

§ 14.03.016. Old Town Mixed-Use District.

- (a) Purpose. The Old Town Mixed-Use District is intended to serve as a mixed-use community commercial center. Mutually supportive office, civic, cultural, entertainment, and residential uses are planned to enhance the viability of this mixed-use community commercial center. Multiple, complementary uses may be mixed vertically with the same building. This form of development is arranged around a connected street and sidewalk network that serves vehicle, pedestrian, and bicycle transportation.
- (b) Allowed uses. Uses in Old Town Mixed-Use District shall be generally pedestrian oriented and encourage pedestrian traffic. Any use or combination of uses otherwise authorized by these zoning regulations is allowed. Uses with drive-through lanes, which are discouraged in town center, are permitted only by special use permit. If drive-through lanes are allowed by approval, the use must be mitigated with special design features during site plan review and located at the endcaps of the building site plan.
- (c) Use table, Old Town Mixed-Use Zoning District.

Use	P = Permitted S = Special Use Permit NP = Not Permitted
<i>Commercial Uses</i>	
Retail sales and services-excluded are sales geared towards automobile, including gasoline service stations	P S- if includes drive-through
Banks, credit unions, real estates offices, and property management services- no drive-throughs	P*
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	P*
Food service uses such as full-service restaurants, cafeterias, and snack bars including cafe seating within a public or private sidewalk area with no obstruction of pedestrian circulation	P S-if includes drive-through
Art, antique, and furniture sales (retail or repair; excludes auto sales and services)	P
Farmers market	S
Veterinary clinic, completely within an enclosed building (no outdoor facilities for overnight storage of animals)	P*
Bed and breakfast establishments	S

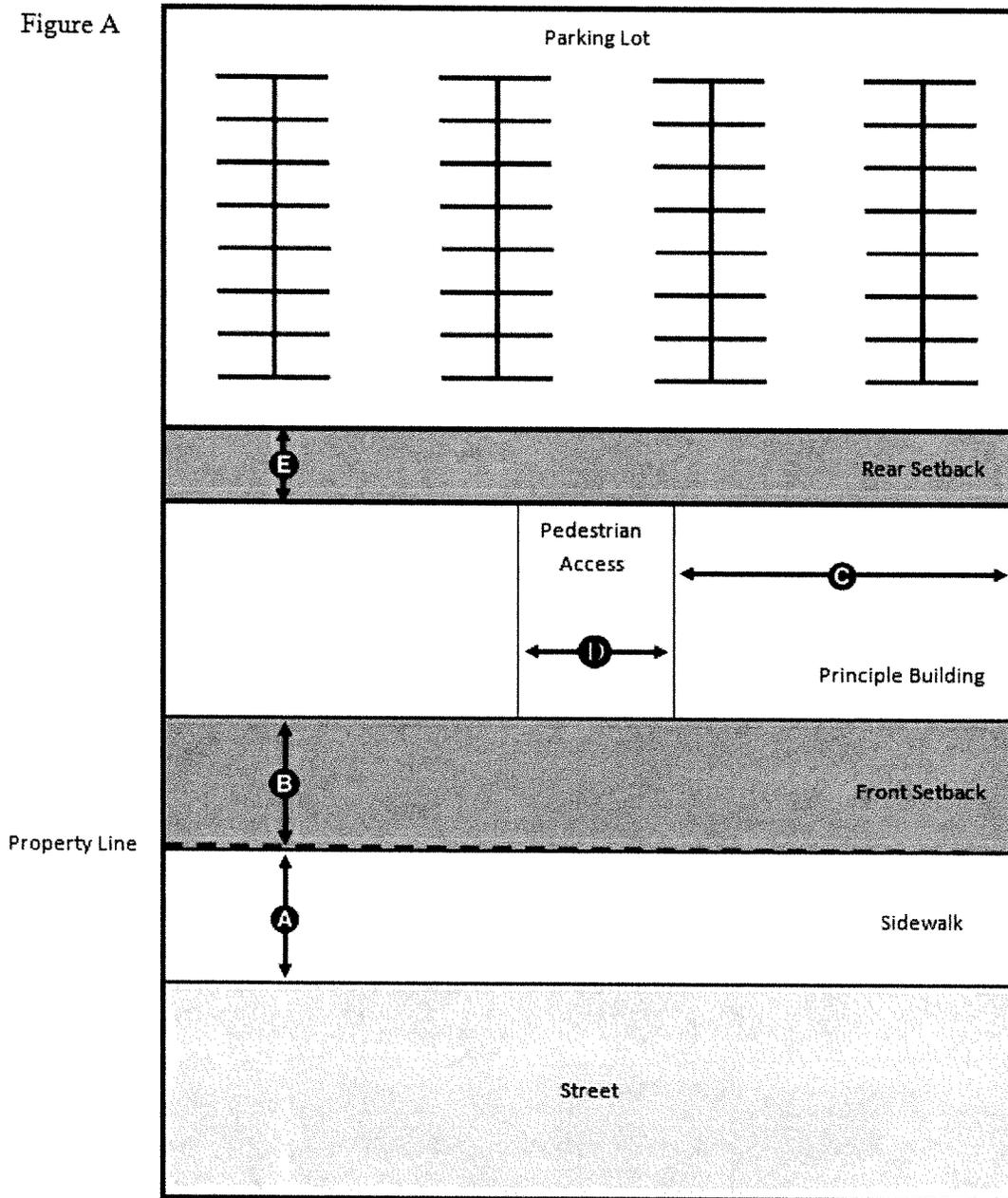
Use	P = Permitted S = Special Use Permit NP = Not Permitted
Full-service hotels	S
Barber, beauty shop, cosmetologist, or hairdresser	P*
Any use with on-premises alcohol sales as <u>less</u> than 50% of gross sales revenue	P
Any use with on-premises alcohol sales as <u>more</u> than 50% of gross sales revenue	S
Any use with off-premises alcohol sales at any amount	S
Tasting rooms	S
Sale of used goods	S
<i>Entertainment Uses</i>	
Theaters and cinemas	P
Museums	P*
Fitness, recreational sports, gym, or athletic club	P*
Parks, greens, plazas, squares, and playgrounds	P
Amusement, commercial (indoor)	P
Amusement, commercial (outdoor)	S
Event center/rental hall	S
<i>Institutional and Civic Uses</i>	
Religious institutions	P*
Civic uses (courthouse, city hall, and other public offices)	P*
Assisted living	S
<i>Residential Uses</i>	
Residential apartments and/or condominiums	S- for upper floors
Upper floor residential uses	S

*

Commercial businesses within these categories require that they are over 550 feet from a business that falls under the same use category.

- (d) Design standards. The following minimum standards shall be required (See figure A):
- (1) Setbacks. Structures will have zero lot lines. Buildings in this zone shall comply with the following:
 - (A) Zero lot lines are those lines situated so that the roof line of a structure can be located on the side lot boundary without any setback required.
 - (B) The minimum rear setback shall be five (5) feet for a single-story structure and fifteen (15) feet for any multi-story structure.
 - (C) A concrete sidewalk shall be constructed ten (10) feet from curb in a dedicated public right-of-way.
 - (D) The minimum front setback shall be ten (10) feet from sidewalk using concrete or another approved material.
 - (E) Pedestrian access shall be placed every two hundred and fifty (250) feet at minimum that are twenty (20) feet in width that shall be constructed with concrete.
 - (F) No doors or windows shall be located on any wall located on a zero-lot line.

Figure A



Section	Area Description	Setback Requirement (Figure A)
A	Required Sidewalk	10'
B	Minimum Front Setback from property line	10'
C	Maximum Principle Building Width	250'
D	Minimum Pedestrian Access	20'
E	Minimum Rear Setback from Principle Building	5'- Single Story 15'- Multi-Story

- (2) Parking. All off-street parking requirements will follow the standards set forth in section **14.05.011** and must be located in the rear of the structure.
- (3) Patios. The design of the interior and immediate surroundings of a patio should adhere to the following guidelines:
 - (A) The surface area of an outdoor patio may not exceed the interior floor area of the primary licensed establishment.
 - (B) A fence or vertical barrier may be used to delineate the perimeter of the patio area.
 - (C) Perimeter fences shall not obstruct the line of sight for pedestrians and drivers.
 - (D) Patios shall be located in the front setback or on the rooftop.
- (4) Signs. All permissible signage shall be designed and follow the standards set forth in section 14.04.014.
- (5) Outside storage. No outdoor storage, except for refuse disposal, shall be permitted. Refuse disposal areas shall be landscaped or screened from view.
- (6) Live outdoor music at retail sales and service. Live outdoor music will be permissible during peak hours (defined as Sunday through Thursday from 12:00 p.m. to 10:00 p.m. and Friday, Saturday, and holidays from 12:00 p.m. to 12:00 a.m. Music performances are not to exceed Texas Penal Code 42.01c(2) (85dB or under at property line) at a distance of one hundred (100) meters.
- (7) Live outdoor music at amphitheaters or outdoor events. Live outdoor music will be permissible Friday, Saturday, and holidays from the hours of 12:00 p.m. to 12:00 a.m. A permit must be obtained through the city. Music performances are not to exceed ninety-five decibels (95 dB) at a distance of one hundred (100) meters.
- (8) Principal building standards.
 - (A) Buildings shall be oriented towards the main street.
 - (B) Primary entrances to buildings shall be located on the street along which the

building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access.

- (C) Building maximum: 3 stories or 45 feet (whichever is less).
- (D) Building material: The wall surface for all buildings on sides adjacent to any street or alley walkway other than glass shall be of one hundred percent (100%) masonry material. Seventy-five percent (75%) of overall wall surfaces other than glass shall be of brick, stone, or cast stone. The remaining twenty-five percent (25%) may be stucco, fibrous cement, split-face block, or other masonry material. The use of any other wall surface material may be approved by the city council at the time of the site plan review.
- (E) Awnings/canopies:
 - (i) Measurements for eaves and awnings on buildings should project a distance of no more than two feet into required setback. (See figure 1)
 - (ii) Canopies may project into required front setbacks for a minimum distance of twenty (20) feet, provided that no supporting structure for such extensions shall be located within the required front setback. Masonry piers will be located at the edge of the curb. (See figure 2)

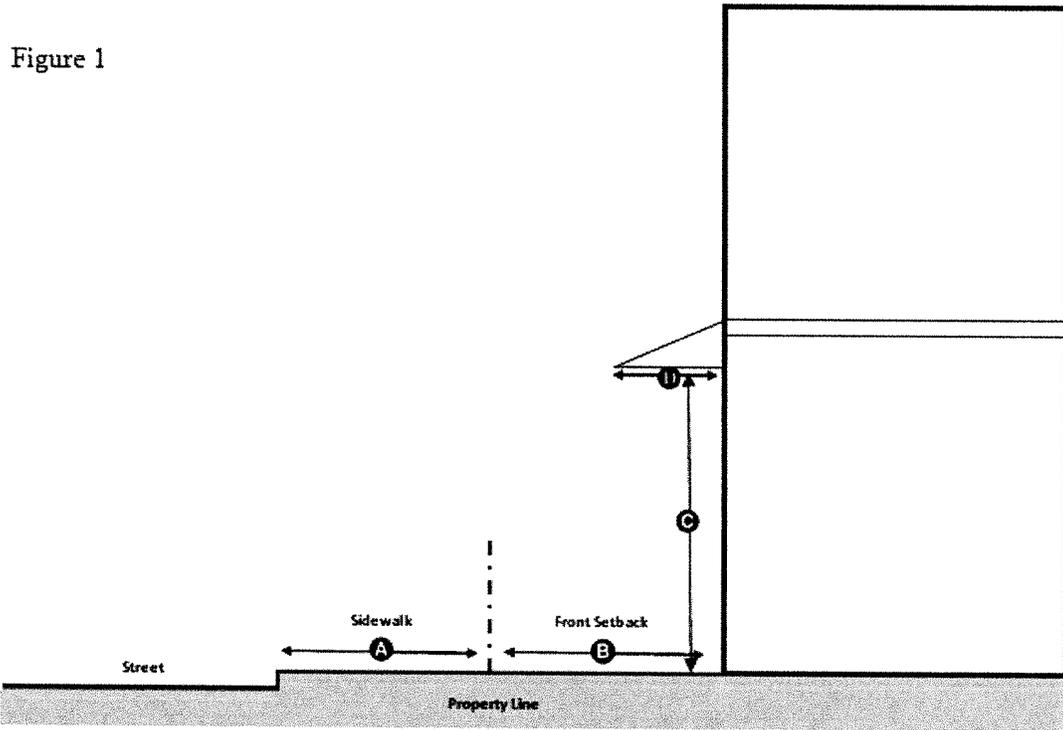
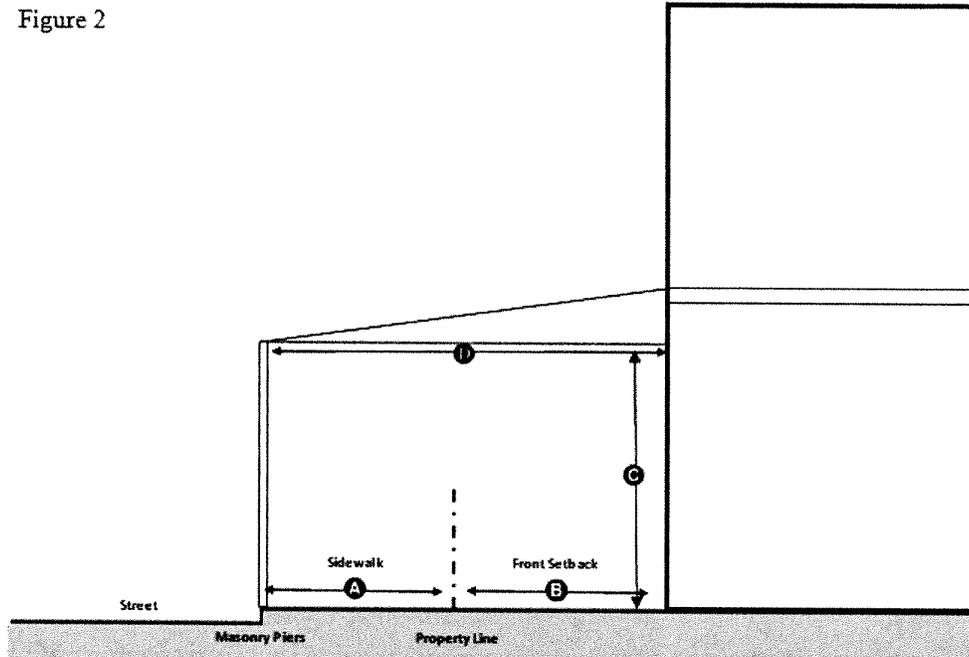


Figure 2



Section	Area Description	Setback Requirement (Fig 1)	Setback Requirement (Fig 2)
A	Required Sidewalk	10'	10'
B	Minimum Front Setback from property line	10'	10'
C	Awning/Canopy Minimum Height	8'	8'
D	Awning/Canopy Extension	2' Maximum	20' minimum (to curb)

- (iii) Awnings/canopies shall be constructed with metal or canvas. Vinyl and plastic are prohibited. Piers supporting canopies at the curbs edge shall be made with masonry material approved by city officials.
 - (iv) Lighting and other attachments should be securely fixed and integrated to the supporting structure.
 - (v) At no time shall a canopy be located over any on-street parking or travel lane. The edge of the canopy may not extend past the edge to which it is attached.
- (9) Sidewalk sales. Sidewalk vendors selling goods must obtain a sidewalk vending permit before conducting vending business activities in the city. The permits are issued by the development department and are valid for seven days from the date of issuance and must be renewed per event.
- (A) In general, sidewalk vendors must adhere to the following guidelines:
 - (i) Display sidewalk vending permit while conducting vending business activities.

- (ii) Vending activities shall take place on a sidewalk and during approved times as follows: hours imposed on other businesses on the same street block or 8:00 a.m. to sunset, whichever is less restrictive on non-residential blocks.
- (iii) A sidewalk vending permit does not provide an exclusive right to operate on any sidewalk or portion thereof. Must be in front of primary business.
- (iv) Sidewalk vendors must ensure that the 10-foot area immediately surrounding the vending space is kept clean and free of trash and debris associated with their vending operation. A trash receptacle must be provided for customers and must be large enough to accommodate customer trash.
- (v) Vending equipment and goods must be attended to at all times by the business owner or employee. Vendors must remove all equipment and goods at the end of each day.
- (vi) Obstructions that would reduce the width of the sidewalk to less than forty-eight (48) inches are prohibited.
- (vii) The public right of way or any area that blocks pedestrians or vehicles is prohibited.
- (viii) Vending is prohibited in any public property that does not meet the definition of a sidewalk, including but not limited to any alley, street, street or roadway median, street end or parking lots.

(Ordinance 2024-038 adopted 10/21/2024)