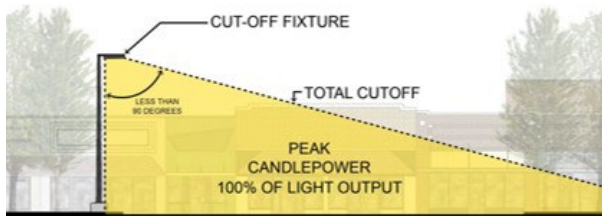
Figure Notes:

A = Hidden Bulb | B = Shining Down and Flat Lens (Wall) | C = Shining Down and Flat Lens (Pole) | D = Hidden Bulb Shining Down

- (b) *Site Lighting.* As depicted in Figure 98-268-2, *Site Lighting*, below, to minimize glare and diffusion of light onto adjacent properties, all pole-mounted lights within the DT district shall either use shielded, cut-off fixtures that project downward at under a 90-degree angle from the light source, or that are unshielded and have a maximum footcandle strength of 0.5.

Figure 98-268-2, Site Lighting

Cut-Off Fixture Less than 90 Degrees



Non-Cut-Off Luminaire with Maximum Footcandle Strength of 0.5

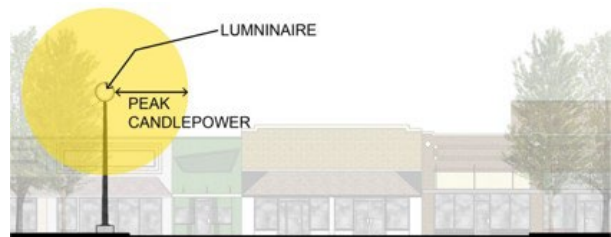


Figure Notes:

A = Hidden Bulb | B = Shining Down and Flat Lens (Wall) | C = Shining Down and Flat Lens (Pole) | D = Hidden Bulb Shining Down

Sec. 98-269. Parking and access regulations

- (a) *General.* Parking and access in the DT district shall comply with [ARTICLE IV, Off-Street Parking Regulations](#), except for where the standards of this Section differ from or add to the requirements of Article IV.
- (b) *Parking Minimums.* The minimum off-street surface parking requirement for buildings in the DT district fronting onto Type A streets shall be as required in Table 98-269-1, *Minimum Parking Ratios for the DT District*. There are no minimum off-street surface parking requirements elsewhere in the DT District.

Table 98-269-1, Minimum Parking Ratios for the DT District¹

Land Use	Minimum Parking Spaces
Alcoholic beverage sales on premises	1 per 215 SF GFA ²
Altering and repairing of wearing apparel	1 per 215 SF GFA

Table 98-269-1, Minimum Parking Ratios for the DT District¹

Land Use	Minimum Parking Spaces
Antique store (completely enclosed)	1 per 215 SF GFA
Apothecary, limited to the sale of pharmaceutical and medical supplies	1 per 215 SF GFA
Apparel and accessory store	1 per 215 SF GFA
Appliance repair (completely enclosed)	1 per 400 SF GFA
Art gallery and/or museum (commercial retail sale of objects d'art only)	1 per 350 SF GFA
Bakery (retail)	1 per 215 SF GFA
Barber shop	2 per work station
Beauty salon	2 per work station
Bed and breakfast	1 per dwelling unit plus 1 per guest room
Dairy products sales (retail)	1 per 215 SF GFA
Delicatessen	1 per 6 customer seats plus one per two employees on the maximum working shift
Department store	1 per 215 SF GFA
Drugstore	1 per 215 SF GFA
Dry cleaning pickup and pressing shops	1 per 300 SF customer service area, plus one space per 500 sq ft remaining GFA
Dry goods store	1 per 215 SF GFA
Electric repair (appliances) (completely enclosed)	1 per 400 SF GFA
Event venue	1 per 250 SF GFA
Fish market (retail)	1 per 215 SF GFA
Fix-it shop (completely enclosed)	1 per 215 SF GFA
Floral shop (completely enclosed)	1 per 215 SF GFA
Food products manufacture and processing (not rendering)	1 per 350 SF office area plus 1 per 215 SF sales area plus 1 per 1,000 SF manufacturing area
Food store	1 per 215 SF GFA
Food to go (retail, no curbside service)	1 per six customer seats plus one per two employees on the maximum working shift
Fruit and vegetable stand or store	1 per 215 SF GFA
Furniture repair and upholstering (completely enclosed)	1 per 400 SF GFA
Furniture store, retail (completely enclosed) (no repair)	1 per 400 SF GFA
Garden specialty store	1 per 215 SF GFA
Gift shop (completely enclosed)	1 per 215 SF GFA
Glass (retail sales) (service incidental to sales) (completely enclosed)	1 per 215 SF GFA
Glass manufacturing and glass products manufacturing	1 per 350 SF office area plus 1 per 215 SF sales area plus 1 per 1,000 SF manufacturing area

Table 98-269-1, Minimum Parking Ratios for the DT District¹

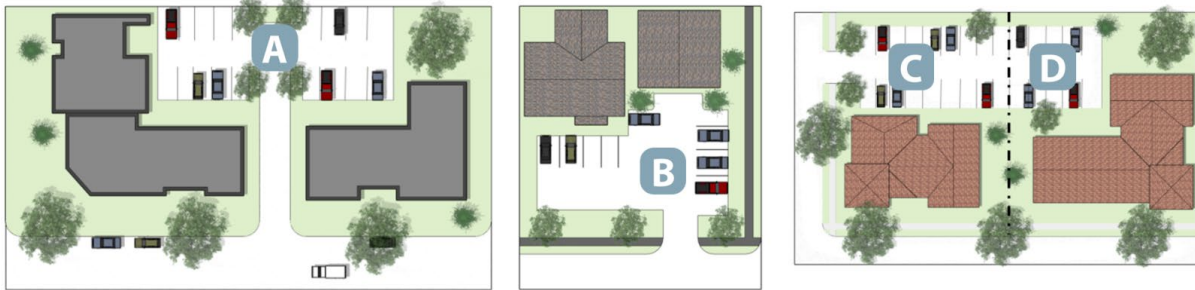
Land Use	Minimum Parking Spaces
Grocery store	1 per 215 SF GFA
Hardware manufacture	1 per 350 SF office area plus 1 per 215 SF sales area plus 1 per 1,000 SF manufacturing area
Hardware store	1 per 215 SF GFA
Hobby supply store	1 per 215 SF GFA
Hotel	1 per guest room plus one per employee on largest shift
Ice cream and ice milk (retail)	1 per 215 SF GFA
Ice cream store	1 per 215 SF GFA
Interior decorating studio	1 per 350 SF GFA
Jewelry store	1 per 215 SF GFA
Laundry and dry cleaning (self service)	1 per 300 SF customer service area, plus one space per 500 sq ft remaining GFA
Library (nongovernmental)	1 per 350 SF GFA
Loan office	1 per 350 SF GFA
Locksmith	1 per 400 SF GFA
Micro-manufacturing	1 per 350 SF office area plus 1 per 215 SF sales area plus 1 per 1,000 SF manufacturing area
Mobile food unit	None
Mobile food court	2 per mobile food unit soace
Music store	1 per 215 SF GFA
Nail salon	2 per work station
Night club/dance hall	1 per 100 sq ft GFA
Office equipment and supplies (retail)	1 per 215 SF GFA
Offices (professional)	1 per 350 SF GFA
Optical goods (retail)	1 per 215 SF GFA
Optician	1 per 350 SF GFA
Paint and wallpaper store	1 per 215 SF GFA
Parks, playgrounds, community buildings and other public recreational facilities owned and/or operated by the city or other public agency	None
Passenger depot (railroad or bus)	1 per 4 seats in waiting area
Pawnshop (completely enclosed)	1 per 215 SF GFA
Pet shop (completely enclosed)	1 per 215 SF GFA
Picture framing	1 per 215 SF GFA
Plumbing fixture sales(completely enclosed) (retail)	1 per 215 SF GFA
Public buildings, including libraries, museums, police stations and fire stations	1 per 350 SF GFA

Table 98-269-1, Minimum Parking Ratios for the DT District¹

Land Use	Minimum Parking Spaces
Radio station or studio, without transmitter tower	1 per 350 SF GFA
Reading room	1 per 350 SF GFA
Reducing salon	1 per 215 SF GFA
Restaurant	1 per six customer seats plus one per two employees on the maximum working shift
Rug and/or carpet sales	1 per 215 SF GFA
Shoe repair shop	1 per 215 SF GFA
Shoe sales (retail)	1 per 215 SF GFA
Small animal clinic or kennel (completely enclosed)	1 per 350 SF GFA
Sporting goods store	1 per 215 SF GFA
Stamp, coin sales (retail)	1 per 215 SF GFA
Stationery sales	1 per 215 SF GFA
Studio for professional work or teaching of any form of fine arts, photography, music, drama, dance, painting, etc.	1 per 350 SF GFA
Surgical or dental supplies store	1 per 215 SF GFA
Tanning salon	2 per tanning bed
Tavern	1 per six customer seats plus one per two employees on the maximum working shift
Television station or studio without transmitter tower	1 per 350 SF GFA
Theater (indoor)	1 per 4 seats
Toy store	1 per 215 SF GFA
Variety store	1 per 215 SF GFA
Watch repair	1 per 215 SF GFA
Table Note: 1. The requirements of this table only apply to buildings in the DT district fronting onto Type A streets. 2. SF GFA = Square feet of gross floor area.	

- (b) **Parking Maximum.** The maximum amount of off-street surface parking for a use in the DT District, regardless of the street type on which the property fronts, shall not exceed 125 percent of the minimum required in Table 98-269-1. For example, if a use on a property fronting onto a Type A street requires a minimum of 10 off-street surface parking spaces, then the maximum for that use is 13 (10 x 1.25 = 12.5). The same use on a property fronting onto a Type B or Type C street would also have a maximum number of 13 parking spaces.
- (c) **Parking Location.** Off-street surface parking shall be located on the subject property in relation to the principal building in accordance with Figure 98-269-1, *Vehicle Surface Parking Location*.

Figure 98-269-1, Vehicle Surface Parking Location¹



A = Rear Parking | B = Front Parking | C = Street Side Parking | D = Interior Side Parking

Parking Locations	Fronting Street			
	Type A - State Highway 105 / Eva Street	Type A - State Highway 149 / Liberty Street	Type B Streets	Type C Streets
Rear Parking	P	P	P	P
Front Parking	--	--	--	P
Street Side Parking ²	--	P	P	P
Interior Side Parking ³	P	P	P	P

Table Notes:

P = Parking Location Permitted | "--" = Parking Location Prohibited.

1. Illustrations are conceptual only and are intended to show parking area locations in relation to buildings. They are not intended to show the amount of parking required for any particular land use or any other required features or characteristics.

2. Street side parking shall not be adjacent to a Type A street.

3. Interior side parking that does not have access from a public right-of-way may require the owner to obtain a cross access easement together with the adjacent property.

(d) **Shared and Cross Access and Driveways.**

(1) Shared and cross access, as depicted in Figure 98-269-2, *Shared and Cross Access*, shall be provided for nonresidential and mixed-use developments according to the following:

a **Shared Access.**

i. The applicant shall preserve access that is shared by abutting properties, whether under single or separate ownership, using a shared access easement in a form that is acceptable to the City Attorney and recorded in the office of the County Clerk, at the applicant's expense. The obligation to provide and maintain shared access shall run with the land.

ii. If there is an existing shared access for which there is no recorded legal documentation, the shared access shall continue, and the applicant shall execute and record legal documentation.

b **Cross Access.**

i. Cross access between off-street surface parking areas shall be provided, where feasible, based on lot shape, size, and configuration. The Director may deem improved alleys (either already improved or improved by the applicant) as an acceptable way to provide cross access or, if an improved or improvable alley is not available, may require a cross access

easement at the rear of the property, or may require the subject property to connect to an existing adjoining cross access easement.

- ii. Where connections to abutting parcels are possible with a cross access easement but do not exist at the time of development, the parcel proposed for development shall stub-out drive aisles and sidewalks to allow for two-way vehicular and pedestrian connections on the abutting parcel.
- iii. The applicant shall record a cross access easement in a form acceptable to the City Attorney to allow for future connection of the stub-out(s) to the adjoining property.

(2) *Driveways.*

a *Driveway Separation.*

- i. Driveways shall be spaced a minimum of 100 feet apart, measured from centerline to centerline, on State Highway 105 / Eva Street, or the minimum distance required by the Texas Department of Transportation, whichever is greater.
- ii. A maximum of one driveway per block face is permitted on State Highway 149 / Liberty Street. All other vehicular access shall come from a street parallel to State Highway 149 / Liberty Street.
- iii. On Type B and C streets in the DT District, driveways shall be spaced a minimum of 50 feet apart, measured from centerline to centerline.



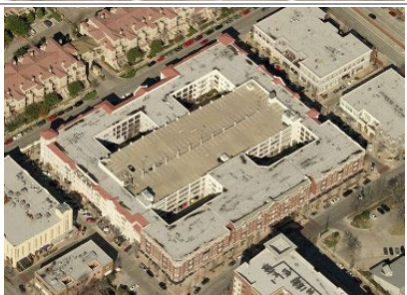
b *Driveway Clearance from Intersections.*

- i. Driveways shall be spaced a minimum of 150 feet from a street intersection, measured from centerline to centerline, on State Highway 105 / Eva Street, or the minimum distance required by the Texas Department of Transportation, whichever is greater.
- ii. Driveways shall be spaced a minimum of 120 feet from a street intersection, measured from centerline to centerline, on State Highway 149 / Liberty Street, or the minimum distance required by the Texas Department of Transportation, whichever is greater.
- iii. On Type B and C streets in the DT District, driveways shall be spaced a minimum of 50 feet from a street intersection, measured from centerline to centerline.

(e) *Structured Parking.*

- (1) *Structured Parking Types.* Stand-alone, activated, and integrated parking structures are each permitted in the DT District as depicted and described in Table 98-269-2, *Parking Structure Type Descriptions and Standards.*

Table 98-269-2, Parking Structure Type Descriptions and Standards

Description	Standards	Image
Stand-alone parking structures are freestanding structures located in the center of a larger block.	Stand-alone structures shall be separated from adjacent buildings by a minimum of 20 feet to provide sufficient light and privacy for adjacent structures. This separation may accommodate an alley and/or rear yards. Stand-alone parking structures are not permitted on properties with frontage on Type A streets.	
Activated structures are parking structures with retail uses at the base that are oriented solely toward the street.	Liner buildings associated with activated structures may be directly attached or detached by a minimal fire separation distance.	
Integrated structures are parking structures located within an occupied building.	Integrated structures may be fully or partially integrated with the surrounding building.	

- (2) *General Design Standards.* Parking structures shall be designed as follows:
- a. *Rooftop Parking.* Rooftop open-air parking shall be screened with a parapet of at least four feet in height.
 - b. *Safety Mirrors.* Pedestrian safety devices such as convex mirrors or other warning devices are required where it would be a significant risk to public health or safety without the installation of those devices.
 - c. *Gates and Booths.* Any vehicle exit barrier, including but not limited to a gate or payment booth, shall be located at least 20 feet inside the exterior wall of the parking structure to provide stacking space for exiting vehicles.
 - d. *Lighting.* Parking structures shall contain lighting sufficient for security purposes.
 - e. *Exterior Design.* Facades on the ground floor of stand-alone parking structures shall meet one of the following standards:
 - i. Be constructed of materials of similar quality and shall be compatible in appearance with adjacent buildings; or
 - ii. Be articulated using three or more of the following architectural features:

- iii. Windows or window-shaped openings with decorative mesh or similar features as approved by the Director of Planning;
 - iv. Masonry columns;
 - v. Decorative wall insets or projections;
 - vi. Awnings;
 - vii. Changes in color or texture of materials;
 - viii. Public art;
 - ix. Integrated landscape planters or trellises; or
 - x. Other similar features approved by the Director.
- (f) **Parking Reductions and Credits.**
- (1) **Generally.** This Subsection sets out several ways to reduce or receive credit for the number of required off-street surface parking spaces that must be provided according to Table 98-269-1, *Minimum Parking Ratios for the DT District*.
 - (2) **Administrative Credits and Reductions.** The Director may approve the following parking credit and reduction options for a property. The administrative credit and reduction options are cumulative if more than one is used on a property.
 - a. **Ride Sharing.** The number of required parking spaces may be reduced by five percent for parking areas of more than 50 spaces if the site provides a dedicated ride-share loading area.
 - b. **Change in Use Without Sufficient Parking.** A permitted use may be converted to another permitted use without full compliance with the required number of parking spaces if the Director determines:
 - i. The maximum amount of parking spaces possible is already being provided without removing or partially removing a structure; and
 - ii. The amount of parking available is at least 80 percent of the parking required for the new use in Table 98-269-1, *Minimum Parking Ratios for the DT District*.
 - c. **Off-Site Parking Credit.** Off-site parking spaces may provide credit to satisfy the minimum parking space requirements in any residential or mixed-use zoning district subject to the following:
 - i. The parking lot complies with all applicable requirements of this Ordinance;
 - ii. The parking lot is wholly within the DT District; and
 - iii. The off-site parking lot is within 300 feet of the subject property, measured from the nearest property lines.
 - d. **Shared Parking.**
 - i. **Reduction.** Where a shared parking facility serving more than one use is proposed, the total number of required parking spaces may be reduced up to 25 percent if:
 - (A) The peak hours of use do not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces; or
 - (B) The proposed shared parking will adequately serve each use.
 - ii. **Analysis.** In order to apply a parking reduction as a result of shared parking, the applicant shall provide a parking analysis prepared by a professional engineer.
 - iii. **Agreement for Shared Parking.** Sharing of parking shall require a written agreement among all owners of record. An attested copy of the agreement between the owners of record

shall be submitted to the Director for review and final action. The applicant shall record the agreement prior to the issuance of a Building Permit or a Certificate of Occupancy, if a Building Permit is not required, for any use to be served by the shared parking. A shared parking agreement may be terminated if all required off-street parking spaces will be provided in accordance with the requirements of this Ordinance.

(3) *Legislative Credits and Reductions.*

- a. *Planning and Zoning Commission.* The Planning and Zoning Commission may approve a reduction in the number of required parking spaces, without shared parking involved, if the applicant demonstrates that a reduction is appropriate based on the applicant providing a parking study with specific parking demand forecasts for the proposed use and/or on the provision of alternative parking or transportation demand management programs that tend to reduce the demand for parking spaces, provided that:
 - i. The study is prepared by a professional transportation planner or traffic engineer;
 - ii. The forecasts are based upon a peak parking analysis of at least five comparable uses; and
 - iii. The comparability of the uses is documented in detail, including their location, gross floor area, street access, use types and restrictions, hours of operation, peak parking demand periods, and all other factors that could affect parking demand.
- b. *Transportation Professional.* The Director may retain a qualified transportation planner or traffic engineer, at the applicant's expense, to review the parking demand forecast and provide recommendations to the Planning and Zoning Commission.
- c. *Reserve.* The balance of the land necessary to meet the parking requirements shall be held in reserve as an undeveloped area, to meet any future needs generated by an expansion of the business, a change in land use, or underestimated parking demand.

Sec. 98-270. Landscaping Regulations

(a) *Street Trees.*

- (1) For properties with frontage on a Type A street, one street tree in the public right-of-way shall be required per 40 feet of street frontage and shall be spaced on-center. On corner lots, both street frontages count toward the required number of street trees.
- (2) On other streets within the DT Districts, street trees within the public right-of-way are not required.
- (3) Street trees shall be provided within a sidewalk cutout. Placement and design of sidewalk cutouts shall be in accordance with the Americans with Disabilities Act (ADA).
- (4) All street trees shall be shade trees with single-stemmed trunks, branched no lower than six feet above the ground, except that ornamental trees may be used if large trees would conflict with existing overhead power lines. Ornamental trees shall not produce undue amounts of tree litter on the sidewalk and street.
- (5) Street trees shall consist of species with non-invasive roots.
- (6) Trees, if planted, should match the species of adjacent Street Trees on the Public Frontage

(b) *Landscaping.*

- (1) ~~All areas of a site not covered by buildings, structures, parking areas, service areas, walkways, plazas, and other impervious-surfaced functional areas shall be landscaped with naturalized, drought tolerant plants using low-maintenance landscaping practices and techniques.~~ Any site area not covered by buildings, structures, parking areas, service areas, walkways, plazas, and other impervious-surfaced

functional areas shall be landscaped with naturalized, drought-tolerant plants using low-maintenance landscaping practices and techniques.

- (2) Where a side setback occurs, it shall be landscaped as a buffer to the adjoining property, a continuation of landscaping between properties, usable open space for residents or employees within the property, or a landscaped passageway from the property to the street.
- (c) **Sidewalks.** Sidewalks are required along both sides of all streets in the DT District and shall be a minimum of eight feet in width along State Highway 105 / Eva Street and a minimum of six feet in width along all other streets. Sidewalk installation by the property owner and acceptance by the City shall be required prior to the issuance of a Certificate of Occupancy. New sidewalks shall connect to existing sidewalks
- (d) **Amenity Space.**
 - (1) **Generally.** In order to ensure that a variety of functional, well-designed amenities are distributed throughout the DT District, developments to which this Section applies shall have an amenity space component on-site as defined below in Table 98-270-1, *Amenity Space Standards*.
 - (2) **Types.** Table 98-270-1, shows the amenity space types allowed in a DT District and their associated standards.
 - (3) **Access.** Amenity spaces include areas intended for public access and use or for the customers, employees, residents of a development. These areas range in size and development and serve to complement and connect surrounding land uses. Public amenity space may be publicly- or privately-owned and maintained but shall be at minimum accessible to the public during hours typical for a public park in the City.
- (e) **Amount of Amenity Space Required.** All development to which this Section applies shall provide four square feet of amenity space for every 100 square feet of gross floor area of a nonresidential building. In a mixed use development, upper-story residential floor area shall not count toward calculating the amenity space requirement.

Table 98-270-1, Amenity Space Standards



Amenity Space Type	Description
Plaza 	Plazas are open areas that are enclosed or partially enclosed on two or three sides by buildings, with seating that is adjacent to, or part of, a building. Plazas function as gathering places and may incorporate a variety of non-permanent activities such as vendors and display stands.
Square	

Table 98-270-1, Amenity Space Standards

Amenity Space Type	Description
	<p>Squares are areas enclosed or partially enclosed on all sides by buildings, improved with a combination of landscaped area and hardscape.</p>
<p>Courtyard</p>	
	<p>Courtyards are unroofed open areas, that are completely or mostly enclosed within the walls of a building.</p>
<p>Community Garden</p>	
	<p>Community gardens are sites operated and maintained by a property owners association or other private entity or the public to cultivate herbs, fruits, vegetables, flowers, or other ornamental foliage for personal use, consumption, donation or off-site sale of items grown on the site.</p>
<p>Town Green</p>	
	<p>Town greens are sites that are much like plazas but consist mostly of green space, rather than hardscape. They are appropriate for public activities such as festivals, concerts, informal play, and other similar events.</p>
<p>Paseo</p>	

Table 98-270-1, Amenity Space Standards

Amenity Space Type	Description
	<p>Paseos are linear shaded amenity spaces that occur between buildings and allow for social and commercial activity to spill into the public realm.</p>

Sec. 98-271. Building design regulations

All developments within the DT Downtown district shall comply with the building design standards of [ARTICLE VIII. BUILDING DESIGN.](#)

Secs. 98-272—98-285. Reserved.