Community Development Department

Ordinance Amendment Staff Report

Planning & Zoning Commission Public Hearing Date: December 11, 2023
City Council Public Hearing Date: December 18, 2023

Case:	OAM23-03
Applicant(s):	City of Tomball
Section(s):	ADD: Section 50-75.1 (*Neighborhood Retail – NR District*)
	MODIFY: Section 50- 82 (Use Regulations Chart)
	MODIFY: Section 50-112 (*Off Street Parking*)
	MODIFY: Section 50-113 (*Landscaping*)
	MODIFY: Section 50-115 (*Screening, Buffering & Fencing*)
Subject:	Add "Neighborhood Retail – NR" Zoning District and subsequent development & land use standards. Including specific standards governing parking, landscaping, and land use buffering/screening.

BACKGROUND

Over the course of the past several months, the City of Tomball has been approached by property owners and perspective developers requesting rezoning of properties to allow nonresidential commercial uses, often near existing and/or planned residential land uses or at the intersections of major thoroughfares. In many instances, these requests are in alignment with the goals and objectives of the Comprehensive Plan and Future Land Use Plan. However, the current nonresidential zoning districts of General Retail (GR), Commercial (C), & Light Industrial (LI) often allow a range of uses that may be considered incompatible with nearby residential land uses or undesirable at certain intersections of high traffic major thoroughfare. In these instances, the Planning & Zoning Commission and/or City Council have approved downgrading rezoning requests to Office (O) zoning. Although this has been a suitable alternative in certain areas, often the Office (O) zoning district is considered overly stringent to accommodate many developments and planned land uses. In efforts to better accommodate these requests for nonresidential zoning near existing and/or planned residential land uses or intersections of major thoroughfares the City of Tomball is recommending the creation of a new zoning district hereby referred to as "Neighborhood Retail (NR)" zoning. The intent of this Neighborhood Retail district is to accommodate a limited range of retail trade, services and office activities that are needed to serve a neighborhood area. The land uses promoted by this district are intended to be a middle ground between the existing Office (O) and General Retail (GR) zoning districts. This zoning district is to be utilized as a transition district between residential uses and more intense non-residential uses. The overall goal of this ordinance amendment is to create a zoning designation that will promote pedestrian oriented neighborhood level commercial developments, while increasing landscaping, buffering & screening standards to better protect nearby residential land uses when located next to nonresidential zoning districts.

NOTICE OF PUBLIC HEARING:
A public hearing notice was published in the Potpourii on November 29, 2023.

PROPOSED ORDINANCE AMENDMENT(s):
Code of Ordinance Section(s):

Chapter 50 - Article III. – District Regulations

ADD: Sec 50-75.1 – Neighborhood Retail District (NR)

(a) General purpose and description – The Neighborhood Retail District is intended to accommodate a limited range of retail trade, services and office activities that are needed to serve a neighborhood area. The district is to be utilized as a transition district between residential uses and more intense non-residential uses. The district is to incorporate elevated landscaping and buffering standards to facilitate seamless integration alongside residential districts. Development within the district should be similar in scale as residential uses and adjacent properties. Architectural principles should be incorporated within site development to actively engage streetscapes and create pedestrian oriented environments. Uses within this district should not include uses that create excessive traffic, noise, trash, or late-night business operations. This district is ideally suited for intersections of major thoroughfares or at the intersection of a major thoroughfare and primary entrances to residential subdivisions and/or multi-family developments.

(b) Permitted uses. Those uses listed for the Neighborhood Retail (NR) District in the use charts (section 50-82) as "P" or "C" are authorized uses permitted by right or conditionally permitted uses, respectively.

(c) Height regulations. Maximum height:
   1) Forty feet (40'); also see setback requirements related to height (d)(2)(b.2) of this section.
   2) One story for accessory buildings

(d) Area regulations
   1) Size of lots
      a. Minimum lot area: 6,000 square feet.
      b. Minimum lot width: 60 feet.
      c. Minimum lot depth: 100 feet.
   2) Size of yards and setbacks
      a. Minimum front yard: 15 feet. Where a lot faces a designated arterial street, the front yard shall be a minimum of 25 feet.
      b. Minimum side yard.
         1. Interior: 5 feet
         2. Interior: If adjacent to a single-family, duplex, patio home or single-family attached district, then side and rear setbacks (within which parking is permitted) shall be according to the height of the primary structure as follows:
            a. Setbacks shall be measured at a ratio of five feet in horizontal setback distance for every three feet of building height.
         3. Side yard adjacent to a street: 15 feet.
         4. Side yard adjacent to a designated arterial: 25 feet
      c. Minimum rear yard: 15 feet. If adjacent to a single-family, duplex (two-family), patio home or single-family attached district, then minimum rear yard (within which parking is permitted) shall be 60 feet, unless separated by an alley in which case the minimum shall be 20 feet. When adjacent to an arterial, minimum rear yard shall be 25 feet.
      d. Zero lot line exception: notwithstanding the requirements of this section, except where an interior side yard or rear yard is adjacent to property zoned for or restricted by a duly recorded subdivision plat to, or primarily use for, single-family residential purposes, there shall be no required interior side or rear yard if the wall adjoining such interior side or rear lot line, as applicable, is constructed with materials giving it a four-hour firewall rating. Yards adjacent to street or alley right-of-way are excluded from this provision.
      e. Minimum underground setback: any underground building structure shall be setback from any lot line by a minimum of 15 feet.

f. Minimum pavement setback: all paving, except driveways and sidewalks, shall be setback from any public street right-of-way by a minimum of 15 feet.

3) Maximum lot coverage. Maximum lot coverage is 50 percent of the net site area (after right-of-way dedication) for the gross ground floor area of all building structures, including main and accessory buildings.
4) Maximum floor area. Maximum floor area ratio (FAR) is 1:1
5) *Outdoor sales:* Outdoor sales are prohibited.
6) *Outdoor storage:* Outdoor storage is prohibited.
7) *Hours of Operation:* Except for uses permitted within a residential zoning district, no use shall operate before 6:00 a.m. nor after 11:00 p.m. on any day of the week.
8) Façade Orientation Standards
    a. Facades of primary building(s) immediately adjacent to street right-of-way(s) shall be front and/or side facades only. Rear facades of buildings shall be prohibited from facing street right-of-way(s).
9) *Parking Standards* Refer to Section 50-112 (c)(1.1) – Parking regulations for the NR District

Chapter 50 - Article IV. – DEVELOPMENT STANDARDS - Section 50-112 – Off Street Parking and Loading Requirements

MODIFY: (c) Nonresidential and MF Districts; off-street parking provisions.

ADD: (1.1) Parking regulations for the NR District

a. Parking areas must be located to the side or rear of primary buildings. No parking shall be located between the front and/or side facades of primary buildings and street right-of-way(s) unless otherwise specified by the following:
    a. One-way Vehicle drive-through lanes for overall circulation as well as drive-through and pickup/drop off services shall be exempt from this standard.
    b. A maximum of one, one-way aisle of parallel and/or angled parking stalls shall be permitted between street rights-of-way(s) and facades of primary buildings.
b. All parking and vehicle maneuvering areas shall be screened from streets by a solid row of hedges. As prescribed by Section 50-113 (f)(3)(f)
    a. EXCEPTION: Vehicle visibility triangles shall be clear of hedges utilized for screening as prescribed by Section 38-34 – Obstructions prohibited in visibility triangle.
c. No parking area may be located closer than 10 feet from property lines for properties zoned for Single-Family Residential uses.

Chapter 50 - Article IV. – DEVELOPMENT STANDARDS - Section 50-113 – Landscape requirements

MODIFY: (f)(3) Requirements for landscaping in and around parking lots

ADD: (f) Parking lots, driving lanes, loading areas, or other similar areas of vehicular access shall be screened from residentially zoned property, whether adjacent or across a street, by a continuous hedge, planter, berm, fence, wall, or combination of these, with a minimum height of 36 inches. This requirement shall not be required along state highways.

1. Shrubs utilized for screening parking areas shall be a minimum 3-gallon planting size spaced 36-inches on center.

Chapter 50 - Article IV. – DEVELOPMENT STANDARDS - Section 50-115 – Screening, buffering and fencing requirements

MODIFY: (b) screening of non-residential, multifamily areas and manufactured (mobile) home parks. The following provisions shall apply to screening of nonresidential, multi-family areas and manufactured (mobile) home parks:

DELETE:

~~(1) An opaque screening wall of not less than six feet, nor more than eight feet, in height shall be erected on the property line separating zoning districts in the following cases:~~

~~a. When a multifamily use, nonresidential use, or manufactured (mobile) home park sides or backs upon a single family, two family or residential PD District;~~

~~b. When any nonresidential use is on a tract, lot or parcel that is less than 15 acres and the nonresidential use sides or backs upon a multiple-family district; and~~

~~c. When a commercial or industrial use is established on a building site located adjacent to any residential area, a ten-foot side landscaped open-space buffer shall be installed and maintained by the owner, developer, or operator of the commercial or industrial property between it and the adjacent residential area. The provisions of this section shall not apply where the residential area is separated by a public street, drainage ditch, or canal with a minimum easement of 30 feet. With written approval of the planning and zoning commission, and otherwise full compliance with landscaping standards, a required buffer may include a stormwater detention area. In no event, however, shall the following uses be allowed in buffers: playfields, stables, swimming pools, tennis courts, or similar active recreation uses.~~

ADD:

(1) Land use buffering shall be provided along property lines separating zoning districts as prescribed below:

a. When non-residential, multi-family residential, or manufactured (mobile) home park zoning shares a common boundary with single-family residential, two-family residential, residential planned developments or agricultural zoning districts.

b. Required land use buffers must consist of a minimum 10-foot-wide vegetative buffer yard and 7-foot opaque wooden fence plus at least 25 points based on the following criteria:

i. Points:

1. Opaque masonry wall with 6-foot minimum height in lieu of providing opaque wooden fence = 10 points
2. Each additional 5 feet of buffer yard = 5 points (maximum of 10 points)
3. ONE (1) tree with a mature height of at least 20-feet and height of at least 8-feet and caliper size of 4-inches (measured 12-inches above ground level) at the time of planting per 25 lineal feet of buffer yard = 15 points
4. THREE (3) smaller trees with a height of at least 8-feet and caliper size of 2-inches (measured 12-inches above ground level) at the time of planting per 25 lineal feet of buffer yard = 15 points

c. Trees planted to accommodate required land use buffering shall be in addition to the required trees prescribed within Section 50-113 (Landscaping Requirements).

d. Preservation of existing trees: Each tree preserved to accommodate the required land use buffer shall count as one tree toward the overall land use buffering requirement regardless of size. Trees planned to be preserved must be on the City of Tomball approved planting list.

e. For purposes of interpreting this section, mixed use zoning shall be considered nonresidential.

f. Buffer yards are required between adjacent uses as indicated. For purposes of this section adjacent includes properties separated by an alley but does not include properties separated by a street.

g. Parking lots, driving lanes, loading areas, or other similar areas of vehicular access shall be screened from residentially zoned property, whether adjacent or across a street, by a continuous hedge, planter, berm, fence, wall, or

combination of these, with a minimum height of 36 inches. This requirement shall not be required along state highways.

h. Open space in buffer yards shall be planted in grass or other vegetative ground cover.

i. Alternative buffering may be permitted by the Director of Community Development or their designee during the site plan review process so long as the buffering and aesthetic intent of these requirements are met.

ADD:

(5) Mechanical equipment, including roof-mounted equipment, must be screened from the view from streets, parking lots, parks, and residential districts with materials consistent with the principal structure, opaque fencing, masonry walls, and/or landscaping. Wall mounted electrical panels are exempt from this standard.

Chapter 50 - Article III. – District Regulations - Section 50-82 – Use Regulations (charts)

MODIFY:

Types of Land Uses	Residential Zoning Districts											Nonresidential Zoning Districts									OT&MU	Parking ratio (Also see section 50-112
	AG	SF-20-E	SF-9	SF-6			D		MF		MHP	O		NR	GR			C	LI			
Agriculture																						
Bulk grain and/or feed storage	P																	C	C			1 space per 1,000 square feet
Farm (ranch, garden, crops, livestock, or orchard) ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	None
Feed and grain store/farm supply store ‡	C														C			P	P		C	1 space per 500 square feet
Flour and other grain mills																			P			1 space per 1,000 square feet
Livestock, wholesale/auction	C																					None
Livestock sales/auction	C																					None
Stable, commercial	C																		C			1 space per 1,000 square feet
Stables (private, principal or accessory use) ‡	P			C																		None
Residential																						
Accessory building/structure (business or industry) ‡												P		P	P			P	P		P	None
Accessory building/structure (residential) ‡	P	P	P	P			P		P												P	None
Accessory dwelling	P	P	P	C			C		C												P	None
Garage/accessory dwelling ‡	P	P	P	C			C		C												P	None
Caretaker's, guard's residence ‡	P	C							P			P		P	P			P	P		P	1 space per caretaker/guard
Dwelling, four-family (quadraplex) (defined under Multiple-family dwelling) ‡									P												P	2 spaces per dwelling
Dwelling, HUD code-manufactured home ‡											P										C	2 spaces per dwelling
Dwelling, industrialized home ‡	P	P	P	P			P		P		P										C	2 spaces per dwelling
Dwelling, multiple-family ‡									P												P	2 spaces per dwelling

Dwelling, single-family attached ‡							P		P												P	2 spaces per dwelling
Dwelling—Single-family detached ‡	P	P	P	P			P		P												P	2 spaces per dwelling
Dwelling, two-family, duplex or duplex townhome ‡							P		P												P	2 spaces per dwelling
Dwelling, zero-lot line/patio home ‡							P		P												P	2 spaces per dwelling
Home occupation ‡	P	P	P	P			P		P						P			P	P		P	None
Residential use ‡	P	P	P	P			P		P		P	C		C	C			C			P	2 spaces per dwelling
Private street subdivision	P	P	P	P			P		P						C			C			P	None
Office																						
Clinic, emergency care															P			P	P		C	1 space per 150 square feet
Clinic, medical and/or dental												P		P	P			P	P		P	1 space per 300 square feet
Credit agency												P		P	P			P	P		P	1 space per 300 square feet
Bank, savings and loan, or credit union (no motor bank services)												P		P	P			P	P		P	1 space per 300 square feet
Bank, savings and loan, or credit union (with motor bank services)												C		P	P			P	P		P	1 space per 300 square feet
Office, professional and general business ‡												P		P	P			P	P		P	1 space per 300 square feet
Office, parole-probation															P			P	P		C	1 space per 300 square feet
Office showroom/warehouse ‡												C			C			P	P		P	1 space per 300 square feet
Security monitoring company (no outside storage)												P		P	P			P	P		P	1 space per 300 square feet
Telemarketing agency												C			C			C	P		C	1 space per 250 square feet
Telephone exchange/switching station ‡	C											P			P			P	P		C	1 space per 500 square feet
Temporary real estate field office	P	P	P	P			P		P		P	P		P	P			P	P		P	4 spaces
Model home (including sales office)	P	P	P	P			P		P		P	P		P	P			C	C		P	2 spaces per model
Personal and Business																						
Ambulance service															C			P	P		C	1 space per 500 square feet
Automobile driving school (including defensive driving)												C		P	P			P	P		P	1 space per classroom seat
Barber/beauty shop (no related school/college)												C		P	P			P	P		P	1 space per 200 square feet
Bed and breakfast inn ‡	P	C	C	C			C		C			C		C	P			P			P	2 spaces plus one per guest room
Check cashing service															C			C				1 space per 100 square feet
Dance hall/dancing facility ‡															C			C			P	1 space per 100 square feet
Dance/drama/music schools (performing arts, martial arts)	C	C	C	C			C		C		C	C		P	P			P	P		P	1 space per 100 square feet
Fortunetelling and similar activities ‡																			C			1 space per 300 square feet
Funeral home ‡															C			P	P		C	See section 50-112
Greenhouse (non-retail/hobby)	P	P	P	P			P		P		P										P	None
Health club (indoor)												C		P	P			P	P		P	One space per 300 square feet
Health club (outdoor)														C	P			P	P		P	One space per 300 square feet
Hotel ‡															P			P			C	See section 50-112
Laundromat/washateria/self-service ‡															P			P	P		P	1 space per 200 square feet
Laundry/dry cleaning (retail only, drop off/pick up) ‡												C		P	P			P	P		P	1 space per 200 square feet
Loan services (payday/auto title)															C			C				1 space per 100 square feet
Mailing service (private)															P			P	P		P	1 space per 200 square feet
Motel ‡																		C			C	See section 50-112
Pharmacy (retail only)												C		P	P			P	P		P	1 space per 200 square feet
Reception venue	C	C										C		C	P			P	P		P	1 space: 4 seats
Recreational vehicle park											C											
Rehabilitation care facility (halfway house) ‡	C	C	C	C			C		C		C	C		C	P			P	P		C	Greater of 1 per three beds or 1.5 spaces per dwelling
Rehabilitation care institution (business) ‡	C	C	C	C			C		C			C		C	P			P	P		P	Greater of 1 per three beds or 1.5 spaces per dwelling
Seamstress, dressmaker or tailor (retail only)												C		P	P			P	P		P	1 per 200 square feet
Sexually oriented business																			C			
Tattoo or body piercing studio ‡																		C				1 space per 200 square feet
Wedding chapel															P			P	P		P	1 per four seats
Retail																						
Antique shop (no outside sales or storage) ‡														P	P			P	P		P	1 space per 500 square feet
Antique shop (with outside storage)															C			P	P		P	1 space per 500 square feet
Apparel shop														P	P			P	P		P	1 space per 200 square feet
Art gallery/museum/dealer ‡												C		P	P			P	P		P	1 space per 500 square feet
Artist or photography studio												C		P	P			P	P		P	1 space per 500 square feet
Bakery, retail (eating establishment, no drive-through) ‡												C		P	P			P	P		P	1 space per 200 square feet
Bakery, retail (with drive-through)														C	P			P	P		P	1 space per 200 square feet

Bakery, retail (with drive-through)														C	P			P	P		P	1 space per 200 square feet
Bakery (wholesale) ‡																		P	P		P	1 space per 500 square feet
Bird and pet shops (retail only)														C	P			P	P		P	1 space per 200 square feet
Book/stationery shop (retail only) ‡														P	P			P	P		P	1 space per 200 square feet
Brewpub												C		C	P			P	P		P	1 space per 1,000 square feet for the brewing of beer, ale,
Building material sales/lumber yard ‡															C			P	P		P	1 space per 1,000 square feet
Carpenter shop															C			P	P		P	1 space per 500 square feet
Catering service															P			P	P		P	1 space per 500 square feet
Coffee roasting																		C	P			1 space per 1,000 square feet
Consignment shop														C	C			P	P		P	1 space per 300 square feet
Convenience store (with or without gasoline sales) ‡												C			P			P	P		C	See section 50-112
Copy shop ‡												C		P	P			P	P		P	1 space per 200 square feet
Drinking establishment												C		C	P			P	P		P	
Drug store (retail only)															P			P	P		P	1 space per 200 square feet
Eating establishment (with drive-in service) ‡														C	C			P	P		P	Greater: 1 per 100 square feet; 1 per 3 seats based on max
Eating establishment (with no drive-through service) ‡												C		P	P			P	P		P	
Eating establishment (with drive-through service) ‡														C	P			P	P		P	
Electronic goods (retail only)														P	P			P	P		P	1 space per 200 square feet
Florist shop (retail only) ‡												C		P	P			P	P		P	1 space per 200 square feet
Food or grocery store														P	P			P	P		P	1 space per 500 square feet
Furniture and appliance store (retail only) ‡														C	P			P	P		P	1 space per 500 square feet
Furniture store (new and used) ‡														C	P			P	P		P	1 space per 200 square feet
General retail stores (no outside storage)														P	P			P	P		P	1 space per 200 square feet
Gift or card shop (retail only)												C		P	P			P	P		P	1 space per 200 square feet
Hardware store														P	P			P	P		P	1 space per 400 square feet
Hobby and crafts store (retail only)												C		P	P			P	P		P	1 space per 200 square feet
Home improvement center															P			P	P		P	1 space per 400 square feet plus one per 1,000 square feet of warehouse
Jewelry store														P	P			P	P		P	1 space per 200 square feet
Market, open air																		C	C		C	1 space per 200 square feet
Meat and fish market (retail only)															P			P	P		P	1 space per 200 square feet
Mobile food court															C			C	C		C	Whichever is greater: 1 per 100 square feet of seating area or 2 per mobile food vendor
Motion picture studios, commercial films															C			P	P		P	1 space per 300 square feet
Motion picture theater (indoors)														C	P			P	P		P	See section 50-112
Nursery ‡															P			P	P		P	1 space per 1,000 square feet of sales area
Garden shop ‡															P			P	P		P	1 space per 200 square feet
Painting and refinishing shop															C			P	P		P	1 space per 500 square feet
Piano and musical instruments (retail only)														P	P			P	P		P	1 space per 200 square feet
Shoe repair shop (retail only)														P	P			P	P		P	1 space per 200 square feet
Sign shop (small scale, such as a storefront; includes sign and banner making for retail sale only; no outside storage)															P			P	P		P	1 space per 300 square feet
Stone monuments and gravestones, engraving and retail sales only															C			P	P		C	1 space per 500 square feet
Trophy engraving															P			P			P	1 space per 300 square feet
Upholstery shop (nonauto)															P			P	P		P	1 space per 200 square feet
Used merchandise															P			P	P		P	1 space per 200 square feet
Video rental/sales														P	P			P	P		P	1 space per 200 square feet
Transportation and Auto Services																						
Airport or landing field ‡	C																		C			1 space per 500 square feet
All-terrain vehicle (go-carts) dealer/sales (w/outdoor sales, storage, and display)															P			P	P			1 space per 300 square feet
All-terrain vehicle (go-carts) dealer/sales (w/no outdoor sales, storage, and display)															P			P	P		C	1 space per 300 square feet
Auto accessories (retail sales only)														C	P			P	P		P	1 space per 200 square feet
Auto body repair/painting															C			P	P		P	1 space per 200 square feet
Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/outdoor sales, storage, and display) ‡															P			P	P			See section 50-112

Auto dealer (new, auto servicing and used auto sales as accessory uses only, w/no outdoor sales, storage, and display)															P			P	P		C	See section 50-112
Auto dealer, primarily used auto sales w/outdoor sales, storage, and display‡															C			P	P			See section 50-112
Auto dealer, primarily used auto sales w/no outdoor sales, storage, and display															C			P	P		C	See section 50-112
Auto glass repair/tinting															P			P	P		P	1 space per 200 square feet
Auto interior shop/upholstery															C			P	P		P	1 space per 200 square feet
Auto muffler shop															C			P	P		P	1 space per 200 square feet
Auto paint shop															C			P	P		P	One per 200 square feet
Auto parts sale (new or rebuilt; no outside storage, no outside display, no repair)															P			P	P		P	1 space per 200 square feet
Auto parts sale (new or rebuilt; with outside storage or display)															C			P	P			1 space per 200 square feet
Auto rental															P			P	P		C	1 space per 200 square feet
Auto repair (major) ‡															C			P	P		C	1 space per 200 square feet
Auto repair (minor) ‡															P			P	P		P	1 space per 200 square feet
Auto storage or auto auction ‡																		C	P			1 space per 1,000 square feet
Auto tire sales (indoor)															P			P	P		P	1 space per 200 square feet
Auto wrecker service																		P	P		C	1 space per 200 square feet
Automobile assembly																			P		C	1 space per 1,000 square feet
Automobile parts manufacturing																		C	P		C	1 space per 1,000 square feet
Automobile wash (full service/detail shop) ‡															P			P	P		P	3 space per washing capacity of module
Automobile wash (self-service) ‡															C			P	P		P	3 space per washing capacity of module
Bike sales and/or repair															P			C	P		P	1 space per 500 square feet
Bus or truck storage																		P	P			1 space per 1,000 square feet
Gasoline station															P			P	P			See section 50-112
Motor freight transportation, storage, and terminal																		P	P		C	See section 50-112
Motorcycle sales/dealer w/outdoor sales, storage, and display ‡															P			P	P			See section 50-112
Motorcycle sales/dealer w/no outdoor sales, storage, and display															P			P	P		C	See section 50-112
Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡	C		C	C			C		C			C		C	P			P	P		C	None
Personal watercraft sales (new/repair) w/outdoor sales, storage, and display															P			P	P			See section 50-112
Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display															P			P	P		C	See section 50-112
Railroad team tracks, unloading docks, and spurs																		P	P		C	None
Railroad yards, round house or shop																		C	P		C	1 space per 1,000 square feet
Taxi/limousine service															C			P	P		C	1 space per 1.5 automobiles in service
Tire sales (indoors, no outside storage) ‡																		P	P		P	1 space per 1,000 square feet
Tire sales (outdoors, with outside storage) ‡																		C	P			1 space per 1,000 square feet
Transfer station (refuse/pick-up) ‡	C																	C	C			1 space per 500 square feet
Transit terminal ‡																		P	P		C	See section 50-112
Truck and bus leasing ‡																		P	P			1 space per 1,000 square feet
Truck sales and services (heavy trucks) ‡																		P	P			1 space per 1,000 square feet
Truck stop ‡																		C	P		C	1 space per 1,000 square feet
Truck terminal ‡																		P	P			See section 50-112
Amusement and Recreation																						
Amusement, commercial (indoor) ‡														C	C		C	P	P		C	1 space per 100 square feet
Amusement, commercial (outdoor) ‡															C			P	P		C	10 spaces plus 1 per 500 square feet over 5,000 square feet of building and recreation area
Amusement, commercial, temporary, (e.g., carnival, haunted house). (Note: Allowed by building official for up to 10 days) ‡											C							C	P		C	Determined by P and Z
Amusement devices/arcade (4 or more devices, indoors only) ‡														C	C			P	P		C	1 space per game table plus one per amusement device
Billiard/pool facility (4 or more tables)														C	C			P	P		C	1 space per 200 square feet
Bingo facility														C	C			P	P		P	1 space per 200 square feet
Bowling alley (air conditioned and soundproofed)														C	P			P	P		C	4 spaces per lane
Dinner theatre															P			P	P		P	1 space per three seats or bench seating space

Drive-in theater																		C	C		C	1 space per speaker
Golf driving range	C														C			P	P		C	See section 50-112
Golf course (private) ‡	C	C	C	C			C		C			C		C	C			C	C		C	6 spaces per hole
Golf course (publicly owned) ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	6 spaces per hole
Playfield or stadium (private)	C														C			P	P		P	1 space per three seats
Recreational vehicle park/campground ‡	C																	C	P		C	1.5 per RV pad
Skating rink															P			P	P		P	1 space per 200 square feet, plus 1 per 3 seats based on max capacity
Swimming pool, private (use by membership) ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	1 space for each 100 square feet of gross water surface and deck area
Swimming pool, commercial ‡												C		C	P			P	P		P	1 space per 100 square feet of gross water surface and deck area
Tennis court (private/not lighted)	P	P	P	P			P		P		P	P		P	P			P	P		P	2 spaces per court
Tennis court (private/lighted)	C	C	C	C			C		C		C			C	C			C	C		C	2 spaces per court
Institutional/Governmental																						
Adult day care (business)	See Household care facility																					
Antenna (commercial)	See section 50-116																					
Antenna (noncommercial)	See section 50-116																					
Armed services recruiting center												P		P	P			P	P		P	1 space per 300 square feet
Assisted living facility (continuing care retirement community) ‡									P			C		C	P			P			P	1.5 spaces per dwelling unit plus any additional space for accessory uses
Auction house															C			P	P		C	1 space per 100 square feet
Broadcast station (with tower)	See section 50-116																					
Broadcast towers (commercial)	See section 50-116																					
Cellular communications tower/PCS	See section 50-116																					
Cemetery and/or mausoleum ‡	C	C	C	C			C		C		C	C		C	C			C	C		C	1 space per 5,000 square feet of land
Child day care center (business) ‡									C			C		P	P			P			P	1 space per three children
Church/temple/place of worship ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	1 space per four seats in sanctuary
Civic center (municipal) ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	10 spaces plus 1,300 square feet above 2,000
Civic club												P		P	P			P	P		P	See section 50-112
Community center (public)	C	C	C	C			C		C		C	P		P	P			P	P		P	See section 50-112
Community home ‡	P	P	P	P			P		P		P										P	1 space per 300 square feet
Community or social buildings ‡	C	C	C	C			C		C		C	P		P	P			P	P		P	1 space per 300 square feet
Country club (private) ‡	C	C	C	C			C		C			C		C	C			C	C		P	10 spaces plus one per 300 square feet above 2,000
Earth satellite dish (private, less than 3 feet in diameter)	See section 50-116																					
Electric power plant																		C	P		C	1 space per 1,000 square feet
Electric storage system																			C			2 spaces per facility
Electrical substation ‡	C	C	C	C			C		C		C	C		C	C			C	C		C	1 space per 1,000 square feet
Exhibition hall ‡															C			P	P		C	1 space per 100 square feet
Fair ground or rodeo ‡	C																	C	C		C	1 space per 1,000 square feet of land area
Family home (child care in place of residence) ‡	P	P	P	P			P		P		P	P		P	P			P			P	1 space per 10 children plus 1 space per teacher
Fraternal organization ‡												C		C	P			P	P		P	10 spaces plus 1 per 300 square feet above 2,000
Fraternity or sorority house ‡							C		C			C		C	C			C			C	2 spaces per bedroom
Governmental building or use (county, state or federal) ‡	C	C	C	C			C		C		C	P		P	P			P	P		P	1 space per 300 square feet
Heliport ‡												C			C			C	C		C	3 spaces
Helistop												C		C	C			C	C		C	3 spaces
Hospital ‡												C			P			P	P		P	1 space per bed
Household care facility ‡	P	P	P	P			P		P		P										P	1 space per 6 clients
Household care institution															P			P	P			1 space per 6 clients
Institution for alcoholic, narcotic, or psychiatric patients ‡															C			C	P		C	1 space per 200 square feet
Institution of religious, educational or philanthropic nature	C	C	C	C			C		C		C	C		C	P			P	P		P	1 space per 200 square feet
Municipal facility or use ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	1 space per 300 square feet
Museum	C	C	C	C			C		C		C	C		C	P			P	P		P	See section 50-112
Park and/or playground (private) ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	
Park and/or playground (public, municipal) ‡	P	P	P	P			P		P		P	P		P	P			P	P		P	

Penal or correctional institutions	C																P	P		C	1 space per 500 square feet
Post office (governmental)	P	P	P	P			P		P		P	P		P	P		P	P		P	10 plus 1 per 200 square feet
Non-city public assembly (auditorium, gymnasium, stadiums, meeting halls, etc.)															P		P	P		C	1 space per 4 seats
Radio, television and communications towers	See section 50-116																				
Rectory/parsonage	P	P	P	P			P		P		P	P		P	P		P	P		P	5 spaces, plus 1 per bedroom
Retirement housing for the elderly ‡	See Assisted living facility																				
Riding academy	P	C	C	C			C		C		C	C		C	C		C	P		C	1 space per five stalls
Sanitary landfill (private)																		C			1 space per ten acres
School, business (e.g., barber/beauty/cosmetology)														C	P		P	P		P	1 space per three students, based on design
School, college or university	C	C	C	C			C		C		C	C		C	P		P	P		P	10 per classroom plus 2 per office
School, commercial trade (vocational) ‡												C		C	P		P	P		P	1 space per student
School, public or denominational ‡	P	P	P	P			P		P		P	P		P	P		P	P		P	See section 50-112
School, other than public or denominational ‡												C		C	P		P	P		P	
Sheltered care facility ‡									C						C		C	C		C	1 space per three beds or 1.5 per dwelling
Sign, all types (defined within the referenced section) ‡	See ch. 34 of this Code																				
Skilled nursing facility ‡									P			C		C	C		P			C	See section 50-112
Studio for radio and/or television (no towers) ‡												P		P	P		P	P		P	1 space per 200 square feet
Commercial and Wholesale Trade																					
Animal kennel (outdoor pens)	P																C	P			1 space per 500 square feet
Appliance repair															P		P	P		P	1 space per 500 square feet
Book binding																	P	P		P	1 space per 500 square feet
Carpet and rug cleaning plant															C		P	P		C	1 space per 1,000 square feet
Cattle, swine, or poultry feedlot (CAFO)	C																	C			1 space per 5,000 square feet of land
Cleaning plant (commercial laundry) ‡															C		P	P		C	1 space per 1,000 square feet
Communication equipment sales/service (installation and/or repair, no outdoor sales or storage or towers/antennae)														P	P		P	P		P	1 space per 1,000 square feet
Construction contractor with storage yard	C																P	P			1 space per 1,000 square feet of land
Contractor's office/sales, no outside storage including vehicles															P		P	P		P	1 space per 1,000 square feet of land
Contractor's temporary on-site construction office (only with permit from building official.)	P	P	P	P			P		P		P	P		P	P		P	P		P	None
Distribution center ‡																	P	P		C	1 space per 1,000 square feet
Electric repair, (domestic equipment and autos)												C		C	P		P	P		P	1 space per 1,000 square feet
Electronic assembly																	P	P		C	1 space per 1,000 square feet
Electro-plating/electro-typing																	P	P		C	1 space per 1,000 square feet
Exterminator service/company (no outdoor sales or storage)															P		P	P		P	1 space per 300 square feet
Fix-it shops, small engine, saw filing, mower sharpening															C		P	P		C	1 space per 500 square feet
Fur/hide tanning and finishing																		C			1 space per 1,000 square feet
Heating and air conditioning sales/services															C		P	P		C	1 space per 1,000 square feet
Iron works (ornamental)																	C	P			1 space per 1,000 square feet
Lawnmower repair and/or sales															C		P	P		C	1 space per 500 square feet
Loading or storage tracks																	P	P		C	None
Locksmith														P	P		P	P		C	1 space per 500 square feet
Machine shop																	P	P		C	1 space per 1,000 square feet
Maintenance and repair service for buildings/janitorial															C		P	P		C	1 space per 500 square feet
Manufactured home display or sales (new or used) ‡																	C	P		C	1 space per 1,000 square feet
Mattress, making and renovating																	P	P		C	1 space per 1,000 square feet
Milk depot, wholesale																	P	P			1 space per 1,000 square feet
Mini-warehouse/self storage ‡															C		P	P		C	See section 50-112
Mortuary															C		P	P		C	See section 50-112
Moving and storage company																	P	P		C	1 space per 1,000 square feet
News printing																	P	P		C	1 space per 1,000 square feet
Outdoor sales as a primary use ‡															C		P	P			1 space per 5,000 square feet of land area
Pawn shop ‡																	P	P		C	1 space per 200 square feet
Pet and animal grooming shop (no outside kennels) ‡														C	P		P	P		P	1 space per 200 square feet

Plumbing shop															C			P	P		C	1 space per 200 square feet
Printing equipment, supplies and repairs															C			P	P		C	1 space per 500 square feet
Propane sales filling (retail)															C			P	P		C	1 space per 200 square feet
Publishing and printing company															C			P	P		P	1 space per 500 square feet
Quick lube/oil change/minor inspection															P			P	P		P	1 space per 200 square feet
Salvage storage yard ‡																			C			5 per acre
Scientific and industrial research laboratories (hazardous) ‡																		C	P			1 space per 300 square feet
Scientific and industrial research laboratories (nonhazardous) ‡												P			C			P	P		P	1 space per 300 square feet
Scrap metal storage yard																			C			5 space per acre
Security systems installation company														C	C			P	P		C	1 space per 300 square feet
Sheet metal shop																		P	P			1 space per 1,000 square feet
Storage of cement, sands and gravel	C																	C	P			1 space per 5,000 square feet of storage area
Storage of used lumber and building materials																		C	P			1 space per 5,000 square feet of storage area
Taxicab storage and repair																		P	P			1 space per 500 square feet
Taxidermist	C														C			P	P			1 space per 500 square feet
Tool and machinery rental (indoor storage only) ‡															P			P	P		P	1 space per 200 square feet
Tool and machinery rental (with outdoor storage) ‡															C			P	P		C	1 space per 200 square feet
Vacuum cleaner sales and repair ‡															P			P	P		P	1 space per 200 square feet
Veterinarian clinic (indoor kennels) ‡	P													C	P			P	P		P	1 space per 500 square feet
Veterinarian clinic (outdoor kennels or pens) ‡	C																	C	P			1 space per 500 square feet
Warehouse (defined under storage or wholesale warehouse) ‡															C			P	P		C	1 space per 1,000 square feet
Welding shop															C			P	P		C	1 space per 1,000 square feet
Wholesale trade, nondurable goods															C			P	P		C	1 space per 1,000 square feet
Woodworking shops															C			P	P		C	1 space per 1,000 square feet
Wrecking materials yard ‡																			C			1 space per 1,000 square feet
Light and Heavy Manufacturing/Industrial																						
Acid manufacture																			C			1 space per 1,000 square feet
Adhesives and sealants manufacture																		C	C			1 space per 1,000 square feet
Aircraft parts manufacture																			P			1 space per 1,000 square feet
Airplane repair and manufacturing																			P			1 space per 1,000 square feet
Animal processing and slaughter																		C	C			1 space per 1,000 square feet
Any manufacture or industrial process not listed and not prohibited by law																		C	C			1 space per 1,000 square feet
Artificial flower manufacture															C			P	P			1 space per 1,000 square feet
Asphalt paving and roofing material manufacture																			C			1 space per 1,000 square feet
Awning manufacture, cloth, metal and wood																		P	P			1 space per 1,000 square feet
Bag manufacturing																		P	P			1 space per 1,000 square feet
Battery manufacture																			C			1 space per 1,000 square feet
Bleaching/chorine powder manufacture																			C			2 space per 1,000 square feet
Boiler manufacture and repair																			P			1 space per 1,000 square feet
Bottling works																		P	P			1 space per 1,000 square feet
Broom manufacture																		P	P			1 space per 1,000 square feet
Candy and other confectionary products manufacture															C			P	P			1 space per 1,000 square feet
Canning and preserving factory																		C	P			1 space per 1,000 square feet
Canvas and related products manufacture																		P	P			1 space per 1,000 square feet
Casein manufacture																			C			1 space per 1,000 square feet
Celluloid and similar cellulose manufacture																			C			1 space per 1,000 square feet
Cement manufacture																			C			1 space per 1,000 square feet
Ceramic products manufacture															C			P	P			1 space per 500 square feet
Chalk manufacture																			C			1 space per 1,000 square feet
Chemicals (agricultural) manufacture																			C			1 space per 1,000 square feet
Chemicals (industrial) manufacture																			C			1 space per 1,000 square feet
Clothing manufacture																		P	P			1 space per 500 square feet
Coffin manufacture																		C	P			1 space per 1,000 square feet

Cold storage plants/locker																		P	P			1 space per 1,000 square feet
Concrete or asphalt mixing/batching plant (permanent) ‡																			C			1 space per 5,000 square feet of land
Concrete or asphalt mixing/batching plant (temporary) ‡															C			P	P			1 space per 5,000 square feet of land
Crematory																			C			1 space per 1,000 square feet
Culvert manufacture																			C			1 space per 1,000 square feet
Cutlery, handtools and general hardware manufacture																		C	P			1 space per 1,000 square feet
Dairy products manufacture																		C	P			1 space per 1,000 square feet
Distillation of liquors, spirits, etc. (brewery)																			C			1 space per 1,000 square feet
Dye manufacture																			C			1 space per 1,000 square feet
Dyeing plant																		C	P			1 space per 1,000 square feet
Electric lamp manufacture																		C	P			One per 1,000 square feet
Elevator manufacture																			P			1 space per 1,000 square feet
Enameling and painting																		C	P			1 space per 1,000 square feet
Engraving plant																		P	P			1 space per 1,000 square feet
Envelope manufacture																		P	P			1 space per 1,000 square feet
Farm/garden machinery and equipment manufacture																		C	P			1 space per 1,000 square feet
Fats and oils (animal) manufacture																						1 space per 1,000 square feet
Feed manufacture																		C	C			1 space per 500 square feet
Felt manufacture																			C			1 space per 1,000 square feet
Food processing ‡																		C	P			1 space per 1,000 square feet
Footwear manufacture																		C	P			1 space per 500 square feet
Foundry, all types																						1 space per 1,000 square feet
Furnace manufacture																			C			1 space per 1,000 square feet
Fixtures manufacture																		C	P			1 space per 1,000 square feet
Furniture manufacture																		C	P			1 space per 1,000 square feet
Gases (industrial) manufacture																			C			1 space per 1,000 square feet
Glucose manufacture																			C			1 space per 1,000 square feet
Hair products factory (other than human)																			C			1 space per 1,000 square feet
Heavy machinery sales and storage ‡																		C	P			1 space per 1,000 square feet
Ice cream/ice manufacture																		P	P			1 space 1,000 square feet
Kerosene manufacture or storage																			C			1 space per 1,000 square feet
Laboratory equipment manufacturing ‡																			C			1 space per 1,000 square feet
Leather products manufacture																		C	C			1 space per 1,000 square feet
Lumber mill/yard																			C			1 space per 1,000 square feet
Machinery manufacture																		C	P			1 space per 1,000 square feet
Marble working and finishing																		C	P			1 space per 1,000 square feet
Meat packing plant																			C			1 space per 1,000 square feet
Metal cans and shipping containers manufacture																		C	P			1 space per 1,000 square feet
Metal products, stamping and manufacture																		C	P			1 space per 1,000 square feet
Mirror resilvering																		C	P			1 space per 200 square feet
Office equipment manufacture																		P	P			1 space per 1,000 square feet
Oil compounding and barreling																			C			1 space per 1,000 square feet
Oilcloth manufacture																			C			1 space per 1,000 square feet
Orthopedic, prosthetic, surgical appliances and supplies manufacture																		P	P			1 space per 1,000 square feet
Paint manufacture and/or mixing																		C	P			1 space per 1,000 square feet
Paper and paper pulp manufacture																			C			1 space per 1,000 square feet
Paper products and paper box manufacture																		P	P			1 space per 1,000 square feet
Pecan processing																		C	P			1 space per 1,000 square feet
Petroleum and petroleum products refining																						1 space per 1,000 square feet
Petroleum distribution/storage ‡																		C	P			1 space per 1,000 square feet
Plastic products, molding, casting and shaping																		P	P			1 space per 1,000 square feet
Poultry hatchery																						1 space per 1,000 square feet
Poultry slaughtering and processing																						1 space per 1,000 square feet
Printing ink manufacture																			P			1 space per 1,000 square feet

Reduction of fats, ores, metals, garbage, offal, etc.; rendering plant																					1 space per 1,000 square feet
Rock quarries, sand, gravel and earth excavations or extractions	C																	C			1 space per acre
Rug and carpet manufacture																	C	P			1 space per 1,000 square feet
Sand, gravel, or stone storage (including sales) ‡	C																C	P			1 space per 1.5 employees, plus five per acre
Shellac and varnish manufacture																		C			1 space per 1,000 square feet
Sign manufacturing (no outside storage)																	C	P			1 space per 1,000 square feet
Sign manufacturing (with outside storage)																	C	P			1 space per 1,000 square feet
Snuff manufacture																		C			1 space per 1,000 square feet
Soap, detergents, cleaning preparations manufacture																		C			1 space per 1,000 square feet
Starch manufacture																		C			1 space per 1,000 square feet
Steel works, blast furnaces and rolling mills																		C			1 space per 1,000 square feet
Stone cutting or crushing																		C			1 space per 5,000 square feet of land area
Stone, clay, glass and concrete Products (other than handicrafts) manufacture																		C			1 space per 1,000 square feet
Textile products manufacture																	C	P			1 space per 1,000 square feet
Tire retreading and recapping																	C	P			1 space per 1,000 square feet
Truck manufacture																		P			One per 1,000 square feet
Waste paper products manufacture																		P			1 space per 1,000 square feet
Water distillation																	P	P			1 space per 1,000 square feet
White lead manufacture																		C			1 space per 1,000 square feet
Wood container manufacture																	C	P			1 space per 1,000 square feet
Wood distillation (manufacture of tar, charcoal, turpentine and similar																		C			1 space per 1,000 square feet
Wood preserving manufacture and treatment																		C			1 space per 1,000 square feet
Wood products manufacture																	C	P			1 space per 1,000 square feet

RECOMMENDATION

City staff recommends approval of OAM23-03